



Environment and Land Tribunals Ontario
Ontario Municipal Board
 655 Bay Street, Suite 1500 Toronto, Ontario M5G 1E5
 TEL: (416) 212-6349 or Toll Free: 1-866-448-2248
 FAX: (416) 326-5370
 www.eltlo.gov.on.ca

**MUNICIPAL SUBMISSION FORM (R4)
 PLANNING ACT**

CONSENT/SEVERANCE

Reference Number (OMB Office Use Only):

Material and information is to be forwarded to the Ontario Municipal Board by the Approval Authority **within 15 days after the last day for filing a notice of appeal** under the following subsections of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended. **Please check the section of the Act under which the appeal(s) have been filed.** Please print clearly throughout the submission form.

Part 1: Appeal Type (Please check only one box)

SUBJECT OF APPEAL	TYPE OF APPEAL	PLANNING ACT REFERENCE (SECTION)
Consent/Severance	<input checked="" type="checkbox"/> Appeal against a decision to approve or refuse the application	53(19)
	<input type="checkbox"/> Appeal conditions imposed	
	<input type="checkbox"/> Appeal against changed conditions	53(27)
	<input type="checkbox"/> Application for consent – Approval Authority failed to make a decision on the application within 90 days	53(14)

Municipality: Huntsville

Municipal File Number: B-43/44/45/2012/HTE

Upper Tier: District of Muskoka

Approval Authority (if different than above): _____

Part 2: Approval Authority Contact Information

First Name: Kirstin Last Name: Maxwell

Professional Title: Planner

E-mail Address: kirstin.maxwell@huntsville.ca

By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Telephone #: 705-789-1751 ext. 2351 Fax #: 705-788-5153

Mailing Address: 37 Main Street East Huntsville
 Street Address City/Town

Ontario P1H1A1
 Province Postal Code

Part 3: Location Information

1479 South Waseosa Lake Road, Part Lots 10 and 11, Concession 9, Geographic Township of Chaffey
 Address and/or Legal Description of property subject to the appeal:

Part 4: Related Matters

- (a) Is this consent appeal connected with a variance application or by-law amendment? YES NO
- If yes, has a decision on the variance/by-law been appealed to the Board? YES NO
- Variance submission: A- _____ O.M.B. File No.: _____
- By-law Amendment No. Z/37/2012/HTE O.M.B. File No.: _____
- (b) Other matters at municipality or Board or required to be filed?: No

Part 5: Consent/Severance Information

1. DATE APPLICATION SUBMITTED TO MUNICIPALITY: DECEMBER 17, 2012

2. Give a brief outline of the purpose of the consent and the nature of the issues raised in the appeal(s) (if conditions are being appealed, please note which conditions are subject to this appeal):

Consent to sever 3 shoreline residential lots granted, issues raised by the appellant concerning water quality of the lake

3. Does a conflict with the relevant zoning by-law exist? YES NO
If yes, where is this conflict indicated?

Reasons for decision? Conditions of consent? Written comments from officials or agencies?

Other source? Name of source: _____

If there is a conflict, it is the Board's practice to require its resolution either by a minor variance application or by-law amendment before a Board hearing can be scheduled. Has the applicant been advised of this practice in order to expedite this appeal?

YES NO

Part 6: Scheduling Information

How many days do you estimate are needed for hearing this appeal? 3 Number of days
How many witnesses do you expect to have at the hearing? 3 Number of witnesses
Describe witness(es)' area of expertise. biologist, planning,

Do you believe this matter would benefit from mediation? YES NO

If yes, do you believe all parties would consent to participating in mediation? YES NO
(Mediation is generally scheduled only when all parties agree to participate)

Do you believe this matter would benefit from a prehearing conference? YES NO
(Please note that prehearing conferences are generally not scheduled for variances or consents.)

If yes, why? determine what witnesses would be called by appellant

Part 7: Approval Authority Representative Information (Legal or Planning) *Person attending OMB hearing

First Name: Chris Last Name: Marshall

Company Name: Town of Huntsville

Professional Title: Director of Planning and Sustainability

E-mail Address: chris.marshall@huntsville.ca
By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Daytime Telephone #: 705-789-1751 Alternate Telephone #: _____

Fax #: 705-788-5153

Mailing Address: 37 Main Street East Huntsville
Street Address Apt/Suite/Unit# City/Town
Ontario P1H 1A1
Province Country (if not Canada) Postal Code

Part 8: Required Documentation (Please check boxes to indicate document included in filing)

I confirm that I have attached the following items to this form.

Signature of Approval Authority: [Handwritten Signature]

Date: March 19, 2013

The following material must be attached to this form where applicable, in the order which it is listed:

- Original or true copy of each notice of appeal received and reasons for appeal **with indication of the date on which each notice was filed**. Attach a typed list of the names, addresses and telephone numbers of all appellants.
- Board fee paid by each appellant made payable to the Minister of Finance. The appeal will not be processed without this fee being paid by each appellant. Ensure that cheque/fee payment is affixed to each appeal.
- Original or certified copy of the application received by the approval authority. This includes the original or a copy of the prescribed information and material received under subsection 53(2) of the *Act*.
- The original or a certified copy of any other information and material that is required to be provided by the official plan of the municipality or planning board.
- Decision of the approval authority with written reasons.
- Last date for filing notice of appeal to the Clerk or Minister.
- Authorization, if application made by other than the owner.
- Minutes of public meeting (in written/printed format).
- Affidavit or sworn declaration of the approval authority listing all persons and public bodies that made oral submissions at the public meeting.
- Name and addresses of all legal counsel and all persons, officials and agencies who were sent a copy of the Approval Authority's decision and of those who requested to receive notice from the Board.
- All plans and sketches considered by the approval authority.
- A copy of any planning report considered by the approval authority.
- Original or a copy of all written submissions and comments received.
- Where a local municipality gives notice of an application for consent pursuant to a request by an approval authority under subsection 53(7.1) of the *Act*, an affidavit or sworn declaration by an employee of the municipality certifying that the requirements for the giving of notice under clause 53(5)(a) of the *Act* have been complied with.
- A statement by an employee of the approval authority as to whether the decision of the approval authority,
 - i. is consistent with the policy statements issued under subsection 3(1) of the *Act*,
 - ii. conforms to or does not conflict with any applicable provincial plan or plans, and
 - iii. conforms to the official plan of the municipality or planning board.
- Affidavit or sworn declaration by the approval authority of compliance with the requirements for giving notice under subsection 53(17) and 53(24) of the *Planning Act*.
- Copy of relevant extracts from the Official Plan.
- Copy of relevant extracts from the Zoning By-law.
- Copy of relevant extracts from Minister's Zoning Order, if applicable.



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**APPELLANT FORM (A1)
 PLANNING ACT**

**SUBMIT COMPLETED FORM
 TO MUNICIPALITY/APPROVAL AUTHORITY**

Date Stamp - Appeal Received by Municipality

RECEIVED
 MAR 06 2013

ml

Receipt Number (OMB Office Use Only)

Part 1: Appeal Type (Please check only one box)

SUBJECT OF APPEAL	TYPE OF APPEAL	PLANNING ACT REFERENCE (SECTION)
Minor Variance	<input type="checkbox"/> Appeal a decision	45(12)
	<input checked="" type="checkbox"/> Appeal a decision	
Consent/Severance	<input type="checkbox"/> Appeal conditions imposed	53(19)
	<input type="checkbox"/> Appeal changed conditions	53(27)
	<input type="checkbox"/> Failed to make a decision on the application within 90 days	53(14)
	<input type="checkbox"/> Appeal the passing of a Zoning By-law	34(19)
Zoning By-law or Zoning By-law Amendment	<input type="checkbox"/> Application for an amendment to the Zoning By-law -- failed to make a decision on the application within 120 days	34(11)
	<input type="checkbox"/> Application for an amendment to the Zoning By-law -- refused by the municipality	
Interim Control By-law	<input type="checkbox"/> Appeal the passing of an Interim Control By-law	38(4)
Official Plan or Official Plan Amendment	<input type="checkbox"/> Appeal a decision	17(24) or 17(36)
	<input type="checkbox"/> Failed to make a decision on the plan within 180 days	17(40)
	<input type="checkbox"/> Application for an amendment to the Official Plan -- failed to make a decision on the application within 180 days	22(7)
	<input type="checkbox"/> Application for an amendment to the Official Plan -- refused by the municipality	
Plan of Subdivision	<input type="checkbox"/> Appeal a decision	51(39)
	<input type="checkbox"/> Appeal conditions imposed	51(43) or 51(48)
	<input type="checkbox"/> Failed to make a decision on the application within 180 days	51(34)

Part 2: Location Information

1479 South Waseosa Lake Road, Part of Lots 10 and 11, Concession 9, Geographic Township of Chaffey
 Address and/or Legal Description of property subject to the appeal:

Municipality/Upper tier: Town of Huntsville / District of Muskoka

ml

Part 3: Appellant Information

First Name: Dwayne Last Name: Verhey

Lake Waseosa Ratepayers' Association
Company Name or Association Name (Association must be incorporated – include copy of letter of incorporation)

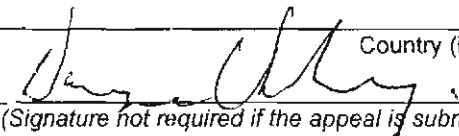
Professional Title (if applicable): Secretary

E-mail Address: secretary@lwra.net
By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Daytime Telephone #: 705-788-3693 Alternate Telephone #: _____

Fax #: 705-788-9126

Mailing Address: c/o 21 Cottage Lane, RR#3 Huntsville
Street Address Apt/Suite/Unit# City/Town
Ontario P1H 2J4
Province Country (if not Canada) Postal Code

Signature of Appellant:  Date: July 22, 2012
(Signature not required if the appeal is submitted by a law office.)

Please note: You must notify the Ontario Municipal Board of any change of address or telephone number in writing. Please quote your OMB Reference Number(s) after they have been assigned.

Personal information requested on this form is collected under the provisions of the *Planning Act*, R.S.O. 1990, c. P. 13, as amended, and the *Ontario Municipal Board Act*, R.S.O. 1990, c. O. 28 as amended. After an appeal is filed, all information relating to this appeal may become available to the public.

Part 4: Representative Information (if applicable)

I hereby authorize the named company and/or individual(s) to represent me:

First Name: _____ Last Name: _____

Company Name: _____

Professional Title: _____

E-mail Address: _____
By providing an e-mail address you agree to receive communications from the OMB by e-mail.

Daytime Telephone #: _____ Alternate Telephone #: _____

Fax #: _____

Mailing Address: _____
Street Address Apt/Suite/Unit# City/Town
Province Country (if not Canada) Postal Code

Signature of Appellant: _____ Date: _____

Please note: If you are representing the appellant and are NOT a solicitor, please confirm that you have written authorization, as required by the Board's Rules of Practice and Procedure, to act on behalf of the appellant. Please confirm this by checking the box below.

I certify that I have written authorization from the appellant to act as a representative with respect to this appeal on his or her behalf and I understand that I may be asked to produce this authorization at any time.



Part 5: Language and Accessibility

Please choose preferred language: English French

We are committed to providing services as set out in the *Accessibility for Ontarians with Disabilities Act, 2005*. If you have any accessibility needs, please contact our Accessibility Coordinator as soon as possible.

Part 6: Appeal Specific Information

1. Provide specific information about what you are appealing. For example: Municipal File Number(s), By-law Number(s), Official Plan Number(s) or Subdivision Number(s):

(Please print)

Corporation of the Town of Huntsville Consent application B/43/44/45/2012/HTE (Logagianes)

2. Outline the nature of your appeal and the reasons for your appeal. Be specific and provide land-use planning reasons (for example: the specific provisions, sections and/or policies of the Official Plan or By-law which are the subject of your appeal - if applicable). **If more space is required, please continue in Part 9 or attach a separate page.

(Please print)

This application is will have a significant negative impact on the area and places great weight on the interest of the individual applicant, and little or no weight on the property rights of existing residents. It is contrary to the planned orderly growth and future development as set out by the policies of the applicable Lake Plan, created in accordance with the Town of Huntsville Official Plan.

Please refer the attached pages "Additional Information – Details and Specifics of the Reasons for Appeal" for further information.

THE FOLLOWING SECTIONS (a&b) APPLY ONLY TO APPEALS OF ZONING BY-LAW AMENDMENTS UNDER SECTION 34(11) OF THE PLANNING ACT.

a) DATE APPLICATION SUBMITTED TO MUNICIPALITY: _____
(If application submitted before January 1, 2007 please use the O1 'pre-Bill 51' form.)

b) Provide a brief explanatory note regarding the proposal, which includes the existing zoning category, desired zoning category, the purpose of the desired zoning by-law change, and a description of the lands under appeal:
**If more space is required, please continue in Part 9 or attach a separate page.

[Empty box for explanatory note]

Part 7: Related Matters (if known)

Are there other appeals not yet filed with the Municipality? YES NO

Are there other planning matters related to this appeal? YES NO

(For example: A consent application connected to a variance application)

If yes, please provide OMB Reference Number(s) and/or Municipal File Number(s) in the box below:

(Please print)

Zoning amendment Z/37/2012/HTE (Logagianes)

Part 8: Scheduling Information

How many days do you estimate are needed for hearing this appeal? half day 1 day 2 days 3 days
 4 days 1 week More than 1 week – please specify number of days: _____

How many expert witnesses and other witnesses do you expect to have at the hearing providing evidence/testimony?
3 - 10

Describe expert witness(es) area of expertise (For example: land use planner, architect, engineer, etc.):
Environmental scientist, local expertise

Do you believe this matter would benefit from mediation? YES NO
(Mediation is generally scheduled only when all parties agree to participate)

Do you believe this matter would benefit from a prehearing conference? YES NO
(Prehearing conferences are generally not scheduled for variances or consents)

If yes, why? _____

Part 9: Other Applicable Information **Attach a separate page if more space is required.

The Consent under consideration is contingent upon the condition that the Council approves the associated Zoning Amendment. On February 25, 2013, Council tabled the matter until the next regular Council Meeting to be held on March 25, 2013 for further study. In the event that the Zoning Amendment is refused, a hearing may not be necessary. Conversely, in the event the Zoning Amendment is approved, the two matters could be consolidated into a single hearing.

Part 10: Required Fee

Total Fee Submitted: \$ 125.00

Payment Method: Certified cheque Money Order Solicitor's general or trust account cheque

- The payment must be in Canadian funds, payable to the Minister of Finance.
- Do not send cash.
- PLEASE ATTACH THE CERTIFIED CHEQUE/MONEY ORDER TO THE FRONT OF THIS FORM.



In granting this consent, the Town of Huntsville, through the Planning Advisory Committee:

1. Heard evidence that the applicant desired to subdivide his property so as to create building lots for the benefit of his children so that they could enjoy the same benefits of residence in Huntsville as everyone else.
2. Members of the committee wrongly equated the applicant's expressed desire, above, to the right of every property owner to share their existing homes and properties with occasional guests, and in doing so, wrongly equated denying the subdivision to denying those same rights to the applicant.
3. In granting the Consent, the Committee ignored undisputed evidence that the surface area of Jessop (Jingo) Lake had reached or exceeded its recreational carrying capacity. Both the Official Plan of the District of Muskoka (B.1(b), C.3, D.21, F.4(b)) and the Official Plan of the Town of Huntsville (3.5.1.1, 8.2.6 and 8.13.1) acknowledge that factors other than recreational water quality pose limits to development around the lake.
4. In granting this Consent, the Committee ignored undisputed evidence that the impact of this Consent would serve to reduce the ability of all other residents to enjoy the benefits of their properties.
5. In granting this Consent, the Committee ignored undisputed evidence that the natural environment available to wildlife would be irreversibly reduced, thereby negatively affecting the character of the lake.
6. In granting this Consent, the Committee ignored the contradiction of written documents submitted by the applicant affirming there would be no additional development on the western portion of the retained lands with the applicant's verbal statement at the Public Meeting that he intended to construct a cabin on that portion of the property.
7. In granting the Consent, the Committee ignored undisputed evidence that the water quality of Jessop (Jingo) Lake has demonstrably and significantly deteriorated since the onset of settlement around the lake.
8. In granting the Consent, the Committee ignored undisputed evidence that the District of Muskoka Recreational Water Quality Model is flawed and cannot be relied upon as accurate when applied to shallow lakes such as Jessop (Jingo). This evidence was confirmed by staff of the Planning Department.
9. The Committee heard conflicting evidence about the enforceability of the Lake Plan (Huntsville Official Plan 8.13). The Committee relied upon the interpretation of a staff Planner in preferring one interpretation over the other. The Committee erred in law by failing to obtain the opinion of a person qualified to provide legal advice in preferring this interpretation, despite the suggestion of a member of Council present at the meeting that they should do so.
10. Regardless of the enforceability of the Lake Plan, the Committee is under no compulsion to ignore the intention of the Lake Plan on their own initiative. The application is contrary to the intent of the Lake Plan, and therefore the intent of the Official Plan (8.13.2).



(CREST)
PROVINCE OF ONTARIO

BY THE HONOURABLE

J O H N Y A R E M K O
PROVINCIAL SECRETARY AND MINISTER OF CITIZENSHIP

TO ALL TO WHOM THESE PRESENTS SHALL COME

GREETING

WHEREAS The corporations Act provides that with the exceptions therein mentioned the Lieutenant Governor may in his discretion, by Letters Patent issue a Charter to any number of persons, not fewer than three, of twenty-one or more years of age, who apply therefore, constituting them and any others who become shareholders or members of the corporation thereby created a corporation for any of the objects to which the authority of the Legislature extends;

AND WHEREAS by the said Act it is further provided that the Provincial Secretary may in his discretion and under the Seal of his office have, use, exercise and enjoy any power, right or authority conferred by the said Act on the Lieutenant Governor;

AND WHEREAS by their Application in that behalf the persons herein named have applied for the issue of a Charter constituting them a corporation for the due carrying out of the undertaking hereinafter set forth;

AND WHEREAS it has been made to appear that the said persons have complied with the conditions precedent to the issue of the desired Charter and that the said undertaking is within the scope of the said Act;

AND WHEREAS by The Department of the Provincial Secretary and Citizenship Act, 1960-61 it is provided that the Provincial Secretary and Minister of Citizenship may exercise the powers that were conferred on the Provincial Secretary at the time the said Act came into force;

NOW THEREFORE KNOW YE that under the authority of the hereinbefore in part recited Acts I DO BY THESE LETTERS PATENT issue a Charter to the Persons hereinafter named that is to say: Harold Herbert Wright, Manufacturer, and William Ernest



Norton, Accountant, both of the Town of Huntsville, in the District of Muskoka and Province of Ontario and Edward Gilmore Donnelly, of the City of Toronto, in the County of York and Province of Ontario, Quality Assurance Man; constituting them and any others who become members of the Corporation hereby created a corporation without share capital under the name of

LAKE WASEOSA RATEPAYERS' ASSOCIATION

for the following objects, that is to say:

- (a) to advance the cultural and social interests of the of the summer, permanent, and back-lot residents located on and near Lakes Waseosa, Ripple, Palette and Jessop in the former Township of Chaffey, in the Town of Huntsville, in the said District of Muskoka and vicinity;
- (b) TO promote the interests of persons owning property in the said area and to advance any plans for the advantage of the said vicinity; and
- (c) TO promote aquatic and other social and physical activities among the younger people of the said vicinity;

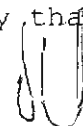
PROVIDED, however, that the Corporation shall not maintain a clubhouse or similar premises;

THE HEAD OFFICE of the Corporation to be situate at the said Town of Huntsville; and

THE FIRST DIRECTORS of the Corporation to be Harold Herbert Wright, Edward Gilmore Donnelly and William Ernest Norton hereinbefore mentioned;

AND IT IS HEREBY ORDAINED AND DECLARED that the Corporation shall be carried on without the purpose of gain for it's members and any profits or other accretions to the Corporation shall be used in promoting its objects;

AND IT IS HEREBY FURTHER ORDAINED AND DECLARED that the Corporation is prohibited from occupying and using a house, room or place as a club which, except for the provisions of the Criminal Code (Canada), would be a common gaming house within the meaning of the said Criminal Code; and if it is made to appear to the satisfaction of the Provincial Secretary that the



Corporation purports so to use a house, room or place, these Letters Patent may be cancelled by and in the discretion of the Lieutenant Governor;

AND IT IS HEREBY FURTHER ORDAINED AND DECLARED that if it is made to appear to the satisfaction of the Provincial Secretary that the premises occupied by the Corporation are equipped, guarded or otherwise constructed or operated so as to hinder or prevent lawful access to and inspection of such premises by police or fire officers or are found fitted or provided with any means or contrivance for playing any game of chance or any mixed game of chance and skill, gaming or betting or with any device for concealing, removing or destroying such means or contrivance, these Letters patent may be cancelled by and in the discretion of the Lieutenant Governor.

GIVEN under my hand and Seal of office at the City of Toronto in the said Province of Ontario this sixth day of December in the year of Our Lord one thousand nine hundred and sixty-three.

"John Yaremko"

SEAL

John Yaremko
Provincial Secretary and
Minister of Citizenship



\$ 2948.00

FREE

CONSENT (SEVERANCE) PLANNING APPLICATION CHECKLIST

Please ensure that all required documentation as per the application form is submitted.

Mandatory Requirements

- Completed application form (along with a digital or scanned copy emailed with attachments to planning@huntsville.ca)
- Commissioned signatures of Owner and/or Agent
- Copy of Title Abstract (dated within 14 days of application)
- Applicable Fee (including Public Works fee)
- 2 copies of applicable drawings (sketches, plot plan)
- Written description summarizing the proposal and the planning justification (not required for site plan applications)
- Site Plan must include Zoning Analysis – required & proposed, setbacks, lot area, lot coverage etc. (see attached sample)
- Application plans must include the following:
 - Context map that shows where the property is located in the context of the Town
 - Site Plan with: dimensions of the lot and existing and proposed setbacks from buildings, lot area, existing and proposed vegetation, septic field, right-of-ways, easements, driveways, parking areas, natural features and proposed building footprint.

Supplemental Information

Once the application review has been completed, supplemental information may be requested, including, but not limited to:

Site Plan Agreement
Development 51(26) Agreement
Servicing Agreement
Landscape Plan (prepared by a landscape architect)
Stormwater Management Plan (prepared by an engineer)
Elevations of proposed buildings
Legal Survey
Environmental Impact Studies
Archeological Review
Traffic Study
Tree Preservation Plan
Other studies

If you have any questions or require any information relating to a planning application please contact the Planning Department at extension 2231 or planning@huntsville.ca

ZONING ANALYSIS

Applicant: <u>KAREN & JIM LOGANIANES</u>						
Property Description: <u>PART LOTS 10&11, CONC. 9, CHAFFET</u>						
Roll No.: <u>020-020-03500</u>						
Proposal: <u>3 NEW LOTS PLUS RETAINED</u>						
Date of Analysis:						
Date Application Received:						
Planner/Building Official:						
Zone Classification:						
Official Plan Designation:						
Regulations			Compliance			Comments
PRINCIPAL STRUCTURE:	Required	Proposed	Yes	No	N/A	
Lot Coverage	(SEWERED LOTS)					
Lot Area	1 Acre	AS PER	✓			
Frontage	60M	ENCLOSED	✓			
Front Yard	20M	MAD	✓			
Interior Side Yard						
Interior Side Yard						
Exterior Side Yard						
Rear Yard						
Max. Building Height						
Setback from a Cold Water Stream						
Setback from a Warm Water Stream						
<u>ACCESSORY BLDGS:</u>						
Side Yard						
Side Yard						
Front Yard						
Rear Yard						
Max. Height						
Max. Total Lot Coverage						

* RETAINED LOT TO REMAIN AS ONE LARGE WATERFRONT LOT.



TOWN OF HUNTSVILLE
 PLANNING DEPARTMENT
 37 MAIN STREET EAST
 HUNTSVILLE, ON P1H 1A1
 TELEPHONE: (705)789-1751
 FAX: (705)788-5153

**CORPORATION OF THE TOWN OF HUNTSVILLE
 COMMITTEE OF ADJUSTMENT
 APPLICATION FOR CONSENT (SEVERANCE)**

The undersigned hereby applies to the Huntsville Committee of Adjustment for approval of a consent(s) under Section 53 of the Planning Act, R.S.O., c.P. 13, and as described in this application.

OFFICE USE ONLY			
New Lot	\$850.00	<input checked="" type="checkbox"/>	pd Application No. <u>B/43-45/2012/HRE</u>
Boundary Adjustment	\$550.00	<input type="checkbox"/>	pd Date Received <u>DEC 17/12</u>
Right-of-way	\$850.00	<input type="checkbox"/>	pd Date Accepted _____
Septic Suitability Fee	\$200.00	<input checked="" type="checkbox"/>	pd Checked by _____
Public Works Fee	\$ 66.00	<input checked="" type="checkbox"/>	pd _____

1. NAME OF REGISTERED OWNER(S) KAREN & JIM LOGAGIANES
 Address 1479 SOUTH WASEOSA LAKE ROAD
 Telephone (home) (705) 789-1297 (office) (705) 789-3899
 Fax _____ e-mail _____

2. a) NAME OF APPLICANT'S SOLICITOR (if any) _____
 Address _____
 Telephone _____ Fax _____

b) NAME OF AUTHORIZED AGENT (if any) TERRY SARANAS DEVELOPMENT SERVICES
 Address 421 LINDGREN RD EAST, HUNTSVILLE, ON.
 Telephone (home) (705) 789-8332 (office) _____ PH 146
 Fax _____ e-mail terry@tdsplanning.com

c) Please specify to whom all communications should be sent
 Owner Agent Solicitor

3. PROPERTY DESCRIPTION **PLEASE ATTACH COPY OF TITLE SEARCH
 (dated within 14 days of application)**

Geographic or Former Township CHATEAU

Lot No. 10 @ 11 Concession 9

Registered Plan of Subdivision No. (if any) _____

Lot No. on Plan _____ Assessment Roll No. _____

Reference Plan No. (if any) _____ Part No. _____

Street Address 1479 SOUTH WASEOSA LAKE RD.

4. TYPE AND PURPOSE OF PROPOSED TRANSACTION (check appropriate space)

- Conveyance (i.e., sale or transfer of ownership of land)
- Creation of new lot (3)
- Previously separate parcels - attach letter of explanation
- Addition to another lot
- Other (specify - e.g., mortgage, partial discharge of mortgage, lease, correction of title, etc.) _____
- Grant of Easement or Right-of-Way

5. NUMBER OF NEW PROPOSED LOTS (including retained lots) 4

6. DIMENSIONS OF PROPOSED SEVERED LOT (in metric and imperial if possible)

Frontage on Road _____ Frontage on Water _____

Depth _____ Width _____

Area _____

(AS PER MAP)
3 SEVERED
1 RETAINED

7. USE OF PROPOSED SEVERED LOTS

a) EXISTING PROPOSED

<input checked="" type="checkbox"/>	<input type="checkbox"/>	Vacant
<input type="checkbox"/>	<input type="checkbox"/>	Seasonal Residential
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Permanent Residential
<input type="checkbox"/>	<input type="checkbox"/>	Multiple Residential (e.g., Apartment, Townhouse, etc.)
<input type="checkbox"/>	<input type="checkbox"/>	Agricultural
<input type="checkbox"/>	<input type="checkbox"/>	Bushlot (no building potential)
<input type="checkbox"/>	<input type="checkbox"/>	Commercial (give details as to type of use)
<input type="checkbox"/>	<input type="checkbox"/>	Industrial (give details as to type of use)
<input type="checkbox"/>	<input type="checkbox"/>	Addition to abutting lands
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Grant of Right-of-Way or Easement
<input type="checkbox"/>	<input type="checkbox"/>	Other (specify) _____

b) Provide any additional details of above, if necessary _____

REFER TO PLANNING REPORT

c) Number and type of existing buildings and structures on proposed SEVERED lot

VACANT & WALK TREED

8. DIMENSIONS OF PROPOSED RETAINED LOT (in metric and imperial if possible)

Frontage on Road _____ Frontage on Water _____

Depth _____ Width _____

Area _____

(AS PER MAP)

9. USE OF PROPOSED **RETAINED** LOT

a) EXISTING PROPOSED

<input type="checkbox"/>	<input type="checkbox"/>	Vacant
<input type="checkbox"/>	<input type="checkbox"/>	Seasonal Residential
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Permanent Residential
<input type="checkbox"/>	<input type="checkbox"/>	Multiple Residential (e.g., Apartment, Townhouse, etc.)
<input type="checkbox"/>	<input type="checkbox"/>	Agricultural
<input type="checkbox"/>	<input type="checkbox"/>	Bushlot (no building potential)
<input type="checkbox"/>	<input type="checkbox"/>	Commercial (give details as to type of use)
<input type="checkbox"/>	<input type="checkbox"/>	Industrial (give details as to type of use)
<input type="checkbox"/>	<input type="checkbox"/>	Addition to abutting lands
<input type="checkbox"/>	<input type="checkbox"/>	Grant of Right-of-Way or Easement
<input type="checkbox"/>	<input type="checkbox"/>	Other (specify) _____

b) Provide any additional details of above, if necessary _____

c) Number and type of existing buildings and structures on proposed **RETAINED** lot

- DWELLING, GARAGE AND ACCESSORY STRUCTURES

10. TYPE OF ROAD ACCESS FOR PROPOSED **SEVERED** LOT

<input checked="" type="checkbox"/>	Municipal Road (Year round maintained)	<input type="checkbox"/>	District Road
<input type="checkbox"/>	Municipal Road (Seasonally maintained)	<input type="checkbox"/>	Existing Private Road
<input type="checkbox"/>	Provincial Highway	<input checked="" type="checkbox"/>	Proposed Private Road
<input type="checkbox"/>	Other (Specify) _____		

Name of Street or Road SOUTH WASCOSA L. RD & PRIVATE RD.

11. TYPE OF ROAD ACCESS FOR PROPOSED **RETAINED** LOT

<input checked="" type="checkbox"/>	Municipal Road (Year round maintained)	<input type="checkbox"/>	District Road
<input type="checkbox"/>	Municipal Road (Seasonally maintained)	<input type="checkbox"/>	Existing Private Road
<input type="checkbox"/>	Provincial Highway	<input type="checkbox"/>	Proposed Private Road
<input type="checkbox"/>	Other (Specify) _____		

Name of Street or Road SOUTH WASCOSA LAKE RD

12. Is water the only access to the proposed severed lot? Yes No
 Is water the only access to the proposed retained lot? Yes No

If proposed access is by water, what boat docking and parking facilities are available on the mainland? (Specify name and location of facility and attach a letter, if from a marina, of the ability to accommodate new docking and parking) _____

13. TYPE OF WATER SUPPLY PROPOSED?

SEVERED LOT	RETAINED LOT	
<input type="checkbox"/>	<input type="checkbox"/>	Municipally owned and operated piped water
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Lake/River
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Well
<input type="checkbox"/>	<input type="checkbox"/>	Other (specify) _____

14. TYPE OF SEWAGE DISPOSAL PROPOSED?

SEVERED LOT	RETAINED LOT	
<input type="checkbox"/>	<input type="checkbox"/>	Municipally owned and operated sanitary sewers
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Septic Tank and Tile Field
<input type="checkbox"/>	<input type="checkbox"/>	Pit Privy
<input type="checkbox"/>	<input type="checkbox"/>	Other (specify) _____

15. Are there any restrictive covenants or easements affecting the lands (i.e., rights-of-way, utility easements, etc.)? Explain and show location on the sketch plan.

PRIVATE ROAD

16. HAS THE OWNER PREVIOUSLY SEVERED ANY LAND FROM THIS HOLDING?

Yes No

If "Yes", please indicate previous severances on the required sketch and supply the following information for each lot severed. (Attach separate sheet if necessary)

Purchaser's Name _____

Relationship (if any) to owner _____

Use of parcel (e.g., Seasonal Residential, Permanent Residential, still vacant)

Date parcel created _____

17. Has the parcel intended to be severed ever been, or is it now, the subject of an application for a plan of subdivision under Section 51 of the Planning Act, R.S.O., 1990, c.P. 13, or its predecessors?

Yes No

18. Is the Owner, Solicitor or Agent applying for additional consents on these holdings simultaneously with this application, or considering applying for additional consents in the future?

Yes No

19. Is the Owner, Solicitor, or Agent applying for any minor variance or permission to extend or enlarge under Section 45 of the Planning Act, R.S.O., 1990, c.P.13, in relation to any land that is the subject of this application?

Yes No

20. PRE-CONSULTATION

Applicants are advised to request a pre-consultation with staff of the Planning Department, prior to the submission of the application to gain preliminary planning review and direction. Detailed information of the proposed development, lot characteristics, surrounding land uses and natural features are required at the pre-consultation stage. Pre-consultation can improve application processing times. Delays in processing the application may result if staff determine the application to be incomplete and/or inaccurate.

21. PROPOSAL

Please provide, by separate attachment, **two (2)** copies of a detailed description of the proposal, including appropriate supporting maps, reports, studies, and documentation.

22. JUSTIFICATION

Please provide by separate attachment, **two (2)** copies of a written rationale as to how the proposal meets the requirements of the Provincial Policy Statement, District Municipality of Muskoka Official Plan, and the Town of Huntsville Official Plan and Zoning By-law.

23. IT IS REQUIRED THAT YOU SUBMIT THE FOLLOWING AS A COMPLETE APPLICATION:

- a) Application fee in cash or by cheque, made payable to the Town of Huntsville.
- b) One copy of the application completed in full.
- c) **Two (2)** copies of a sketch showing:
 - abutting lands owned by the grantor showing the boundaries and dimensions;
 - the distance between the grantor's land and the nearest township lot line or appropriate landmark (e.g., bridge, railway crossing, etc.);
 - the parcel of land that is the subject of the application showing the boundaries and dimensions of the parcel, and showing the part of the parcel that is to be severed and the part that is to be retained as well as the location of all land previously severed;
 - the approximate location of all natural and artificial features on the subject land (e.g., buildings, railways, highways, watercourses, drainage ditches, banks, slopes, swamps, wooded area, wells and septic tanks) and the location of any of these features on adjacent lands which may affect the application;
 - outline on both the severed and retained, potential location(s) for a septic and reserve area;
 - the use of adjoining lands (e.g., residential, agricultural, cottage, commercial, etc.);
 - the location, width and names of all road allowances, rights-of-way, streets or highways within or abutting the property, indicating whether they are public travelled roads, private roads or rights-of-way, or unopened road allowances;
 - the location and nature of any restrictive covenant or easement affecting the subject land.

When required by the Committee, the sketch shall be signed by an Ontario Land Surveyor, but otherwise a hand-drawn sketch to scale will be acceptable.

- d) **Two (2)** copies of a key map and written directions as to how to proceed to the subject lands.

24. PUBLIC NOTIFICATION

The subject lands shall have the required public notification sign posted for the legislated timeframe prior to the Committee meeting date. Proposed side yard boundaries of severed and retained lots shall be marked with flagging tape in the field and shall be visible from the roadway or waterway as applicable.

25. SEWAGE SYSTEM CHECKLIST

When municipal sewage services are not available, the Town of Huntsville requires all severed and retained lots to be analyzed as to their suitability to accommodate a Class 4 absorption trench system prior to creation as buildable lots. In this regard, you will be required to gain a satisfactory lot suitability report for development approval from the Town prior to severance of a lot.

26. THE APPLICANT HEREBY ACKNOWLEDGES AND AGREES


- a) to reimburse the Municipality for any costs incurred in processing this application which are above and beyond the amount of the application fee;
- b) if required by the Municipality to pay a deposit in addition to the application fee, prior to the processing of this application to cover anticipated professional and other processing costs beyond normal application requirements;
- c) to pay all costs legal and otherwise, that may be incurred by the Municipality with respect to an Ontario Municipal Board Hearing, that may be held as a result of this application for a severance;
- d) to have the lands subject of this application for consent properly posted as required and recognizes that failure to do so may result in a delay in processing this application;
- e) that this application and all studies submitted in support of this application may be made available for public review, pursuant to the provisions of the Municipal Freedom of Information and Protection of Privacy Act;
- f) that plans submitted in conjunction with this application are not reviewed for compliance with the Ontario Building Code (O.B.C.) and related regulations. It is the responsibility of the owner/agent and designer to ensure that all plans submitted with this application comply with the basic requirements of the O.B.C. If you need assistance in determining whether your plans comply with the O.B.C. please contact the Building Department, at (705) 789-1751 ext. 2349;
- g) that there may be additional approvals (i.e., rezoning application, minor variance application, building permit, etc.) and additional fees and charges (i.e., building permit fees, parkland dedication fees, development charges) associated with any development approved in conjunction with this application; and
- h) that they may be required to provide additional information that will assist the Town in assessing this application and that the Town may not be able to process the application unless the additional information is submitted.

