

Welcome to the November 2017 issue of MLA NewsBites –



Our Voices were heard!

The MLA, along with many other organizations, groups and individuals, delegated at two Muskoka meetings this month. The first was a Township of Muskoka Lakes (TML) meeting on November 16th where the MLA cautioned against TML entering into a Condominium Agreement with 'The Villas of Lake Muskoka' which was contrary to TML's Official Plan. The second meeting was at District Planning Committee on November 23rd where the MLA again stressed our concerns about proposed new policies for Resort Development as well as requesting stronger policies for Recreational Water Quality. The MLA is heartened to know that our concerns were heard and that TML is taking time to review our legal letter and the District is going to revisit their draft Official Plan policies.

Make no mistake - the MLA will continue to fight to ensure that resorts do not become high density residential developments along Muskoka's waterfront. (Please see our latest e-blast dated November 25th) With over 80 Muskoka resort properties that could be redeveloped at much higher densities, the threat to our Muskoka waterfront character is real. The MLA believes that a resort should be 100% commercial and that units within that resort should be available to be rented to the public 100% of the year. We will keep you apprised of any future meetings and thank you for your continued support of our efforts!

DISTRICT OF MUSKOKA

District Public Meeting re new Official Plan Resort Policies / Additional Information – On November 23rd the District Planning Committee held a Public meeting on the second draft of the proposed new Official Plan. An overwhelming 330 people attended the meeting to delegate on various aspects of the draft Official Plan. Although the District received comments on 3 main issues (growth policies, recreational water quality and resort development), by far the main topic of concern was the proposed policy allowing resorts to have up to 50% of their units as residential dwellings. The MLA, along with approximately 42 other delegates, presented our concerns. Only 3 presenters were in favour of the new resort policies; being one developer and two consultants representing developers. Delegations continued for 5 hours. After hearing such opposition to the draft resort and recreational water quality policies, District Planning committee felt there was more work to be done and decided to continue reviewing these policies.

Committee member Nancy Alcock (Huntsville) said she was pleased to see so many people come out and thanked everyone. She felt that the meeting was successful and said ***"I appreciate constructive comments. There's no question that we didn't get it right but we do have to update our Official Plan. I feel privileged to have all this expertise here today."*** Committee member Lori-Lynn Giaschi-Pacini (Bracebridge) also thanked people for attending and said ***"I do not believe in over intensification on our waterfront. I believe in reasonable and responsible intensification not only on waterfronts but also in rural and urban areas across Muskoka. I oppose development of a residential nature with densities allowable to commercial properties. If it is zoned commercial then it needs to be commercial, period. I am also opposed to the 50 percent of units generating turnover – if it is commercial it should be 100% - a resort is a resort period. I believe it is too difficult to enforce the 50% open to the travelling public. Responsible development is key. I know resorts and the development of resorts are struggling but we need to find another way to deal with this issue."***

Written submissions to the District are being accepted to the end of January 2018. Staff will review all public comments and bring a revised Official Plan back in spring 2018. ***The MLA was very pleased that the District will pause to review the proposed Official Plan policies. The MLA will continue to be involved in the drafting of these policies and requested further meetings with District staff.***

The link to the recorded webcast of the meeting can be found [here](#): Related newspaper articles include:

The Globe & Mail – found [here](#):

The Muskoka Region News – found [here](#):

District Public Meeting re new Official Plan Lake Health Policies – Approximately 5 delegates at the District Planning Committee meeting on November 23rd spoke about concerns with the new proposed lake health policies in the Official Plan. Three delegates from the Leonard Lake Association had significant concerns with the proposed lake health policies and the effects of future development on Leonard Lake. One Leonard Lake resident, Ken Riley said “We must take off our rose colored glasses. We say our water quality is excellent to very good. However once a lake is past a certain point and is enriched in phosphorous, it can be impossible to go back. We must be more proactive and not allow our lakes to get to these limits. Limiting growth is important. Limiting development is **extremely** important. It’s the most cost effective limiting tool.” The Committee said that further discussion of the lake health policies was needed. ***The MLA also delegated requesting stronger policies for protection of Muskoka’s water quality. We also requested to work with Leonard Lake and their experts as discussions continue on this very important issue.***

District Withdraws Delegation to Staff for Condominium Approval of Legacy Cottages– At the November 23rd District Planning Committee meeting, the application for draft plan approval for Legacy Cottages was listed on the agenda. The application is to permit Legacy to create a 43 unit condominium in which each unit would be wholly-owned and sold. The concern is that these units could become residential dwellings; not resort units bought for investment purposes. Mr. Frank Jaglowitz delegated requesting Committee to withdraw the approval authority delegated to staff for condominium approval for Legacy Cottages (Minett), and any similar applications. Rather than staff approval these applications would be dealt with in Committee and District Council for approval. Mr. Jaglowitz referred to three developments in the Township of Muskoka Lakes (Villas of Lake Muskoka, Touchstone Resort and Legacy Cottages) which are selling resort commercial units whereby the purchasers have the expectation that the owner can occupy their unit for all but 8 to 10 weeks a year. All three development applications have received overwhelming opposition from the public.