AFFIDAVIT OR SWORN DECLARATION FOR THE PRESCRIBED INFORMATION

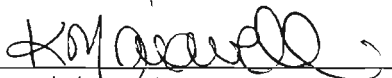
I/We _____ solemnly declare that all the statements

contained in this application and in all statements contained in all exhibits transmitted herewith are true and I/we make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act. I further agree for the purposes of the Municipal Freedom of Information and Protection of Privacy Act, to authorize and consent to the use by of the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application.

DECLARED before me at the Corporation of)
 the Town of Huntsville, in the District)
 Municipality of Muskoka, this 17th day)
 of DECEMBER 20112)



 Signature of Applicant, Solicitor
 or Authorized Agent



 A Commissioner, etc.

AUTHORIZATIONS

If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner that the applicant is authorized to make the application must be attached or the authorization set out below must be completed by the owner.

Consent of Owner

I, _____ am the owner of the land that is the

subject of this application and, for the purposes of the Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application.

DECLARED before me at the Corporation of)
the Town of Huntsville, in the District)
Municipality of Muskoka, this ____ day)
of _____, 201__.

Signature of Owner

A Commissioner, etc.

Authorization of Owner for Agent to make the application

I, KAREN & JIM LOGAN am the owner of the land that is the subject of this application and I authorize TERRY SARAKIN DEUT SERVICES to make this application on my behalf.

Nov 29/2012
Date

Signature of Owner

If the applicant is not the owner of the land that is the subject of this application, complete the authorization of the owner concerning personal information set out below.

Authorization of Owner for Agent to Provide Personal Information

I, KAREN & JIM LOGAN am the owner of the land that is the subject of this application, and for the purposes of the Freedom of Information and Protection of Privacy Act, I authorize TERRY SARAKIN DEUT SERVICES as my agent for this application, to provide any of my personal information that will be included in this application or collected during the processing of the application.

Nov 29/2012
Date

Signature of Owner

PERMISSION TO ENTER

CONSENTS

Date: Dec 4/2012

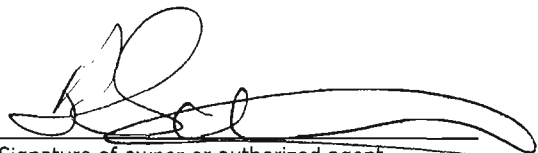
Secretary-Treasurer
Committee of Adjustment
Town of Huntsville
37 Main Street East
Huntsville, ON P1H 1A1

RE: Application to Committee of Adjustment

Location of Land:

1479 SOUTH WASEOSA LAKE RD.
(municipal address or legal description)

I hereby authorize the members of the Committee of Adjustment, members of the staff of the Town of Huntsville and designated consultants to enter onto the above-noted property for the limited purposes of evaluating the merits of this application over the time this application is under consideration by the Town.


Signature of owner or authorized agent

TERRY A SARRAS
Please print name

\$1200.00 FEE

REZONING APPLICATION CHECKLIST

Please ensure that all required documentation as per the application form is submitted.

Mandatory Requirements

- Completed application form (along with a digital or scanned copy emailed with attachments to planning@huntsville.ca)
- Commissioned signatures of Owner and/or Agent
- Copy of Title Search (dated within 14 days of application)
- Applicable Fee (including Public Works fee)
- 2 copies of applicable drawings (sketches, plot plan)
- Written description summarizing the proposal and the planning justification (not required for site plan applications)
- Site Plan must include Zoning Analysis – required & proposed, setbacks, lot area, lot coverage etc. ([see attached sample](#))
- Application plans must include the following:
 - Context map that shows where the property is located in the context of the Town
 - Site Plan with: dimensions of the lot and existing and proposed setbacks from buildings, lot area, existing and proposed vegetation, septic field, right-of-ways, easements, driveways, parking areas, natural features and proposed building footprint.

Supplemental Information

Once the application review has been completed, supplemental information may be requested, including, but not limited to:

- Site Plan Agreement
- Development 51(26) Agreement
- Servicing Agreement
- Landscape Plan (prepared by a landscape architect)
- Stormwater Management Plan (prepared by an engineer)
- Elevations of proposed buildings
- Legal Survey
- Environmental Impact Studies
- Archeological Review
- Traffic Study
- Tree Preservation Plan
- Other studies

If you have any questions or require any information relating to a planning application please contact the Planning Department at extension 2231 or planning@huntsville.ca

ZONING ANALYSIS

Applicant: <u>KAREN & JIM LOGAGIANES</u>						
Property Description: <u>PART LOTS 10 & 11, CONC 9, CHAFFEE</u>						
Roll No.: <u>020-020-03500</u>						
*Proposal: <u>3 NEW LOTS PLUS RETAINED</u>						
Date of Analysis:						
Date Application Received:						
Planner/Building Official:						
Zone Classification: <u>SHORELINE RESIDENTIAL 5 (SR5)</u>						
Official Plan Designation: <u>WATERFRONT</u>						
PRINCIPAL STRUCTURE:	Regulations		Compliance			Comments
	Required	Proposed	Yes	No	N/A	
Lot Coverage						
Lot Area	<u>1 HO.</u>	<u>AS PER</u>	<input checked="" type="checkbox"/>			<u>FOR 3 NEW</u>
Frontage	<u>60M</u>	<u>ENCLOSURE</u>	<input checked="" type="checkbox"/>			<u>LOT TO BE</u>
Front Yard	<u>20M</u>	<u>MAP</u>	<input checked="" type="checkbox"/>			<u>ZONED SR2</u>
Interior Side Yard						
Interior Side Yard						
Exterior Side Yard						
Rear Yard						
Max. Building Height						
Setback from a Cold Water Stream						
Setback from a Warm Water Stream						
<u>ACCESSORY BLDGS:</u>						
Side Yard						
Side Yard						
Front Yard						
Rear Yard						
Max. Height						
Max. Total Lot Coverage						

*1) PROPOSED REZONING TO SHORELINE RESIDENTIAL TWO (SR2)

2.) EXCEPTION ON SHORELINE RESIDENTIAL FIVE (SR5) FOR RETAINED LOT TO SECTION 5.3.4 (iii) AND (iv)



TOWN OF HUNTSVILLE
 PLANNING DEPARTMENT
 37 MAIN STREET EAST
 HUNTSVILLE, ON P1H 1A1
 TELEPHONE: (705)789-1751
 FAX: (705)788-5153

CORPORATION OF THE TOWN OF HUNTSVILLE
APPLICATION FOR REZONING

The undersigned hereby applies to the Council for the Town of Huntsville under Section 34 of The Planning Act, R.S.O., c.P. 13, for approval as described in this application.

OFFICE USE ONLY		Application No. <u>Z/37/2012/NTE</u>
Planning Fee \$1,123.00	_____ pd	Date Received <u>DEC 17/12</u>
Public Works Fee \$77.00	_____ pd	Date Accepted _____
Checked by _____		

- NAME OF REGISTERED OWNER(S) KAREN & JIM LOGAGIANES
 Address 1479 SOUTH WASEOSA LAKE RD.
 Telephone (home) (705) 789-1897 (office) (705) 789-3899
 Fax _____ e-mail _____
- NAME OF AUTHORIZED AGENT (if any) TERRY SARAKAS DEVELOPMENT SERVICE
 Address 421 LINDGREN ROAD EAST, HUNTSVILLE P1H 1Y6
 Telephone (home) (705) 789-8332 (office) _____
 Fax _____ e-mail terry@tdsplanning.com
- PROPERTY DESCRIPTION **PLEASE ATTACH COPY OF TITLE SEARCH (dated within 14 days of application)**
 Geographic or Former Township CHAFFEY
 Lot No. 10 & 11 Concession 9
 Registered Plan of Subdivision No. (if any) _____
 Lot No. on Plan _____ Assessment Roll No. _____
 Reference Plan No. (if any) _____ Part No. _____
 Street Address 1479 SOUTH WASEOSA LAKE RD.
- DIMENSIONS OF PROPERTY (in metric and imperial if possible)
 Frontage on Road 1265 FT Frontage on Water 1675 FT
 Depth _____ Width (IRREGULAR)

Area 50 ACRES

5. If zoning amendment is a condition of severance, please give severance application number.

CONCURRENT SUBMISSION

6. EXISTING ZONING SHORELINE RESIDENTIAL FIVE (SR5)

Present use of subject lands (Be specific, e.g., vacant, dwelling unit, variety store)

SINGLE FAMILY DWELLING, GARAGE AND

7. REQUESTED ZONING SHORELINE RESIDENTIAL TWO

FOR 3 SEVERED LOTS AND EXCEPTION FOR RETAINED LOT, SECTION 5.3.4 (iii) AND (iv) TO RECOGN

8. Description of existing or proposed development for which this amendment is requested (e.g., uses, buildings or structures). NEW LOT CONFIGURATION

3 NEW DWELLINGS AND ACCESSORY STRUCTURES

9. Was the land subject of this application in its current form prior to the year 1974?

Yes

No

UNKNOWN

10. Date of construction of all buildings and structures on the subject lands

11. Length of time the existing uses of the subject property have continued

12. Are there any restrictive covenants or easements affecting the lands (i.e., rights-of-way, utility easements, etc.)? Explain and show location on the sketch plan.

DRIVEWAY TO ONE LOT AS SHOWN

13. TYPE OF WATER SUPPLY

EXISTING

PROPOSED

Municipally owned and operated piped water

Lake/River

Well

Other (specify) _____

14. TYPE OF SEWAGE DISPOSAL

EXISTING

PROPOSED

Municipally owned and operated sanitary sewers

Septic Tank and Tile Field

Pit Privy

Other (specify) _____

15. TYPE OF ROAD ACCESS

EXISTING

PROPOSED

Municipal Road (Year round maintained)

Municipal Road (Seasonally maintained)

Private Road *FOR 3 LOTS*

Water Access

Name of Street or Road *S. WASKOSA LAKE ROAD*

16. PRE-CONSULTATION

Applicants are advised to request a pre-consultation with staff of the Planning Department, prior to the submission of the application to gain preliminary planning review and direction. Detailed information of the proposed development, lot characteristics, surrounding land uses and natural features are required at the pre-consultation stage. Pre-consultation can improve application processing times. Delays in processing the application may result if staff determine the application to be incomplete and/or inaccurate.

17. PROPOSAL

Please provide, by separate attachment, a detailed description of the proposal, including appropriate supporting maps, reports, studies, and documentation. To ensure a timely and complete review, **two (2)** copies of ALL required information should be submitted at the time of application.

18. JUSTIFICATION

Please provide, by separate attachment, **two (2)** copies of a written rationale as to how the proposal meets the requirements of the Provincial Policy Statement, District Municipality of Muskoka Official Plan, and the Town of Huntsville Official Plan and Zoning By-law.

19. REQUIRED MAPS AND PLANS

- a) **TWO (2)** copies of a **SURVEY PLAN** or scaled sketch based on an Ontario Land Surveyor's description of **ALL LANDS IN THE OWNER'S POSSESSION** (whether by ownership or option) with the lands subject of this application hatched in **RED**.
- b) **TWO (2)** copies of a **LARGE SCALE DETAILED MAP** of the existing and proposed development on the lands subject of this application, showing the location of driveways, parking or loading spaces, landscaped areas, watercourses, planting strips and other uses of lands.

20. PUBLIC NOTIFICATION

The subject lands shall have the required public notification sign posted for the legislated time frame prior to the Public Meeting.

21. THE APPLICANT HEREBY ACKNOWLEDGES AND AGREES

- a) to reimburse the Municipality for any costs incurred in processing this application which are above and beyond the amount of the application fee;
- b) if required by the Municipality to pay a deposit in addition to the application fee, prior to the processing of this application to cover anticipated professional and other processing costs beyond normal application requirements;

- c) to pay all costs, legal and otherwise, that may be incurred by the Municipality with respect to an Ontario Municipal Board Hearing that may be held as a result of this application for a zoning amendment;
- d) to have the lands subject of this application properly posted as required and recognizes that failure to do so may result in a delay in processing this application;
- e) that this application and all studies submitted in support of this application may be made available for public review, pursuant to the provisions of the Municipal Freedom of Information and Protection of Privacy Act;
- f) that plans submitted in conjunction with this application are not reviewed for compliance with the Ontario Building Code (O.B.C.) and related regulations. It is the responsibility of the owner/agent and designer to ensure that all plans submitted with this application comply with the basic requirements of the O.B.C. If you need assistance in determining whether your plans comply with the O.B.C. please contact the Building Department, at (705) 789-1751 ext. 2349;
- g) that there may be additional approvals (i.e., site plan approval, building permit, etc.) and additional fees and charges (i.e., building permit fees, development charges) associated with any development approved in conjunction with this application; and
- h) that they may be required to provide additional information that will assist the Town in assessing this application. Applicants and agents acknowledge that the Town may not be able to process the application unless the additional information is submitted.

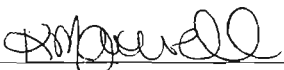
I hereby submit this application for an amendment to Zoning By-law 74-8, as amended, of the Town of Huntsville, in respect of the lands hereinbefore described.

AFFIDAVIT OR SWORN DECLARATION FOR THE PRESCRIBED INFORMATION

I/we TERRY D. SARRIS solemnly declare that all the statements contained in this application and in all statements contained in all exhibits transmitted herewith are true and I/we make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of the Canada Evidence Act. I further agree for the purposes of the Municipal Freedom of Information and Protection of Privacy Act, to authorize and consent to the use by of the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application.

DECLARED before me at the Corporation of)
)
 the Town of Huntsville, in the District)
)
 Municipality of Muskoka, this 17th day)
)
 of DECEMBER, 2012.)


 Signature of Applicant, Solicitor,
 or Authorized Agent


 A Commissioner, etc.

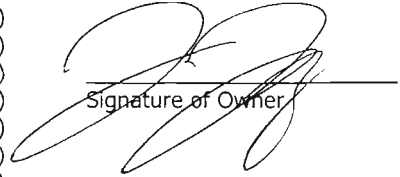
AUTHORIZATIONS

If the applicant is not the owner of the land that is the subject of this application, the written authorization of the owner that the applicant is authorized to make the application must be attached or the authorization set out below must be completed by the owner.

Consent of Owner

I, JIM LOGAGIANES am the owner of the land that is the subject of this application and, for the purposes of the Freedom of Information and Protection of Privacy Act, I authorize and consent to the use by or the disclosure to any person or public body of any personal information that is collected under the authority of the Planning Act for the purposes of processing this application.

DECLARED before me at the Corporation of)
)
the Town of Huntsville, in the District)
)
Municipality of Muskoka, this ____ day)
)
of _____, 201____.)



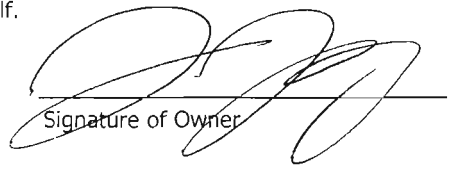
Signature of Owner

A Commissioner, etc.

Authorization of Owner for Agent to make the application

I, KAREN & JIM LOGAGIANES am the owner of the land that is the subject of this application and I authorize TERRY SARANIS DEBT SERVICES to make this application on my behalf.

Nov 29 / 2012
Date



Signature of Owner

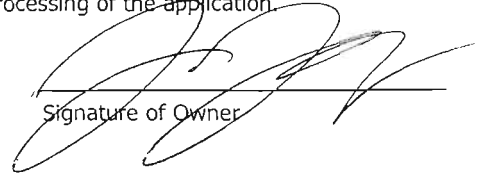
If the applicant is not the owner of the land that is the subject of this application, complete the authorization of the owner concerning personal information set out below.

Authorization of Owner for Agent to Provide Personal Information

I, KAREN & JIM LOGAGIANES am the owner of the land that is the subject of this application, and for the purposes of the Freedom of Information and Protection of Privacy Act, I authorize TERRY D. SARANIS DEBT SERVICES as my agent for

this application, to provide any of my personal information that will be included in this application or collected during the processing of the application

Nov 29 / 2012
Date



Signature of Owner

PERMISSION TO ENTER

REZONINGS

Date: Dec 5/2012

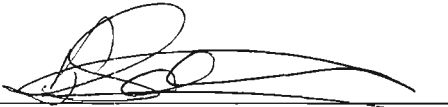
Director of Planning
Town of Huntsville
37 Main Street East
Huntsville, ON P1H 1A1

RE: Rezoning Application to Council

Location of Land:

1479 SOUTH WASLOSA LAKE RD.
(municipal address or legal description)

I hereby authorize the members of the Town Council, members of the staff of the Town of Huntsville and designated consultants to enter onto the above-noted property for the limited purposes of evaluating the merits of this application over the time this application is under consideration by the Town.



Signature of owner or authorized agent

Dec 5/2012
Please print name

T. SARARAS



Transfer/Deed of Land

Form 1 - Land Registration Reform Act

A

FOR OFFICE USE ONLY

327083
 CERTIFICATE OF REGISTRATION
 BRACERIDGE 35
 LAND REGISTRAR

00 DEC 22 PM 1 34
bagshaw

(1) Registry Land Titles (2) Page 1 of 6 pages *1/3*

(3) Property Identifier(s) Block Property Additional See Schedule

(4) Consideration
 TWO HUNDRED FIFTY THOUSAND

 Dollars \$250,000.00

(5) Description This is a: Property Property Division Property Consolidation
 Part Lots 10 & 11, Concession 9 and part of the road allowance between Lots 10 & 11, Con. 9, Chaffey and Lots 13A, 13B and 14 and Block A, Plan 15, Chaffey, more particularly described in Schedule "A" attached.

Additional: See Schedule

Executions Additional: See Schedule

(6) This Document Contains: (a) Redescription New Easement Plan/Sketch (b) Schedule for: Description Additional Parties Other (7) Interest/Estate Transferred Fee Simple

(8) Transferor(s) The transferor hereby transfers the land to the transferee and certifies that the transferor is at least eighteen years old and that I am not a spouse.

Name(s) HALL, Grenville Jack Signature(s) *[Signature]* Date of Signature Y M D 2000 12 22

(9) Spouse(s) of Transferor(s) I hereby consent to this transaction

Name(s) _____ Signature(s) _____ Date of Signature Y M D _____

(10) Transferor(s) Address for Service RR #1, Huntsville, Ontario, P1H 2J2

(11) Transferee(s)

LOGAGIANES, James Date of Birth Y M D 1959 06 12

LOGAGIANES, Karen Teresa 1963 04 27

as joint tenants

(12) Transferee(s) Address for Service PO Box 5474, Huntsville, Ontario, P1H 2K8

(13) Transferor(s) The transferor verifies that to the best of the transferor's knowledge and belief, this transfer does not contravene section 50 of the Planning Act.

Signature *[Signature]* Date of Signature Y M D 2000 12 22 Signature _____ Date of Signature Y M D _____

Solicitor for Transferor(s) I have explained the effect of section 50 of the Planning Act to the transferor and I have made inquiries of the transferor to determine that this transfer does not contravene that section and based on the information supplied by the transferor, to the best of my knowledge and belief, this transfer does not contravene that section. I am an Ontario solicitor in good standing.

Name and Address of Solicitor J. Ross Bagshaw, Q.C. 133 Highway 60, Huntsville, ON Signature *[Signature]* Date of Signature Y M D 2000 12 22

(14) Solicitor for Transferee(s) I have investigated the title to this land and to adjoining land where relevant and I am satisfied that the title records reveal no contravention as set out in subclause 50 (22) (c) (ii) of the Planning Act and that to the best of my knowledge and belief this transfer does not contravene section 50 of the Planning Act. I act independently of the solicitor for the transferor(s) and I am an Ontario solicitor in good standing.

Name and Address of Solicitor William J. Lang 4-110 Main Street East Huntsville, Ontario P1H 1K6 Signature *[Signature]* Date of Signature Y M D 2000 12 22

(15) Assessment Roll Number of Property City, Mun, Reg Sub. Par. Multiple Fees and Tax

(16) Municipal Address of Property Not Assigned (17) Document Prepared By: J. Ross Bagshaw P.O. Box 5489 133 Highway 60 Registration Fee 2225 Land Transfer Tax 2225

Planning Act - OPTIONAL (File Schedule by Transferee(s) if necessary)

FOR OFFICE USE ONLY



Ontario ServiceOntario

PARCEL REGISTER (ABBREVIATED) FOR PROPERTY IDENTIFIER

LAND
REGISTRY
OFFICE #35

48078-0226 (LT)

PAGE 1 OF 1
PREPARED FOR 007
ON 2012/11/23 AT 12:3

PROPERTY DESCRIPTION: PT LT 10-11 CON 9 CHARFEY AS IN DM327083 (SECONDLY, FOURTHLY DESCRIBED); PT REAL PTN LOTS 10 & 11 CON 9 CHARFEY CLOSED BY DM28529 AS IN DM327083 (SEVENTHLY DESCRIBED); HUNTSVILLE; THE DISTRICT MUNICIPALITY OF MUSKOKA

* CERTIFIED BY LAND REGISTRAR IN ACCORDANCE WITH LAND TITLES ACT * SUBJECT TO RESERVATIONS IN CROWN GRANT *

REMARKS:

RECENTLY:
FIRST CONVERSION FROM BOOK
CAPACITY SHARE
JAMES, JAMES
JAMES, KAREN TERESA

DATE OF CREATION:
2004/10/18

NO.	DATE	INSTRUMENT TYPE	AMOUNT	PARTIES FROM	PARTIES TO
PRINTOUT		INCLUDES ALL DOCUMENT TYPES (DELETED INSTRUMENTS NOT INCLUDED) **			
SUBJECT:		ON FIRST REGISTRATION UNDER THE LAND TITLES ACT, TO: SUBSECTION 44(1) OF THE LAND TITLES ACT, EXCEPT PARAGRAPH 11, PARAGRAPH 14, PROVINCIAL SUCCESSION DUTIES * AND ESCHEATS OR FORFEITURE TO THE CROWN. THE RIGHTS OF ANY PERSON WHO MIGHT, BUT FOR THE LAND TITLES ACT, BE ENTITLED TO THE LAND OR ANY PART OF IT THROUGH LENGTH OF ADVERSE POSSESSION, PRESCRIPTION, MISDESCRIPTION OR BOUNDARIES SETTLED BY CONVENTION. ANY LEASE TO WHICH THE SUBSECTION 70(2) OF THE REGISTRY ACT APPLIES. THE OF CONVERSION TO LAND TITLES: 2004/10/18 **			
304	1969/06/09	ORDER			
7083	2000/12/22	TRANSFER	\$250,000		LOGAGIANES, JAMES LOGAGIANES, KAREN TERESA
8852	2001/04/10	PLAN REFERENCE			
312	2009/06/11	CHARGE	\$300,000	LOGAGIANES, JAMES LOGAGIANES, KAREN TERESA	ROYAL BANK OF CANADA

NOTE: ADJOINING PROPERTIES SHOULD BE INVESTIGATED TO ASCERTAIN DESCRIPTIVE INCONSISTENCIES. IF ANY, WITH DESCRIPTION REPRESENTED FOR THIS PROPERTY.
NOTE: ENSURE THAT YOUR PRINTOUT STATES THE TOTAL NUMBER OF PAGES AND THAT YOU HAVE PICKED THEM ALL UP.

TERRY D. SARARAS DEVELOPMENT SERVICES

Terry D. Sararas, B.E.S, MCIP, RPP
421 Lindgren Road East, Huntsville, On., P1H 1Y6

Phone: 705-789-8332

Email: terry@tdsplanning.com

December 15, 2012

Town of Huntsville
37 Main Street East
Huntsville, Ontario
P1H 1A1

Attention: Kirstin Maxwell
Planner

Re: Applications for Consent and Rezoning
Part of Lots 10 and 11, Concession 9,
Geographic Township of Chaffey,
now in the Town of Huntsville

We are the authorized planning agent for Karen and Jim Logagianes, owners of the property referenced above. We herewith are making application for consent and rezoning as outlined in the enclosed applications. In fulfilment of the application requirements, please find the following enclosures.

1. Authorization appointing Terry D. Sararas Development Services as agent.
2. Copy of Deed showing ownership.
3. One (1) completed Application form showing three (3) consents.
4. One (1) completed Rezoning Application.
5. Two (2) copies of the planning report as supporting documentation.
6. Copy of Land Titles abstract form.
7. Two (2) cheques representing the required fees.

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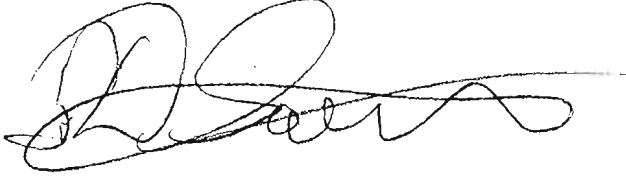
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6. Copy of Land Titles abstract form.
7. Two (2) cheques representing the required fees.

Details of the proposed development are provided in the attached Planning Report.

We trust you will find the applications to be in order, however, if you require anything further or wish to meet in person to discuss any aspects of the applications please do not hesitate to contact the undersigned.

Yours truly,

A handwritten signature in black ink, appearing to read "Terry D. Sararas", with a long horizontal flourish extending to the right.

Terry D. Sararas, MCIP, RPP, BES
Planner

Agent Authorization

To Whom It May Concern:

I, We JIM LOGAGIANES & KAREN LOGAGIANES
Registered Owner(s)

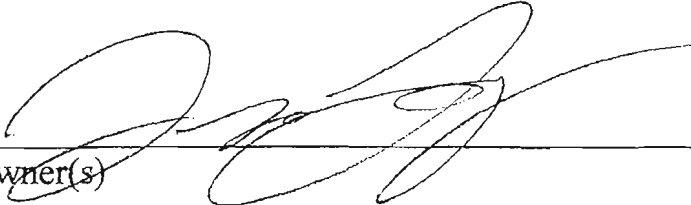
Hereby authorize:

TERRY D. SARARAS DEVELOPMENT SERVICES
421 Lindgren Road East
Huntsville, Ontario
PIH 1Y6

To act on our behalf with respect to planning and building matters related to our property
at:

1479 S. WASEOSA L. RD.
PART 1 PLAN 35A - 18852
PUS PT. LBT #001, CONC 9, CARRIY

PIH 2W5


Owner(s)

Date NOV. 3/2012.

Owner(s)

Date _____

TERRY D. SARARAS DEVELOPMENT SERVICES

Terry D. Sararas, B.E.S, MCIP, RPP
421 Lindgren Road East, Huntsville, On., P1H 1Y6

Phone: 705-789-8332

Email: terry@tdsplanning.com

PLANNING REPORT

PREPARED FOR: Karen and Jim Logagianes
PREPARED BY: Terry D. Sararas Development Services
DATE: December 10, 2012
PROPERTY: Part Lot 10 and 11, Concession 9,
Chaffey Township, Town of Huntsville

PURPOSE

The purpose of this report is to provide a planning summary and analysis in support of applications for severance and zoning amendment to the Town of Huntsville Zoning By-law 2008-66P.

The proposal is to sever three (3) waterfront lots on Jingo (Jessop) Lake from the existing 20 ha (50 acres) parcel (refer to Appendix "A"). Each severed lot will have access via private right-of-way off South Waseosa Lake Road (municipally maintained). All severed lots will exceed the minimum lot requirements of the Shoreline Residential Two Zone as follows:

Severed Lot	Area	Water Frontage
1	Total 1 ha (2.6 acres)	99 m (325 feet)
2	Total 1.1 ha (2.7 acres)	76.2 m (250 feet)
3	Total 1.2 ha (2.9 acres)	76.2 m (250 feet)

PROPERTY DESCRIPTION

Legal

The Subject Lands are known legally as Part of Lots 10 and 11, Concession 9, Chaffey Township, Town of Huntsville. The roll number of the property is 020-020-03500 and municipal addressed as 1479 South Waseosa Lake Road. A copy of a map showing the subject lands is attached as Appendix "B".

Physical

The lands to be severed are approximately 50 acres (ha) in area. The lands are presently developed with a dwelling, large garage and accessory waterfront structures. Access is provided off South Waseosa Lake Road.

PLANNING BACKGROUND

PPS, District and Town Official Plans

The subject lands are within the Waterfront and Rural designations of the District and Town Official Plans. In particular the proposed severed lots are configured by the following policies:

- A) District of Muskoka Official Plan
 - Section F.19 and Schedule F classifies Jessop (Jingo) Lake as moderate sensitivity from a water quality perspective. Lot creation and development are permitted subject to general development criteria.
 - Section F. 110 permits development adjacent to or on significant archeological sites subject to consultation with the Ministry of Culture and Communications. As a generic approach to address this issue the District of Muskoka has undertaken an Archeological Master Plan which permits, amongst other matters, a maximum of four (4) lots to be created on water (high archeological potential), including the retained lot without a phase I or II archeological review. The proposed development complies with this approach.
 - No other significant area of natural constraint is evident on the subject lands.

- B) Town of Huntsville Official Plan
 - Section 3.4.1 and Appendix 2 identify the small local wetland created by a creek and beaver dam on the western boundary of the subject lands. This feature is protected through retention of increased water frontage on the applicable portion of the retained lot.

- Section 3.5 mirrors the policies for moderate sensitivity lakes contained in the District Official Plan. In addition, Section 3.5.2.2 requires all septic systems to be setback a minimum of 30 meters from Jessop Lake.
- Section 8 designates the severed lots as being within the Waterfront designation. The policies of this Section further identify the following general requirements for the severed lands;
 - waterfront residential lots shall be a minimum 1 ha and 60 meters of frontage
 - development of the lots shall be subject to site plan control
 - access to be provided by public or private road (water access only where parking can be guaranteed) and lots to be serviced by private sewage and water systems.
 - shorelines are to remain relatively naturalized except for limited shoreline structures and amenity areas.

The policies of the District and Town Official Plans are generally considered to be “consistent with” the Provincial Policy Statement (PPS) and as the proposed severances are in conformity with Official Plan policies the proposed development is deemed not offend the broader framework of the PPS.

C) Comprehensive Zoning By-law 2008-66P

The subject lands are zoned Shoreline Residential Five (SR5) in Zoning By-law 2008-66P. Appendix “C” shows in hatched grey shading the existing zoned lands as well as the lands to be rezoned Shoreline Residential Two (SR2) in orange. The requested rezoning is as follows:

- rezone the lands subject of the three (3) lot severances (in orange) to SR2.
- provide an exception for the retained lot to Section 5.3.4 iii) and (iv) to recognize the new retained lot area and frontage.

Based on the lands being rezoned as proposed, the proposed three (3) severed lots and retained lot will meet or exceed all respective Zone requirements.

PLANNING ANALYSIS AND SUMMARY

The consent and rezoning applications are intended to create three (3) new waterfront lots, all in excess in area and water frontage of existing lots on Jessop Lake. The new lots will therefore be in character with the existing lot character of the lake. The lots are well vegetated with extensive lot frontage which will permit the preservation of the lot and shoreline aesthetics through site plan control. Adequate access is being provided via right-of-way off South Waseosa Lake Road.(refer to photos).

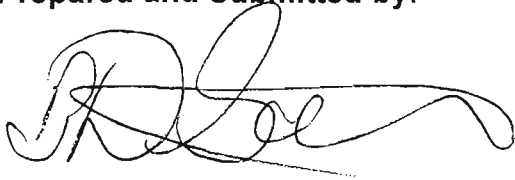
Jessop Lake is classified in Official Plan policy as having “moderate sensitivity” for new development which permits the creation of the new lots. The proposed development also limits new lot creation to three (3) increased size lots which meets District policy respecting potential archeological sites. No significant natural constraints exist on the site with the exception of the small local creek on the western boundary of the subject lands. Lot frontage has been increased in this area and no additional development is proposed in this area as the retained lot is developed with a dwelling and garage adjacent South Waseosa Lake Road.

The rezoning application is required to implement the three (3) lot consents. The rezoning to Shoreline Residential Two (SR2) for the three (3) new waterfront lots will permit the lots to be developed, subject to site plan approval. The retained lands require an exception for lot area and frontage from the existing Shoreline Residential Five (SR5) Zone to recognize the new lot configuration. The rezoning would therefore bring the proposed development into conformity with the Zone provisions of the Zoning By-law.

It is therefore my professional opinion that both the proposed three (3) lot consents and implementing rezoning represent good planning and meet the intent of the PPS and the District and Town policies and regulations. Furthermore, it is my opinion that the proposed development is in character with the existing development on the lake and will not significantly impact on the lake environment.

It is therefore respectfully requested that the consent and rezoning applications be approved.

Prepared and Submitted by:

A handwritten signature in black ink, appearing to read 'Terry Sararas', with a long horizontal flourish extending to the right.