The Committee, including District Chair John Klinck, agreed that the Legacy Cottages application will go to the Planning Committee for further discussion. ***The MLA was extremely pleased that the District agreed that the condominium application would be considered by Planning Committee which allows for further discussion and public input.***

District of Muskoka Roads Rationalization Study –Mr. Fred Jahn, District Commissioner of Engineering & Public Works, is attending all Muskoka area municipal council meetings to present District’s ‘Road Rationalization Plan’. This plan is studying a proposal to download a percentage of each area’s District roads to the local municipality. There are currently 52 District roads. The study proposes that 70% of these roads remain District roads; 30% could be considered to be local roads. The plan not only looked at roads, but bridges, culverts and other major infrastructure associated with these roads. The District is anxious to receive feedback from the various area councils. The District’s ‘Roads Rationalization Study’ can be found at the link below. You can review which roads in your local municipality are being considered as future local roads [here](#).

[The MLA is interested in hearing what the financial implications will be of downloading the road maintenance costs to the local municipalities.](#)

Bala Falls/Swift River Energy Ltd. (SREL) Update – On November 20th, District CAO Michael Dubin told District council that staff had given notice to Swift River Energy Ltd. (SREL) that District would revoke its roadway entrance and road occupancy permits for the project unless a vibration control condition, related to blasting and other construction activity, was met. SREL had until November 28th to meet the condition. The VP of Development for SREL confirmed on the evening of November 21st that Swift River had addressed the District’s concerns. The local news story about the possible suspension of permits can be found [here](#):

The MLA appreciates that the District is diligently watching the construction of the Bala hydro plant to ensure there is no danger to the bridge or other public infrastructure.

TOWN OF BRACEBRIDGE

Santa’s Festival of Lights and Shopping Party Friday Dec. 1st from 6 p.m. to 10 p.m.- Bracebridge kicks off the holiday season with the official lighting of Downtown. This event is a family affair with entertainment by Jam Sandwich, wagon rides, camp fire and living window displays. There’s also great Christmas shopping with indoor specials and door prizes. ***The MLA hopes you’ll head to Bracebridge to join in the fun of this Christmas event.***

Update on Bracebridge’s New Fire Station – You may have noticed the construction of a new 30,000 square-foot building on Taylor Road. This is the new home of Bracebridge’s Fire Department and Paramedics Services. Construction is nearly complete and by the end of November paramedics and firefighters will move into the new \$7.4 million building. The firefighters are looking forward to their new fitness room and the paramedics are thrilled to have a new high-tech simulation lab. The local news article on the new building can be found [here](#):

TOWN OF GRAVENHURST

Muskoka Regional Centre Update- On October 5th, Gravenhurst Mayor Paisley Donaldson announced that negotiations had come to an impasse between the Town, Infrastructure Ontario and Maple Leaf School Systems/Knightstone Capital Management which would have allowed the transfer of the Regional Centre property to Maple Leaf Schools. On November 8th Gravenhurst council met for a special meeting to hear recommendations from staff on the best course of action to move the Muskoka Regional Centre redevelopment project forward. Council agreed to allow the property to go on the ‘open market’ as soon as possible. Mayor Paisley Donaldson stated “The Town holds its position very firmly with the Province, that these lands must be sold to a developer that will bring sustainable employment opportunities to Gravenhurst; this is non-negotiable.” There is still a possibility that Maple Leaf Schools will return with a new proposal that would be mutually agreeable with the province. The province has stated it intends to sell the property before the end of next March. For more information please see the following news articles [here](#) and [here](#):

The MLA will follow this issue and report any action.