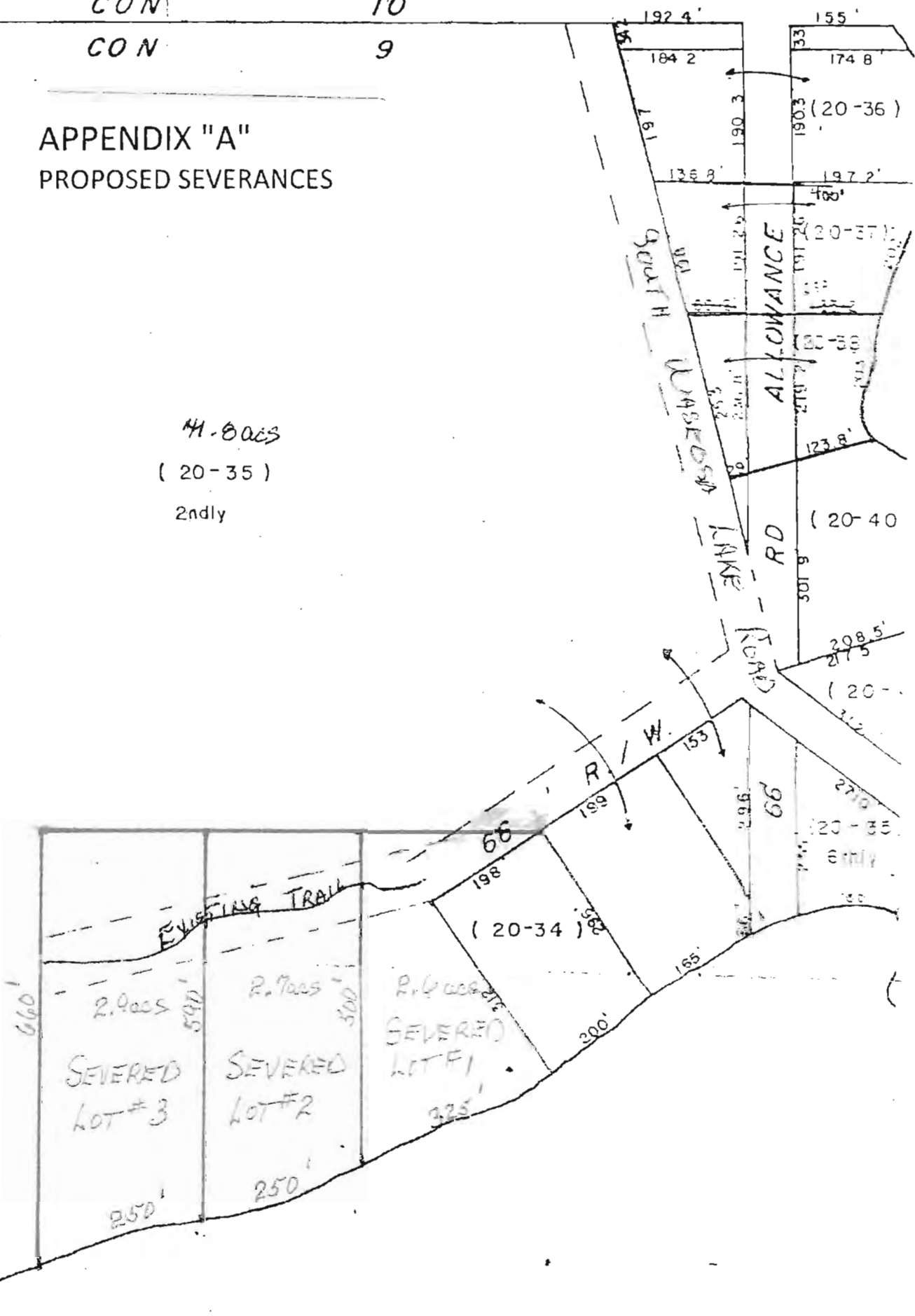
Terry Sararas, BES, MCIP, RPP
Planner

CON 10
CON 9

APPENDIX "A" PROPOSED SEVERANCES

LOT 9
LOT 10
LOT 7

M. Oacs
(20-35)
2ndly



JESSOP

KAREN & JIM LOGGIAWES SEVERANCES



APPENDIX "B"
SUBJECT LANDS



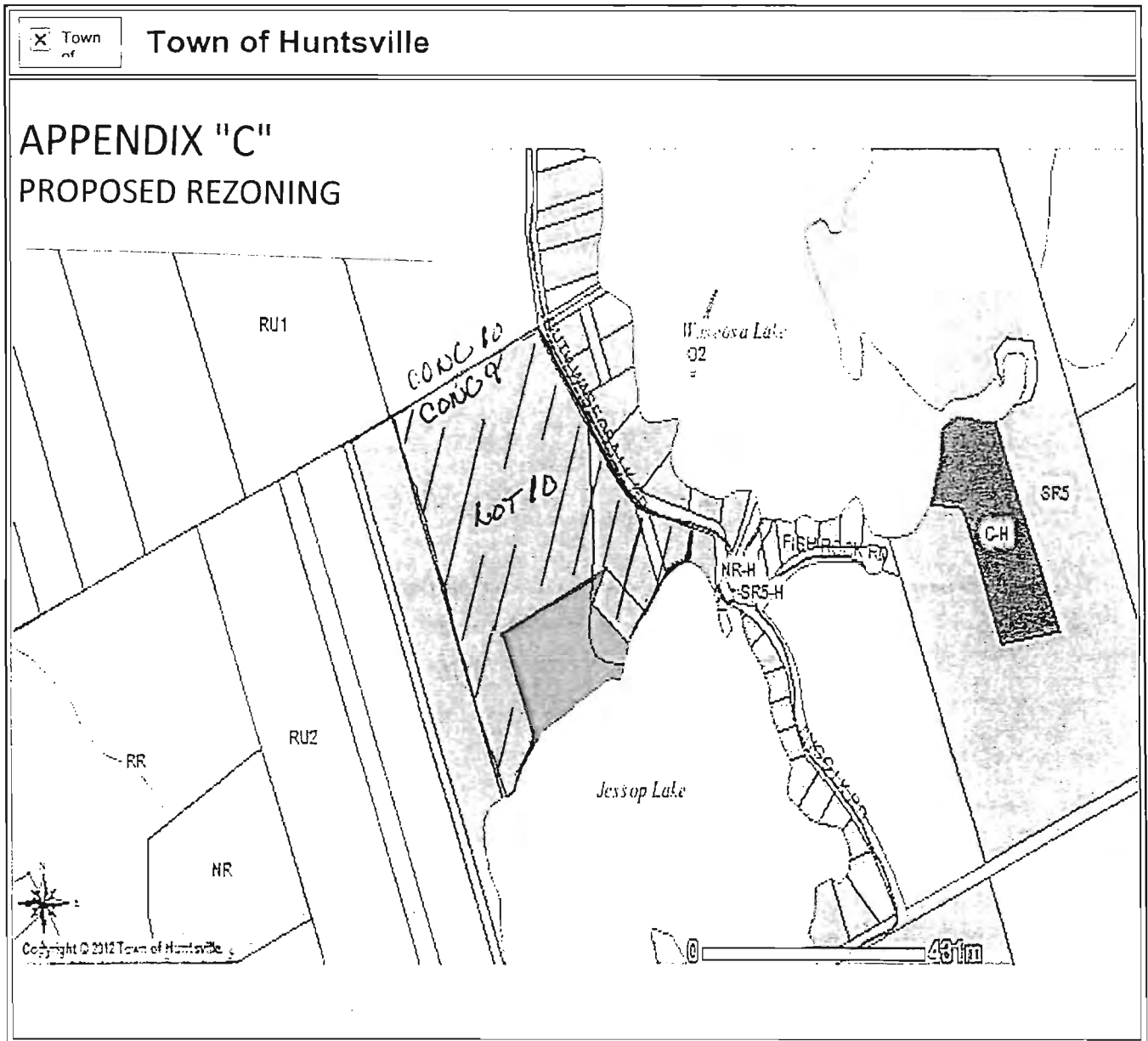
Legend

- Roads**
- Provincial Highway
- Arterial Road
- Urban Collector Road
- Rural Collector Road
- Future Arterial Road
- Future Collector Road
- Future Service Road
- Year Round Maintained
- Seasonally Maintained
- Private Road
- Parcels**
- Property
- ☆ Landmarks
- ⓑ Bridges
- ⓕ Fire Halls
- ⊕ Fire Safety Plans
- River Mill Park**
- ⓐ River Mill Pergola
- ⓑ Grass area
- ⓓ Grass area left side
- ⓔ Grass area right side


Town of Huntsville Geomatics Dept. Airtphotos - Spring 2008, Zoning By-law 2008-66P as amended. This map is distributed without warranties of any kind, either expressed or implied. It is not a plan of survey nor is it suitable for navigation. This road network information has been adapted from the ORN and is used under licence from the Government of Ontario.

SEVERED LOTS
RETAINED LOT

Scale 1:5000
16 November 2012, 14:43



LANDS TO BE REZONED
 SR5 TO SR2
 (1479 SOUTH WABESOSA LAKE RD.)

 LANDS TO BE PROVIDED AN EXCEPTION
 TO SECTION 5.3.4 (iv) AND (i)
 TO RECOGNIZE NEW LOT AREA AND FRONTAGE

Photos of Subject Lands



Private right-of-way access



Vegetated Shoreline



Topography of Severed Lots

**DECISION OF THE HUNTSVILLE PLANNING ADVISORY COMMITTEE
CONSENT APPROVAL**

DATE: February 13, 2013
FILE NO. B/43/2012/HTE
APPLICANT: Logagianes
ROLL #: 4442 020 020 03500
PROPERTY DESCRIPTION: Part of Lots 10 and 11, Concession 9
Geographic Township of Chaffey
Town of Huntsville, District of Muskoka
STREET ADDRESS: 1479 South Waseosa Lake Road

THAT: HAVING HAD REGARD TO THE MATTERS PRESCRIBED UNDER SUBSECTION 53(12) OF THE PLANNING ACT, R.S.O. 1990, AS AMENDED, THAT A PROVISIONAL CONSENT BE GRANTED FOR APPLICATION NO.

**B/43/2012/HTE – Logagianes
PART OF LOTS 10 AND 11, CONCESSION 9
GEOGRAPHIC TOWNSHIP OF CHAFFEY
TOWN OF HUNTSVILLE, DISTRICT OF MUSKOKA**

CONDITIONAL ON:

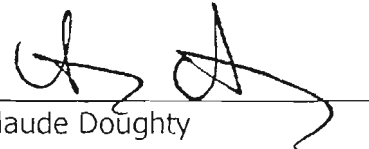
- 1) A registerable description of the severed lands being submitted to the Clerk, (including all rights-of-ways and easements), along with a registered copy of the reference plan.
- 2) The Owners' taxes being in good standing.
- 3) A consent finalization fee in the amount of \$155.00 being paid to the Town of Huntsville.
- 4) 5% cash-in-lieu of parkland on the severed lands being paid to the Town of Huntsville.
- 5) The severed lands being rezoned for their intended use.
- 6) A site inspection fee of \$205.00 being paid to the Town of Huntsville
- 7) The severed lands being subject to an agreement, pursuant to Section 51(26) of the Planning Act, RSO 1990, as amended, noting that: the lands are accessed via a private right of way and that emergency services may be delayed or not available; the private right-of-way shall be named and appropriately posted; that the owners should contact the MNR prior to any site alteration to address any sensitive species habitat; and that each owner must provide a bear-proof garbage enclosure in the area designated if they choose to have garbage pickup, adjacent to the Town owned road allowance.
- 8) An easement being provided on the retained lands in favour of the severed lots for garbage and recycling storage.

REASON: The application meets all the requirements of commenting agencies.


We, the undersigned, concur in the above Decision of the Committee.

Fran Coleman


John Davis


Claude Doughty


Karen Terziāno


Scott Aitchison

I hereby certify the foregoing to be a true copy of the Decision of the Huntsville Planning Advisory Committee concerning the above-noted application.


Clerk

**DECISION OF THE HUNTSVILLE PLANNING ADVISORY COMMITTEE
CONSENT APPROVAL**

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FILE NO. B/44/2012/HTE
APPLICANT: Logagianes
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Geographic Township of Chaffey
Town of Huntsville, District of Muskoka
STREET ADDRESS: 1479 South Waseosa Lake Road

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**B/44/2012/HTE – Logagianes
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GEOGRAPHIC TOWNSHIP OF CHAFFEY
TOWN OF HUNTSVILLE, DISTRICT OF MUSKOKA**

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**DECISION OF THE HUNTSVILLE PLANNING ADVISORY COMMITTEE
CONSENT APPROVAL**

DATE: February 13, 2013
FILE NO. B/45/2012/HTE
APPLICANT: Logagianes
ROLL #: 4442 020 020 03500
PROPERTY DESCRIPTION: Part of Lots 10 and 11, Concession 9
Geographic Township of Chaffey
Town of Huntsville, District of Muskoka
STREET ADDRESS: 1479 South Waseosa Lake Road

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**B/45/2012/HTE – Logagianes
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TOWN OF HUNTSVILLE, DISTRICT OF MUSKOKA**

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Clerk

DATE NOTICE OF DECISION GIVEN: **February 15th, 2013**
LAST DATE FOR APPEAL OF DECISION: **March 7th, 2013**

The applicant and every other agency or person to whom a Notice of Decision was sent may appeal the Decision and/or any conditions imposed, to the Ontario Municipal Board. In order to appeal, you must submit a Notice of Appeal setting out written reasons for the appeal and, if applicable, specifying which conditions are being appealed, within twenty (20) days of the Notice of Decision.

This notice should be submitted to the Clerk of the Corporation of the Town of Huntsville and be accompanied by a payment of One Hundred and Twenty-Five Dollars (\$125.00) for the first application being appealed. If more than one application is being appealed, the fee for each additional application is Twenty-Five Dollars (\$25.00). Cheques should be made payable to the Minister of Finance, Ontario.

Send to: Clerk
Town of Huntsville
37 Main Street East
Huntsville, ON, P1H 1A1

NOTE that the Clerk must receive written confirmation from the Applicant by **February 15th, 2014**, being one year from the giving of the notice, that all conditions have been met or the consent will deem not to have been given as per Section 53(41) of the Planning Act, R.S.O. 1990, c.P.13.

c. Owner
District of Muskoka

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c. Owner
District of Muskoka

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Carried.

c) Report PL-2013-14 - B/04/2013/HTE – Millest – 188 Skyhills Road

Kirstin Maxwell provided an overview of the consent application noting no additional comments were received.

Chair Aitchison called upon the applicant or their representative to provide additional comments.

John Gallagher, John P. Gallagher & Associates, was present on behalf of the applicant.

Chair Aitchison asked if there was any person present wishing to provide comment on the application.

– Nil –

Chair Aitchison asked if there were any questions from Committee.

– Nil –

Moved by Karin Terziano

PAC15-13

BE IT RESOLVED THAT: Report No. PL-2013-14 prepared by Kirstin Maxwell, Planner, dated February 13, 2013 regarding Consent Application B/04/2013/HTE – Millest (188 Skyhills Road) be received;

AND FURTHER THAT: The Planning Advisory Committee approve Consent Application B/04/2013/HTE for Part of Lot 7, Concession 6, Geographic Township of Chaffey, Town of Huntsville, District Municipality of Muskoka,

CONDITIONAL ON:

- 1) A registerable description of the severed lot being submitted to the Clerk, (including all rights-of-ways and easements), along with a registered copy of the reference plan.
- 2) The Owners' taxes being in good standing.
- 3) 5% cash-in-lieu of parkland being paid to the Town for the severed lands.
- 4) A consent finalization fee in the amount of \$155.00 being paid to the Town of Huntsville.
- 5) A site inspection fee of \$205.00 being paid to the Town of Huntsville.

Carried.

6. CONCURRENT CONSENT / ZONINGS

Chair Aitchison declared the next portion of the meeting to be a public meeting pursuant to Section 34 and 52 of the Planning Act to deal with concurrent severance/rezoning applications.

- a) Report PL-2013-15 - B/43/44/45/2012/HTE & Z/37/2012/HTE – Logagianes - 1479 South Waseosa Lake Road

Kirstin Maxwell provided an overview of the applications and noted that all comments received to date had been forwarded to Committee.

Chair Aitchison called upon the applicant or their representative to provide additional comments.

Terry Sararas, agent for the applicant, noted that the applications were consistent with the Official Plan of both the Town and District of Muskoka, and further that the lots being proposed exceeded the minimum requirements. He stated that the applicant had agreed to changes to the zoning amendment to accommodate some of the neighbours concerns.

Jim Logagianes, Applicant, stated that he was available to answer any questions.

Chair Aitchison asked if there was and person present wishing to provide comment on the application.

Anthony Doob and Dwayne Verhey, representatives of the Lake Waseosa Ratepayers Association provided comment. (Schedules "A" and "B")

Ann Bennett, Milton ON objected to the applications citing concerns with privacy, and more development on a small shallow lake.

Barbara Sturton, Mississauga ON objected to the proposals, citing concern over potential algae blooms and felt that the lake was already overcrowded.

Cameron White, Huntsville, ON objected as well, with concerns over the impact on the local environment and potential impact on the property values should the lake be environmentally compromised.

Ambrose Adam, Huntsville, ON objected, citing declining quality of the water in the lake and the lack of protection for the environment.

Chair Aitchison asked if there were any questions or comments from Committee.

Mayor Doughty requested staff to clarify some questions raised by the neighbours, namely water quality concerns and the lake plan.

Mr. Marshall clarified what process would be involved to incorporate the Lake Waseosa Lake Plan and any land use planning statements contained therein into the Town Official Plan.

Ms. Maxwell confirmed that according to the District Lake Health System data the lake was not considered over threshold for phosphorus from their most recent testing data collected in 2010. She further elaborated on the different zoning categories for shoreline residential lots, noting that the SR5 zoning category would still require an amendment to recognize the new lot fabric if the consents were approved.

A discussion took place involving:

- Zoning;
- The factors mitigating use of Jessop lake;
- Development on Jessop Lake.

i. CONSENT

Moved by Karin Terziano

PAC16-13

BE IT RESOLVED THAT: Report No. PL-2013-15 prepared by Kirstin Maxwell, Planner, dated February 13, 2013 regarding "Zoning Amendment Application Z/37/2012/HTE and Consent Application B/43/44/45/2012/HTE (Logagianes)" be received;

AND FURTHER THAT: the Planning Advisory Committee APPROVE Consent Applications B/43/44/45/2012/HTE for Part of Lots 10 and 11, Concession 9, Geographic Township of Chaffey, Town of Huntsville, District Municipality of Muskoka.

CONDITIONAL ON:

- 1) A registerable description of the severed lands being submitted to the Clerk, (including all rights-of- ways and easements), along with a registered copy of the reference plan.
- 2) The Owners' taxes being in good standing.
- 3) A consent finalization fee in the amount of \$155.00 being paid to the Town of Huntsville.
- 4) The severed and retained lands being rezoned for their intended use.
- 5) 5% cash in lieu of parkland being paid for the severed lands.
- 6) The severed and retained lands being subject to an agreement, pursuant to Section 51(26) of the Planning Act, RSO 1990, as amended, noting that: the lands are accessed via a private right of way and that emergency services may be delayed or not available; that the owners should contact the MNR prior to any site alteration to address any sensitive species habitat; and that each owner must provide a bear-proof garbage enclosure in the area designated if they choose to have garbage pickup, adjacent to the Town owned road allowance.
- 7) A site inspection fee of \$200.00 being paid to the Town of Huntsville.
- 8) An easement being provided on the retained lands in favour of the severed lots for garbage and recycling storage.

Carried.

ii. ZONING AMENDMENT

Moved by Karin Terziano

PAC17-13

IT IS RECOMMENDED THAT: Report No. PL-2013-15 prepared by Kirstin Maxwell, Planner, dated February 13, 2013 regarding "Zoning Amendment Application Z/37/2012/HTE and Consent Application B/43/44/45/2012/HTE (Logagianes)" be received;

AND FURTHER THAT: The Planning Advisory Committee recommend to Council that an amendment to Zoning By-law 2008-66P be APPROVED changing the zoning of Part of Lots 10 and 11, Concession 9, Geographic Township of Chaffey, Town of Huntsville, from a Shoreline Residential Five (SRS) Zone to a Shoreline Residential Five (SRS) Zone with an exception for lot frontage and area, and to a Shoreline Residential Five (SRS) Zone on severed lot #1 with an exception for lot frontage and area and an increased 10m easterly side lot line setback and a 6m easterly side lot line vegetative buffer.

Carried.

- b) Report PL-2013-16 - B/01/2013/HTE & Z/01/2013/HTE - Smith/O'Brien - 413 South Waseosa Lake Road

Kirstin Maxwell provided an overview of the applications noting no additional comments were received.

Schedule "A"

Statement of the Lake Waseosa Ratepayers' Association
Town of Huntsville
Wednesday 13 February 2013

Good Morning:

I am Tony Doob, currently president of the Lake Waseosa Ratepayers' Association. This association is celebrating its 50th anniversary this year. It represents those on, and near, four Huntsville area lakes: Waseosa, Ripple, Palette, and – in the context of the matter before you – Jessop (or Jingo) Lakes. The majority of the residents of these lakes belong to our association. We are the people affected by what goes on in our neighbourhood.

In addition to sponsoring social events, the association, from its establishment in 1963, has advocated the orderly and principled development of our lakes. Hence we have, over the years, encouraged our community to respect the fragile nature of our lakes in their practices.

We have urged our members to ensure that their septic systems are in good working order – and have supported the Town's efforts to inspect and control this aspect of development. We have developed volunteer guidelines for our members on being 'good neighbours' (in terms of noise, development, pollution, use of chemicals, etc.) and have made these guidelines available to all those who use the lake. We provide environmentally friendly cleaning products from a local Huntsville company at cost. And we have monitored proposals for development on our lakes.

Organizations such as ours are sometimes seen as being against all development and change on the lakes. This characterization does not fit the LWRA's approach. We accept the fact that there will be change – and in fact increased use – on our lake. We see it constantly as the use of homes around the lakes increases.

Rather than oppose all change, we have attempted to work with landowners to come to a compromise that meets, as much as possible, both community and landowner needs. Recently, for example, we have worked with owners of a cottage on Lake Waseosa who wanted to expand a non-conforming property so that it could be converted into a property that met the needs of their expanded family and their increased use of the buildings. We came to a solution that met our concerns and met the owner's needs.

Similarly, as some of you may remember, we attempted to negotiate an acceptable solution in relation to a local gravel pit. In that case, there was an inevitable conflict between the local businessman who needs to run his business and local residents who had concern about the expanded use of a narrow road.

In another instance, we worked with a camp for children with diabetes on one of our lakes to find sensible ways to expand the camp so that they could serve the needs of many more children who would like to spend time on our lakes. We understood that increased use meant increased stress on the lake. But the camp is important to the wider community and we were able to support the plans for the camp's expansion.

We have worked with the community to restore one of the small islands on our lake. This island is a favourite place both for the children from the camp, youths on our lakes, and visitors to the lake who access it via the Town Dock. Unfortunately, the overuse of the island threatened to ruin its natural beauty. We negotiated with the community, and governments, to allow a moratorium on its use and then, with our labour, donations from our members, and Association funds, have worked to rejuvenate it so that it will soon, once again, be able to be used by all.

These are not easy problems to solve. The LWRA has always looked for a solution that maximizes the benefits for the community as a whole.

It would be wrong – and unfair – to characterize this association as simply being against further development.

In the end, we are looking for sustainable solutions that will mean that our lakes and community will be healthy for our children, grandchildren, and their children. Change is occurring everywhere, including on our lakes. We strive to manage it an appropriate way, not block it.

At the same time, we are aware of the fact that our lakes are vulnerable. They are vulnerable in three ways.

First of all, all of our lakes, as far as we are able to determine, are at, near, or above a safe level of phosphorus concentration. As you know, phosphorus is an important nutrient in algae production – and most importantly cyanobacteria – the so-called “blue-green algae” known for its life-killing blooms in other Muskoka lakes.

Second, climate change – and in particular, hotter and drier summers – increase dramatically the likelihood of algae blooms especially in shallow lakes that are more affected by warm summers. We all know that summers are becoming, on average, warmer. Warmer summers mean warmer water, and increased vulnerability to algae blooms.

Third, our lakes are at or above their level of development in terms of the number of dwellings they support given the surface areas of the lakes. Ontario has developed optimum maximum values in terms of the number hectares of surface area of the lakes needed for each dwelling. Our lakes are at, or above, this measure of development.

In its official actions, you, the Council of the Town of Huntsville have, in the past, been responsive to exactly these concerns. And we, the LWRA, would like thank you for the actions that you have taken to preserve Huntsville's lakes and natural beauty. I don't need to tell you that if Huntsville's lakes are destroyed, the Town will be irreparably and permanently damaged. But I would venture to add that if Huntsville gets a reputation for not protecting its natural environment by explicitly allowing a lake to be destroyed by algae blooms, it will hurt the Town as a whole.

What has the Town done to protect its lakes and to be responsive to its citizens? I would suggest it has done a lot.

About 7 years ago, the Town implemented an Official Plan. After much consultation, the Council bit the bullet and developed a plan for the orderly development of all parts of the town.

In 2008 – again after considerable consultation, public meetings, and compromise – the Town came in with a Comprehensive Zoning Law designed to do what zoning does – tell all who have an interest what kind of development can occur in different locations. Once again, this zoning bylaw did not and could not please everyone. But we all knew that it told us what we could expect for the future. Zoning is a blueprint for development and for developers and those affected by development. Whether we liked it or not, we knew what that blueprint looked like.

And third, the Town of Huntsville Council did a rather unusual thing. It instructed organizations such as ours to look at our local communities and come up with Lake Plans – lake specific plans for the orderly development of our lakes that were acceptable to our communities. These could be more restrictive than the zoning bylaw or the Official Plan, or they could be consistent with these documents. If they varied from the general provisions of the Official Plan, the provisions are to be carried forward as specific policies applicable to the Lake. The Lake Plan did not require special 'legislation' per se, although many have been inserted into the Official Plan itself. Our latest revision of our plan was filed with you in 2011 soon after a well-advertised public meeting.

Against this backdrop, then, the LWRA has examined the proposal to create three new lots on Jessop Lake. We understand that any landowner can propose any type of development. And equally, we understand that the Town does not have to accept it, just because the developer and an agent paid by the developer, would like it to happen.

We provided you, last week, with detailed reasons, citing scientific data and other evidence, demonstrating that this proposal should be turned down.

We have examined this development proposal carefully. We have circulated it to our members and to anyone who visits our website. We have received – as you have – many views about the development. By our latest count, we have received communications from at least 30 residents,

some of whom do not live on Jessop but have serious concerns about the development, nevertheless.

Not a single resident who has communicated to us has indicated that he or she thought that the proposal should be accepted by the Town. Many have expressed regret that they cannot be here today to speak against the proposal.

A number of people have pointed out to us that we no longer can take the position that “just one more” (or in this case three more) houses won’t really make a difference.

A number of residents of Jessop Lake have pointed out to us the sad – but extraordinarily ironic – fact that the man who has proposed the subdivision of his property himself opposed the creation of new lots during the creation of the Lake Plan in large part because he felt that the lake could not sustain added development. I am told that your office has copies of his letter opposing further lot development on this lake. Apparently his ‘one more’ or in this case ‘three more’ lots, should, he believes, be allowed, even though he made arguments against further lot development by a neighbour.

The residents of Jessop have pointed out to us – and we point out to you – that at some point, a lake reaches a tipping point and, essentially dies. When a lake has a blue-green algae bloom, the water cannot be used for anything, not just recreational purposes like swimming, boating, or fishing. Blue-green algae produce toxins that can pose a health risk to people and wildlife even from inhaling airborne droplets. Essentially, when this occurs, we have created a poisonous body of water in the midst of our community. This is not a recreational water quality issue, this is an environmental disaster issue.

We don’t know when this will occur, but we do note four things:

- The District’s own records demonstrate that this lake is over its appropriate threshold for phosphorus. The fact that the district has not officially classified it as “over threshold” reflects the fact that the model was designed for deep lakes that stratify, not shallow lakes like this one. As the District’s consultant notes, the threshold for phosphorus is hard to model using their particular techniques.
- Regardless of what the District determines Jessop’s recreational water quality to be, you have to remember one incontrovertible fact about phosphorus and algae: Neither of them knows or cares about what the District thinks the background phosphorus concentration should be. What matters is the actual concentration available at the moment. When phosphorus levels increase, particularly in warm lakes such as this one, algae blooms will occur. Estimates of what the phosphorus concentration might have been before development are irrelevant. When added development creates an algae bloom, it is real.

- Warm shallow lakes are especially at risk for blue-green algae blooms. The long-term residents of the lake have written to you and to us and have pointed out to us that at times, the concentration of algae on the surface of the lake, and the quality of the water, are troublesome. And the long-term residents have noted that it was not always the case. Said differently, the problem is already with us and is growing. The good thing is that it is not yet a public crisis.
- Fourth, the lake is in a position that it can create problem for other lakes. It is a headwater lake. It flows into Waseosa which, itself eventually flows into the Big East River and then eventually to the larger Huntsville Lakes. At other times of year, Jessop, because of reduced rain and increased temperature (and evaporation) is stagnant and therefore especially vulnerable. In other words, it varies between two forms of vulnerability.

When all of the existing lots on Jessop are developed, Jessop will have more development on it than is deemed by the province and other studies to be optimal, given its surface area. Natural lakes are not meant to have the concentration of people that occurs in community swimming pools, given that they are used for a variety of purposes. Without going into detail – details like this are in our Lake Plan which was filed with the Town after the public meeting in which it was unanimously accepted – Jessop is already at its saturation point.

A few minutes ago, I congratulated the Town on the efforts it has made over the years to create the environment for orderly development on the lakes, its rural areas, and the urban areas of the Town.

The documents I mentioned are important because they set the standards. Obviously exceptions occur. But there must be compelling reason for exceptions. For example, on some lots it may not be physically possible – or plausible - to build a dwelling and a septic bed in a manner prescribed by these rules.

But in this case, you need to remember that the Town, in its zoning bylaw and our community in its comprehensive Lake Plan, indicated that there be no new lot creation. Our Lake Plan does not contradict the Zoning Bylaw, it reinforces it. Nobody spoke against the Lake Plan that has been filed, with you and has been available on our website from the beginning.

We note that the developer, a few days ago, withdrew his proposal that, in effect, houses be allowed to be built within 20 metres of the lake front rather than the normal 30 metres for this zoning. But what is important about the current zoning of this lake – as SR5 – is that it sets the minimum lot size for every lot to what it was when the zoning was accepted by this Council in 2008.

In other words, because of the vulnerability of these lakes, and because of the number of lots already on these lakes, further lot creation was – and is – prohibited. SR5 zoning is much more than just about setbacks.

The existing rules provide us with a plan for development. Further development will occur, both on empty lots of record, and on lots that have already been developed. We look forward to working with landowners to find solutions that are acceptable to everyone. It is the overall framework – the zoning bylaw, the official plan, the lake plans – that make orderly development possible.

We live in a society that believes in evidence and the rule of law. But society also recognizes that the law allows an exception to rules – in criminal law, it is the so-called “defence of necessity”. Courts have quite appropriately decided that the scope of such exceptions must be narrow and the events justifying them must be rare. They must involve situations in which there really are no reasonable alternatives and the actions taken are only those that cannot be avoided without creating an even greater harm.

The proposal for creation of three new lots on Jessop Lake – a proposal to violate existing law – does not meet that test.

Speaking on behalf of the Lake Waseosa Ratepayers’ Association and the many residents who have contacted us, I urge you to take a principled stand and turn down this proposal.

Thank you.

Schedule "B"



LAKE WASEPOSA RATEPAYERS' ASSOCIATION

c/o 21 COTTAGE LANE, RR#3
HUNTSVILLE, ONTARIO
CANADA
PH 214

February 13, 2013

This proposal creates 3 new lots immediately with the unexpressed but obvious opportunity to create a 4th new lot in the future, on a lake where the carrying capacity has been exceeded and where the applicable Lake Plan stipulates that the future of development is to be redevelopment of existing lots, not new lot creation.

Back in 2001, the LWRA and other Lake Associations in Huntsville were approached by the Town and asked to prepare a Lake Plan. We were tasked, in the Huntsville Official Plan, to determine the limits to and nature of future development in this area.

The District of Muskoka Official Plan supports policies to ensure the carrying capacity is not significantly affected and development proceeds in a socially sound manner. The Huntsville Official Plan recognizes that factors other than water quality present limits to the desirable amount of development on a particular lake, directing Lake Associations to address these matters on an individual lake basis.

With these Official Plan policies in mind, we examined the recreational carrying capacity of the lake, the potential for environmental damage and both the existing and future character of the lake. The LWRA commissioned a study of the Recreational Carrying Capacity of the lake utilizing two complimentary models. The first is the Ontario Ministry of the Environment "Lake Alert System", which sets limits based on the available surface area of the lake in relation to the amount of development. Under the Lake Alert System, 4 hectares per dwelling are required on a small lake. The study revealed that the total surface area of Jessop is only 1.15 ha/property. That means the number of existing lots are already almost four times the recommended amount for a small lake.

The District of Muskoka OP also makes reference to boating density in determining the recreational carrying capacity of a waterway. Accordingly, the LWRA commissioned a Boat Density Study. This model revealed that Jessop Lake was very nearly at capacity, and in fact could only accommodate one more boat. Since that time, new construction has increased the number of residences by 6%, so that today the boat density exceeds the available lake surface.

As a result, the Lake Plan determined that no new lot creation should be permitted on Jessop and that future development should be in the form of maturation and re-development of existing lots. The Lake Plan contains a specific policy preventing new lot creation and this subdivision proposal is not compatible with the intent and policies set forth in the Lake Plan

We have had considerable correspondence with the Planning Department since we were notified about this proposal. Recently, the Director of Planning, Chris Marshall, wrote "that plan has not been incorporated into the Official Plan and has not had the opportunity for public and agency review" Let's examine that assertion

The Lake Plan process started in 2002 and several drafts were prepared and presented to area landowners for comment before it was published in 2006. The process was repeated in 2011 to coincide with the scheduled Official Plan review. Note that I said "area landowners" not "members of the Association". We recognize that while we represent over half the waterfront, not all landowners are members but all landowners are potentially affected. The final draft was adopted at a public meeting open to all. The text was posted on our website, hard copies were made available in advance on request, and for several hours in advance of the meeting at the venue. We advertised it in the Forester, we sent out e-mails to everyone on our list, we posted it on our roadside community bulletin boards and we even hand-delivered flyers to every single household on the lakes. A reporter from the Forester attended the meeting and witnessed the process. The plan was adopted with unanimous consent. How can anyone claim there was no opportunity for public review?

As for the opportunity for agency review, the Planning Department has had a copy of the original since 2006 and the revised version since November of 2011. We were told the Official Plan review was being delayed until 2012 and it would be incorporated then. It's 2013 and we are still waiting. We don't understand the delay, but it certainly was not from lack of opportunity.

Nonetheless, it is not necessarily a requirement that the provisions of the Lake Plan be explicitly expressed in the Official Plan. The Official Plan adopts the Lake Plan by reference in section 8.13.7 "Those provisions of the lake plan that are related to municipal planning policy and that may vary from the general provisions of the Huntsville Official Plan are carried forward as specific policies applicable to the Lake"¹

The planning process in Ontario has an hierarchy, starting with the Province. The District of Muskoka cannot countermand the Province and the Town cannot contradict the District and of course the Lake Plan contradict the Town's Official Plan. If the Lake Plan contained provisions contrary to the Official Plan, then those provisions would be invalid or the Official Plan would have to be amended to allow those provisions.

¹ Huntsville Official Plan 8.13.7

In this case, the policy of the Lake Plan does not contradict the Official Plan, it merely provides direction in land use policy. There is no automatic right to alter the zoning or subdivide a property. The zoning of this property does not allow subdivision, that's why the owner is applying for an amendment. There is no conflict with the Town's Official Plan to deny the zoning amendment or withhold the consent.

Therefore, since the Lake Plan is adopted by reference, and since this application is contrary to the policy set forth in the Lake Plan, this application is contrary to the intent of the Official Plan. As the Town is under no obligation to permit this subdivision, you are free to deny it.

The LWRA Lake Plan is one of the most democratically derived documents since the signing of the Magna Carta. The turnout here today gives this committee the mandate to uphold the covenant agreed to by all interested parties – including the applicant. We call upon you to respect and protect the mutual interest of the residents.

The LWRA requests a written or electronic copy of all decisions in this matter.

Thankyou.

Dwayne Verhey, Secretary
Lake Waseosa Ratepayers' Association
C/o 21 Cottage Lane, RR#3
Huntsville, Ontario
P1H 2J4
secretary@lwra.net



THE CORPORATION OF THE TOWN OF HUNTSVILLE

DECLARATION

March 18th, 2013

I, Kirstin Maxwell, Planner, Town of Huntsville, do hereby swear that the following persons made oral submissions at the Planning Advisory Committee meeting concerning B/43/44/45/2012 on February 13th, 2013.

Kirstin Maxwell, Planner, Town of Huntsville
Terry D. Sararas, Agent for the applicant
James Logagianes
Anthony Doob
Dwayne Verhey
Ann Bennett
Barbara Sturton
Cameron White
Ambrose Adam

Commissioner

*Denise M. Corry, a Commissioner and Clerk,
District Municipality of Muskoka, for the Corporation
of the Town of Huntsville.*

Kirstin Maxwell

MUSKOKA 2010

G8

CANADA

HOST COMMUNITY



THE CORPORATION OF THE TOWN OF HUNTSVILLE

RECIPIENTS OF NOTICE OF DECISION

March 18th, 2013

By First Class Mail:

Terry D. Sararas, Agent for the applicant
James Logagjanes, Owner
District Municipality of Muskoka, 70 Pine Street, Bracebridge, ON P1L 1R6
Barbara Sturton, 5294 Roebuck Court, Mississauga, ON L5R 2J5
Cameron White, 816 East Waseosa Lake Road, Huntsville, ON P1H 2J3
Ambrose Adam, 12 Duncan St. W., Huntsville, ON P1H 1V9
R.R. MacLean, 1936 Melbourne St., Sudbury, ON P3A 4Y4

Via Email:

Lake Waseosa Ratepayer's Association, Dwayne Verhey: secretary@lwra.net
Marilyn Freethy: jingolk@sympatico.ca
John Buch: jbuch@idirect.com
Steve Spence: steve.spence@gi-de.com
Roxanne Bickell-Talbot: roxystalbot@yahoo.ca
Diane Spence: ds.spence@rogers.com
Nancy Bennett: inatbennett@gmail.com
Ray Nichols: raynich02@gmail.com
Holly Bennett Milner: hmil@sympatico.ca
Marjorie and Ambrose Adam: aradam@vianet.ca
Ann Bennett: nana.b@sympatico.ca
Pat Baranek: pat.baranek@utoronto.ca
Lea Jorgensen: lkder@sympatico.ca
Karen Axford: kaxford@wlu.ca
Rich Adam: rich.adam@visioncritical.com
Cathy Lihou-Perry: cathy.lihou-perry@granderie.ca
Jim Edwards: jge309@gmail.com
Jim & Zora Kightley: kightley@sympatico.ca
Bruce McCurry: bmccurry@rogers.com
Shelley Adam: shelleyannadam@yahoo.ca





TOWN OF HUNTSVILLE

DIVISION	CAO's Office	<input type="checkbox"/>	Community Services & Economic Development	<input type="checkbox"/>
	Corporate Services	<input type="checkbox"/>	Development Services	<input checked="" type="checkbox"/>
	Fire	<input type="checkbox"/>	Organization Development & Strategy	<input type="checkbox"/>
	Public Infrastructure	<input type="checkbox"/>		

DEPARTMENT: Planning

REPORT # PL-2013-15

Confidential: Yes No

To: Planning Advisory Committee
From: Kirstin Maxwell, Planner
Meeting: February 13, 2013
Subject: Zoning Amendment Application Z/37/2012/HTE 1479 South Waseosa Lake Road
 Consent Application B/43/44/45/2012/HTE (Logagianes)

RECOMMENDATION #1:

Requires Action For Discussion Only

BE IT RESOLVED THAT: Report No. PL-2013-15 prepared by Kirstin Maxwell, Planner, dated February 13, 2013 regarding "**Zoning Amendment Application Z/37/2012/HTE and Consent Application B/43/44/45/2012/HTE (Logagianes)**" be received;

AND FURTHER THAT: the Planning Advisory Committee **APPROVE** Consent Applications B/43/44/45/2012/HTE for Part of Lots 10 and 11, Concession 9, Geographic Township of Chaffey, Town of Huntsville, District Municipality of Muskoka.

CONDITIONAL ON:

1. A registerable description of the severed lands being submitted to the Clerk, (including all rights-of-ways and easements), along with a registered copy of the reference plan.
2. The Owners' taxes being in good standing.
3. A consent finalization fee in the amount of \$155.00 being paid to the Town of Huntsville.
4. The severed and retained lands being rezoned for their intended use.
5. 5% cash in lieu of parkland being paid for the severed lands.
6. The severed and retained lands being subject to an agreement, pursuant to Section 51(26) of the Planning Act, RSO 1990, as amended, noting that: the lands are accessed via a private right of way and that emergency services may be delayed or not available; that the owners should contact the MNR prior to any site alteration to address any sensitive species habitat; and that each owner must provide a bear-proof garbage enclosure in the area designated if they choose to have garbage pickup, adjacent to the Town owned road allowance.
7. A site inspection fee of \$200.00 being paid to the Town of Huntsville.

8. An easement being provided on the retained lands in favour of the severed lots for garbage and recycling storage.

RECOMMENDATION #2:

Requires Action



For Discussion Only



IT IS RECOMMENDED THAT: Report No. PL-2013-15 prepared by Kirstin Maxwell, Planner, dated February 13, 2013 regarding "**Zoning Amendment Application Z/37/2012/HTE and Consent Application B/43/44/45/2012/HTE (Logagianes)**" be received;

AND FURTHER THAT: the Planning Advisory Committee recommend to Council that an amendment to Zoning By-law 2008-66P be **APPROVED** changing the zoning of Part of Lots 10 and 11, Concession 9, Geographic Township of Chaffey, Town of Huntsville, from a Shoreline Residential Five (SR5) Zone to a Shoreline Residential Five (SR5) Zone with an exception for lot frontage and area, and to a Shoreline Residential Five (SR5) Zone on severed lot #1 with an exception for lot frontage and area and an increased 10m easterly side lot line setback and a 6m easterly side lot line vegetative buffer.

ORIGIN / BACKGROUND

The purpose of this report is to provide the Planning Advisory Committee with a summary and recommendation concerning Zoning By-law Amendment Application Z/37/2012/HTE and Consent Applications B/43/44/45/2012/HTE which are applications for the creation of three shoreline residential lots.

The lands are located at 1479 South Waseosa Lake Road and are developed with a single family dwelling and associated accessory structures. The surrounding uses are generally shoreline residential and rural.

DISCUSSION

The Owner is proposing to sever three shoreline residential lots, all accessed via a right-of-way. Each of the proposed severed lots would have a minimum of 76m (250ft) of frontage on Jessop Lake, and a minimum area of 1.05ha (2.6ac). The severed lots would be accessed via a 20m (66ft) wide right-of-way over the retained lands. The retained lot is developed with a single family dwelling and would have approximately 183m (600ft) of frontage on Jessop Lake, 442m (1450ft) of frontage on South Waseosa Lake Road and 16.5ha (41ac) in area. There is a small wetland area on the western lot line of the retained lands that will not be disturbed.

Official Plan

The Official Plan designation of the property is Waterfront. Section 3.5 speaks to recreational water quality, and in Section 3.5.1.4 Jessop Lake is identified as having "moderate sensitivity". Section 3.5.2.2 requires a 30m setback from the shoreline for all components of a septic system. The proposed development is consistent with the development principles in Section 8.2, specifically 8.2.9 that specifies that all development shall be low profile; Section 8.2.10 naturalized shorelines shall be substantially maintained; and Section 8.2.17, all development shall be subject to site plan control.

Section 8.3.4 sets out the requirements for the shoreline activity area, allowing a maximum 15m disturbed area along the shoreline. Section 8.3.8 notes that all of the shoreline not required for the shoreline activity area shall be kept as a natural vegetative buffer to protect riparian and littoral zones, prevent erosion, siltation and nutrient migration, maintain shoreline character and appearance, and minimize the visual impact of any development.

Section 8.4.2 permits access along a private road or legal right-of-way. Section 8.5 notes that septic leaching beds and mantles shall be a minimum of 30m from the shoreline, and that stormwater management and construction mitigation techniques shall be provided on site. The proposed low-density

shoreline linear development represents a permitted use in Section 8.6. Section 8.8.2 outlines the minimum lot size requirements for creating new waterfront lots. The Official plan requires a minimum 1ha (2.5ac) and 60m (200ft) of frontage. Each lot shall exceed these requirements.

The proposed severances meet the requirements as set out by the Town Official Plan.

Many of the concerns being put forth by residents in the area pertain to water quality, setbacks and retaining the natural shorelines. All of these concerns can be addressed through site plan control, which addresses such items as: a) appropriate location of buildings, structures and sewage disposal systems; b) retention or restoration of a natural vegetative buffer to prevent erosion, siltation and nutrient migration; c) maintenance and establishment of tree cover and vegetation on the lot wherever possible; d) proper location and construction of road and pathways, including use of permeable materials; and e) implementation of storm water management and construction mitigation techniques, including proper re-contouring, discharging of roof leaders, use of soak away pits and other measures to promote infiltration.

Zoning By-Law

The severed and retained lands are proposed to be rezoned. Both the severed and retained lands would need to have the lot area and frontage recognized, as the Shoreline Residential Five (SR5) Zone category does not have provisions for area or frontage. Severed Lot #1 will also have an exception for an increased easterly side yard for the main structure of 10m, and a 6m vegetative buffer. There is a small amount of Natural Resource zoning that follows a stream, this will not be changed.

FINANCIAL IMPLICATIONS – *(Manager of Finance / Treasurer must sign Report)*

n/a

INSURANCE/RISK MANAGEMENT IMPLICATIONS – *(Manager of Finance / Treasurer must sign Report)*

n/a

HUMAN RESOURCES IMPLICATIONS – *(Executive Director of Organizational Development and Strategy must sign Report)*

n/a

SUSTAINABILITY IMPLICATIONS

Economic Considerations

Additional development will add to the tax base in the Town of Huntsville.

Social Considerations

The severed lots could be developed with cottages that would provide for recreational opportunities. The proposed retained lot is developed with a year-round home.

Environmental Considerations

The lots will be of a sufficient size to accommodate private servicing as required, and all development setbacks can be met.

ACCESSIBILITY IMPLICATIONS

n/a

COUNCIL STATEMENT OF DIRECTIONS AND PRIORITIES

n/a

POLICIES / LEGISLATION

Provincial Policy Statements
Planning Act, R.S.O. 1990, cP.13
District of Muskoka Official Plan
Town of Huntsville Official Plan
Zoning By-law 2008-66P, as amended

CONSULTATIONS

All internal and external agencies were circulated for comments.

Public Infrastructure had no objections. Corporate Information/911 noted that the private right of way to these 3 new lots will have to be named for 911 purposes and proper signage must be posted, and that the neighboring property at 1523 S WASEOSA LK RD, will also require an address change to reflect this new road name.

The Fire Department commented that due to the number of lots this road way would require a name for civic addressing purposes, and that it would need to be constructed to Ontario Building Code section 3.2.5 to provide access for fire services.

Rebecca Willison, the District of Muskoka Watershed Technician, confirmed that Jessop Lake is not considered over-threshold.

District of Muskoka Planning and Public Works noted they would not be opposed to approval of the applications, provided that: a fish habitat assessment be completed in accordance with MNR requirements; consultation with MNR prior to any site alteration to address any potential sensitive species habitat; and an easement for garbage and recycling storage being provided on the retained lands in favour of the severed lots.

Numerous comments were received from neighbours, they are attached as Appendix "C".

PROVISION OF NOTICE *(As per the current Town of Huntsville Provision of Notice Policy By-law)*

Notice Required?: Yes *(If yes, fill in below)* No

Class #: Part #: Subject Matter:

Date(s) to be Advertised in Newspaper *(If applicable)*:

Date of Posting on the Town Website *(If applicable)*:

ATTACHMENTS

Appendix "A" – Location Map
Appendix "B" – Sketch
Appendix "C" – Comments received

CONCLUSION

Staff recommends approval of the severances and zoning amendment as the applications meet the intent of the Official Plan.

signed
Prepared by: Kirstin Maxwell, Planner

signed
Approved by: Chris Marshall, Director of Planning

signed
Approved by: Mike Gooch, Executive Director of Development Services

signed
Approved by: Kelly Pender, Chief Administrative Officer

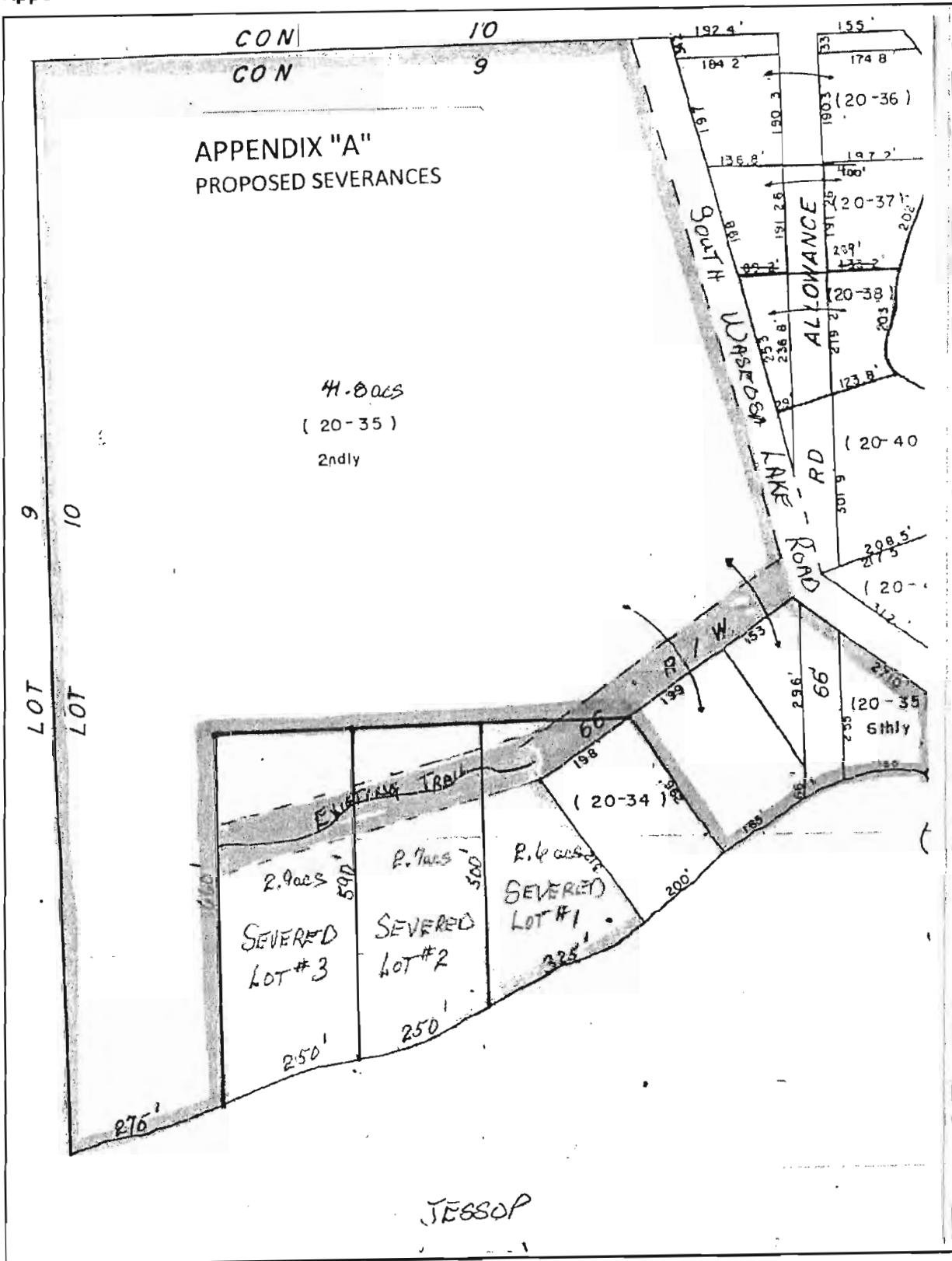
n/a
Approved by: Julia Finch, Manager of Finance / Treasurer *(If Applicable)*

n/a
Approved by: Lisa Smith, Executive Director of Organizational Development & Strategy *(If Applicable)*

Appendix "A" – Location Map



Appendix "B" - Sketch



Appendix "C" – Comments Received

Appendix "C" - Comments Received



LAKE WASEOSA RATEPAYERS' ASSOCIATION
www.lwra.net
c/o 21 COTTAGE LANE, RR # 3
HUNTSVILLE, ONTARIO
CANADA
P1H 2J4

February 6, 2013

Re: PROPOSED CONSENT AND ZONING AMENDMENT B/43/44/45/2012/HTE & Z/37/2012/HTE (Logagianes)

The LWRA has serious concerns about this proposal. The first concerns the historical water quality of the lake. The District of Muskoka of course tries to evaluate the water quality based on the concentration of phosphorous.

There are two criteria that must be examined to determine if a lake has exceeded its acceptable threshold for phosphorus. If a lake meets both of these criteria, then it is considered to be Over Threshold:

1. Total phosphorus concentration, as estimated by the Muskoka Water Quality Model, exceeds the "Background + 50%" threshold; and
2. Long-term measured total phosphorus concentration, as determined by Muskoka's Lake System Health monitoring program, also exceeds the "Background + 50%" threshold value.¹

In the case of Jessop, Gartner-Lee established it to be 14.4² ug/L.

The currently published 10-year Long Term Average is 15ug/L³. In 2007, the 10-year LTA was 16.4ug/L⁴. In 2005, it was 15ug/L⁵. So for the last 18 years, the long term average has exceeded the threshold.

The Muskoka Water Quality Model attempts to estimate the phosphorous concentration from data such as the number and nature of residences around the lake. There are three problems with the model in this case.

¹ "2010 Lake System Health Monitoring Program Year End Report, District of Muskoka, P.25

² "Recreational Water Quality Management in Muskoka", Gartner-Lee, 2005, *Appendix 3 Sensitivity Assessment and Threshold Calculation*, P.3

³ "2010 Lake System Health Data Report", District Municipality of Muskoka, P.40

⁴ "2007 Lake System Health Data Report", District of Muskoka, P.3

⁵ *Recreational Water Quality Management in Muskoka*, Gartner-Lee, 2005, P.42

First of all, Jessop is a shallow lake that does not stratify thermally. Non-stratified lakes do not model well under the Muskoka recreational water quality model, as it was calibrated for stratified lakes. The major difference in modelling small shallow lakes is related to estimates of phosphorus settling velocity and hence phosphorus retention. Constant re-suspension by mixing in shallow lakes means that they must be modelled with lower retention values. The shallow lakes in the Muskoka model, including Jessop, were calibrated individually. In-lake phosphorus retention was modified to achieve a best fit between measured and predicted estimates of total phosphorus concentration.⁶ In other words, the study authors made an arbitrary guess how much phosphorous Jessop retains.

Second, the “flushing rate” of Jessop is highly variable, depending upon the current whims of the beaver population. Locals are quite familiar with the fluctuating shorelines as the beavers dam the outflow to Waseosa. When the dam deteriorates, Jessop is flushed into Waseosa. This high variability only makes the task of accurate modelling more difficult, but observations from long-term residents of increased algae and plant growth in summer confirm that the average nutrient level is increasing.

Third, the model relies upon an accurate count of existing permanent and full-time residences. Since 2005, two new residences have been constructed and 3 formerly seasonal residences are now used year-round. On such a small lake, this translates to a 10% increase in load that is not included in the outdated model.

In 2008, Gartner-Lee noted this fluctuation and advised the District that there is insufficient data available to verify the statistically significant data points.⁷ To date, the District has not increased the frequency of testing on Jessop, and the last sample was taken in 2010.

If a model – of anything – does not accurately reflect the original, which is defective?

As our District Councillors can attest, last year Council voted to draw from reserves to fund revisions to the Muskoka recreational water quality modelling process, but that is not yet complete.

The second concern the LWRA has is the recreational carrying capacity of the lake. The District of Muskoka Official Plan supports policies to ensure the carrying capacity is not significantly affected and development proceeds in a socially sound manner.⁸ The Huntsville Official Plan also recognizes that other factors present limits to the desirable

⁶ “Recreational Water Quality Management in Muskoka”, Gartner-Lee, 2005, P.42

⁷ Review of Long-term Water Quality Data for the Lake System Health Program Sept. 2008 PP.23-24

⁸ Muskoka Official Plan, C3

amount of development on a particular lake and directs Lake Associations to address these matters on an individual lake basis.⁹

Under that mandate, in 2006 the LWRA commissioned a study of the Recreational Carrying Capacity of the 4 lakes represented, including Jessop. The study was updated as part of the 2011 Lake Plan review process. This study analyzed the capacity utilizing two complimentary models. The first is the Ontario Ministry of the Environment “Lake Alert System”, which sets limits based on the available surface area of the lake in relation to the amount of development. Under the Lake Alert System, 4 hectares per dwelling are required on a small lake. The study revealed that the total surface area of Jessop is only 1.15 ha/property.¹⁰ That means the number of existing lots are already almost four times the recommended amount for a small lake.

The District of Muskoka OP also makes reference to boating density in determining the recreational carrying capacity of a waterway¹¹. Accordingly, the LWRA commissioned a Boat Density Study. The study revealed that Jessop Lake was very nearly at capacity, and in fact could only accommodate one more boat.¹² Assuming that the new residents that built their new place last summer will have a boat, that limit has been reached.

In general, the planning hierarchy is from the top down. In other words, the District Official Plan cannot permit things prohibited by Provincial Policy Statements, but may be more restrictive. Likewise, the Huntsville OP must conform to the District level, but may be more restrictive.

The District OP requires a minimum 20 metre setback from any shoreline will be required for all development, excluding shoreline structures.¹³ Further, the District’s Lake System Health Plan mandates lakes classed “Moderate sensitivity” increased building setbacks on lakes like Jessop that have been classed “Moderate sensitivity.”¹⁴ This is particularly important to consider when faced with shallow lakes considering the ongoing global climate change. The growth of algae depends upon both the nutrient levels and the temperature. Jessop is quite shallow and is very sensitive to temperature changes – it warms up more thoroughly in the summer than a deeper lake. As we cannot control the water temperature, it becomes critical to limit the nutrients we add.

⁹ Huntsville Official Plan, 8.13.4

¹⁰ 2011 LWRA Lake Plan, PP.32-33

¹¹ Muskoka Official Plan, D.21 and F.4

¹² 2011 LWRA Lake Plan, P.36

¹³ Muskoka Official Plan, F.23

¹⁴ “Recreational Water Quality Management in Muskoka”, Gartner-Lee, 2005, P.81

20 meters is the minimum setback permitted under any Huntsville Shoreline Residential zoning class, including SR2. The only classes with increased setbacks are SR3 and SR5 (30m).¹⁵ Therefore, SR2 zoning is inappropriate for properties surrounding Jessop Lake.

The Huntsville OP recognizes and encourages Associations to develop Lake Plans, providing more detailed land use policy direction for specific lakes in the Town. They are specifically intended to go beyond the more general policy framework of both the Town of Huntsville Official Plan and District Municipality of Muskoka Official Plan. Such plans are intended to identify, reflect and respond to the character and physical capabilities of particular lakes.¹⁶

As described, the Huntsville OP requires a Lake Plan to set limits on development potential and capacity;¹⁷

Specifically, “Those provisions of the lake plan that are related to municipal planning policy and that may vary from the general provisions of the Huntsville Official Plan are carried forward as specific policies applicable to the Lake”.¹⁸

LWRA first developed a Lake Plan in 2006, covering Jessop (Jingo), Ripple, Palette and Waseosa. The Lake Plan was updated in 2011, incorporating updated data and recommendations, following a Public Meeting for all area landowners (not just members of the LWRA). The meeting was advertised in advance in the Huntsville Forrester¹⁹, YourClassifieds.ca²⁰ on the LWRA website, on the Community Bulletin Boards maintained at key traffic locations in the surrounding area, by e-mail to all subscribers and by flyers distributed door-to-door to all area properties²¹. The Huntsville Planning Department was also notified by e-mail. The draft Lake Plan was published on our website and paper copies were made available on request as well as in advance at the meeting. The meeting was attended by approximately 50 area landowners as well as a reporter from the Huntsville Forrester. At the conclusion of the meeting, on a motion by Marcie Edwards and seconded by Graham Leishman the Lake Plan was adopted by a unanimous vote of all those in attendance.

A copy of the revised Lake Plan was submitted to the Planning Department electronically on November 17, 2011 and published on the LWRA website.

¹⁵ Huntsville Zoning By-law, 5.3.4

¹⁶ Huntsville Official Plan 8.13.1

¹⁷ Huntsville Official Plan 8.13.5

¹⁸ Huntsville Official Plan 8.13.7

¹⁹ Huntsville Forrester Classified Ad

²⁰ <http://YourClassifieds.ca> ad number MK000323

²¹ Flyer

Based on both the measured long-term water quality and the recreational carrying capacity, the Lake Plan provides for responsible redevelopment of existing properties specifically prohibits the creation of new lots on Jessop (Jingo) Lake.²² There are two zones, SR-4 and SR-5, that preclude the severance of new lots. As Jessop is classed as “Moderately Sensitive”, mandating an increased setback from the minimum, the existing SR5 zoning is appropriate.

To summarize then:

1. The phosphorous level of Jessop is high by any standard, and consistently exceeds the threshold despite the outdated model value, probably because the model is not designed for shallow lakes.
2. Global climate change may well lead to increased water temperatures which in turn can lead to algae blooms. There are warning signs that the lake is already at that tipping point.
3. The recreational carrying capacity of Jessop has been reached or exceeded when analyzed by either the provincial Lake Alert standard or by considering the boating density.
4. The applicable Lake-specific plan stipulates that development should proceed by way of re-development and prohibits new lot creation.
5. SR2 zoning is not appropriate for any property surrounding this lake. SR5 zoning is the appropriate method of ensuring increased setbacks and precluding lot creation, complying with the District OP, the Huntsville OP and the Lake Plan.

Accordingly, the LWRA requests that this consent and zoning bylaw amendment be denied.

On behalf and at the direction of the Lake Waseosa Ratepayers' Association Board of Directors,

Dwayne Verhey,
Secretary, LWRA
705-788-3693 (voice)
705-788-9126 (fax)
secretary@lwra.net

²² LWRA Lake Plan, P.41, 8.19.4.1

Referenced Documents

Over Threshold Classification

The District Municipality of Muskoka classifies lakes based on their sensitivity to phosphorus inputs as an indicator of lake health. Lakes in Muskoka are some of the cleanest and best recreational lakes in Canada. In order to preserve our good water quality, Muskoka has taken a very conservative approach to development around our lakes.

An acceptable threshold for phosphorus has been determined for each lake in Muskoka, as detailed in the report entitled *Recreational Water Quality Management in Muskoka – Technical Review of the Water Quality Model, 2005* prepared by Gartner Lee Limited. The threshold level of a lake is 50% above the predicted background or undeveloped value. This threshold is restrictive because Muskoka believes that action taken when small changes have been identified will protect our good water quality in the future. This threshold value, when compared to measurements of current water quality, serves as an indicator of lake enrichment and the sensitivity of the lake to phosphorus loading.

There are two criteria that must be examined to determine if a lake has exceeded its acceptable threshold for phosphorus. If a lake meets both of these criteria, then it is considered to be Over Threshold:

1. Total phosphorus concentration, as estimated by the Muskoka Water Quality Model, exceeds the “Background + 50%” threshold; and
2. Long-term measured total phosphorus concentration, as determined by Muskoka’s Lake System Health monitoring program, also exceeds the “Background + 50%” threshold value.

Where a lake is considered over threshold, restrictive planning policy will be implemented as detailed in the *Official Plan of the Muskoka District Area* and Muskoka District will work with the Area Municipality, Lake Ratepayer associations and other interested parties to prepare and implement a Remedial Action Program (RAP) for the lake. The District Municipality of Muskoka will provide technical support and data when a RAP is initiated.

A lake that is Over Threshold will be de-listed only after the 10-year long-term average of total phosphorus is less than the threshold established for the lake and there have been three consecutive phosphorus measurements below its threshold value. In the event that a 10-year review of the model is underway, lakes will not be listed as being Over Threshold nor delisted as no longer being Over Threshold until the model review is complete.

Lakes may approach or exceed their threshold value for phosphorus loading for a variety of reasons, both from human sources and from changes in the natural system. Human sources of phosphorus are attributed to such activities as:

- Nutrient loading from septic systems;
- Use of phosphorus-based cleaning supplies; and
- Loss of native shoreline vegetation, especially the diverse forest environment that has traditionally ringed many of our lakes. As lawns replace trees, fertilizer runoff, stormwater and soil erosion wash higher loads of phosphorus into our lakes.

Appendix 3

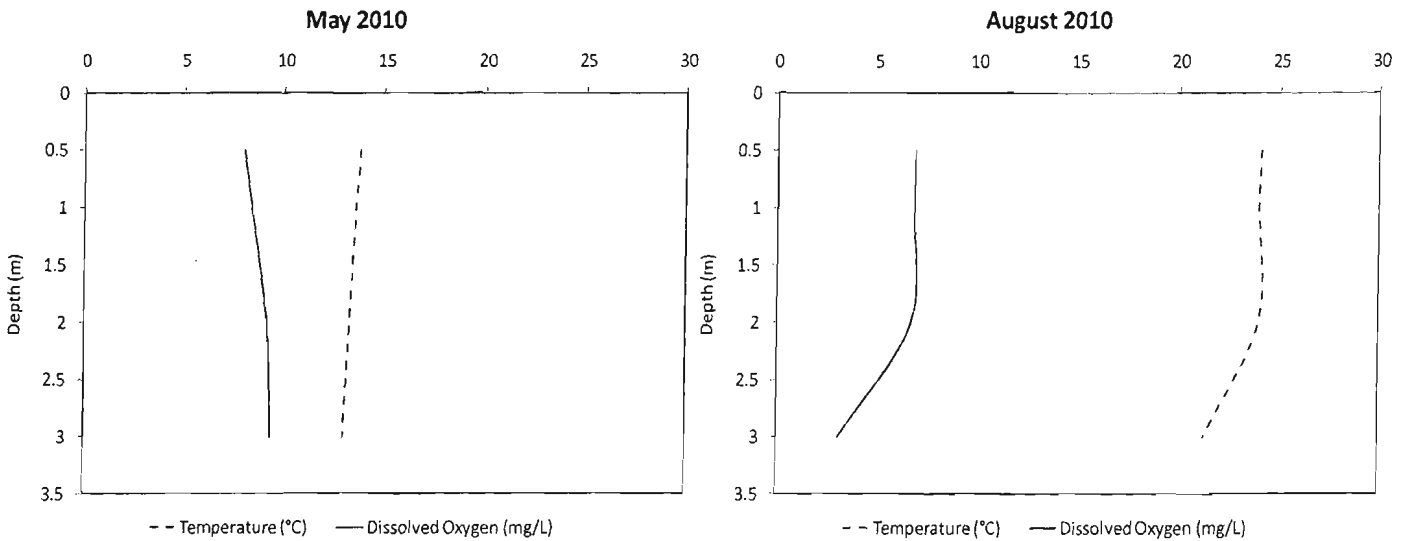
Sensitivity Assessment and Threshold Calculation

Sheet/Lake	Surface Area, A _o (km ²)	Response @11.62 ha	Response			Phosphorus Mobility	Code	Existing Dev. Background + %	Old Capacity	Threshold Calculation				Measure These n = 0
			Background [TP]	TP	TP Total					TP [TP]	TP	TP	TP	
LOB South Muskoka River Bay	1.10	67.90	5.26	33.4	33.4	H3	0.00	751	5.26	7.01	5.05	2	7.89	No
Vernon/McCraney	4.10	253.09	4.74	124.52	6.65	H2	0.00	na	4.74	4.74	0.00	0	7.11	No
Vernon/Marion	0.83	51.23	5.49	25.21	6.72	H3	0.47	na	5.49	5.51	0.00	0	8.23	No
Vernon/Doughnut	0.13	8.02	3.29	3.95	5.47	H2	0.00	na	3.29	3.29	0.00	0	4.83	No
Vernon/Sly	0.10	6.17	4.87	3.04	6.54	H3	0.00	na	4.87	4.87	0.00	0	7.31	No
Vernon/Westling	0.06	3.70	4.71	1.82	5.87	H3	0.00	na	4.71	4.71	0.00	0	7.06	No
Vernon/Stunk	0.06	3.70	3.69	1.82	5.79	H2	0.00	na	3.69	3.69	0.00	0	5.53	No
Vernon/Dot	0.05	3.09	3.96	1.52	6.02	H2	0.00	na	3.96	3.96	0.00	0	5.94	No
Vernon/Fossile	0.25	15.43	6.11	7.59	7.36	H3	0.00	na	6.11	6.11	0.00	0	9.16	No
Vernon/Camp	2.00	123.46	5.67	60.74	8.63	H3	0.00	na	5.67	5.67	0.00	0	8.50	No
Vernon/South Tasso	0.20	12.35	2.32	6.07	4.58	L2	26.72	63	2.32	2.32	4.90	5	3.48	No
Vernon/Toad	0.35	21.60	3.42	10.63	5.61	H1	0.00	na	3.42	3.42	0.00	0	5.13	No
Vernon/Lite Hardy	1.90	117.28	2.74	57.70	5.11	H2	0.00	na	2.74	2.74	0.00	0	4.45	No
Vernon/Sim	0.90	55.56	2.96	27.33	4.91	H1	0.00	na	2.96	2.96	0.00	0	4.45	No
Vernon/Tasso	1.83	112.96	4.32	55.58	5.79	H2	0.00	na	4.32	4.32	0.00	0	4.45	No
Vernon/Maggie	1.30	80.25	2.36	39.48	4.71	H3	36.29	na	2.36	2.36	5.50	5	6.47	No
Vernon/Nelson	0.35	21.60	3.70	10.63	5.81	H1	0.00	na	3.70	3.70	0.00	0	5.55	No
Vernon/Greenish	0.10	6.17	17.02	3.04	17.72	H2	0.00	na	17.02	17.02	0.00	0	25.54	No
Vernon/Heck	0.30	18.52	5.71	9.11	7.68	H3	0.00	na	5.71	5.71	0.00	0	8.56	No
Vernon/Upper Roll	0.30	18.52	9.78	9.11	11.33	H3	0.00	na	9.78	9.78	0.00	0	14.68	No
Vernon/Verner	0.20	12.35	3.00	6.07	5.24	H2	0.00	na	3.00	3.00	0.00	0	4.50	No
Vernon/Lower Roll	0.20	12.35	7.01	6.07	8.00	H3	0.15	na	7.01	7.02	0.00	0	10.52	No
Vernon/Loon	0.32	19.75	6.30	9.72	11.38	H3	0.00	na	6.30	6.30	0.00	0	10.52	No
Vernon/Bella	3.45	212.96	6.87	104.78	9.52	H3	20.66	na	6.87	6.87	0.00	0	10.31	No
Vernon/Sollaire	1.22	75.31	5.48	37.05	9.25	H2	16.55	na	5.48	5.48	0.00	0	8.23	No
Vernon/Lite Clear	0.10	6.17	5.74	3.04	6.90	L2	0.00	na	5.74	5.74	0.00	0	8.62	No
Vernon/Sweetsten Mde	0.10	6.17	4.66	3.04	5.55	H3	6.15	na	4.66	4.66	0.00	0	6.99	No
Vernon/Mansell	0.13	8.02	2.64	3.95	4.94	H1	0.00	na	2.64	2.64	0.00	0	3.96	No
Vernon/Rabeca	2.15	132.72	7.98	65.30	10.47	L3	25.24	69	7.98	9.99	4.84	5	11.97	No
Vernon/Benson	0.35	21.60	6.09	10.63	8.12	H3	0.00	na	6.09	6.09	0.00	0	9.13	No
Vernon/Foote	1.25	77.16	8.02	37.96	11.02	H3	25.86	na	8.02	10.10	8.80	1	12.03	No
Vernon/Suprise	0.25	15.43	3.09	7.59	5.22	H2	14.38	na	3.09	3.53	0.00	0	4.63	No
Vernon/Mirage	0.50	30.86	4.86	15.19	6.60	H1	0.00	na	4.86	4.86	0.00	0	7.01	No
Vernon/Outaze	1.25	77.16	7.48	37.96	10.13	H3	18.70	na	7.48	8.87	10.02	5	11.21	No
Vernon/Emsdale	0.70	43.21	2.78	21.26	5.06	H1	58.85	na	2.78	4.41	0.00	0	4.17	No
Vernon/Spry	0.20	12.35	5.46	6.07	6.74	H3	6.53	na	5.46	5.81	0.00	0	8.18	No
Vernon/Bay	1.20	74.07	3.50	36.44	5.42	H2	106.71	na	3.50	7.23	0.00	0	5.25	No
Vernon/Langford	0.50	30.86	2.94	15.19	5.23	H2	0.00	na	2.94	2.94	0.00	0	4.41	No
Vernon/Ferch	1.10	67.90	19.03	33.41	20.11	H3	6.87	na	19.03	20.33	15.80	5	28.54	No
Vernon/Bing	0.20	12.35	7.42	6.07	10.88	H2	20.14	6	7.42	8.92	7.76	5	11.14	No
Vernon/Jessop	0.30	18.52	9.60	9.11	11.56	H3	18.82	6	9.60	11.41	15.00	5	14.40	No
Vernon/Clark	0.27	16.67	18.08	8.20	20.36	L3	17.97	na	18.08	21.34	16.20	4	27.13	No
Vernon/Wasossa	1.65	101.65	7.65	50.11	10.77	H2	54.33	0	18.08	21.34	16.20	4	27.13	No
Vernon/Ripple	0.15	9.26	9.78	4.56	11.03	H3	34.14	na	9.78	11.81	12.52	6	11.48	Yes
Vernon/Palette	0.10	6.17	3.48	3.04	5.63	H2	0.00	na	3.48	3.48	0.00	0	14.67	No
Vernon/Lite Arrowhead	0.22	13.58	4.71	6.68	6.79	H2	5.22	na	4.71	4.71	0.00	0	7.07	No
Vernon/Arrowhead	0.60	37.04	14.88	18.22	15.34	L3	30.59	na	14.88	19.44	13.10	2	22.33	No
Vernon/Compass	0.55	33.95	3.67	16.70	5.84	H2	0.00	na	3.67	3.67	0.00	0	5.51	No
Vernon/Round	2.00	123.46	9.84	60.74	10.76	H3	27.47	na	9.84	12.54	0.00	0	14.76	No
Vernon/Fawn	0.15	9.26	11.07	4.56	13.26	H1	13.66	na	11.07	12.59	0.00	0	16.61	No
Vernon/Axe	2.50	154.32	22.78	75.93	24.49	H3	0.00	na	22.78	22.78	0.00	0	34.17	No
Vernon/Buck	2.50	154.32	9.03	75.93	9.90	H3	20.53	404	9.03	10.88	11.50	1	13.55	No
Vernon/Bierni	0.56	34.57	6.47	17.01	8.58	H3	0.00	na	6.47	6.47	0.00	0	9.71	No

(1 - Appendix 3.H2020097.Final.June3-05N.H.mn)

Jessop (Jingo) Lake

Municipality:	Huntsville	Watershed:	Lake Vernon
Surface Area:	0.3 km ²	Watershed Area (excluding lake):	2.0 km ²
Maximum Depth:	3 m	Lake Trout Lake?	No
Wetland Area:	30 %	Secchi Depth (10-year average):	2.0 m
Phosphorus (10-year average):	15.0 µg/L	Sensitivity:	Moderate