SEGUIN TOWNSHIP

Councillor Jack Hepworth’s November Council Reports – This month’s report includes an interesting account of how much federal Gas Tax refund Seguin received in 2016, Seguin Township’s financial update to October 26th, new Policing Legislation introduced by Queen’s Park and thorough summaries of November 6th and 20th Seguin Council meetings. Councillor Hepworth’s full report can be found here: www.jackhepworth.ca. ***The MLA notes that Seguin’s Chief Financial Officer and Treasurer stated: “We are currently forecasting a surplus of just over \$98,000, up from just over \$44,000 reported on September 25th. Once again, the main cause of the change is due to revenues, specifically Building Permit Fees.” The MLA also notes that Seguin Township is undertaking a study of cottages involved in short term rentals. We note that the District of Muskoka has also raised the***

same issue and therefore the MLA is looking forward to hearing the results of Seguin Township's study. The MLA thanks Councillor Hepworth for another interesting report.

TOWNSHIP OF MUSKOKA LAKES (TML)

TML Hires New Deputy Treasurer – TML has hired Mr. Derek Hnatiuk as their new Deputy Treasurer. Mr. Hnatiuk began with the township on October 30th. His 17 years of experience include positions in both the public and private sectors, which includes Assistant Treasurer for the city of Cote Saint-Luc, Quebec. ***The MLA welcomes Mr. Hnatiuk and wishes him all the best in his new position.***

TML November 16th Meeting re the Villas of Lake Muskoka Application/Resort Policies – This meeting had to be moved to the Port Carling Community Centre to accommodate the 140 plus people who attended. The subject of the meeting was the proposed approval of a Condominium Agreement between TML and 'The Villas of Lake Muskoka'. The Villas' Condominium Agreement states that their condominium units will be placed in a rental pool for only 8 to 10 weeks a year, with only 2 of those weeks in the summer. TML Official Plan states that any commercial resort requires their units to be available to the travelling public the entire year, including the high season. The MLA delegated citing our legal counsel's letter which stated that approving the Villas' application would be in contravention of TML's Official Plan. The MLA requested that a decision by council be deferred. Our lawyer's letter can be found [here](#):

Many other delegates spoke in opposition to the Villas' application and specifically about the proposed resort policy that would allow up to 50% of the resort units to be residential. Councillor Phil Harding, who chaired the meeting, made it clear that he was not in favour of allowing 50% residential use of resort units. Mayor Don Furniss was more sympathetic to today's resorts struggling to be financially viable. Council decided to defer any decision about entering into a condominium agreement with Villas pending a review of the MLA's legal position by their own legal counsel. The matter is expected to be back in front of council in December. The local news story on this issue can be found [here](#):

The MLA was pleased that council chose to take time to review its legal position. We look forward to their response.

New Short Term Cottage Rentals Steering Committee - Members Appointed – Last month councillors reviewed a staff-developed draft by-law for licencing short term cottage rentals in TML. The by-law was patterned after the Blue Mountains' licencing by-law. Council felt before moving forward with a TML licencing by-law that the issue, and the draft by-law, should be reviewed by a special steering committee made up of community members and councillors. Perhaps there is no need for a licencing by-law? Maybe committee members have other ideas on how to deal with increasing problems with neighbouring cottage rentals? Councillor Phil Harding stated his concern about regulatory licencing. "The problem is unruly tenants. We could solve this problem with some slight changes to our by-law. The Steering Committee should review lots of options." Councillor Gault McTaggart agreed. "I like Phil's idea. We could potentially be creating a monster (i.e. with a licencing by-law)."

Council voted unanimously to approve the following Steering Committee members, which includes one councillor from each ward: Mayor Don Furniss, Councillors Donelda Hayes, Jean-Ann Baranik, and Allen Edwards, Director of Planning David Pink, TML By-law Enforcement Officer Jon Poppel and community members Doug Bryden (Director Muskoka Ratepayers Association and real estate consultant, Norah Fountain (General Manager of Muskoka Lakes Chamber of Commerce), Tim Kenny (Ken Fowler Enterprises Associate), Thomas McAskin (Concerned citizen and MLA member) and Jayne McCaw (Jayne's Cottage Rentals).

The draft Licensing By-law can be found [here](#):

The MLA appreciates the efforts of the steering committee to explore all possible options. Any comments you may have should be forwarded to TML's Director of Planning, Mr. David Pink, as TML's staff person responsible for TML's by-law.