Jessop Lake Long Term Monitoring Data

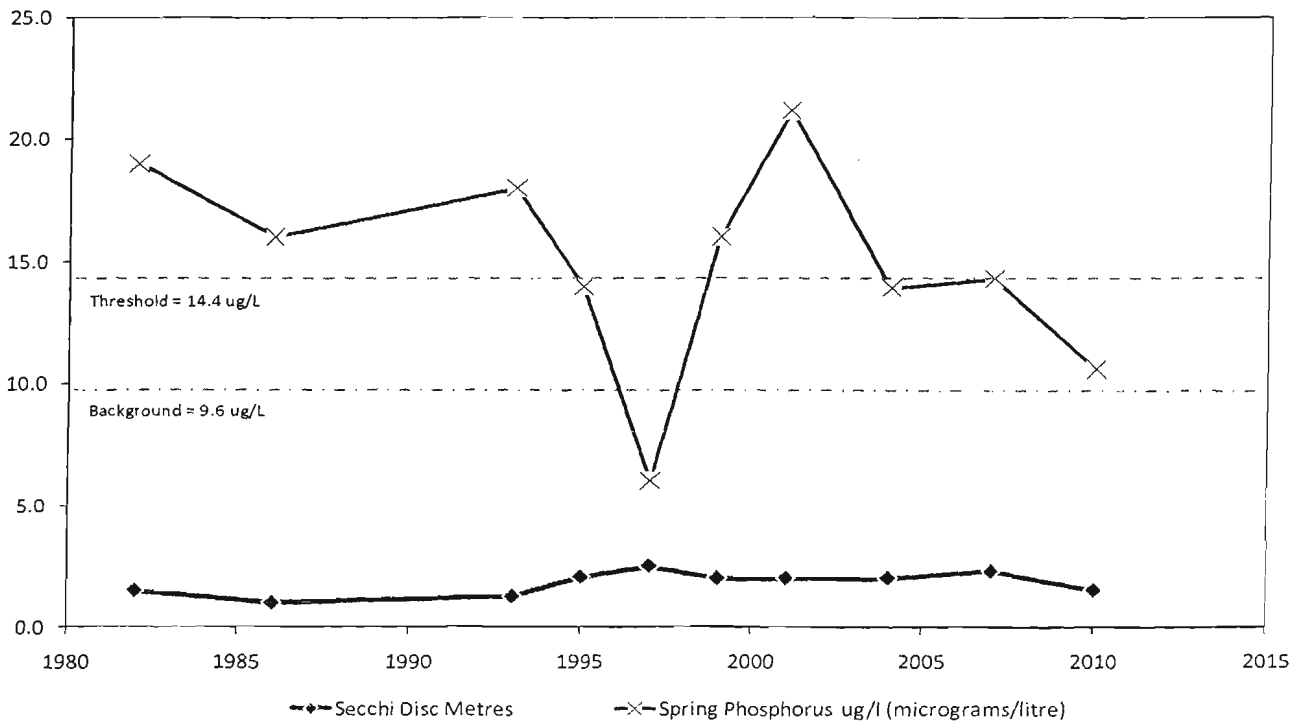


Table 1: 2007 Total Phosphorus Data

Lake Name	TP1 (µg/L)	TP2 (µg/L)	Ave TP (µg/L)	Lake Name	TP1 (µg/L)	TP2 (µg/L)	Ave TP (µg/L)
Ada	18.2	18.8	18.5	Leonard	7.0	7.8	7.4
Bass	7.6	7.4	7.5	Little Go-Home Bay	9.6	12.2	10.9
Ben	9.0	9.6	9.3	Longline	8.2	8.0	8.1
Bigwind	5.4	6.0	5.7	Mary	9.2	-	9.2
Bonnie	3.8	5.2	4.5	McRey	12.8	10.4	11.6
Brooks	12.0	15.6	13.8	Menominee	8.0	8.0	8.0
Bruce	13.4	11.6	12.5	Morrison	8.2	7.4	7.8
Butterfly	15.8	17.2	16.5	Myers	8.2	8.4	8.3
Camp	4.0	5.8	4.9	Nine Mile	8.4	9.2	8.8
Cardwell	8.2	9.6	8.9	Nutt	12.6	9.6	11.1
Clark	13.0	10.4	11.7	Otter	9.2	7.2	8.2
Cooper	11.2	11.4	11.3	Oudaze	9.4	9.4	9.4
Dark	8.2	8.0	8.1	Oxbow	6.0	4.4	5.2
Deer	5.4	5.0	5.2	Paint	8.0	8.6	8.3
Devine	10.6	10.6	10.6	Pell	11.4	11.4	11.4
Dickie	9.0	8.4	8.7	Pine	8.6	10.4	9.5
Doe	14.2	14.0	14.1	Prospect	8.6	7.6	8.1
Dotty	6.8	7.8	7.3	Ricketts	11.8	14.4	13.1
Echo	7.8	6.2	7.0	Rosseau - Brackenrig Bay	6.8	7.6	7.2
Fawn	13.8	18.0	15.9	Rosseau - Main	4.8	5.4	5.1
Flatrock	5.6	5.6	5.6	Rosseau - E. Portage Bay	6.4	5.6	6.0
Fox	13.8	13.2	13.5	Rosseau - Skeleton Bay	11.2	8.2	9.7
Gartersnake	12.4	13.2	12.8	Ryde	17.2	17.0	17.1
Gilleach	8.8	-	8.8	Silver (GR)	11.0	13.2	12.1
Golden City	12.8	12.4	12.6	Silver (ML)	7.2	8.8	8.0
Haggart	10.6	10.0	10.3	Silversands	10.8	10.0	10.4
Healey	10.0	9.0	9.5	Six Mile - Cedar Nook Bay	8.0	8.0	8.0
Henshaw	6.8	6.8	6.8	Six Mile - Main	11.4	7.8	9.6
Jessop	13.0	15.6	14.3	Six Mile - Prov. Park Bay	9.8	7.8	8.8
Jevens	12.2	11.8	12.0	Solitaire	6.8	5.8	6.3
Joseph - Cox Bay	5.6	5.4	5.5	Spence - North	11.0	11.0	11.0
Joseph - Joseph River	9.2	9.4	9.3	Spence - South	5.2	5.2	5.2
Joseph - Little Lake Joseph	5.6	7.6	6.6	Tasso	5.4	4.8	5.1
Joseph - Main	10.6	7.6	9.1	Toronto	7.2	7.6	7.4
LOB - Dwight Bay	6.2	6.6	6.4	Tucker	7.2	4.2	5.7
LOB - Haystack Bay	4.2	3.8	4.0	Turtle	6.2	8.0	7.1
LOB - Rat Bay	5.6	6.4	6.0	Waseosa	9.6	12.4	11.0
LOB - S. Muskoka River Bay	4.2	4.2	4.2	Webster	14.6	16.6	15.6
LOB - S. Portage Bay	4.6	5.0	4.8	Weismuller	25.0	21.2	23.1
LOB - Ten Mile Bay	3.8	3.6	3.7	Wood	6.4	8.2	7.3
LOB - Trading Bay	3.2	3.8	3.5				

Recreational Water Quality Management in Muskoka

Table 6.1 Classification of Recreational Water Quality in Lakes in Muskoka by Major Determinant Factors

Tea Coloured Lakes (DOC > 5 mg/L)	Small, Shallow Non-stratified	Multi-Basin Lakes	Anoxic (<1 ppm)	Anoxic (<1 ppm)	Anoxic (<1 ppm)	High Nutrient Lakes (>15 µg/L:)
<ul style="list-style-type: none"> ◆ Ada ◆ Barron's ◆ Bass, GR ◆ Bass, ML ◆ Bearpaw ◆ Brandy ◆ Camel ◆ Devine ◆ Doeskin ◆ Echo ◆ Fawn ◆ Fox ◆ Galla ◆ Gibson ◆ Gullwing ◆ Halfway ◆ Healey ◆ Henshaw ◆ Hesner's ◆ Long's ◆ McKay ◆ Morrison ◆ Nine Mile ◆ Nutt ◆ Oudaze ◆ Perch ◆ Ricketts ◆ Ryde ◆ South Bay ◆ Sparrow ◆ Spence ◆ Stewart ◆ Stoneleigh ◆ Three Mile, Main 	<ul style="list-style-type: none"> ◆ Ada ◆ Ben ◆ Black ◆ Brackenrig Bay ◆ Butterfly ◆ Doeskin ◆ Halfway ◆ Heeney ◆ Jessop ◆ Jevins ◆ Loon ◆ Myers ◆ Penhold ◆ Perch ◆ Rat Bay (LOB) ◆ Ricketts ◆ Siding ◆ Stoneleigh ◆ Three Mile (Main) ◆ Tooke ◆ Toronto ◆ Wildcat 	<ul style="list-style-type: none"> ◆ Lake Muskoka ◆ Lake Rosseau ◆ Lake Joseph ◆ Lake of Bays Urbanized ◆ Cox Bay , Lake Joseph ◆ Fairy Lake ◆ Gravenhurst Bay ◆ Indian River ◆ Muskoka River – Bracebridge to Lake Muskoka ◆ Peninsula Lake High Quality (< 6 ug/L) ◆ Lake of Bays ◆ Lake Muskoka ◆ Lake Joseph ◆ Lake Rosseau ◆ Grindstone ◆ High ◆ Leonard ◆ Little ◆ Longline ◆ Margaret ◆ Oxbow ◆ Skeleton ◆ Solitaire ◆ Spence ◆ Spring ◆ Tasso ◆ Tadenac ◆ Twelve Mile 	<ul style="list-style-type: none"> ◆ Ada ◆ Atkins ◆ Axle ◆ Bass GR ◆ Bass ML ◆ Bastedo ◆ Bearpaw ◆ Ben ◆ Bing ◆ Bonnie ◆ Brandy ◆ Buckschoof ◆ Butterfly ◆ Camel ◆ Chub ◆ Clark ◆ Cooper ◆ Crosson ◆ Crotch ◆ Devine ◆ Dickie ◆ Echo LoB ◆ Fawn ◆ Foote ◆ Fox ◆ Galla ◆ Gartersnake ◆ Gibson, N&S ◆ Gilleach ◆ Golden City ◆ Grandview ◆ Grindstone ◆ Gull ◆ Gullfeather 	<ul style="list-style-type: none"> ◆ Gullwing ◆ Haggart ◆ Halfway ◆ Healey ◆ Henshaw ◆ Hesner's ◆ Kahshe, Main ◆ Little Leech ◆ Leonard ◆ 10 Mile Bay LoB ◆ Long ◆ Longline ◆ Loon, LoB ◆ Mainhood ◆ Margaret ◆ McKay ◆ McRey ◆ Medora ◆ Menominee ◆ Moot ◆ Morrison ◆ Muskoka Bay ◆ North Bay ◆ North Muldrew ◆ Otter ◆ Oudaze ◆ Paint ◆ Pine, GR ◆ Prospect ◆ Ricketts ◆ Ril ◆ Riley ◆ Rose ◆ Rutter 	<ul style="list-style-type: none"> ◆ Ryde ◆ Shoe ◆ Silver, GR ◆ Silver Sands ◆ Spence, N ◆ Spring ◆ South bay ◆ South Muldrew ◆ Stewart ◆ Sunny ◆ Tackaberry ◆ Tadenac Lake ◆ Tasso ◆ Thinn ◆ Three Mile, GR ◆ Three Mile, Hammel's ◆ Walker ◆ Waseosa ◆ Wolfkin ◆ Wood 	<ul style="list-style-type: none"> ◆ Ada ◆ Barron's ◆ Bass, GR. ◆ Black ◆ Brandy ◆ Buck ◆ Butterfly ◆ Clark ◆ Doeskin ◆ Fawn ◆ Golden City ◆ Haggart ◆ North Bay ◆ Penhold ◆ Perch ◆ Ricketts ◆ Riley ◆ Rose ◆ Siding ◆ Three Mile, Hammel's Bay ◆ Three Mile, Main ◆ Wiesmuller

Many of the lakes in Muskoka are small and shallow enough (<10 m) that they do not stratify thermally and are subject to mixing by wind throughout the summer. Non-stratified lakes do not model well by either the Muskoka recreational water quality model or the Dillon-Rigler/Lakeshore Capacity Study model, as they were both calibrated for stratified lakes. The major difference in modelling small shallow lakes is related to estimates of phosphorus settling velocity and hence phosphorus retention. Constant resuspension by mixing in shallow lakes means that they must be modelled with lower retention values. The shallow lakes in the Muskoka model were calibrated individually. In-lake phosphorus retention was modified to achieve a best fit between measured and predicted estimates of total phosphorus concentration.

Table 5. Site and Year of TP Measurements that Were Identified as Potential Outliers.

Site	Year
Bearpaw	2006
Cornall (Duplicate)	2002
Butterfly	2007
Fairy-North	2008
Fairy-Rogers Cove	2006
Galla	2000
Gilleach	2001
Grindstone	2000
Halfway	2006
Healey	2001
Jessop	2001
Jevins	2001
Kahshe - Grant's Bay	2000
Longline	2002
Oudaze	2000
Riley	2000
Rosseau - Skeleton Bay	2007
Silver ML	2002
Vernon - Hunter's Bay	2000

7.4 Possible Sources of Outliers in DMM dataset

Most outliers (14 out of 18) and many potential outliers identified in the DMM dataset (see Appendix 1) are from sampling dates before 2003. This lends to the conclusion that the outlier samples were likely contaminated by the presence of large zooplankton that were not removed by sample filtration. The remaining outliers were observed in 2004, 2005 (2) and in 2007, and thus are probably due to other sources of contamination or analysis errors. Overall it appears that the quality of data has improved over the past ten years. The procedure of filtering the samples and the analysis of duplicates are likely the main reasons.

8. Summary

A review and statistical analysis of TP monitoring data of the District Municipality of Muskoka was carried out in order to identify invalid data points. Based on the review of available statistical methods for outlier identification, a procedure for the DMM dataset was developed and applied to the data collected from 2000 to 2008. The major conclusions of the data analysis are as follows:

1. Sample collection methods and analysis varied over the years, with increasing reliability of data from 2000 on (duplicate sampling started, sample precision increased) and 2003 on (filtering of zooplankton started).
2. The DMM dataset is characterized by low numbers of observations, with many sites that have been measured only three times during the past ten years. As statistical tests are least reliable with small data sets, a series of appropriate tests were carried out in order to solidify decisions regarding outlier identification.
3. Using the procedure described in this report, statistically significant outliers were identified for 18 out of 194 lakes or sites within lakes.
4. Based on the updated long-term means (calculated without the outliers), the status of Gull Lake, Long's Lake (Utterson), McKay and Waseosa Lakes was modified from "Over Threshold" to "Under Threshold". All other sites where outliers were removed remained in the same category.
5. A list of TP measurements that may potentially be outliers was provided. We recommend the yearly re-evaluation of these measurements as more data become available.
6. We recommend evaluating all future extreme values and split duplicates using the procedure described in this report.

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INTRODUCTION

Muskoka has many lakes and provides a high quality recreation environment. It is comprised of interconnecting lakes, rivers, streams and wetlands inhabited by an attractive variety of plants and animals. There is a mosaic of rural and forested landscapes and a natural resource base that has traditionally contributed resource products to the people of Muskoka and Ontario. In this natural setting, second homes and resorts have developed along with attractive communities of varying size, character and function.

C.1 Growth, by way of development and redevelopment, in all major segments of the economy will be encouraged and accommodated in the context of the goal, objectives and principles of this Plan.

*Encourage
Growth*

C.2 Growth necessary to continue to rejuvenate and take forward the economy of Muskoka must have respect for the environmental constraints, physical influences and ultimately the character of Muskoka.

*Growth will Re-
spect the Natu-
ral Environment*

C.3 The growth permitted by the Plan will be monitored and reviewed on a regular basis to ensure that the carrying capacity of the natural environment is not significantly affected in the adverse and the development pattern as identified in the Plan is achieved in a fiscally and socially sound manner.

*Monitor devel-
opment*

Muskoka is 381,619 ha in area and ranges from Georgian Bay in the west to Algonquin Park in the east and from the Severn River in the south to north of Huntsville and Mactier. It is comprised of 31% Crown land (excluding lake beds) and 69% patent land. Muskoka is located two hours north of the large population in southern Ontario, which significantly influences the economic, social and cultural development of the District. Strategic policy must recognize the value of this market and channel investment in a positive and sound manner.

Policy must also recognize that the land base of Muskoka is owned and used by many people for many different purposes; yet the land resources entrusted to the people of Muskoka must serve individual purposes and function within a broader system. In the end, we must keep in mind the proverb that we have not inherited this land from our parents but borrowed it from our children.

How we plan the growth and development of Muskoka will determine what resources we leave our children.

In 1996 the permanent population of Muskoka was 50,305 and projected to increase to 75,040 by the year 2016¹. In addition, there were approximately

¹Marshall Macklin Monaghan The District Municipality of Muskoka 1996-2016 Population Projections, December 1997

Site Evaluation

8.11.8 A Site Evaluation Report will be required by the Town, prior to consideration of a development application related to a narrow waterbody. The Report will evaluate environmental issues and the safety, compatibility and the suitability of the development and identify any mitigating measures which should be implemented.

8.12 WATERFRONT SPECIAL POLICY AREAS

8.12.1 Waterfront Special Policy area – One (Peacock Bay Resort)

8.12.1.1 The subject lands to these policies consist of Part of Lot 30, Concession 7, Geographic Township of Stisted, Town of Huntsville, and are identified on Schedule D-1.

8.12.1.2 A tourist resort with Tourist Accommodation Units and a Marina may be permitted on the lands subject to Council approval of an appropriate implementing zoning by-law amendment. A "Tourist Accommodation Unit" shall mean an accommodation unit which is used for the vacationing and/or travelling public only. A "Marina" shall be restricted to those limited marine uses as defined in the implementing zoning by-law amendment.

8.12.1.3 The implementing zoning by-law amendment shall include a Holding Symbol pursuant to Section 36 of the Planning Act, R.S.O. 1990. Council may consider an application to remove the Holding Symbol upon the owner demonstrating that the environmental site conditions are suitable or have been made suitable for the intended uses and are in compliance with all Provincial statutes and regulations respecting the redevelopment of brownfield sites.

8.13 LAKE PLANS

Lake Plans

8.13.1 Lake Plans provide more detailed land use policy direction for specific lakes in the Town, and are intended to go beyond the more general policy framework of both the Town of Huntsville Official Plan and District Municipality of Muskoka Official Plan. Such plans are intended to identify, reflect and respond to the character and physical capabilities of particular lakes.

Individual Character

8.13.2 Each lake possesses its own character that is a result of its location, size, physical attributes, access and historic development. The mix of uses, extent of natural features and constraints, and individual historic lot standards all combine to generate the uniqueness of a given lake. Lake Plans may be developed for specific lakes in Huntsville that address different minimum lot standards for new lot creation, regulate redevelopment activities, support improved public access to the lake, or recognize special needs (e.g. for waterfront landings where there are extensive "water access only areas").

Land Use Policies	8.13.3 Lake Plans prepared for individual lakes often go beyond land use planning considerations. The land use planning components of a Lake Plan are intended to be implemented through policies in this Plan. Other features of a Lake Plan will be implemented through the efforts of individual ratepayer organizations.
Development Limits	8.13.4 It is recognized that environmental, physical and social factors other than recreational water quality may also present limits to the amount of development that would be desirable for a particular lake. Therefore, the preparation of specific Lake Plans in consultation with waterfront communities is strongly encouraged to address these matters on an individual lake basis.
Contents of a Lake Plan	8.13.5 The following matters should be addressed where appropriate through a specific Lake Plan: <ul style="list-style-type: none">a) definition of the characteristics and character of the Lake;b) place in the watershed, drainage basin and related waterways;c) topography, landscape, shoreline features and hazards;d) areas of constraint to development such as steep slopes, narrow waterbodies and wetlands;e) allocation of water quality capacity;f) cultural heritage and historic development;g) identification of current land use on lake with distinct areas and neighbourhoods shown and type of vegetation cover around lake;h) sensitive boating issues/areas;i) public and private open space, recreation areas or trails;j) public access points;k) development potential and capacity;l) natural areas or landscape features to be preserved; andm) specific policies and standards for development.
Have regard to the Lake Plans	8.13.6 Development will be encouraged to have regard for the values, principles and stewardship features of individual Lake Plans.
Specific Policies	8.13.7 Those provisions of the lake plan that are related to municipal planning policy and that may vary from the general provisions of the Huntsville Official Plan are carried forward as specific policies applicable to the Lake.

Carrying Capacity

Lake Density

The District of Muskoka Official Plan requires that:

“C.3 The growth permitted by the Plan will be monitored and reviewed on a regular basis to ensure that the carrying capacity of the natural environment is not significantly affected in the adverse and the development pattern as identified in the Plan is achieved in a fiscally and socially sound manner.”

The Official Plan of the Town of Huntsville has historically approached limits to lake development in the form of minimum frontage requirements and minimum lot size to control the effect of development on the recreational water quality. These are important, but it needs to be remembered that these deal with lot size, not the overall density of the lake, and therefore only approximate the actual carrying capacity for a “typical” lake. Unfortunately, this approximation is inadequate in the face of highly irregular or long, narrow lakes which have a very small surface area in comparison to their available shoreline length.

The current Official plan recognizes this shortfall.

“8.13.4 It is recognized that environmental, physical and social factors other than recreational water quality may also present limits to the amount of development that would be desirable for a particular lake. Therefore, the preparation of specific Lake Plans in consultation with waterfront communities is strongly encouraged to address these matters on an individual lake basis.”

The size of the lake itself as a public area – in particular its surface area – is relevant for various recreational uses of the lake, just as the combination of the size of the lake and its depth (and hence the volume of the lake) is relevant for understanding the ability of the lake to absorb nutrients such as phosphorus from development on the shore.³ A model developed by Ministry of Natural Resources called the “Lake Alert System” sets limits on lake development by considering, among other things, the surface area of the lake (or more accurately the net *usable* surface area⁴ of the lake) in relation to the amount of development

³ It should be noted that Town officials and its consultants and District officials and its consultants have, from time to time, stated that it is advisable to move beyond using phosphorus runoff as a planning limit since it is possible that some time in the future reliable phosphorus containing septic systems will be developed.

⁴ “Usable” surface area would exclude the surface within 30 metres of the shore where, for example, boating could not take place. Hence two lakes with the same total surface area, but different shapes, could have very different usable surface areas. For example, two 100 hectare lakes – one a perfect circle and the other a long narrow lake – would differ in usable surface area since the long narrow lake would have a substantial portion of its surface area in

LWRA Lake Plan

on the lake. The underlying principle is that during the summer residents are likely to use the lake for various purposes. Hence there is a need to consider the volume of use that the lake as a whole can sustain (e.g., for canoeing, sailing, water-skiing, swimming, etc.). Locally, this recreational carrying capacity model has been adopted in the Official Plans of Magnetawan, Perry Township, Highlands East (Haliburton), and Sequin. It is referenced (without specific densities) in the Official Plans of Gravenhurst and Kearney.

This model takes the total surface area of the lake and subtracts from it the surface area that is within 30 metres of the shore. For a small lake, 4 hectares per dwelling would be required, for a medium sized lake 2.4 hectares would be needed, and for a large lake, the proposal would set 1.6 hectares per dwelling as the minimum amount of usable surface area of the lake. Obviously these limits are somewhat arbitrary "rules of thumb." At the same time, it is easy to see that at some point any lake could become too crowded to sustain safe and pleasant recreation.

As shown in the next table, by this criterion, the four lakes covered by this lake plan are all over-developed. These figures do not take into account the actual amount of *usable* surface area for boating purposes. Lake Waseosa, for example, contains three islands each of which, because of the added shoreline, reduces the amount of usable surface area for boating.

These calculations also do not take into account the fact that one developed lot on Waseosa contains Camp Huronda. Camp Huronda counts as only one property but has hundreds of residents during the crucial summer months and is planning on increasing this number considerably over the next few years because of the number of diabetic children who want to attend the camp has increased over the years and the camp is the only permanent camp for diabetic children in Ontario. Furthermore, Camp Huronda provides an important opportunity for the personal development of these children by providing an environment where they can participate in the normal outdoor activities enjoyed by other children under the supervision of professionals trained to accommodate their needs. A key factor in the success of this camp is the pastoral setting of Lake Waseosa. As these children learn to sail and canoe on this relatively small lake, it is crucial to ensure that there is sufficient "space" on the lake for them.

close proximity to the shore and therefore unavailable for boating activities such as waterskiing.

Table: Surface area per residence (including approved building lots) on Lake Waseosa and associated lakes

Lake	Total surface area in hectares	Number of Properties	Number of Residential Buildings	Current <i>total</i> Surface area per property (in hectares)	Conclusion
Waseosa	156.3	137 (Not including island properties. Includes Camp Huronda and Factor's lodgings as one property)	135 (including Bear Island cottage and Factor's lodging but not including sleeping cabins in Camp Huronda.)	1.14	Over-developed
Palette	15.3	53*	45	0.29	Over-developed
Ripple	18.1	32		0.56	Over-developed
Jessop	28.9	25	17	1.15	Over-developed
Clark**	26.7	25	Unknown	1.07	Over-developed

* Includes two cluster developments of 12 lots that share a common access point

** Included solely because it is in the immediate watershed of Lake Waseosa

It should be noted that we have been extremely conservative and have used *total* surface area of each lake, not the *total usable* surface area (i.e., only the surface area beyond 30 metres from the lake. Had we calculated the *usable* surface area, the amount of usable surface area per dwelling would be even lower than it is and even further from what is seen as the appropriate limit for development.

The conclusion that one should draw from this table is a simple one: The creating of additional dwellings on any of the lakes for which we have data would put each of these lakes even further from the minimum standard that has been proposed. These lakes already have too much development on them in terms of the use of the surface of the lake.

Boat Density Study

The District of Muskoka Official Plan makes reference to the issue of boat density:

“D.21 Increased boating density on many lakes is a significant issue. Discussions with senior levels of government should be undertaken to address issues of congestion, speed and use.

F.4 To maintain and enhance the quality of Muskoka's other resources by, among other matters:

...

b) maintaining and improving public access to and opportunities for public enjoyment and use of the lakes and rivers of Muskoka in a manner which is compatible with established uses and the recreational carrying capacity of these waterways.”

A common method of determining the recreational carrying capacity is by measuring the boat density – ie: the surface area of water per boat. While some authorities use an area per boat regardless of use, this study utilized a sliding scale approach that allocates less surface area for certain activities and more for others. For example, a powerboat towing a water-skier requires more space than a powerboat alone. This approach is particularly suitable for small to medium sized lakes and narrow lakes where the available space for maneuvering when towing or tacking is limited.

Methodology

In 2006, the LWRA conducted a survey of lake residents on Ripple, Pallet, Jessop and Waseosa lakes with a response rate of 38%. Of the respondents, 47 property owners indicated that they own and operate at least one power craft and 18 residents indicated that they own and operate at least one sail craft. Using our respondents' boat ownership a representative sample those on the lake indicates a total of at least 124 power and 47 sail craft distributed among current owners of developed lake front lots on the four lakes. Of the power craft, 66% of respondents indicated that they use their boats for water-skiing.

There are two assumptions made for the purpose of this study: First, that an owner will only be operating one boat of any class at any given time. It seems unlikely that a household with two power craft will have two being operated simultaneously. Second, it is assumed that no more than 10% of available craft in any given class will be operating on the lake even during peak periods. These assumptions represent typical use according to studies previously conducted for the MNR.

Canoes, kayaks, peddle boats and row boats have been ignored as they generally operate within the 30 meter shore zone from which power boats are excluded. Obviously, this is a conservative assumption, since they are often seen in the middle of the lake. Similarly, there has been no allowance made for craft not owned by lake residents being operated on the lakes. As there are no public launch facilities available for craft larger than a canoe or kayak it is very unusual for outside boats to be operated on these waters.

In order to account for future load from previously approved building lots, a direct ratio of approved, undeveloped lots to existing lots was applied to the total for each lake. This calculation has been updated in 2011 to reflect additional lot severances approved in the intervening years. Lake Waseosa presents a special case as home to Camp Huronda, a camp for diabetic children. The camp's 7 sail craft were added to the projected load.

The surface area and perimeter of each lake was extracted from Ministry of Natural Resource records and the Land Information Ontario mapping system. Since powerboats are restricted to a minimum distance of 30 meters from shore and since sail boat keels are similarly restricted by depth, the average usable area was calculated using the formula $[(2 * (\text{Area}/\text{Perimeter}) - 30)^2] / [4 * (\text{Area}/\text{Perimeter} - 60) * \text{Perimeter}]$. Lake Waseosa is also home to 3 islands. The largest, 'Treasure Island', comprises a land area of 9.26ha. The 30-meter exclusion zone was calculated and subtracted from the usable surface area. The two smaller islands were not subtracted from the area as they lie in part within 30 meters of either the mainland or 'Treasure Island'. Similarly, boating hazards (rocks and shoals) have not been taken into account in the calculations. Those portions lying outside the 30-meter zone would have the effect of reducing net available space still further (See map – Appendix A3). The resulting area is shown as "Usable Area (EST.)" in the tables below.

Results

Determining the required space is not an exact science. While there are several well-respected studies on the subject, their conclusions differ slightly as to the exact numbers. Four such studies are by Kusler (1972)⁵, Jaakson (1989)⁶, Wagner (1991)⁷ and Warbach (1994)⁸. An average of their findings was calculated as follows:

	Power boating	Water-skiing	Sailing
Kusler		16.18ha	
Jaakson	8.09ha	8.09ha	4.05ha
Wagner	10.12ha	10.12ha	10.12ha
Warbach	12.14ha	12.14ha	12.14ha
Average	10.12ha	11.63ha	8.77ha

⁵ Kusler, Jon A. 1972. Carrying Capacity Controls for Recreation Water Uses. Upper Great Lakes Regional Commission.

⁶ Jaakson, R., M.D. Buszynski and D. Botting. 1990. Carrying capacity and lake recreation planning. The Michigan Riparian, November 1989

⁷ Wagner, Kenneth J. 1991. Assessing Impacts of Motorized Watercraft on Lakes: Issues and Perceptions. Proceedings of a National Conference on Enhancing States' Lake Management Programs. Northeastern Illinois Planning Commission.

⁸ Warbach, J.D., M.A. Wyckoff, G.E. Fisher, P. Johnson and G. Gruenwald. 1994. Regulating keyhole development: Carrying capacity analysis and ordinances providing lake access regulations. Planning and Zoning Center, Inc.

LWRA Lake Plan

The calculations indicated a total potential load of 25 power and 10 sail craft on Palette Lake; 16 power and 6 sail craft on Ripple Lake; 15 power and 5 sail craft on Jessop Lake and 84 power and 39 sail craft on Waseosa.

Lake Name	Area (ha)	# Vacant Lots	# Developed Lots	Total Perimeter (m)	Usable Area (EST.)	# of Power Craft	# of Sail Craft
Palette Lake	15.314	3	39	1738	12.7	25	10
Ripple Lake	18.124	4	23	2317	14.6	16	6
Waseosa Lake	156.245	15	124	14800	122.6	84	39
Jessop Lake	28.879	8	16	2510	25.1	15	5

Based on the survey results, power craft use was weighted between cruising and water-skiing to determine the totals. As stated, a peak loading of only 10% of these totals was multiplied by the average requirement determined above to determine a total requirement for each lake in the study.

Lake Name	Usable Area (EST.)	ha for Powerboat	ha for Water-skiing	ha for Sailing	Total Required	Surplus/Shortfall
Palette Lake	12.7	12.428	19.261	8.432	40.1	-27.4
Ripple Lake	14.6	8.078	12.520	5.141	25.7	-11.1
Waseosa Lake	122.6	41.638	64.530	34.108	140.3	-17.7
Jessop Lake	25.1	5.965	11.561	4.730	22.3	2.8

Conclusions

Palette, Ripple and Waseosa are far above the carrying capacity for boating. In fact, Palette already has twice as many boats as can safely be accommodated. The situation on Waseosa may be equally dangerous, since the children from Camp Huronda are just learning to sail and cannot be expected to have developed any great degree of proficiency during their two-week session. Of all the lakes, only Jessop appears to have some room left but it should be recognized that even one additional craft on the lake at peak times would put it over the threshold.

These findings confirm the density calculations derived from the guidelines of the Ministry of Natural Resources: Three of these four lakes are over-developed and Jessop is at capacity.

- b) Lands which do not physically or functionally relate to the Waterfront designation, although within 150 metres (500 feet) of the waterbody will be deemed not to be within the Waterfront designation.

Lands, which form the bed of any waterbody defined above, will generally be considered as part of the Waterfront designation. The Waterfront designation will not extend within any limit of any other designation.

Permitted Uses

D.17 The Waterfront is a sensitive area and as such permitted uses are limited to:

- a) Single unit residential dwellings;
- b) Tourist Commercial and other commercial uses that relate to the waterfront area (ie. resorts, camps, restaurants and attractions);
- c) Industrial development that services the waterfront community (ie. contractors yards, boat repair and accessories);
- d) Open space uses; and
- e) Waterfront landings.

Accessible to Public

D.18 The Waterfront is a major recreation resource area that should be made accessible to both public and private users.

Lot sizes

D.19 The Area Municipalities will establish a variety of lot sizes and front-ages reflective of environmental constraints. In particular, waterfront lots should be of sufficient size to accommodate the use proposed, related structural requirements and private individual services. In addition, waterfront lots should be sized and designed to recognize environmental, man-made or other influences including soil, terrain, water quality, fish habitat and waterbody constraints among others.

*Maintain Shoreline
Vegetation*

D.20 The maintenance of the shoreline of lakes and rivers is key to preserving the quality of the natural and cultural heritage of Muskoka within the Waterfront designation. Tree cover, vegetation and other natural features are encouraged to be retained to uphold the visual and environmental integrity of the Waterfront. Where development is proposed, a natural, substantially undisturbed buffer is recommended at the water's edge to generally meet a target of 8 metres (26 feet) in width for three-quarters of the water frontage.

Boating

D.21 Increased boating density on many lakes is a significant issue. Discussions with senior levels of government should be undertaken to address issues of congestion, speed and use.

Floating Residences

D.22 Although municipalities do not presently have jurisdiction over surface water usage, this is an issue directly related to land use planning. Therefore, as a statement of policy, floating dwellings or similar structures, supported by a barge type hull capable of remaining in the water year round and are substantially unpowered and which are used for either residential or commercial purposes, will not be permitted on waterbodies within Muskoka.

INTRODUCTION

- F.1 This section outlines resource management policies and environmental constraints or influences to development within the District.
- F.2 In addition to general policies, certain specific policies have been provided in the following two categories:

- a) **Environmental Limitations:**

Environmental limitations are defined as characteristics of the land, water or air that may render an area unsuitable for active use without careful consideration of the impact the development may have on the natural environment and in some cases adjacent properties. Environmental limitations include: water quality, acidic deposition, lands prone to flooding, optimum water levels, natural constraints, and biological constraints.

Environmental Limitations

- b) **Significant Heritage Areas:**

Significant Heritage Areas are natural or man-made features that should be protected and maintained in their current state as they enhance the character and beauty of Muskoka. Significant Heritage Areas include: historical, geological, archaeological, and scenic features.

Significant Heritage Areas

OBJECTIVES

- F.3 To maintain and enhance the quality of Muskoka's natural resources by, among other matters:
 - a) minimizing and reducing, where possible, the pollution of water, air and land.
 - b) protecting significant fish and wildlife habitat.
 - c) encouraging and participating in the identification, preservation, management and formal study of Muskoka's distinctive biophysical features and areas in cooperation with responsible public authorities and interested private individuals and organizations.
- F.4 To maintain and enhance the quality of Muskoka's other resources by, among other matters:
 - a) identifying lands subject to environmental hazards in an effort to protect life and property by permitting development only in suitable areas as contained in this Section of the Plan (specifically as detailed in those sections on lands prone to flooding and building hazard areas) and in some cases subject to more stringent controls.
 - b) maintaining and improving public access to and opportunities for public enjoyment and use of the lakes and rivers of Muskoka in a manner which is compatible with established uses and the recreational carrying capacity of these waterways.

Natural Resources

Pollution

Habitat

Biophysical Features

Other Resources

Hazards

Public Access

- Scenic Views* c) preserving and encouraging public use of scenic views and of scenic land and water routes in the District from or on public lands.
- Upgrade Facilities* d) encouraging the establishment and upgrading of a variety of appropriate recreation, open space and cultural facilities throughout the District.
- Heritage Resources* e) encouraging the protection, maintenance, conservation and interpretation of heritage resources including archaeological sites; buildings and structures of historic and architectural value; and those waterfront, rural and community landscapes which reflect special traditional aspects of Muskoka as contained in this Section of the Plan (specifically as detailed in those sections on wetlands, narrow waterbodies, biological constraints and significant heritage areas).

GENERAL POLICY

- Mitigate Pollution* F.5 The District will continue to investigate, maintain and develop programs or initiatives designed to protect and improve the environmental resources of Muskoka. Not limiting the generality of the foregoing, the District shall initiate, maintain or support programs or other initiatives necessary to mitigate point and nonpoint sources of pollution.
- Management of Resources* F.6 The wise and proper management of renewable and non-renewable resources shall be encouraged within any development or redevelopment proposal.
- Protect Natural Areas* F.7 Special provisions may be established in documents implementing this Plan to prevent and restrict the construction of buildings, structures or other facilities permitted on adjacent lands from causing a destruction of habitat, or other significant heritage areas, as a result of erosion, surface water runoff, structural development or fill, or the migration of chemical or other elements.
- Discourage Use of Chemicals* F.8 The use of chemicals or compounds for the treatment or maintenance of the land or ground cover shall be discouraged particularly where cost effective alternatives are available.
- Maintain Vegetation* F.9 The general maintenance of ground or vegetative cover and the natural landscape of Muskoka shall be encouraged where possible in an effort to maintain the natural appearance and aesthetics of the District and provide a natural buffer particularly in the Rural and Waterfront designations. Without limiting the generality of the foregoing, in the Waterfront designation where shorelines have been artificially altered by man in a manner that is not environmentally sound, encouragement shall be given to undertakings that would restore and preserve natural habitat.

phosphorus load, the lake or river is considered as being "Over Threshold" for phosphorus loading. "Over Threshold" lakes require a higher level of development control as a precautionary action to protect the long-term health of the lake.

General Development Policies

- F.18 The District of Muskoka will maintain a recreational water quality model and monitoring program and will review it on an ongoing basis. This model has been designed to address recreational water quality only and does not include factors to address fisheries values.
- F.19 Lake and river classifications are identified in Schedule F. Any lake or river not listed is assumed to be of moderate sensitivity unless otherwise identified by Muskoka.
- F.20 Through the review of the Muskoka recreational water quality program, it has been determined that the overall health of lakes and rivers in Muskoka is very good to excellent and that the cautious approach to development taken in Muskoka has been beneficial. This cautious approach will be continued. In this regard, new lot creation, development or redevelopment will only be permitted where it is determined that phosphorus impacts on water quality can be effectively eliminated.
- F.21 The role of natural vegetated shorelines in buffering waterbodies from erosion, siltation and nutrient migration adjacent to the sensitive littoral zone is critical to the protection of water quality. Preservation and restoration, where appropriate, of shoreline buffers is therefore required. At a minimum, a target of 75% of the linear shoreline frontage of a lot will be maintained in a natural state to a target depth of 15 metres from the shoreline where new lots are being created and where vacant lots are being developed. Where lots are already developed and further development or redevelopment is proposed, or where the lot is located within an urban centre or community, these targets should be achieved to the extent feasible. Where these targets cannot be met, a net improvement over the existing situation is required.
- F.22 A minimum 30 metre setback from any shoreline will be required for leaching beds. Where this is not feasible, on-site phosphorus management, as outlined in section F.26, will be required.
- F.23 A minimum 20 metre setback from any shoreline will be required for all development, excluding shoreline structures. Where this setback cannot be achieved, a lesser setback may be considered where on-site phosphorus management is implemented and in the following circumstances:
- a) Sufficient lot depth is not available;
 - b) Terrain or soil conditions exist which make other locations on the lot more suitable;
 - c) The proposal is for an addition to an existing building or replacement of a leaching bed where the setback is not further reduced;

Recreational Water Quality Management in Muskoka

ensure that the benefits from soil adsorption are maintained as development proceeds and minimize the potential mobility of phosphorus from septic systems and impervious surfaces. In addition, naturalization policies reduce the visual impact of development and provide social benefits.

Table 10.2 Phosphorus Management Techniques for Lakes in Muskoka

Recommended Management Actions	Lake Sensitivity Classification			
	<i>Low</i>	<i>Moderate</i>	<i>High</i>	<i>Over Threshold</i>
• Vegetated buffers	X	X	X	X
• Shoreline Naturalization	X	X	X	X
• Soil Protection	X	X	X	X
• On-site stormwater control	X	X	X	X
• Limit impervious surfaces		X	X	X
• Septic phosphorus abatement technologies		X	X	X
• Site specific soil chemistry, flowpath and soil volume investigation			X	X (moderate and high sensitivity)
• Limit development (lot sizing, lot creation)			X	X
• Planning Controls (development agreements)		X	X	X
• Securities				X
• Monitoring (lake water quality)	X	X	X	X
• Monitoring (site compliance)				X

10.6.4.4 Moderate Sensitivity to Development

Where a lake is classified as having a moderate sensitivity to development, the lake has some ability to receive phosphorus without a significant decrease in water quality. There are 458 lakes in Muskoka that are classified as “Moderate Sensitivity”. Of these, 332 are lakes for which no measurements of phosphorus exist and are classified as moderate because phosphorus mobility is assumed to be high.

It should be noted that of the thirty-seven (37) lakes that are over the threshold value, thirty four (34) lakes are moderately sensitive. This suggests that development policy should address methods to control phosphorus loading on moderately sensitive lakes as well as on those that are highly sensitive.

In order to ensure that water quality is maintained over time it is important that development in these situations incorporates vegetative buffers, increased building setbacks, on-site stormwater management and limits the number of impervious surfaces adjacent to the waterbody. Where appropriate, the use of phosphorus abatement septic system technology or imported soils should be encouraged as a condition of development. The use of development agreements such as subdivision agreements, site plan or a development permit approval should be required to ensure long-term compliance (Table 10.2).

5.3.4 Lot Requirements:

Row	Table 5.3.4						
i	Lot Standards	SR1	SR2	SR3	SR4	SR5	
ii		Shoreline Residential One	Shoreline Residential Two	Shoreline Residential Three	Shoreline Residential Four	Shoreline Residential Five	
iii	Lot Frontage	60 m (200 ft.)	60 m (200 ft.)	120 m (400 ft.)	(a)	(a)	
iv	Lot Area	4,000 sq. m (1 ac.)	1 ha (2.5 ac)	1 ha (2.5 ac)	(a)	(a)	
v	Lot Coverage (Maximum)	10%	5%	5%	5% (b)	5% (b)	
vi	Yard Requirements	Front Yard	20 m (66 ft.)	20 m (66 ft.)	30 m (100 ft.)	20 m (66 ft.)	30 m (100 ft.)
vii		Interior Side Yard	6 m (19.7 ft.)	6 m (19.7 ft.)	6 m (19.7 ft.)	6 m (19.7 ft.)	6 m (19.7 ft.)
viii		Exterior Side Yard	7 m (23 ft.)	7 m (23 ft.)	7 m (23 ft.)	7 m (23 ft.)	7 m (23 ft.)
ix		Rear Yard	10 m (33 ft.)	10 m (33 ft.)	10 m (33 ft.)	10 m (33 ft.)	10 m (33 ft.)
x	Setback from streams (on site) – Cold water		30 m (100 ft.)	30 m (100 ft.)	30 m (100 ft.)	30 m (100 ft.)	30 m (100 ft.)
xi	Setback from streams (on site) – Warm water		20 m (66 ft.)	20 m (66 ft.)	20 m (66 ft.)	20 m (66 ft.)	20 m (66 ft.)
xii	Building Height (maximum)		9 m (30 ft.)	9 m (30 ft.)	9 m (30 ft.)	9 m (30 ft.)	9 m (30 ft.)
xiii	Maximum Number of enclosed or roofed accessory buildings or structures on a lot		3	3	3	3	3
xiv	<p>NOTES: (a) As exists on the date of passing of this By-law, but not less than the requirements of Section 3.3. (b) The lot coverage shall be calculated on the portion of the lot that is located within 90 metres (300 ft.) of the shoreline.</p>						

NOTICE of Public Meeting The LWRA will host a public meeting on Sept. 3, @ 3pm (rain date: Sept. 4) at 1346 S.

Waseosa Lk. Rd. regarding the Lake Plan. All waterfront owners on Palette, Ripple, Jessop and Waseosa lakes can attend or submit written comments.

The 2011 draft is at

www.lwra.net/2011_draft_lake_plan. Copies will be available from noon prior to the meeting.
secretary@lwra.net



Annual LWRA

CORN ROAST!

Saturday, September 3rd 12pm to 4pm (that's the Saturday of Labour Day Weekend)
(Rain Date: Sunday, September 4th)

Where: The West Residence. **1346 South Waseosa Lake Road**. That's on the west shore in the southern half of Lake Waseosa (see map on reverse).

Featuring:

- Corn (Free) Hot dogs (\$1.00)
- Soft drinks or water (\$1.00)
- Hamburgers (\$2.00)
- Chicken or Veggie burgers (\$3.00)
- Sausage on a Bun (\$3.00)
- Dessert table (Pot luck -- donations of deserts requested)
- Raffle – tickets \$1.00 for 1 or \$5.00 for an arm's length (donations to the prize table are requested)

ALL* ARE INVITED TO ATTEND

**Fine Print: "All" Means Everybody. Members, non-Members, Family, Guests, Friends and Relatives. Backlot Residents, People from Palette, Ripple, Jessop or Waseosa. Even Clark. Old or Young, ANYBODY can come! But no pets, please.*

NOTICE of PUBLIC MEETING: The 2011 edition Draft Lake Plan for Jessop, Palette, Ripple and Waseosa will be available for review all afternoon and we will have a Public Meeting at 3pm to solicit input from ALL property owners on or near these lakes and approve final changes.

For more information, see www.lwra.net

borderline at best. Spring phosphorous results are often at or near the threshold. This may be due to the extremely low flushing rate that traps and holds sediments. The only outlet is a small stream into Waseosa, which is often dammed by beavers.

8.19.3.4.2 Jessop has a high proportion of wetlands, at 30%, restricting the developable area.

8.19.3.4.3 Available usable surface area of Jessop Lake is at current forecast needs. Total surface area per dwelling unit is 2.85ha less than the recommended minimum in Ontario.

8.19.3.4.4 Jessop is almost exclusively developed as seasonal use residences which tend to be single story and less than 1,500 square feet. Most shoreline structures are small docks.

8.19.3.5 This area was settled and developed primarily by those who could not afford stately homes on the more desirable large lakes of the area. Many properties are still held by the descendants of the original owners. As families grew, it was common to subdivide or build small additional dwellings for the extended family. Consequently, accessible properties are often deep but with narrow frontages along the water. In general, residences on all four lakes tend to be compact.

8.19.4 Policies

8.19.4.1 The four lakes covered by this section (Waseosa, Palette, Ripple and Jessop) are all over-developed, as measured by all objective methods. Therefore there shall be no further lot creation on these lakes. Future development is limited to existing vacant lots of record and redevelopment of existing properties.

8.19.4.2 In the case of redevelopment or development of an existing waterfront lot that was legally approved prior to adoption of this section, the nature, location, size and architectural style of any structures or land use, including shoreline activity areas, shall be consistent with the character of these lakes, as described in the current edition of the Lake Plan as filed by the Lake Waseosa Ratepayers' Association on behalf of the local residents with the Town of Huntsville at the time of adoption. To more fully realize these principles, the Lake Waseosa Ratepayers' Association shall be consulted prior to approval of any such development or redevelopment.

8.19.4.3 The continued institutional camp use by Camp Huronda should be encouraged and protected. Notwithstanding 5.5.2 (iv), and 8.19.4.4, subject to MOE approval and monitoring of the required septic system, this expansion should be allowed to continue including the construction of new buildings where required to accommodate the target of 136 campers plus associated support staff.

Kirstin Maxwell

From: lyle freethy [REDACTED]
Sent: Wednesday, January 30, 2013 5:50 PM
To: Kirstin Maxwell
Cc: secretary@lwra.net
Subject: Proposed Jingo Lake Subdivision

Dear Ms. Maxwell;

May I introduce myself. My name is Marilyn Freethy and I am the owner of the cottage at 1657 Jingo Lake Road. It has been brought to my attention that there has been a proposed plan to subdivision submitted to your committee for approval.

I have owned my cottage property on Jingo Lake for about 45 years and my family has spent a great deal of time there in all seasons. I have very serious concern regarding the ability of the lake to withstand any further development. Jingo Lake is a small lake (about 27 acres) and at present there are eighteen (18) buildings on the lake, five (5) of them are permanent homes. Any additional building on around this small lake, would have to have a detrimental impact on the entire environment.

I personally have observed changes in the lake over the years as new structures have been added with the subsequent traffic on the water as well as the landscape. I do know that the water quality has diminished, there is more algae and at times there is an unpleasant lingering odour.

There appears to be a smaller and lesser fish population, frogs, crayfish and other species which used to plentiful along the shorelines have almost disappeared. The loons rarely visit anymore, another indicator of the lack of fish. I understand

that according to some of the data that I have read there is a very real concern about the phosphorous levels and the damage

that can do to a small body of water. I can't imagine that adding more buildings to this lake could improve the situation.

I also find the timing of this proposal curious. Winter can't possibly be a good time to evaluate the water quality and the impact that even one more building lot would have on the lake or on its shoreline environment.

I sincerely hope that you will consider our very real concerns and not allow this 'proposal' or any part of it to be accepted.

I sincerely and most definitely object to any and all of this subdivision proposal, or any further development on Jingo Lake.

Marilyn Freethy

[REDACTED]
[REDACTED]
[REDACTED]

Kirstin Maxwell

From: John Buch [REDACTED]
Sent: Thursday, January 31, 2013 8:57 PM
To: Kirstin Maxwell
Cc: secretary@lwra.net
Subject: Re: Jessop (Jingo) Lake Subdivision and Development Application

I have reviewed the Notice of Application and a Public Meeting document, on the above Jingo Lake application, that is posted on the LWRA website. I have also reviewed the Planning Report by Terry D. Sararas Development Services on the same topic.

As a seasonal waterfront resident/property owner/ratepayer at 1685 Jingo Lake Road for almost 25 years, I would like to add my comments to the discussion on the above subdivision and development application.

Development effect on Jingo Lake

As evidenced in the depth, water temperature and oxygen level charts in the Notice document, Jingo Lake is a shallow, small lake that is prone to having high water temperatures in the summer. Every summer from about mid-July to mid-September, the Jingo lake outflow to Lake Waseosa dries up and Jingo Lake becomes stagnant. This stagnation results in a 1 foot to 2 foot drop in the lake level of Jingo Lake, from surface water evaporation. It also results in increased water temperatures and a significant increase in water vegetation growth that starts at the western shore and sometimes extends to the middle of the lake.

The pace of development of new residences on Jingo Lake has increased over the last several years. I worry about how much more development Jingo Lake can absorb, before reaching a tipping point, that could result in the atrophy of the lake, mass fish kills, extensive clogging of the lake by weed growth and possibly even algae blooms. If such a scenario unfolds, both current Jingo Lake residents and any new residents will suffer. Since Jingo Lake is the start of the lake system, with the Jingo Lake water feeding into Lake Waseosa and beyond, such a negative outcome would have consequences to other lakes and waterways. Other effects of overdevelopment on Jingo Lake would include possible overfishing, increased boat traffic and increased vehicle traffic on narrow seasonal roads.

I feel it is the duty of the Town of Huntsville and its Planning department to assess zoning and development applications based on considerations that include the effect of development on the natural environment and waterways and on both existing and new residents. My point is not that all development is bad, but rather that overdevelopment, especially in sensitive environments, will result in significant and irreversible harm to both the environment and the residents, both human and fish and animals. I cottage in Huntsville because of the natural environment and I do not wish to see that degraded.

Another consideration in evaluating the creation of more lots on Jingo Lake, is the possible future development of existing lots. At present, there is a small cabin on the waterfront portion of the Fowler property at the south east corner of the lake. I suspect there may be a full sized cottage or residence built there at some point. At the south end of the lake, adjacent to the Fowler property, there is another property which has some waterfront by the small island. This property has a cleared area with a flat graded area. I suspect at some point, this lot may have a waterfront residence built on it. At the south west corner of the lake there is a year round residence close to the lake. This residence may not actually have any waterfront, but has a dock and swimming platform on the lake. My point is, that approving two more lots on Jingo lake does not necessarily mean that only two more cottages or residences will be built on Jingo lake and that when assessing the level of usage of the lake, usage by non-waterfront residents should also be considered.

As a seasonal resident of Huntsville and ratepayer, I hope my concerns are taken seriously. I hope the town is committed to long term stewardship of the natural resources.

Finally, I add that I support the LWRA and their executive in their work and commitment to the four lakes and the lake residents that that they represent. Thank you.

Kirstin Maxwell

From: Steve Spence [mailto:stevespence@jingo.com]
Sent: Monday, February 04, 2013 9:18 PM
To: Kirstin Maxwell
Cc: secretary@lwra.net
Subject: Proposal for sub-division and rezoning on Jessop (Jingo) Lake

Dear Kirstin,

Both my wife and I want to express our support of the LWRA's position and let you know that we share it's environmental concerns regarding the proposed sub-division and rezoning on Jessop Lake.

Sincerely,

Steve and Diane Spence
[Redacted]

Kirstin Maxwell

From: roxanne bickell-talbot [REDACTED]
Sent: Tuesday, February 05, 2013 10:44 AM
To: Kirstin Maxwell
Subject: The proposal to create three new Shoreline Residential lots located at 1479 South Waseosa Lake Road

To whom it may concern,

I am a property owner on Palette Lake and would like to express my concerns regarding the proposed development on Jessop (Jingo) Lake

I believe that the lake is already over threshold for phosphorus. Additional lots put new stresses on a lake that already has a relatively high phosphorus level. The high levels lead to blue-green algae blooms, which make the lakes unusable for any purpose. An application for severance needs to be considered by the Town regarding the water quality.

In addition, I have a concern as it relates to the application for a change of the zoning classification. I do not understand why it is necessary to rezone the existing and proposed lots to SR-2 rather than the current SR-5 zoning. The fact that the dwellings on an SR-2 lot can be considerably closer to the lake (20 meters) than dwellings on an SR-5 lot (30 meters) is problematic. The negative impact of developing so much closer to the shoreline is considerable.

I understand that the Lake Waseosa Ratepayers Association worked hard, when the current zoning classifications were created about 8 years ago to have our lakes zoned SR-5 in order to protect various aspects of the lake, We should not depart from the existing requirements which are meant to bind all development and protect our lakes.
Thank you

Roxanne Bickell-Talbot
[REDACTED]
[REDACTED]
[REDACTED]

Kirstin Maxwell

From: Diane Spence [REDACTED]
Sent: Tuesday, February 05, 2013 5:47 PM
To: Kirstin Maxwell
Cc: Steve Spence
Subject: Proposed Jingo (Jessop) Lake Development

Good Morning Kristin:

I'm writing to you to express my concerns regarding the proposal for three additional lots on Jingo Lake. Since purchasing a property on the lake we have become involved with our local Association and closely follow studies surrounding the lakes the Association governs, with particular interest in our lake as it is quite small and shallow. This was one of the attractions of purchasing a property there as was the lack of development on the lake. We feel this enhances the value of the properties on the lake, and the lake itself. The possible addition of 3 new lots on the lake, however, causes much concern as it is not confirmed that the lake is able to sustain further development and human encroachment. Unlike the many larger lakes in the area that could easily sustain their current levels with three additional lots, the negative applications of this on Jingo Lake is quite severe. While it may be easy for the town to ok the severance of the land, you will have no control over the impact the builders and/or tenants have on the lake itself. As you are no doubt aware, the phosphorus levels in the lake are in a delicate state and further contamination could push it into a danger zone whereby the lake becomes unsuitable for use and is on its way to becoming a "dead lake". I have seen a lake adversely affected by algae and it's a sad sight indeed, not just for the lake itself but for any wildlife, fish life, or flora and fauna that depended on the lake for sustainability and existence.

We are fortunate in Ontario to be blessed with thousands of lakes. Should this proposal be on a large lake such as Vernon or anyone of the many large lakes in and around the Huntsville area, I'm sure it wouldn't be an issue at all. But for a small lake like Jingo I have to ask why the town would even consider such a proposal as this does not seem environmentally viable offering. Just because there is a bit of shore line undeveloped, doesn't mean it has to be. Not every inch of every lake needs to have a property on it and if you must continue to grant such development I'd much rather see it done on a larger, deeper, more sustainable lake that can better "handle" the strain and stresses of such develop.

As I cannot be at the February 13th meeting in person I'm asking you to please pass my concerns onto the Planning Advisory Committee and ask that they not allow this development to take place and direct the builders and/or purchasers to another lake or area. Please feel free to contact me should you have any questions regarding my concerns. Thank you in advance for your attention to this matter.

Sincerely,

Diane Spence
[REDACTED]

Kirstin Maxwell

From: Nancy Bennett [REDACTED]
Sent: Tuesday, February 05, 2013 7:37 PM
To: Claude Doughty
Cc: John Davis; scottaitcheson@hotmail.com; Kirstin Maxwell
Subject: Jessop Lake - Jingo Lake

My name is Ian Bennett, our family has been on Jingo Lake (Jessop) since the mid-fifties. I grew up here and have seen changes in the many years.

With regards to the proposed severance and re-zoning, here are my thoughts:

The last water quality test done in 2010, shows an improvement over the test done in 2008. I am concerned that it is still not the healthy lake that it used to be. There are still algae blooms, that my children were playing with this past summer. More building close to the lake could reverse the improvement shown so far, More buildings means more docks, more boats, more lake impact on the spawning grounds as well. The lake has been a closed lake for a number a years and it doesn't seem like it could support more dwellings. There was one more home/cottage built last year, what will be limit on this little lake, when will it stop?

With regards to the re-zoning requesting SR-5 (30m) to be changed to SR-2 (20m), why would the zoning be changed to allow others to build closer to the lake, which could impede the lakes water quality further. All lots should have the same variance from the waterfront, and not allow "newer" buildings to be built closer to the water.

I hope that the town does what is right for the lake and for the future of the lake, and the surrounding lakes.

Sincerely,
Ian & Nancy Bennett
Amy and Tori Bennett

Kirstin Maxwell

From: Ray Nichols [REDACTED]
Sent: Tuesday, February 05, 2013 8:06 PM
To: Kirstin Maxwell; LWRA
Subject: Proposal for sub-division and rezoning on Jessop (Jingo) Lake

Dear Ms. Maxwell:

We wish to register our objection to the subdivision and rezoning application on Jessop Lake, which is to be heard by the Town of Huntsville on Feb. 13th.

My husband and I are permanent residents of Lake Waseosa. We reside at 20 Fish Rock Road and own the adjoining land and stream that connects Lake Waseosa with Jessop Lake.

Our understanding is that numerous studies have concluded that our chain of lakes has already been developed to maximum capacity, and in order to maintain the water quality, no more homes should be allowed.

Jessop Lake, which is a very small lake, cannot withstand any further development. Our lake water system is already stressed to the brink.

We feel very strongly that the Huntsville Town Council should be enforcing the existing Town Plan and Zoning Regulations, and not entertaining any further requests for variances/development.

In our view, Town Council's primary fiduciary duty is to the owners/taxpayers on these lakes, and not to Property Developers.

Your consideration of our objection is appreciated.

Sincerely,
Ray & Marion Nichols

Kirstin Maxwell

From: holly milner [REDACTED]
Sent: Tuesday, February 05, 2013 8:42 PM
To: secretary@lwra.net; Kirstin Maxwell
Subject: FW: Proposed development Jessop Lake

From: [REDACTED]
To: kristin.maxwell@huntsville.ca
CC: mayor@huntsville.ca; johndavis@hotmail.com; scottaltcheson@hotmail.com; [REDACTED]
[REDACTED]; [REDACTED]; [REDACTED]
Subject: Proposed development Jessop Lake
Date: Tue, 5 Feb 2013 19:10:57 -0500

To all concerned: I was first introduced to Jingo (Jessup) lake about 2 years before I got married about 1963. My husband John McCurry, Ann Bennett's brother helped build Ann's "little slice of heaven" cottage. I also worked and played at this family cottage for years. Not only in the summer time but year round. We were planning on spending Christmas there in 1970. My concern at the prospects of adding 3 additional dwellings to this lake is from the sustainability and water quality. In the past the phosphorous content has been an issue. With more families added to Jessup(Jingo) this issue will be a big problem once again. Are not the 3 proposed lake front lots on existing wetlands? My understanding is that wetlands are essential and can not be disturbed and therefore I object strongly against the proposed development. If any further information is required of me please e-mail me at [REDACTED].
Sincerely, Mrs. Maureen McCurry

Kirstin Maxwell

From: Marjorie & Rosie Adam [REDACTED]
Sent: Wednesday, February 06, 2013 12:57 AM
To: Kirstin Maxwell
Cc: John Davis; scottaitcheson@hotmail.com; Claude Doughty
Subject: Jingo(Jessop Lake) severance application

The proposed subdivision and rezoning on Jingo (Jessop) Lake, is of major concern to us. At present time the lake is developed to the maximum that the lake can handle and still provide water quality that is required. The proposed set back is not in agreement with present policy, and any changes will cause problems with the water quality.

Jingo Lake is a very small and shallow lake and has provided our family with wonderful memories the past 14 years, and we would like to see the Lake remain as is. We feel that any new lots and or cottages will be harmful to maintaining the peaceful and serene summer paradise that we enjoy. Our main concern is maintaining and/or improving the water quality of the lake, and we feel that any further development will be a hindrance and that is our concern.

Ambrose & Marjorie Adam,
[REDACTED]
[REDACTED]

Kirstin Maxwell

From: Ann Bennett [REDACTED]
Sent: Wednesday, February 06, 2013 8:38 AM
To: scottaitcheson@hotmail.com; seejohndavis@hotmail.com; Dwayne Verhey, Claude Doughty; Kirstin Maxwell
Subject: Re: Jim Logagianes File# B/43/44/45/2012HTE FILE#z/37/2012/hte

I am the last of my generation at this little bit of heaven. Our cottage has been a wonderful place to be for my children, my grandchildren and their friends and our friends and relatives.

I would like to make note of my concern for the health of this little lake. Jessop/Jingo is a rather shallow lake with two new homes added in the past few years. Jingo feeds Waseosa. In the very hot summer, Algae blooms. This is the water my very young granddaughters (4) swim in
This is the water I wash my dishes in
This is the water I boil my vegetables in
This is the water we DON'T drink

My concern is not only for the lake but for the Wetlands near the north boundry of the proposed sites. They produce the most beautiful wild Blue Flags in early summer, some frogs and tree toads are prolific as well.

Here is a little background. My husband and I started building in 1957. What a back breaking job with only basic tools. My husband was a plumber, he knew the proper place to put the septic system and how to build a place that has lasted more than 55 years.

We bought the property from Lizzie and Mac Hall in 1957 for \$1200. The road in was a glorified cow path, ruts and Dusty. But now our lake is alive with 6 little girls (ours and the neighbours) waterskiing and shreiking with glee, making memories.

Sincerely Ann Bennett

Kirstin Maxwell

From: Rich Adam [REDACTED]
Sent: Wednesday, February 06, 2013 11:31 AM
To: Scott Aitchison; Kirstin Maxwell; Claude Doughty; John Davis
Cc: [REDACTED]; secretary@lwra.net
Subject: Regarding sub-division and rezoning on Jessop (Jingo) Lake

Dear Council Members and Town of Huntsville officials,

We are writing with regards to the proposed subdivision and the rezoning of the proposed lots on Jingo/Jessop Lake.

My parents have had had a cottage on Jessop/Jingo for 14 years. 6 years ago my wife and I were able to purchase the cottage beside my parents on the lake and 2 years ago, my sister and her family bought the existing cottage beside us. Having three cottages side by side on our little slice of paradise makes us extremely fortunate. Our children spend their summers together with their cousins at Jingo and most of the summer is spent in the water.

With this in mind, we are very concerned about the proposed new development. The water in Jingo already has a high phosphorous concentration and throughout the summer the water can become a little stagnant as the numerous beavers on the lake continuously damn it up, stopping the flow of water into Waseosa. There have been new homes added to Jingo lake in the last few years, which already puts a higher burden on our little lake. Although we all do everything we can to minimize our impact on the lake, the reality is that more people = a higher burden on the lake and the water quality.

Adding 3 additional properties (with new zoning) on this already busy little lake worries us greatly. The LWRA has prepared a formal submission regarding the concerns to the water quality within Jingo and the surrounding lakes and rezoning in this proposal. We support their submission as it addresses the environmental risks and impacts to the lake(s) and the residents' enjoyment of them. The LWRA submission is available here http://www.lwra.net/LWRA_submission_Jessop_subdivision

We love what Jingo offers us today, and want to protect it so that our families may continue to enjoy it for years and generations to come. As such, we ask that you please take into account the concerns of our families, along with those of our neighbours, and the LWRA in your consideration of this proposal.

Thank you for your attention to this matter and we look forward to your decision.

Best Regards,

Rich, Paula, Lachlan, and Georgia Adam
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Kirstin Maxwell

From: Jimmy Edwards [REDACTED]
Sent: Wednesday, February 06, 2013 12:47 PM
To: Kirstin Maxwell
Cc: secretary
Subject: Proposal for subdivision and rezoning on Jessop (Jingo) Lake

As long term cottagers on Lake Waseosa (1950's) we are very concerned about this proposed project. While we understand the desire for local land holders to monetize their investment in lakeshore property we also feel that there should be a limit on development in these sensitive areas and as such would expect the Town as well as other regulatory bodies to take a stand and support the environment and not the profit motives of a particular land owner or a municipality keen on generating more tax revenue.

We absolutely support the submission make by the LWRA and trust you come to a similar conclusion in your decision.

Jim and Marci Edwards
[REDACTED]

Kirstin Maxwell

From: CATHY LIHOU-PERRY [REDACTED]
Sent: Wednesday, February 06, 2013 11:58 AM
To: Kirstin Maxwell
Subject: Jessop Lake Proposal

Hello Kirsten:

I am a landowner on Jessop Lake, (1722 Jingo Lake Road) across from the area for which there is a current proposal to rezone and sub-divide the land. Unfortunately, I will not be able to attend the meeting regarding this proposal but I am hopeful that you will pass my concerns on to Town Councillors.

I have grave concerns about this application for several reasons.

First and foremost, from an environmental perspective, Jessop Lake is a very small lake and I am concerned about the number of independent lots that this it can reasonably sustain.. I am concerned that re-zoning this lake will allow additional lots and closer set-backs that will put too much pressure on water quality, and as a result, the fish and wildlife that we all enjoy there.

In addition, I understand that Jessop Lake is already at or above the level of development that is considered to be "capacity" for a lake of this size. Being a shallow lake, it is particularly vulnerable to changes in chemistry, etc.

Relating to this, I understand that phosphorus content is already a concern for this lake and several others which are part of this watershed. I am worried that more lots, more people, and more human activity will push this lake past the brink of sustainability. I am very concerned about the potential for blue-green algae that could endanger use of this lake for the rest of the property owners.

Lastly, I am concerned about the "spirit" of this proposal. Muskoka is in the eye of many who want to go there to enjoy the nature and serenity that this region offers. However, some are greedy developers who see Muskoka as a way to make money, regardless of the environmental impact and sustainability. I am concerned that this development proposal will threaten the very reason why people come here.

My family has lived in Hunstville for over a generation and although I don't live there full time, I feel very strongly, as did my grandparents Fred and Reta Fowler, about protecting this environment for future generations (hence the reason I turned my property into a managed forest).

Thank you for considering my concerns. I can be reached at [REDACTED] or by e-mail.

Sincerely,

Cathy Lihou-Perry

[REDACTED]

Cathy Lihou-Perry

[REDACTED]

Kirstin Maxwell

From: Lea Jorgensen [REDACTED]
Sent: Wednesday, February 06, 2013 10:10 AM
To: Kirstin Maxwell
Subject: Jessop/Jingo letter of concern

To: Mayor Claude Doughty, Deputy Mayor/chairperson Scott Aitcheson, Councilor John Davis and Town Planner Kristin Maxwell

In regards to: Jim Logagianes application for lot severance #B/43/44.45 2012/HTE
And re-zoning application #Z/37/2012/THE

My name is Lea Jorgensen. I live, work and play in the Huntsville, Muskoka area. I am also the eldest daughter of Ann and Stan Bennett, whose cottage of 55 years, is directly adjacent to the 3 proposed lots that Jim Logan is applying to have severed and re-zoned.

The cottage has been a mainstay for our families...both extended and close, plus countless scores of friends and relatives over the years. Always, the main comment, by visitors, is what a peaceful, secluded place this 'little slice of heaven' is. Obviously, we all want it to stay secluded, private and untouched.

I also realize that 'change is inevitable' and even though I'd rather see this change not happen at all, I also accept that it may, to a certain extent. I truly feel our obligation here is to 'minimize' and carefully consider any change, not only for this generation but also for future generations. With that in mind, here is what I'd like to propose.....

My two concerns are for the **'health of the lake (Jessop/Jingo) and the continued 'privacy and accessibility'** of our family cottage

Jessop/Jingo Lake, over the years, has gone from quite healthy to less than healthy in more recent years. My understanding is that in 2008 a study done on the quality of the lake water, suggested our phosphorus content was moderate to high. Offending, older septic systems on the lake, were corrected and in 2010 a more recent study implied that the phosphorus content was going down. This is good. Our concern is, that by adding more dwellings onto an already shallow, water sensitive lake, that is also a 'headwaters' lake for Waseosa on through to Vernon, aren't we simply increasing our risk of decreasing water quality to irreparable levels?

This is where the re-zoning application needs careful consideration. The rest of Jessop/Jingo lake and even much of Waseosa, is zoned SR-5 (a dwelling can't be built any closer than 30m to the shoreline). SR-2 zoning is for a new property but also allows a dwelling to be 20m from the shoreline. I would like to see a compromise here. To my understanding, **SR-3 zoning is for a new property but also is in keeping with SR-5 standards.** I see no reason for Mr. Logan's zoning to be allowed closer variances to the waterfront than any other person on the lake.

My other concern is in regards to the privacy and seclusion of our family cottage. When the cottage was built back in 1957, of course lot sizes were very different. Our cottage sits on a lot that is barely an acre in size. To have the 3 larger lots, with possible dwellings, plus all the surrounding area, also owned by Jim Logan, encroaching on our small little cottage lot, we are understandably feeling that 'privacy' is becoming a very big concern.

The lot that I'm particularly concerned about is, 'Lot 1', which sits right beside, and wraps around, our cottage. I understand, that currently, a dwelling cannot be built any closer to a lot line than 6 metres. In 2006, while clearing trees for that particular property, Mr. Logan 'inadvertently' cut down 2 trees on our small cottage property. Understandably, this has left our 'neighbourly trust' in question. With this in mind, **I would like to propose that a dwelling allowance on that particular property be pushed back to 10-15metres.** This would give us a buffer of privacy that I feel would be a compromise in this situation.

We would also like to see the private right of way, which is our family's ONLY method of accessing the cottage, maintained and open for travel, with any and all vehicles. ... Especially during a building period should Mr. Logan be successful with his lot severance applications and new owners purchasing those lots!

In all, as a large family (over 3 generations), plus extended family and friends, I think I speak for many of us. when I say we are opposed to this application for severance and re-zoning. However, with compromise and good planning for the future or our little lake, Jessop/Jingo, I feel we can come up with an agreeable solution for all.

Thank you for your consideration in all of this!

Kind Regards,
Lea Jorgensen

Kirstin Maxwell

From: Pat Baranek [REDACTED]
Sent: Wednesday, February 06, 2013 8:47 AM
To: Kirstin Maxwell
Cc: secretary@lwra.net
Subject: Proposed Consent and Zoning Amendment - Jessop Lake

8 February, 2013

To: Council of the Town of Huntsville (emailed via Kirstin Maxwell)

Kirstin.Maxwell@huntsville.ca

From: Patricia Baranek

Re: Proposed Consent and Zoning Amendment

B-43-44-45-2012/HTE & Z/37/2012/HTE (Logans)

I am writing to you concerning the proposal, on Jessop Lake, to sub-divide an existing lot and to rezone the parts

of the lot. I own, with my husband, a cottage on Lake Waseosa that we use year round. One of the reasons we purchased our cottage on Waseosa was that Waseosa was deemed at that time to be fully developed. After we had spent some time in Huntsville, we learned that, in fact, all four lakes represented by the Lake Waseosa Ratepayers Association are almost certainly over-developed when one considers the size of the lakes, the number of cottages, the estimated number of boats, etc., as well as the stress of development on the lakes because of phosphorus that ends up in the lake as a result of development.

We have also, from the moment we came to understand the threat to our lakes from phosphorus, been concerned about high phosphorus levels in our lake (Waseosa) as well as the other lakes (especially Jessop which at certain times of the year, dumps its water, and its phosphorus, into Waseosa).

It is my understanding from the material that I have read that the zoning that was put in place around 2005 (SR5) was determined in part because of the high density of development on all four lakes.

The proposal before the Town does two things: it proposes to subdivide the lot, thus creating new building lots, and it proposes to change the zoning from SR5 to SR2. I oppose both of these aspects of the current application.

My understanding is that Jessop Lake is a relatively shallow lake, whose water level fluctuates quite dramatically depending on the weather and the activity of beavers that sometimes build dams on the stream that runs from Jessop to Waseosa. That fact, combined with the fact that it is a small lake with, relatively speaking, a fair amount of development on it, makes it particularly vulnerable to algae growth, or more seriously, to blue-green algae blooms. All of the material that I have read about the impact of global warming is that global warming is increasing the likelihood that there will be more blue green algae blooms on lakes in Muskoka.

I believe that it is the responsibility of all of us in Muskoka to do what we can to preserve our lakes. Those that are highly developed and vulnerable, like Jessop, need the support that only the Town can give. It is our responsibility, I believe, to limit further development and not allow the subdivision that is being applied for.