TML issues a Stop Work Order and an Order to Remedy - A complaint was received regarding tree removal and site alteration on property fronting on the Indian River, just south of Mirror Lake, Port Carling. Site visits by staff confirmed that tree removal and filling was actively occurring in areas zoned Environmental Protection (EP1) under Comprehensive Zoning By-law 2014-14 and within 200 feet of a navigable waterway without a permit under either the Tree Preservation or Site Alteration By-laws. TML then issued a Stop Work Order and Order to Remedy on October 6th and October 26th respectively, amongst other actions. Under both by-laws, a person to whom an Order has been directed may request a review by Council. The owner has appealed both the Stop Work Order and the Order to Remedy and has requested council review these Orders. The owner states he has a Crown Patent for the land which means he can do as he wishes with the property and that TML by-laws are moot. If the owner does not comply with the Orders, TML can issue a penalty. TML has requested that the owner bring the property back to its original state by June 30th. If that's not done, TML can take the owner to court. To ensure further contraventions of the by-laws cease and the properties are appropriately rehabilitated, Council unanimously confirmed the Stop Work Order and Order to Remedy. ***The MLA applauds the actions taken by TML staff. Clear cutting and filling an environmentally protected area should be subject to stiff fines as it is unlikely that the property can be rehabilitated to its original state.***

Results from TML's online Survey re Service Levels – TML's CAO has released the results of TML's service level survey which was online until the end of September. A total of 486 survey responses were received. Responses were received from all areas of the Township, with approximately 40% of responses from those most associated with Bala and Port Carling. 70% of respondents were over the age of 55. Of the responses, 60% were from permanent residents and 40% from seasonal residents. 56% of respondents have owned or lived at their property for at least 20 years. A key finding from the survey was that over 82% of the respondents rated the value they received for their tax dollars to be fair, good or excellent. Other key findings:

- 43% of respondents do not have access to high speed internet
- 50.62% believe the current size of Council is sufficient while 24% believe it is too large and 4% too small. 22% were either undecided or required more information.
- Communications, website, economic development, online payments and community grants all received well over 50% of responses to maintain or enhance the service.
- 80% of responses felt Fire Services, Public Education and Fire Stations should maintain or enhance services.
- Septic re-inspection, By-law enforcement and Animal control received in excess of 50% to maintain or enhance responses.
- 78% of respondents were in support of planning application fees being adjusted to reflect the true cost of processing. Planning fees were last reviewed in 2015 so a review is due.
- All Public Works related services, including road maintenance, bridge rehabilitation, winter control, parks and facilities, docks and launches received well in excess of 50% of responses to maintain or enhance.

- Services and programs currently used or that they would support being maintained included Community Centres, Public Docks/ Wharfs/ Boat Launches and Trails ranked one, two and three – all receiving over 60%.

Answers provided to the question “What other suggestions to improve services or programs?” can be found [here](#):

Answers provided to the question “Any additional comments you’d like to make” can be found [here](#):

Safe Quiet Lakes Presents their Summer Survey Results – This month Safe Quiet Lakes (SQL) attended TML council to thank them for their continued support. President Francis Carmichael provided council with the results of their 2017 summer survey. Both the number of respondents and the number of comments had increased significantly since their last survey in 2013. Respondents overall priority was the safety and enjoyment of their lake. Concerns noted included boat noise, increased boat traffic, power boats that don’t follow the rules, high speeds and wakes and the use of alcohol and drugs while operating a boat. 72% of respondents felt there is a need for more safe boating education. The majority felt a need for more boating laws and regulations. 71% would like to have ‘no wake’ zones established. Council unanimously agreed with SQL’s requests which included posting SQL’s ‘Boater’s Code’ at all TML boat launches, including a copy of the ‘Boater’s Code’ in the upcoming spring TML tax bills and posting the ‘Boater’s Code’ on TML’s website. ***The MLA is a supporter of SQL; both philosophically and financially.***

Revised TML Meeting Schedule for January 2018 - Due to the office closure at Christmas and upcoming January budget meetings, staff recommended that the regularly scheduled January council and committee meeting dates be revised. Council voted to approve the following revised meeting schedule:

Friday, January 12th, 2018 – Council Meeting at 9 a.m. (no change)

Tuesday, January 16th, 2018 – Committee of the Whole Meeting at 9 a.m. (revised date)

Wednesday, January 17th, 2018 – Committee of Adjustment at 9 a.m. (revised date)

TML Budget Meeting Schedule –Council has approved the following meeting schedule:

Wednesday, January 24th, 2018 – Special Committee of the Whole meeting at 9 a.m. to introduce the draft 2018 Budget

Thursday, February 1st, 2018 – Special Council meeting at 7 p.m. to receive public input on the 2018 Budget (Original draft budget with tracked changes will be available)

Thursday, February 8th, 2018 – Special Committee of the Whole meeting at 9 a.m. for Budget deliberations

Friday, February 16th, 2018 – Regular Council meeting at 9 a.m. for adoption of the 2018 Budget

As always, the MLA will be attending the budget meetings and keeping you apprised of the increase you can expect on your 2018 tax bill.

The MLA wishes all our members a very “Happy Holiday Season”!