The second issue relates to the rezoning. I have read the materials that have been supplied by the applicant. I saw no adequate justification for rezoning of these lots even if the subdivision were to be allowed. All four of our lakes (Jessop, Waseosa, Ripple, Pallerte) have been zoned SR5 since the new zoning bylaw was passed, even though only one (Waseosa) has ever been classified as over threshold for phosphorus. All of our lakes – for various reasons – are vulnerable and probably over-developed.

Zoning is traditionally imposed on land so that all landowners can have a reasonable expectation of what kind of development might take place. Obviously exceptions must sometimes be made (especially in the case of irregular lake lots), but these are done for reasons of necessity, not just because a landowner would prefer to have fewer restrictions placed on the development of the lot. But in this case, the larger setbacks (30 metres) serve an important purpose. They protect the lake more adequately than a shorter setback of 20 metres.

I have an interest in both of these matters – the subdividing of an existing lot and the rezoning application – because Waseosa is inevitably going to be affected by what happens on Jessop. We were urged by the Council of the Town of Huntsville to develop a lake plan that was acceptable to all of our community. We followed your advice even though some of my friends and neighbours said that a Lake Plan was a waste of time because future Huntsville councils would ignore them. I felt that we had to take the Huntsville Town Council at its word, that lake plans would be important if they were developed and voted on at an open meeting accessible to everyone.

I was pleased, therefore, that the LWRA did the work to develop a lake plan. I saw the advertisement in the Forester about the meeting at which it was to be discussed and voted on. I was unable to attend the meeting but my husband was at that meeting and reported to me that it passed unanimously. I think that the community has spoken quite directly to you. If you want to ignore the views of the community, it would seem to me, in a democratic society, that there would have to be compelling reasons for you to do so. The applicant has not provided such reasons.

I urge you, therefore, to turn down the applications for subdivision of the land on Jessop Lake as well as the application for rezoning.

Patricia M. Baranek, Ph.D.

[REDACTED]

[REDACTED]

Kirstin Maxwell

From: holly milner ([REDACTED])
Sent: Tuesday, February 05, 2013 8:39 PM
To: Kirstin Maxwell
Cc: Claude Doughty; scottaitcheson@hotmail.com; [REDACTED]; [REDACTED]; [REDACTED]; [REDACTED]; John Davis; secretary@lwra.net
Subject: RE: Proposed development Jessop Lake
Attachments: Jim Logan Letter.pdf

With regard to the proposed application for lot severance on Jessop (it's actually Jingo Lake), I am submitting this notification as opposition to the application.

I would also like to have included in the Agenda of the meeting on February 13th, 2013, the attached letter from Jim Logagianes (now referred to in my email as Jim Logan) and have this letter read aloud to the meeting attendees. Unfortunately, this letter is not dated, however, I am sure the Huntsville Planning Department would have on record, Jim Logan's opposition of the filing of lot severances by Ms. Skulety which could determine an approximate date of writing of this letter.

To Jim's point a few years ago, what takes place on Jingo Lake affects all those downstream. My concern today is the health of our lake, adjoining lakes, and doing all I can today to protect the lake(s) for future generations to come

My parents, Ann and Stan Bennett purchased their slightly smaller than one acre lot from Mac and Lizzie Hall 59 years ago. They were the second residents on the lake (other than the Halls - whose homestead is now Jim and Karen's). Through the years, they travelled up North from their home in North York to Huntsville, to build their little three bedroom cottage, never imagining the impact their simple little place would have on their family, friends and anyone who visited the place. My late Father was a plumber, and an all round handy-man who together with my Mom, an Uncle and Aunt and my Grandmother, built our family a perfect little retreat to escape the hectic city life. I am 49 years old, and all my life, have gone to the cottage for any and every reason. I am not a environmentalist, do not have a PHd or any other initials behind my name that might lead one to believe I could easily decipher the multitude of zoning by-laws, don't need to have an Ecologists report to see what has been happening to our lake in the last decade and has placed our lake close to 'high sensitivity' levels. When I was a child, I could count on catching perch, catfish, frogs, tadpoles, guppies galore and surely have a few leeches stuck to my legs in the process. In the last 10 years, I have not seen a perch, have not seen a catfish, have not seen tadpoles, have only seen a few frogs and seldom even hear them at night, and not had a leech stuck to my leg, which most would be happy for. I have seen the algae every year, seemingly getting worse with each passing year, and certainly appearing more prevalent towards the end of Summer. My children swim from the end of the dock and will not go into the water from the shore because of the sight of the algae. I don't dare offer them snorkelling equipment as they would never enjoy the lake again if they saw what sludge lay beneath the surface. They have suffered ear infections following a weekend at the lake, to which the nursing staff at the hospital have advised a rise in due to the poor water quality in our lakes in general.

My husband Rob, grew up in the Yukon and has often remarked to myself and my Mother, that he totally "gets Jim" and why he does what he does. Jim and his family grew up in Huntsville - it's not his little piece of paradise. This is home and Rob reminds me that he can do whatever he wants to on

his own property. In the Yukon, the locals never realize what a pristine place of Canada they lived in, and for them, your back yard is just a place to store your stuff. So I have to think that for Jim, he doesn't realize what an amazing place he lives on, and has not thought of the environmental impact he is having on the property / lake. My parents bought the property with a dream in mind. They did not purchase the property to have someone build on top of them. This long lasting dream is now being threatened with this proposal: Along with this proposal, our property will lose it's privacy, another few septic systems on the lake, another few docks, another few motor boats (and yes, our family has one of those), all having negative impact down the road. Jim and Karen are our only immediate neighbours although we cannot see them through the woods. They are positioned nicely where they are assured the privacy they must so desire. A very long time ago, when I believe there was only 11 cottages on the lake, we had been advised through the Town, that Jingo Lake was now a 'closed' lake and there would not be any future development. What a relief. I think we're up to 17 dwellings, a few of which are year-round homes now on the lake - what happened to those policies, development plans at the time, risk assessments that were never adhered to, zoning by-laws. And now Jim wants to break the rules yet again, have HIS property re-zoned from what is already the standard zoning for Jingo Lake / Waseosa Lake which is currently SR5. In light of Jim's letter so strongly opposing the development of Ms Skulety's property on the very same lake and assuring that lot restrictions were in place (Jim's letter points out that it had been decided 400 ft), minimum setbacks adhered to, balance of the rights of landowners and what is best for the area. I find this entire proposal ironic in that it is exactly what Jim said he didn't want and had so strongly opposed only a few years ago. I keep going over this proposal and thinking what would be acceptable.. Nothing. Jingo Lake cannot sustain any further development period. The lake sensitivity teeters between moderate sensitivity and high sensitivity. One more lot could easily tip the scale and bring us to a point of no return. Our lake is spring fed, runs through a small creek into Waseosa, and in turn into Pallet and Ripple lakes.

I can tell you hundreds of stories related to our cottage and the properties around it, how important this little monument to our family is, how I feel it is imperative that the surrounding lands stay as least inhabited as possible to protect the entire ecosystem which we have enormously enjoyed over the years. There is not enough time in the day. I can only say how strongly I oppose this proposal, would ask for a Terrestrial Ecologist report be done before this proposal is even considered, would also like to have all the current residents on the affected lakes be advised of what is being proposed. Most of the residents are cottage folks, who lock up their properties after Thanksgiving and don't come back until the Spring. I would think consideration should be given (although Jim has been fully within his rights to chose this time of year to submit his proposal). In Jim's words, the planning department has an obligation to balance the rights of the landowners and what is best for the area. Most landowners are not around their land in the dead of winter. Timing is everything as Jim well knows. Jim also speaks to Moral obligations of the town, not repeating the past, righting the wrongs, not allowing poor planning by uniformed individuals, and not allowing variances to developers with one goal in mind (making money). Although Jim and Karen live at the lake, they don't use Jingo Lake. Their boat resides across the road at the Hall's residence on Lake Waseosa. I see them swim but once a year in the lake (actually not them personally, but their guests for the weekend in August). I don't see them fish, don't see them at the water's edge, don't ever see them surveying the land and thus think they have no idea how stressed our little lake is already and what future harm they could be imposing on the vitality of this ecosystem of not just the lake, but the surrounding lands.

For the record, I oppose this application - and see no need for ANY consideration of any part of it.

I began writing this letter as a very factual and tried to stay unemotional. However, it's been more of a trip down memory lane and this letter reads nothing like it had started. Our piece of heaven on earth means everything to our family and your consideration of what matters to the existing residents I would hope should have some impact on your decisions. Nobody will miss a cottage / house that hasn't been built yet. I will most certainly miss our cottage life as we know it, my children will miss what they have come to enjoy should the lake become unsafe.

Regards. Holly Bennett (officially MILNER)

Huntsville Planning Department
Huntsville Town Council:
Skulety : rezoning application.

In 1953 the Hall family severed the lots on the east side of Jingo lake. None of these lots meet the current lot size restrictions or minimum setbacks.

Because this was allowed to take place at the time it was decided that the minimum lot size should be increased to 400ft, You cannot change the past but you can lessen the impact or right the wrong by limiting future development of this nature.

The said property was originally not accessible but with the towns guidance Ken Earl brought the road up to municipal standards. I visited the planning department last year to see ~~what~~ ~~my options~~ were in regards to the property in question. I was informed at the time ~~that~~ there was a potential for ~~two lots~~ if all current zoning restrictions and setbacks were adhered to. ~~An application for severance~~ was not filed and the property was listed for sale.

What takes place in Jingo Lake effects everyone else downstream. This lake is spring fed, it runs into Wascosa lk. To Jessops creek then down to Vernon lk. The town has a morale obligation not to repeat the mistakes made in the past.

The septic inspections carried out on behalf of the town recently will not in any way aid in determining the impact of development on our water systems. Without following proper inspection techniques there is no way of determining what problems do exist. So determining the impact of any existing development becomes questionable. How can the town planning department determine what impact future development will have on the water quality in the area. without accurate information.

The property in question is low lying area with NR zoning immediately to the south. With a unopen road allowance along the southern border. The back bay borders on a large bog which provides and excellent spawning area for bass. All elevations on the lake are considerably higher than the area in question. The water level increases considerably in the spring and is most noticeable in the low lying areas.

We currently own 50 acres with approx 2000 ft of undeveloped shoreline. Our neighbour to the west owns 25 acres with approx 2000 ft of undeveloped shoreline. It is imperative that all existing zoning and setbacks be adhered to so that the lake and the existing ecosystem can maintain its integrity. We have a moral obligation to future generations not to repeat the narrow minded decisions made in the past.

Mrs. Skulety knew that there was a potential for two building lots. if current guidelines were respected. We have seen other lakes of this size in the area that have been subjected to high density building due to poor planning by uninformed individuals. The Town council & the Planning department have an obligation to balance the rights of landowners with what is best for the area.

Having said that it is my responsibility as a resident of the lake to provide you with any information to help you determine the impact of a development like this. You do not have an obligation to Mrs Skulety to help her maximize her profit margin on her recent purchase. But you do have an obligation to the residents of the lake to make well informed decisions that will not have a negative impact on the lake. Mrs Skulety paid fair market value for the property she purchased. She will have the opportunity to make a reasonable return on her investment by creating two lots. Do you have a legal obligation to allow variances to developers who have one goal(making money)?

Sincerely Yours,

Jim Logagianes(780-██████████)
██████████
██████████

February 6, 2013

To: Claude Doughty, Mayor
Scott Aitcheson, Deputy Mayor/Chairperson
John Davis, Councillor
Kristin Maxwell, Town Planner

Re: Proposed consent and zoning amendment B/43/44/45/2012HTE & Z/37/2012/HTE
(Logagianes)

I am writing this letter to voice my concerns regarding the proposed consent and zoning bylaw amendment.

I have been a life long visitor to Lake Jingo (Jessop) and enjoyed the benefits of having such a wonderful natural escape from our "city" lives through my Aunt and Uncle, Ann and Stan Bennett's property on Lake Jingo. Many great memories of fishing, swimming, boating, and all around great times have made the benefits of this lifestyle so valuable to me that I recently (December 2011) purchased my own property on Lake Waseosa (195 West Waseosa Lake Road). In particular, my concern is of the water quality in Lake Jingo and how it would be affected by future lake development.

Based on review of public documents and information provided by the Lake Waseosa Ratepayers' Association, any future development as proposed in this amendment may have a negative impact on Lake Jingo, and in turn have a negative impact on Lake Waseosa. I feel that it is the land owner's responsibility to protect our lakes so that in the future, many generations can continue to enjoy the benefits of a healthy lake.

I am requesting that the proposed consent and zoning amendment be denied. I will also express my concerns at the Town of Huntsville public meeting on February 13.

Sincerely,



Bruce McCurry



THE DISTRICT MUNICIPALITY OF MUSKOKA

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT
70 PINE STREET, BRACEBRIDGE, ONTARIO P1L 1N3
Telephone (705) 645-2231 OR 1-800-461-4210 (705 area code) Fax (705) 646-2207
www.muskoka.on.ca

February 6, 2013

Ms. Denise Corry
Town of Huntsville,
37 Main Street, P.O. Box 2700
Huntsville, Ontario,
P0A 1K0

VIA FAX ONLY

Dear Ms. Corry:

RE: CONSOLIDATED COMMENTS
Consent Applications B/43-45/12/HTE (Logagianes)
Zoning Application Z/37/12/HTE
Part of Lots 10 and 11, Concession 9
Chaffey, Town of Huntsville

Recommendation

District staff would not be opposed to the approval of the applications.

Notice of Committee and Council's decisions respecting the above noted application is requested.

Analysis

The subject property is located within the "Waterfront" designation of the Muskoka Official Plan. It is our understanding the above noted consent applications would create three new waterfront lots together with a right-of-way in favour of the severed lots. The zoning by-law amendment application would rezone the shoreline area from a Shoreline Residential Five zone to a Shoreline Residential Two zone, and the rear portion of the property to a Rural Two zone.

The Ministry of Natural Resources has identified "Unknown" fish habitat along the entire frontage of the proposed waterfront lots. As there is a reasonable expectation that waterfront properties will have water access and include shoreline structures, in these cases the Ministry recommends the completion of a fisheries habitat assessment to ensure that any fish habitat is protected in accordance with provincial and federal requirements.

Also, a review of the species occurrence data provided by the Natural Heritage Information Centre (NHIC) has confirmed that the subject lands may contain sensitive species habitat. It is recommended that the Ministry of Natural Resources be consulted to ensure that any proposed development will not have any negative impacts on potential species at risk habitat.

Lastly, the severed lots 1, 2 and 3 have no frontage on a public road and, accordingly, they are not eligible to receive curbside collection service. Consideration should be given to the creation of an easement on the retained lot immediately adjacent to South Waseosa Lake Road in favour of severed lots 1, 2 and 3 for a space for setting out garbage and recyclables.

Yours truly,

Taylor Elgie, B.A. (Hons)
Planner

Engineering and Public Works
Department



January 23, 2013

File Nos.: Z/37/2012/HTE
B/43/44/45/2012/HTE

Re: Application for Rezoning & Consent
Logagianes
Part of Lots 10 and 11, Concession 9
Geographic Township of Chaffey

SYNOPSIS OF PROPOSAL: The proposal is to create three new shoreline residential lots.

The property is located at 1479 South Waseosa Lake Rd.

Comments are requested by February 5, 2013. Should you have any questions, please contact kirstin.maxwell@huntsville.ca

Kirstin Maxwell, Planner

Comments / Conditions:

The Fire Department has reviewed the above reference file in relation to existing policies and procedures and would comment as follows:

- No objection
- No objection to the conditions identified below being included in any approval.
- Have concerns and/or issues as identified below which are to be addressed prior to further consideration.
- Recommend denial of the application based on the reasons identified below.

Conditions / Issues / Reasons for Denial:

Due to number of lots (more then 3) it would this road way will require a number for civic addressing purposes.

Road way will have to be built to 3.2.5 of OBC to provide acess for fire services.

Signed: Stephen Hernen Date: Jan 23/13

Circulation:



January 23, 2013

File Nos.: Z/37/2012/HTE
B/43/44/45/2012/HTE

Re: Application for Rezoning & Consent
Logagianes
Part of Lots 10 and 11, Concession 9
Geographic Township of Chaffey

SYNOPSIS OF PROPOSAL: The proposal is to create three new shoreline residential lots.

The property is located at 1479 South Waseosa Lake Rd.

Comments are requested by February 5, 2013. Should you have any questions, please contact kirstin.maxwell@huntsville.ca

Kirstin Maxwell, Planner

Comments / Conditions:

The Public Works Department has reviewed the above reference file in relation to existing policies and procedures and would comment as follows:

- No objection
- No objection to the conditions identified below being included in any approval.
- Have concerns and/or issues as identified below which are to be addressed prior to further consideration.
- Recommend denial of the application based on the reasons identified below.

Conditions / Issues / Reasons for Denial:

Signed: Brandon Hall Date: Jan 29, 2013

Circulation:

- CAO Fire Dir. Public Infrastructure
- CBO 911



January 23, 2013

File Nos.: Z/37/2012/HTE
B/43/44/45/2012/HTE

Re: Application for Rezoning & Consent
Logagianes
Part of Lots 10 and 11, Concession 9
Geographic Township of Chaffey

SYNOPSIS OF PROPOSAL: The proposal is to create three new shoreline residential lots.

The property is located at 1479 South Waseosa Lake Rd.

Comments are requested by February 5, 2013. Should you have any questions, please contact kirstin.maxwell@huntsville.ca

Kirstin Maxwell, Planner

Comments / Conditions:

The Corporate Information / 911 Department has reviewed the above reference file in relation to existing policies and procedures and would comment as follows:

- No objection
- No objection to the conditions identified below being included in any approval.
- Have concerns and/or issues as identified below which are to be addressed prior to further consideration.
- Recommend denial of the application based on the reasons identified below.

Conditions / Issues / Reasons for Denial:

The private right of way to these 3 new lots will have to be named for 911 purposes and proper signage must be posted. Please submit proposed road names to the Corporate Information Department for review. The neighboring property at 1523 S WASEOSA LK RD, will also require an address change to reflect this new road name.

Signed: Margaret Stead Date: Feb. 1, 2013



January 23, 2013

File Nos.: Z/37/2012/HTE
B/43/44/45/2012/HTE

Re: Application for Rezoning & Consent
Logagianes
Part of Lots 10 and 11, Concession 9
Geographic Township of Chaffey

SYNOPSIS OF PROPOSAL: The proposal is to create three new shoreline residential lots.

The property is located at 1479 South Waseosa Lake Rd.

Comments are requested by February 5, 2013. Should you have any questions, please contact kirstin.maxwell@huntsville.ca

Kirstin Maxwell, Planner

Comments / Conditions:

The **Building** Department has reviewed the above reference file in relation to existing policies and procedures and would comment as follows:

- No objection
- No objection to the conditions identified below being included in any approval.
- Have concerns and/or issues as identified below which are to be addressed prior to further consideration.
- Recommend denial of the application based on the reasons identified below.

Conditions / Issues / Reasons for Denial:

If the lots are intended to be used for single family dwellings, as aposed to cottages, the road will need to be upgraddad and assumed by the Town.

Signed: MJG Date: Jan,23, 2013

Circulation:

CAO Fire Dir. Public Infrastructure

Kirstin Maxwell

From: Willison, Rebecca [rcrockford@muskoka.on.ca]
Sent: Thursday, January 31, 2013 11:48 AM
To: Kirstin Maxwell
Subject: RE: Jessop

Kirsten,

Jessop Lake is not currently considered Over Threshold under the District's Official Plan (Appendix K). The lake is considered to be Moderately Sensitive for phosphorus and subject to the policies outlined in section F of the OP (F. 25). If the status of a lake were to change, the Municipality would be notified by the District, as would the lake association, if one exists.

While the current 10-year average for Jessop Lake is 15 ug/L and above the threshold value of 14.4 ug/L, that is not enough for the lake to be listed as Over Threshold. As outlined in section 10.6.4.6 'Lakes Over the Acceptable Threshold for Phosphorus' of the report 'Recreational Water Quality Management in Muskoka' (<https://muskoka.civicweb.net/Documents/DocumentList.aspx?ID=4833>), there are two criteria that must be met:

1. Total phosphorus concentration, as estimated by the Muskoka Water Quality Model, exceeds the "Background + 50%" threshold, and
2. Long-term measured total phosphorus concentration, as determined by the DMM monitoring program, also exceeds "Background + 50%."

The Lake Data Sheet for Jessop Lake is available at <http://www.muskokawaterweb.ca/images/lids/Jessop.pdf>. Please note that the Water Quality Model is currently under review and it is possible that classifications may change once it is finalized. However, I can't tell you whether Jessop Lake would change or not.

Thanks,
Rebecca Willison
Watershed Planning Technician
District Municipality of Muskoka

From: Kirstin Maxwell [Kirstin.Maxwell@huntsville.ca]
Sent: January 31, 2013 11:13 AM
To: Willison, Rebecca
Subject: Jessop

Hello,

I have an application for severance on Jessop Lake and the lake association is telling me that the lake is considered 'over-threshold'. This does not appear to be the case, as per the District OP, and am wondering if you could confirm for me what exactly the lake is considered. The 2010 data does not appear to be over threshold, but the lake assoc. is quite insistent and I need something confirming exactly what the data shows. All help is appreciated. If the lake health changes who notifies us to amend our OP??

Kirstin Maxwell, BA | Planner
Town of Huntsville | Town Hall | 37 Main Street East
(705) 789-1751 ext 2351 | 1-888-696-4255 ext 2351 | TTY - 705-789-1768
www.huntsville.ca

Please consider the environment before printing this email

This E-mail message (including attachments, if any) is intended for the use of the individual or entity to which it is addressed and

may contain information that is privileged, proprietary, confidential and exempt from disclosure. If you are not the intended recipient, you are notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, please notify the sender and erase this E-mail message immediately.

Kirsten,-

Yes, as noted on that data sheet you forwarded the threshold is 14.4ug/L and the long-term 10 year average is 15ug/L.

In order to be classed as OT, both the long term average and the LSHP modelled projection must exceed the threshold. (2010 Lake System Health Monitoring Program Year End Report, District of Muskoka, P.25)

The modeled value can be found on Page 3 of Appendix 3 (Sensitivity Assessment and Threshold Calculation) of the document "Recreational Water Quality Management in Muskoka" by Gartner-Lee in 2005. I enclose a copy of that for your convenience, and you can see Jessop is modelled at 15ug/L.

So Jessop meets both criteria as OT.

Please also note that the 2001 peak shown on that 2010 data sheet you forwarded was considered as a possible "outlier" in the 2008 study by Gartner-Lee, but was determined to be valid data.

Gartner-Lee does list Jessop among the lakes that are very difficult to model (as it is shallow and does not stratify). Also, the lake is not sampled very often by the District -- once every 3 years seems to be their schedule for that lake. Couple this with the wildly fluctuating water level, that depends upon the current beaver activity, and the 3-year "spot checks" become less and less reliable as an accurate indicator. However, anecdotal data collected from "local experts" -- ie: long term residents who have direct experience with the water conditions spanning decades, indicates that the water quality is indeed poor based on indicators such as the state of the ecosystem.

Dwayne Verhey,
Secretary, LWRA
705-788-3693 (voice)
705-788-9126 (fax)
secretary@lwra.net

On 31/01/2013 8:54 AM, Kirstin Maxwell wrote:

> Hi Dwayne - I reviewed the lake health data that was provided on the
> DMM website, and it shows that in 2010 Jessop was not over threshold.
> I have contacted Judi Brouse for more information but at this point
> have not heard back from her. Have you reviewed the attached? If the
> lake was considered over threshold then the OP policies as noted in
> Section 3.5.4 would kick in. Once I hear back from District I will let you know.
>
> Kirstin Maxwell | Planner
>
> (705) 789-1751 ext 2351
>
> www.huntsville.ca
>
> -----Original Message-----
> From: LWRA Secretary [mailto:secretary@lwra.net]

> Sent: Thursday, January 24, 2013 2:45 PM
> To: Kirstin Maxwell
> Subject: Re: Planning application
>
> Kirsten,-
>
> Thankyou for the information. I have passed it on to the Board and
> area
>
> residents. We will compile a response in the near future, based on the
>
> resident's input.
>
> However, in advance of that: Are you aware that according to the 2010
>
> Lake System Health Plan data, Jessop (Jingo) is over-threshold? Is
> that
>
> not supposed to trigger the Holding provision on development around
> the
>
> lake under the Huntsville Zoning By-law?
>
> Dwayne Verhey,
>
> Secretary, LWRA
>
> 705-788-3693 (voice)
>
> 705-788-9126 (fax)
>
> secretary@lwra.net

PAUL LEONARD KEIGHLEY
924 WAYNE DR
NEWMARKET, ON L3Y5T8

SIDNEY M BRENNAND
26 BROOKE AVE
TORONTO, ON M5M2J6

STEPHEN LEONARD CRESS
4015 AURORA LLOYDTOWN RD
KETTLEBY, ON LOG1J0

STEPHEN RUSSELL HALL
959 MUSKOKA RD 3 N
HUNTSVILLE, ON P1H1E2

JAMES LOGAGIANES
KAREN TERESA LOGAGIANES
PO BOX 5474
HUNTSVILLE, ON P1H2K8

Exhibit A

AGNES A BROWN
3963 SOUTHWINDS CRT
LONDON, ON N6P1E6

ALLAN ROSS MACLEAN
C/O 1936 MELBOURNE ST
SUDBURY, ON P3A4Y4

ANN LUCILLE BENNETT
204 - 86 ONTARIO ST S
MILTON, ON L9T2M7

ASSOCIATION CANADIAN DIABETES
CAMP HURONDA
C/O KELLY MATHEWS, DIRECTOR
NORTH YORK, ON M2J4Y8

BARRY JOHN HALL
GLEN ROBERT HALL
117 WHISPERING PINE TRAIL
AURORA, ON L4G4X8

CARL JAMES NELSON
SUZETTE DONNA MARIE NELSON
1569 SOUTH WASEOSA LK RD
RR 5
HUNTSVILLE, ON P1H2N5

CLINTON TODD DAVIS
15 CLEARVIEW ST
GUELPH, ON N1E6C4

DAVID SCOTT GORDON
ROBIN LOUISE GORDON
1438 S WASEOSA LAKE RD
RR5
HUNTSVILLE, ON P1H2N5

GREGORY ALLAN SHARPE
SANDRA MARIE SHARPE
306 MINERAL SPRINGS RD
HUNTSVILLE, ON P1H2N5

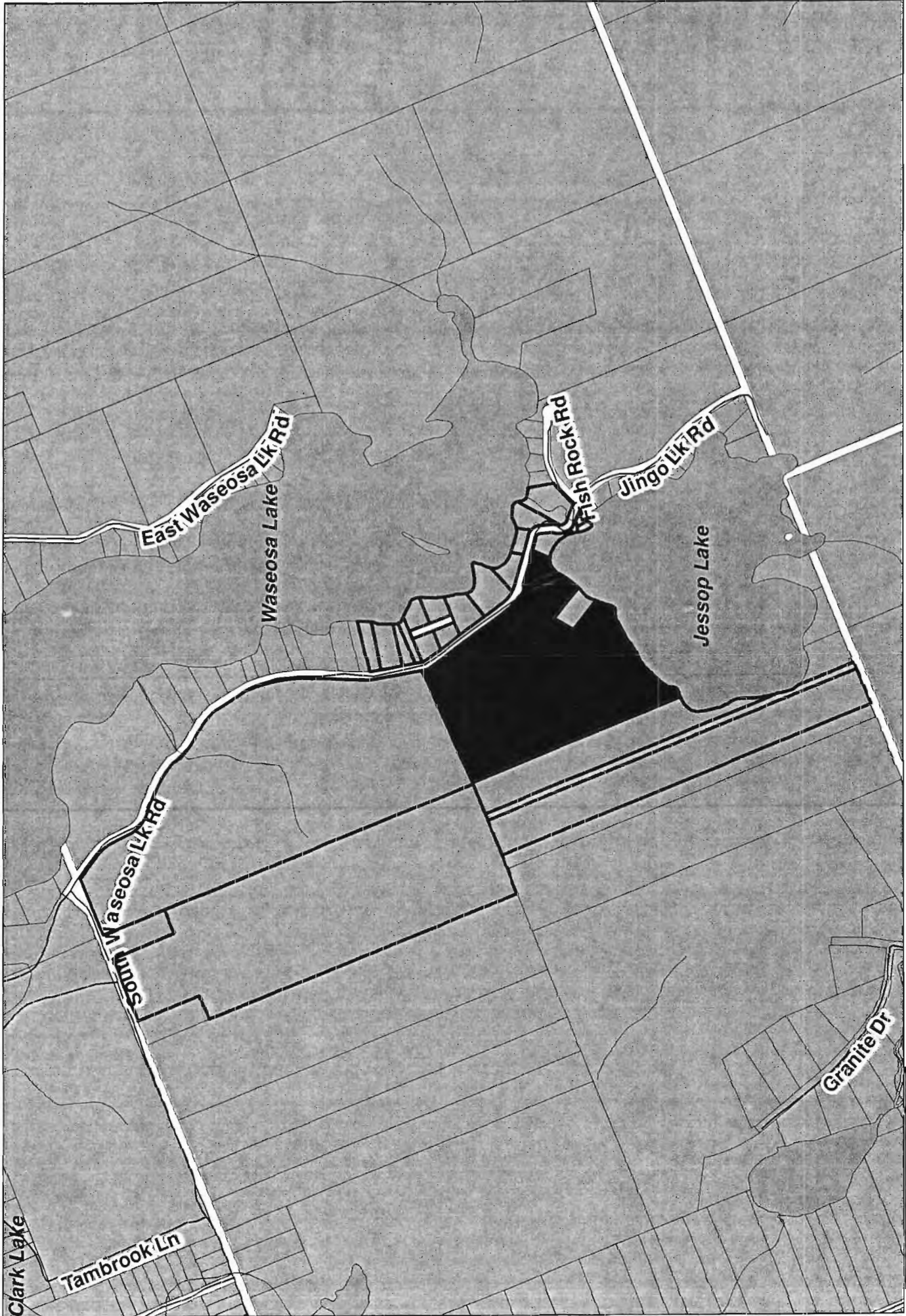
JAMES LOGAGIANES
KAREN TERESA LOGAGIANES
PO BOX 5474
HUNTSVILLE, ON P1H2K8

JOHN GEORGE STOUT
228-124 ELMVIEW ST
WELLAND, ON L3C4K8

JOHN MICHAEL SYMONS
KENNETH EARL OLSEN
54 RUFFET DR
BARRIE, ON L4N0N9

MELISSA LISETTE BROWN
ROBERT THOMAS STUART BROWN
14 SPRING CRESS DR
NEPEAN, ON K2R1A8

MICHAEL JOHN THOMAS
DENISE MARY THOMAS
20 FISH ROCK RD
RR5
HUNTSVILLE, ON P1H2N5



1479 South Waseosa Lake Road



Information may not necessarily be an exact and/or current representation of the actual site conditions. The user is advised to verify all information and to take a field survey for a detailed description of the site.



THE CORPORATION OF THE TOWN OF HUNTSVILLE

In the matter of Section 53 of the Planning Act, R.S.O. 1990, Chapter P.13.

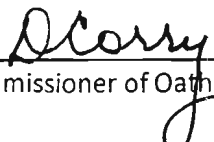
AFFIDAVIT

I, Kirstin Maxwell, of the Corporation of the Town of Huntsville, in the District Municipality of Muskoka, make oath and say as follows:

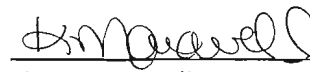
1. I am a Planner for the Corporation of the Town of Huntsville, and have knowledge of the matters hereinafter deposed hereto.
2. On the 24th day of January, 2013, a Notice of Complete Application and Public Hearing was circulated by First Class Mail to all assessed property owners within 122 metres of the subject property. Such Notice made reference to a formal Public Hearing on the 13th day of February, 2013, for the proposed consent, as required by Section 53(5)a) of the Planning Act, R.S.O. 1990, Chapter P.13. Additionally, such Notice was also circulated by Fax to various agencies and interest groups. A copy of the Notice of Public Hearing, Circulation List and Circulation Map are referred to as Exhibit "A" to this, my affidavit. The subject property was also posted.
3. On the 13th day of February, 2013, the Planning Advisory Committee for the Corporation of the Town of Huntsville held a Public Hearing pursuant to Section 53(5) of the Planning Act, R.S.O. 1990, Chapter 13, for the purpose of informing the public in respect of the proposed consent. The minutes of this meeting are included.
4. On the 13th day of February, 2013, the Planning Advisory Committee approved the application.
5. On the 15th day of February, 2013, a copy of the Notice of Decision pursuant to Section 53(17) of the Planning Act, R.S.O. 1990, C. 13, was distributed to all those as noted on Exhibit "B", attached hereto.

Sworn before me
At the Town of Huntsville
In the District Municipality of Muskoka

This 19th day of March in the year 2013.


Commissioner of Oaths

Denise M. Corry, a Commissioner and Clerk,
District Municipality of Muskoka, for the Corporation
of the Town of Huntsville.


Kirstin Maxwell





**NOTICE OF COMPLETE APPLICATION AND A PUBLIC MEETING
CONCERNING A PROPOSED CONSENT AND AN AMENDMENT TO ZONING
BY-LAW 2008-66P, AS AMENDED, TOWN OF HUNTSVILLE
TAKE NOTICE THE PLANNING ADVISORY COMMITTEE
OF THE COUNCIL OF THE TOWN OF HUNTSVILLE
WILL HOLD A PUBLIC MEETING
February 13th, 2013, at 9:00 A.M.
at the Council Chambers, Town Hall, 37 Main Street East, Huntsville**

SYNOPSIS OF PROPOSAL: The proposal is to create three new Shoreline Residential lots. The property is located at 1479 South Waseosa Lake Road.

IN FULFILLMENT of Sections 34 (10.7) and 53(5) of the Planning Act, please be advised that an application has been received concerning a proposed zoning by-law amendment and consent as indicated below.

THE PURPOSE OF THE MEETING IS TO CONSIDER a proposed consent application in the Town of Huntsville, pursuant to the provisions of Section 53 of the Planning Act, 1990 R.S.O. c.P13, as amended, and a proposed amendment to Zoning By-law 2008-66P, as amended, of the Town of Huntsville, pursuant to the provisions of Section 34 of the Planning Act, R.S.O. 1990, as amended.

AN EXPLANATION of the Purpose and Effect of the proposed consent and by-law, describing the lands to which the proposed consent and by-law apply, and a key map showing the location of the lands to which the applications apply accompany this notice.

ADDITIONAL INFORMATION relating to the proposed consent and by-law, including a full scale map, is available from the Planning Department during regular office hours (8:30 a.m. - 4:30 p.m.) Telephone (705) 789-1751 (Ext. 2351).

ANY PERSON OR AGENCY may attend and provide representation at the public meeting and/or hearing and/or make written representation prior to the public meeting and/or hearing, either in support of, or in opposition to, the proposed consent or by-law.

IF A PERSON OR PUBLIC BODY does not make oral submissions at a public meeting or make written submissions to the Planning Advisory Committee in respect of the proposed consent before the approval authority gives or refuses to give approval to the provisional consent, or before the by-law is passed, the person or public body is not entitled to appeal the decision of the Planning Advisory Committee or Council of the Town of Huntsville to the Ontario Municipal Board.

IF A PERSON OR PUBLIC BODY does not make oral submissions at the public meeting or make written submissions to the Planning Advisory Committee in respect of the proposed consent before the approval authority gives or refuses to give approval to the provisional consent, or to the Town of Huntsville before the proposed zoning by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

IF YOU WISH TO BE NOTIFIED of the decision of the Huntsville Planning Advisory Committee in respect of the proposed consent(s), you must make a written request to the Huntsville Planning Advisory Committee at 37 Main Street East, Huntsville, Ontario, P1H 1A1.

DATED at the Town of Huntsville this 24th day of January, 2013.

DENISE CORRY, CLERK



**EXPLANATION OF THE PURPOSE AND EFFECT
OF THE PROPOSED CONSENT AND ZONING AMENDMENT
B/43/44/45/2012/HTE & Z/37/2012/HTE (Logagianes)**

Applications have been made for consent (B/43/44/45/2012/HTE) and for rezoning (Z/37/2012/HTE) on lands located on Part of Lots 10 and 11, Concession 9, Geographic Township of Chaffey. The proposal is to create 3 new shoreline residential lots. Each of the proposed severed lots would have a minimum of 76m (250ft) of frontage on Jessop Lake, and a minimum area of 1ha (2.6ac). The severed lots would be accessed via a 20m (66ft) wide right-of-way over the retained lands. The retained lot is developed with a single family dwelling and would have approximately 183m (600ft) of frontage on Jessop Lake, 442m (1450ft) of frontage on South Waseosa Lake Road and 16.5ha (42ac) in area. The zoning amendment would change the zoning on the severed lands to recognize the new lot area and frontages. The zoning on the retained lands would change to Rural Two and Shoreline Residential Two.





DECLARATION

March 18th, 2013

I, Kirstin Maxwell, Planner, Town of Huntsville, do hereby swear that the decision made by the Planning Advisory Committee on February 13th, 2013

- is consistent with the policy statements issued under subsection 3(1) of the Act;
- conforms to or does not conflict with any applicable provincial plan or plans; and
- conforms to the Official Plans of the Town of Huntsville and the District Municipality of Muskoka

Commissioner

*Denise M. Corry, a Commissioner and Clerk,
District Municipality of Muskoka, for the Corporation
of the Town of Huntsville.*

Kirstin Maxwell



3 ENVIRONMENT

3.1 *Environmental and Landscape Conservation*

- | | |
|--|---|
| Landform
Conservation | 3.1.1 The conservation of the overall natural landscape, tree cover and vegetation will preserve the natural appearance, character and aesthetics of the area and protect the natural heritage of the Town. Natural features provide economic, environmental and social benefits. They contribute to the conservation of biological diversity, to the maintenance of the quality of the air, land and water, and are critical elements of the quality of life in Huntsville. |
| Environmental
Protection | 3.1.2 Environmental protection, conservation and effective resource management are important to the future of the Town. Elements of the natural and man-made environment require protection, management or special regard. Environmentally sensitive areas or areas of natural geological, historical or archaeological interest identified on Schedule "D" or Appendices 1 to 4, or through the review of a development application shall be protected for their important values. |
| Land
Management | 3.1.3 Land management practices that reduce and minimize the use of chemicals, compounds, pesticides and nutrients for the treatment of land or vegetation will be encouraged, including through non-regulation means, particularly adjacent to a lake or watercourse. |
| Scenic
Character | 3.1.4 Important scenic sites as well as the scenic character of road, pedestrian, river, lake, boating and portage routes should be preserved and development should occur in a manner that maintains those scenic values. |
| Natural
Watercourses | 3.1.5 Natural watercourses should be retained in their natural form. All required approvals will be obtained prior to any alteration. |
| Landscape
Features | 3.1.6 Significant natural landscape features such as watercourses, heights of land, rock faces or cliffs, waterfalls, rapids, beaches, vistas and panoramas, and landmarks should be conserved. Development should be located and designed to protect these features. Where feasible, dedication or acquisition of such land for the purpose of conservation is encouraged. Conservation easements will be promoted to protect these features. |
| Identification of
Natural
Features | 3.1.7 This Plan has not identified all of the significant natural features which exist within the Town of Huntsville. Where there is concern that such features exist, and as part of the development review process, a site-specific evaluation may be required to be carried out by a qualified individual before approvals are given, to determine the potential location of natural features. In particular, areas of endangered or threatened species habitat and other significant habitat shall be identified and protected from incompatible development. |

Site Alteration

3.1.8 Development and site alteration should be directed away from identified natural areas. Such lands, due to their environmental constraints to development and significance to the ecosystem, should be conserved

Adjacent Lands

3.1.9 Development may occur on lands adjacent to a natural feature provided the change in land use does not negatively impact the attributes or functions of the natural feature. The extent of these features may be based on recommendations in technical reference manuals or on approaches applied by the Town to achieve specific objectives.

Development Control

3.1.10 All or portions of natural areas identified on Schedule "D" may be included in new lots provided that such features can be protected to the satisfaction of the Town in consultation with the authority having jurisdiction. Where required, appropriate development control techniques shall be used to ensure that identified natural features are protected.

Setbacks

3.1.11 Building setbacks and/or vegetative protection areas may be imposed from the boundary of a natural feature. Such setbacks may be established by the Town in consultation with the authority having jurisdiction.

Conservation

3.1.12 There will be cases where the impact of a proposal cannot be sufficiently reduced by siting, buffering or altering the terrain. In such cases uses may be limited to conservation and hazard protection uses.

3.2 Natural Vegetative Buffers

Tree Cover

3.2.1 Regeneration or restoration of tree cover or the restoration of a buffer using native species will be encouraged.

Natural Vegetation Buffer

3.2.2 Where a natural vegetative buffer is required by this Plan, the removal of vegetation, including the ground, shrub or canopy layers, or the disruption of the natural landform or soil mantle will be restricted.

3.3 Water Resources

Water Quality and Quantity Protection

3.3.1 The Town recognizes the importance of maintaining and improving the quality and quantity of groundwater and surface water. As such, the function of watercourses and sensitive ground water recharge/discharge areas, aquifers and headwater areas will be protected or enhanced. Such sensitive areas may include:

- a) lakes, rivers and streams;
- b) wetlands;
- c) areas with high water tables;
- d) recharge/discharge areas;
- e) areas with soils which are unable to sustain sewage disposal systems;

- f) areas of exposed bedrock; and,
- g) municipal intake protection zones and wellhead protection areas.

Environmental
Impact Studies

3.3.2 Development applications shall be supported by an Environmental Impact Study (EIS) where required by the Town and where there may be an impact on ground or surface water resources. The EIS, among other matters, will address the impacts of development on ground or surface water resources to the satisfaction of the authority having jurisdiction.

No Adverse
Effect on Water
Resources

3.3.3 Development shall not be permitted where it would have an adverse effect on surface or groundwater resources. The submission of the necessary reports (i.e. Hydrogeological, Site Evaluation) may be required to demonstrate how the proposed development will affect surface or groundwater resources to the satisfaction of the authority having jurisdiction.

Watercourse
Setbacks

3.3.4 Development and site alteration will be set back from the lakes, rivers and streams within the Town in order to protect their natural features and functions, provide riparian habitat, and minimize the risk to public safety and property. The setback distance shall be determined on site in consultation with the appropriate approval authorities. In general, development and site alteration should be set back a minimum of 20 metres (66 feet) from watercourses.

3.4 Wetlands

Wetland
Definition

3.4.1 Wetlands are defined as land that is seasonally or permanently covered by shallow water, as well as land where the water table is close to or at the surface, and where the presence of abundant water has caused the formation of hydric soils and favours the dominance of either hydrophytic plants or water tolerant plants. This includes swamps, marshes, bogs and fens.

Natural
Resource

3.4.2 Wetlands are an important natural resource. They maintain and improve water quality; help control flooding; provide habitat for fish and wildlife; provide conditions for a wide variety of vegetation (including rare and unusual species); and contribute to the social and economic benefits related to hunting, fishing, wildlife viewing and appreciation of nature.

Provincially
Significant
Wetlands

3.4.3 Four Provincially Significant Wetlands are located in the Town, and are identified on Schedule D:

- a) Axe Lake Wetland
- b) Big East River Delta Wetland
- c) Novar Bog Wetland
- d) Siding Lake

Locally Significant Wetlands

3.4.4 Appendices 1 to 4 identify locally significant wetlands in the following categories:

- natural resource zone; and,
- wetlands

Development Restriction

3.4.5 Development and site alteration is not permitted within a Provincially Significant Wetland.

Adjacent Lands

3.4.6 Prior to consideration being given for development of lands adjacent to provincially significant wetlands, an assessment of negative impacts shall be prepared by a qualified wetland specialist.

Permitted Uses

3.4.7 The following uses and their associated structures or site alteration may be permitted within wetlands not identified as Provincially Significant where such uses will not have a negative impact on the natural features or ecological functions of the wetland:

- a) open space and recreational uses that will not result in landform alteration, or require substantial removal of vegetation;
- b) uses that will assist in conserving or managing water supplies, wildlife or other natural features or functions;
- c) uses that will use the characteristics of the area for educational or scientific purposes; and,
- d) commercial/economic activities based on resource features. (i.e. harvesting of wild rice, bait fish, bull frogs, etc.)

Compatible Development

3.4.8 Limited and compatible development may be permitted adjacent to wetlands where the integrity of the wetland can be preserved, and it is demonstrated that the lot is suitable for development as determined in a wetland evaluation, as required by the Town. In these cases, lots shall be large enough to accommodate the access and a suitable area for development entirely outside of the wetland. Measures will be implemented to protect the wetland area from site alteration, particularly with respect to the placement of fill, the removal of vegetation, or alteration of drainage.

3.5 Recreational Water Quality

3.5.1 Definition and Application

Recreational Water Quality

3.5.1.1 The Town recognizes the importance of the recreational water quality of its lakes and rivers. Recreational water quality is modelled and monitored by the District of Muskoka as one measure of a lake's capacity to sustain development. The Town has a significant interest in the water quality of its lakes and watercourses, and supports the Recreational Water Quality Management program.

Lake System Health Program

3.5.1.2 The recreational water quality program is a component of the Lake System Health program developed by the District Municipality of Muskoka. The Lake System Health Program is a comprehensive approach using land use policies and stewardship initiatives to protect the water quality and lake environment of Muskoka.

Lake Sensitivity

3.5.1.3 The District has classified lakes as having high, moderate or low sensitivity to phosphorus. The sensitivity of a lake to nutrient inputs can change over time and is dependent upon the responsiveness of a lake to phosphorus and the mobility of phosphorus within the watershed. Where phosphorus loading to a lake exceeds 50% of the natural background phosphorus load, the lake is considered as being "Over Threshold" for phosphorus loading.

Lake Classifications

3.5.1.4 Lake classifications as of September, 2006 are as follows. Any lakes not listed are assumed to be of moderate sensitivity to phosphorus unless otherwise identified by the District of Muskoka. The symbol "(OT)" denotes that the lake is also over threshold for phosphorus loading. This symbol may be added or deleted without amendment to this plan.

High Sensitivity						
Buchanan	Trackler	Tucker				
Moderate Sensitivity						
Axe	Beatty	Bing	Buck	Chain	Chub	Clearwater (OT)
Devine	Dunn	Fairy	Fawn	Fleming	Fox	Groves
Harp	Henderson	Jessop	Lake of Bays	Lamberts	Lancelot	Lena
Little Arrowhead			Lynch	Lynx	Mainhood	Mary
Mathews	Montgomery	Muskoka River	Onawan	Otter	Oudaze	Palette
Palmer	Penfold	Peninsula	Perch	Ripple	Rose	Sims
Slocumbe	Skeleton	Spider	Stinking	Toms	Tongva	Upper Twin
Vernon	Weeduck					
Low Sensitivity						
Arrowhead	Clark	Golden City	Long's	Menominee	Siding	Waseosa

Remediation

3.5.1.5 The Town supports the principle of improving water quality through remediation and stewardship activities.

No Negative Impact

3.5.1.6 The underlying principle in implementing the Lake System Health Program is that there will be no negative impact to water quality. In order to achieve this objective, a more controlled approach to development is required which involves retention of vegetation, especially along the shoreline, and reduction of overland flow through stormwater management and construction mitigation.

No Impairment to Water Quality

3.5.1.7 New lot creation, development or redevelopment will only be permitted to proceed where it is determined that the water quality of the lake will not be further impaired. The following policy framework is structured to address the sensitivity of lakes to development.

3.5.2 Provisions Affecting All Lakes

Mitigation
Measures

3.5.2.1 In addition to the provisions of Section 8, on lands adjacent to all lakes in Huntsville, the following mitigation measures are encouraged in order to protect water quality:

- a) Public lands, including Crown lands, should not be disposed of to facilitate new development, except as specifically provided for elsewhere in this Plan; and
- b) The use of enhanced septic systems with demonstrated ability to bind phosphorus is encouraged.

30 metre
Setback for Tile
Beds

3.5.2.2 On all lands adjacent to all lakes in Huntsville, a minimum 30 metre setback will be required for septic tile beds and mantles. Where this is not feasible, an enhanced septic system with demonstrated ability to bind phosphorus will be required.

Site Plan
Control

3.5.2.3 The following factors will be addressed through the use of site plan control on shoreline properties:

- a) appropriate location of buildings, structures and sewage disposal systems;
- b) retention or restoration of a natural vegetative buffer to prevent erosion, siltation and nutrient migration;
- c) maintenance and establishment of tree cover and vegetation on the lot wherever possible;
- d) proper location and construction of road and pathways, including use of permeable materials; and
- e) implementation of storm water management and construction mitigation techniques, including proper re-contouring, discharging of roof leaders, use of soak away pits and other measures to promote infiltration.

3.5.3 Provisions Affecting High Sensitivity Lakes

High Sensitivity
Lakes – Lands
Not Zoned

3.5.3.1 Lot creation and development of shoreline lots not zoned for the proposed use on private services shall comply with the following:

- a) Where lot creation or development of shoreline lots that require rezoning for the intended use is proposed on private services, the lot creation or development may only proceed by way of an Official Plan and zoning by-law amendment and where a water quality impact assessment, undertaken and implemented to the satisfaction of the District of Muskoka and the Town of Huntsville demonstrates that the development can proceed without impacting water quality and which outlines the circumstances under which development should occur.

- b) The water quality impact assessment shall consist of the following main elements at a minimum:
 - o Site condition analysis to determine if the required conditions exist on site so that development can occur in a manner that will ensure the protection of water quality and shall include analysis of the site and surrounding area, soil characteristics, and vegetation cover;
 - o Identification of recommended building and septic system envelope and mitigation measures, including but not limited to, detailed construction mitigation plans, shoreline setbacks and buffers, measures for protecting natural vegetation, stormwater management and monitoring of the vegetative buffer and stormwater mitigation measures until such time as construction is complete and an occupancy permit is issued.
- c) The recommendations of the Water Quality Impact Assessment report are required to be implemented through a zoning amendment, in 51(26) agreements under the Planning Act and site plan agreements.
- d) The use of an enhanced septic system with demonstrated ability to bind phosphorus will be required.

High Sensitivity
Lakes – Vacant
Lots

3.5.3.2 Development of vacant lots zoned for the proposed use on private services shall comply with the following:

- a) Where development of a vacant lot zoned for the intended use is proposed on private services, a site evaluation report is required that identifies the recommended building and septic system envelope and mitigation measures, including but not limited to, detailed construction mitigation plans, shoreline setbacks and buffers and measures for protecting natural vegetation and stormwater management.
- b) The recommendations of the Site Evaluation report are required to be implemented in site plan agreements.
- c) The use of an enhanced septic system with demonstrated ability to bind phosphorus will be required.

High Sensitivity
Lakes – Zoned
Lots

3.5.3.3 Redevelopment where lots are zoned for the proposed use on private services shall comply with the following:

- a) Redevelopment will only be permitted where it is demonstrated that no further negative impacts will result on water quality.

- b) Where the requirements for buffers and septic system setbacks cannot be met due to site constraints, an overall net gain shall be achieved through the reestablishment of the maximum possible buffers and setbacks and the use of an enhanced septic system with demonstrated ability to bind phosphorus, where an existing private system is required to be expanded or replaced.
- c) A net reduction of nutrient loading to the lake will be required for all commercial redevelopment.

3.5.4 Provisions Affecting Over Threshold Lakes

Over Threshold Lakes – Lands Not Zoned
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3.5.4.1 Lot creation and development of lots that require rezoning for the proposed use shall comply with the following:

- a) Prior to the consideration of any lot creation or the development of lots not zoned for the proposed use on lakes determined to be Over Threshold, a site alteration and tree conservation by-law will be in effect.
- b) Where municipal services are not available on High Sensitivity Lakes, further lot creation will not be permitted.
- c) On Moderate and Low Sensitivity Lakes determined to be Over Threshold, lot creation on private services may only proceed by way of official plan and zoning by-law amendment and where a water quality impact assessment, undertaken and implemented to the satisfaction of the District of Muskoka and the Town of Huntsville demonstrates that the development can proceed without impacting water quality and outlines under what circumstances the development should proceed.
- d) Water quality impact assessments shall consist of the following main elements, at a minimum:
 - o Site condition analysis to determine if the required conditions exist on site so that development can occur in a manner that will ensure the protection of water quality and shall include analysis of the site and surrounding area, soil characteristics where a private septic system is proposed, and vegetation cover;
 - o Identification of recommended building and, where applicable, septic system envelope and mitigation measures, including but not limited to, detailed construction mitigation plans, shoreline setbacks and buffers, measures for protecting natural vegetation, stormwater management and monitoring of the vegetative buffer and stormwater mitigation measures until such time as construction is complete and an occupancy permit is issued and every three years

thereafter until the lake is no longer classified as being Over Threshold.

- e) The recommendations of the water quality impact assessment are required to be implemented through the zoning amendment, in 51(26) agreements under the Planning Act and site plan agreements.
- f) The use of an enhanced septic system with demonstrated ability to bind phosphorus will be required.

Over Threshold
Lakes – Vacant
Lots

3.5.4.2 Development of vacant lots zoned for the proposed use on private services shall comply with the following:

- a) The development of existing vacant lots on private services that are zoned for the intended use may only proceed provided that a site evaluation report is submitted and implemented to the satisfaction of the District of Muskoka and the Town of Huntsville that identifies the recommended building and septic system envelope and mitigation measures, including but not limited to, detailed construction mitigation plans, shoreline setbacks and buffers and measures for protecting natural vegetation and stormwater management.
- b) Recommendations of this report will be implemented in site plan agreements or development permits.
- c) The use of an enhanced septic system with demonstrated ability to bind phosphorus will be required.

Over Threshold
Lakes – Zoned
Lots

3.5.4.3 Redevelopment where lots are zoned for the proposed use on private services shall comply with the following:

- a) Redevelopment on private services will only be permitted where it is demonstrated that no further negative impacts will result on water quality.
- b) Where the requirements outlined above cannot be met, an overall net gain shall be achieved through the reestablishment of buffers and setbacks and the use of phosphorus abatement septic system technologies, where an existing private system is required to be expanded or replaced.
- c) Site plan agreements or development permits will be required to implement buffers, stormwater management techniques and to identify building envelopes.
- d) A net reduction of nutrient loading to the lake will be required for all commercial redevelopment.

3.6 Floodplain Management

Flood Plain
Management

3.6.1 The Town recognizes the importance of effective flood plain management in order to prevent loss of life, property damage, and social disruption in the event of a regulatory flood. In general, development will be directed to areas outside of hazardous lands adjacent to the lakes, rivers and streams that would be impacted by flooding.

Big East River

3.6.2 The potential for development in the flood plain of the Big East River has been assessed through a detailed engineering "two zone" study. The "two zone" study determined that the only locations in which new development should be permitted within the flood plain were the areas identified as flood fringe. New development may be permitted within the flood fringe provided that it has safe access, all new buildings and additions are adequately flood-proofed, and adequate provisions are made for the safe disposal of sewage. Development in the floodway is inappropriate. Filling in the floodway is prohibited because of the potential for off-site impacts. Boathouses are prohibited within the floodway.

Development
Restrictions
below the
Regulatory
Flood Elevation

3.6.3 No new development, expansion of existing uses and/or site alteration (i.e. filling) should be permitted below the regulatory flood elevation. Exceptions to this requirement would be to permit structures necessary for flood and/or erosion control works or structures such as non-habitable boathouses which by their nature must be located below the regulatory flood elevation. Expansion of existing buildings or structures that do not increase the footprint of the building may be permitted.

Wave Uprush

3.6.4 Where regulatory flood elevations have been established on a lake, beyond the stillwater flood elevations, modifications to the wave run-up factor may be considered on the recommendation of a site-specific engineer's report recommending a lesser factor for wave uprush, since the identified factor is based on the maximum fetch of the lake, and the actual fetch would vary throughout the lake. However development shall not occur below the Stillwater Flood Elevation. Flood elevations shall be identified in the Zoning By-law.

Zoning

3.6.5 The flood limits for streams and other watercourses where the flood limit is based on air photo interpreted lines shall be identified as hazard lands (or other limited development designation) in the zoning by-law.

New Lot
Creation

3.6.6 New lot creation shall not be permitted where there is inadequate building space outside of the flood plain or where access/egress is not safely available during times of flooding.

Flood Proofing
in the Central
Business
District

3.6.7 Within the area known as "Brendale Square" in the Central Business District in the Huntsville Urban Settlement Area, development is not generally permitted below the regulatory flood elevation. However, development may be considered on the recommendation of a site-specific engineer's report, but in no case should the site-specific level of

protection (i.e. building openings) be below the defined Stillwater elevation.

3.7 Fish Habitat

- | | |
|------------------------------|--|
| Fish Habitat | 3.7.1 Fisheries and fish habitat are recognized as a valuable resource in the Town and protection of habitat is supported. |
| Site Alteration | 3.7.2 Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements. |
| Integrity of Fish Habitat | 3.7.3 Appropriate planning tools shall be used to protect and ensure that the integrity of fish habitat is maintained, as well as to implement the recommendations of any required fish habitat impact assessments. Among various approaches, these may include: <ul style="list-style-type: none">a) increasing lot frontages and areas at the time lots are being divided or through zoning requirements;b) imposing increased building setbacks through zoning;c) specific siting of buildings and structures, driveways and pathways through site plan control;d) requiring the retention of shoreline and riparian vegetation in site plan or other agreements;e) requiring that shoreline structures including floating and post docks, or other structures be approved by the authority having jurisdiction;f) improvements to the habitat; andg) limits to dredging, filling and removal of aquatic substrate. |
| Development Setbacks | 3.7.4 Development will be set back from a cold water stream or creek a minimum of 30 metres (100 feet) in the Waterfront and Rural designations and 20 metres (66 feet) in a settlement area designation, unless a fish habitat impact assessment recommends a greater setback or demonstrates that a lesser setback would not have a negative impact on the habitat. A minimum 15 metre (50 foot), natural vegetative buffer located directly adjacent to the shoreline will be maintained within this setback. Cold water streams have been identified on Appendices 1 to 4; more may be identified on specific lake plans or by future research. |
| At Capacity Lake Trout Lakes | 3.7.5 Harp Lake and Peninsula Lake are coldwater lake trout lakes that are considered by the Ministry of Natural Resources to be at its capacity for new development. New lot creation should generally not be approved within 300 metres of Harp Lake or Peninsula Lake. Exceptions could be made under the following circumstances: <ul style="list-style-type: none">• the tile fields on each new lot are set back at least 300 metres from the shoreline of the lake, or such that drainage from the tile fields would flow at least 300 metres to the lake; |

- the tile fields on each new lot are located such that they would drain into the drainage basin of another waterbody, which is not at capacity;
- to separate existing, viable dwellings, each having a separate septic system, provided that the land use would not change.

Conditions of Developments

3.7.6 Under such circumstances, it is recommended that conditions be imposed to:

- Restrict the removal of natural vegetation within 30 metres of the lake, except to accommodate a limited number of paths, water lines, docking facilities and removal of trees posing a hazard;
- Require a minimum 30 metre setback for all buildings and structures (except docking facilities).

3.7.7 Where lot creation is proposed on Harp Lake and Peninsula Lake and a site specific soils investigation has been prepared and is satisfactory to the Town, the following requirements may be implemented through a by-law amendment and in Section 51(26) Planning Act agreements:

- a) Stormwater management report and construction mitigation plan (including phosphorus attenuation measures such as directing runoff and overland drainage from driveways, parking areas, other hard surfaces to soak away pits, infiltration facilities);
- b) Location of the tile-bed, in accordance with the recommendations of the site specific soils investigation;
- c) Require that, if additional fill material is needed for the construction of the tile bed, that it consists of fine to medium grained non-calcareous soils (sediments) showing the presence of aluminum and iron;
- d) Securities in order to ensure that the requirements of the agreements are implemented; and,
- e) Monitoring will be reported to the Town and the Ministry of Environment and will be undertaken in accordance with provincial monitoring requirements.

3.8 Wildlife Habitat

Wildlife Habitat

3.8.1 The Town recognizes the importance and value of wildlife and supports the protection of significant wildlife habitat.

Management of Wildlife Habitat

3.8.2 The protection and management of wildlife habitat including corridors and buffers is fundamental to the maintenance of self-sustaining populations of wildlife. Significant wildlife habitat within Huntsville includes areas where there are:

- a) Seasonal concentrations of animals (i.e. deer wintering areas);

- b) Habitats of vulnerable species and species of conservation concern.

Types of Habitat

3.8.3 In Huntsville, there are three known types of significant wildlife habitats: deer wintering habitat; habitats of vulnerable species; habitats of species of conservation concern. These habitats are shown on Appendices 1 to 4. Development and site alteration may only occur in these areas where development control techniques can be used to protect these features.

Deer Habitat

3.8.4 The removal of vegetation should be minimized. Other controls such as the requirement for a wildlife habitat assessment may be required to properly locate new development and site alteration (buildings, driveways) to ensure that no negative impacts occur to deer habitat. Alternative lot sizes may be appropriate if an evaluation prepared by a qualified specialist indicates that winter deer habitat does not exist (or is not impacted by the alternative lot size).

Assessment

3.8.5 Where required by the Town, an assessment of potential significant wildlife habitat shall be prepared and development proceed only where it can be demonstrated that there will be no significant impact on the habitat.

Development Control

3.8.6 Site Plan Control or subdivision/consent agreements may be utilized to minimize and control the removal of vegetation for buildings, site alteration or accessory activities such as landscaping.

3.9 Endangered and Threatened Species Habitat

Endangered and Threatened Species

3.9.1 The Town recognizes the importance and value of the endangered and threatened species in the Town and supports their protection. However, within the Town, there are currently no known sites of endangered or threatened species.

Development Control

3.9.2 If sites are identified during the review of a development application, appropriate development control techniques shall be used to ensure that identified natural features, or significant portions thereof, are protected, based on site inspection or other information, in consultation with other authorities.

3.10 Forested Lands

Forested Land

3.10.1 The forested landscape and tree/ridge lines should be preserved to the greatest extent possible. A healthy forested landscape is promoted.

Natural Corridors

3.10.2 Restoration and tree planting that would create or re-establish natural corridors, such as river and stream riparian areas or wildlife corridors, is promoted.

3.11 Soil Conservation

Soil
Conservation

3.11.1 The Town will support measures to protect the soils from wind erosion, flooding and other hazards.

3.12 Steep Slopes and Erosion Areas

Steep Slopes

3.12.1 Development will be set back from areas exhibiting steep slopes or active erosion. The setback distance will be determined on site in consultation with the Town.

Identification of
Steep Slopes

3.12.2 Where development is proposed, the degree of slope and slope stability will be confirmed by the Town through site inspection and/or the review of more detailed information submitted in support of a development proposal. Areas where slopes present a constraint to development may also be identified during site inspections or through the submission or review of additional information.

Retention of
Vegetation

3.12.3 Where slopes greater than 20% exist on a property or a portion of a property, natural vegetation will be substantially retained on slopes, before and after construction, particularly those adjacent to a shoreline, on a ridgeline or skyline, in areas where there is minimal soil and vegetative cover, or in areas of unstable slopes or potential erosion.

Slopes between
30 - 40%

3.12.4 The following principles will be implemented for development where slopes are between 30% and 40%:

- a) development on slopes should blend into the natural landscape without substantial site alteration, particularly blasting;
- b) development will not be permitted on a slope where it is subject to erosion and would represent a potential hazard to life or property;
- c) natural environmental features will be protected;
- d) scenic slope faces and cliffs should be preserved;
- e) visual impact should be minimized;
- f) structures will be setback behind the existing tree line;
- g) lots will have sufficient frontage and area to accommodate the development proposed and should be larger than the minimum lot size permitted;
- h) road access can be located in a manner which is safe, minimizes visual impact, minimizes site alteration and addresses storm water management during and after construction;
- i) where only water access is proposed, suitable access will be provided for construction equipment, and where feasible, construction/access corridors should be provided;
- j) a docking location and an access pathway to the dock is available and identified on a shoreline lot; and

- k) tolerance for engineered solutions which affect the natural landscape may be greater for property within a designated community.

Technical Report

3.12.5 Where development is proposed on slopes between 30 and 40%, the Town will undertake a preliminary site inspection and evaluation of the property. Where appropriate, planning tools will be used to implement any necessary mitigation measures. Where necessary, and as determined by the Town, a site evaluation or technical report will be prepared by the proponent to ensure that the property is suitable for development and identify any necessary mitigation measures. All development proposals will, at a minimum, address the following:

- a) establishment of minimum setbacks from the slope or the top of the bank;
- b) locations for a shoreline activity area and particularly a dock;
- c) natural vegetative buffers and vegetation to be retained;
- d) storm water management and construction mitigation measures;
- e) location of building envelopes which meet setback requirements defined in the Comprehensive Zoning By-law;
- f) adequate area, depth and suitability of soils for supporting an appropriate on-site sewage system;
- g) the availability of a potable water supply; and
- h) the provision of access to an appropriate standard.

Slopes greater than 40%

3.12.6 Where slopes of 40% and greater, or unstable soils exist over the majority of a property, or where development or site alteration is proposed on the portion of a property which has slopes of 40% or greater or unstable soils, a site evaluation or technical report will be required by the Town, to confirm that the lot is suitable to accommodate the development proposed. Any site evaluation or technical report will identify any mitigation measures that are necessary, including those noted in 3.12.5, above.

40% Slopes on part of property

3.12.7 Where slopes of 40% and greater, or unstable soils, exist on a portion of a property, a site inspection and preliminary evaluation of the property will be undertaken by the Town. Where development or site alteration will not occur on or affect these slopes or unstable soils, development may proceed.

Development Setback

3.12.8 Development should be setback at least 15 metres (50 feet) from the top of a defined bank. A greater or lesser setback from the top of the bank may be provided where recommended in site evaluation or a technical report.

Rock Faces

3.12.9 Significant slopes or rock faces may be identified and protected from development.

3.13 Areas of Natural Scientific Interest (ANSI)

Axe Lake ANSI

3.13.1 The Axe Lake ANSI is the only provincially significant ANSI currently identified in Huntsville, and will be protected through applicable Provincial requirements.

3.14 Muskoka Heritage Areas Program

Heritage Areas

3.14.1 Heritage areas and sites are portions of the landscape or features that exhibit natural (i.e. biological, geological hydrological or landform) or cultural (i.e. scenic or historic) attributes. These attributes are important on a regional scale, for their environmental or social values, or as an attribute of the Town's landscape.

Boundaries

3.14.2 The boundaries of natural heritage areas and sites have been identified through the Muskoka Natural Heritage Areas Program. Additional information respecting the boundaries and values of these areas is available for reference at the Town or the District. Appendices 1-4 generally identify natural heritage areas and sites.

Preservation

3.14.3 The features and values, which contribute to the importance of natural heritage areas and sites, should be preserved and protected from incompatible uses.

Development

3.14.4 Development, including roads, should be situated outside of the boundaries of natural heritage areas and sites. However, where development is proposed within such areas or sites, an Environmental Impact Study will be undertaken in order to better identify, locate and evaluate the values of the area or site and to determine whether development can occur in a location which will ensure preservation of these values.

Impact Assessment

3.14.5 Any impact assessment undertaken for a heritage area or site will be completed to the satisfaction of the Town and the District.

Protection of Heritage Areas

3.14.6 Natural heritage areas and sites will be protected through the use of various methods appropriate to the circumstance, including amongst others:

- a) prohibiting or restricting development through specific zoning;
- b) limiting forestry on private land where possible;
- c) maintaining or increasing lot sizes;
- d) specific siting and location of development, services and roads;
- e) imposing development setbacks;
- f) restricting removal of vegetation, alteration of the soil mantle or blasting;
- g) accepting parkland or other land dedication;

- h) encouraging the use of conservation or other easements; and
- i) encouraging the Province to prohibit incompatible uses on crown land.

Additional
Areas

3.14.7 Additional areas or sites may be identified during development applications, or through other inventories or evaluations.

8 WATERFRONT

8.1 DEFINITION AND FUNCTION

Definition

8.1.1 The Waterfront includes those lands outside the Huntsville Urban Settlement Area, Hidden Valley and Port Sydney Settlement Areas, which generally extend inland 150 metres (492 feet) from any waterbody greater than 8 hectares (20 acres) in area, including the Big East and Muskoka Rivers, and the canal between Fairy and Peninsula Lakes. The Waterfront includes:

- all islands and lands which form the bed of any lake or river, and
- all lands that physically and functionally relate to the shoreline, even though they may extend more than 150 metres (492 feet) from the waterbody.

This designation may exclude lands that do not physically or functionally relate to the waterfront, even though they are located closer than 150 metres (492 feet) from the waterbody.

Boundaries

8.1.2 In determining which lands are to be included in the Waterfront, the following guidelines shall be used:

- the physical relationship of the land to the water is the most important factor in identifying the land which is oriented to or away from the shoreline, and will be based on factors such as slope, drainage and visual connection;
- small isolated parcels beyond the 150 metre (492 foot) distance, such as those on a peninsula, will be included in the Waterfront;
- both sides of a road running parallel to a shoreline shall be included within the Waterfront, unless terrain provides a physical separation, and depending on the distance from the shoreline;
- where a commercial property extends inland beyond the 150 metre (492 foot) distance, the whole property shall be included in the Waterfront, unless it is clearly not functionally related to the operation.

Lake Plan

8.1.3 The Waterfront limits may be shown on a land use schedule as part of a Lake Plan in Section 8.12.

Zoning

8.1.4 Except where the Waterfront is mapped as part of a Specific Lake Plan in Section 8.12, the extent of the Waterfront will be defined through zoning.

8.2 CHARACTER AND DEVELOPMENT PRINCIPLES

Focus	8.2.1 The Waterfront reflects the physical limits of the shoreline community in Huntsville. The shoreline community generally functions as a series of residential neighbourhoods, resort commercial activities and open space and conservation uses, all touching on and focused on the lake or river systems in the Town.
Public Resources	8.2.2 The lakes and rivers of Huntsville are public resources that provide major year round leisure and recreational opportunities to both the residents and visitors to the Town. These features also contribute significantly to the tourism sector in the Town, and to the "second home" residential sector, both of which are important components of the Town's economic base.
Balance	8.2.3 Development in the Waterfront will be based on a balance between utilizing the recreational resource and protecting its natural features.
Mix of Uses	8.2.4 The Waterfront has developed historically with a mix of residential, commercial and open space uses. While this traditional mix is intended to continue, new and innovative development that enhances the traditional mix may be considered through a public process.
Distinctive Character	8.2.5 While in general development on each lake tends to exhibit a similar character and orientation to the water, most waterfront areas have evolved with a particular character which varies as a result of its location, lake or river size, physical and natural attributes and historic development patterns.
Redevelopment	8.2.6 Most of the lakes and rivers in Huntsville already have extensive amounts of development around their shorelines, and have varying amounts of vacant or undeveloped land. The focus of development on many of the lakes will be more on the redevelopment of existing properties rather than on new lot creation or development of vacant lots.
Natural Features	8.2.7 The natural qualities that help define the character of the lakes include their varied topography and forested landscape, their shorelines with a natural and undeveloped appearance, their views and panoramas and their significant natural areas and habitats.
Cultural Features	8.2.8 The cultural features around the lakes also help define their character; from the intensive development in the Huntsville Urban Area, the resort development in the Hidden Valley Settlement Area, the small village atmosphere of Port Sydney, the historic resorts, camps, parks and marinas that have been the focus of community and tourist activities; the large number of multi-generational family owned properties, the remaining large family owned properties and the number of water access properties.
Low Profile Development	8.2.9 New development and the redevelopment of existing properties will maintain a low structural profile with limited visual impact in relation to the tree line.

Naturalized Shoreline	8.2.10 Naturalized shorelines will be substantially maintained and such uses that do occur at the shoreline will be minimally obtrusive, and have limited impact on the natural and aesthetic environment.
Conservation Land	8.2.11 The open space, natural character of the shorelines will be enhanced through efforts by the Town and by lake residents to increase the amount of land that is either in public ownership or is permanently preserved for conservation purposes, through parkland acquisition, establishment of conservation easements and acquisition through land trusts.
Stewardship Ethic	8.2.12 This Plan endorses and promotes a stewardship ethic for shore lands that will include landscape naturalization, improved on-site retention and treatment of pollutants, improved compatibility with the natural environment, where development will co-exist with the surrounding natural environment.
Heritage Nodes/Place Names	8.2.13 In the past, nodes of development formed in certain locations within the waterfront, usually at a transportation link. These areas are important to the heritage of the shoreline community, but now have generally blended into the general waterfront with only their name, isolated buildings such as churches, or access points to the water to distinguish them.
Character	8.2.14 The character of the Waterfront will be maintained by retaining the traditional mix of land uses and the overall low density of development, as well as preserving the natural environment, particularly related to water quality, topography and landscape, vegetation, natural shorelines and significant natural areas and habitats.
Cluster Residential	8.2.15 Residential Cluster development may be considered in appropriate locations, where large shoreline frontages are available as a means to maintain shoreline features, particularly where long term shoreline protection methods are provided.
Tourist Commercial	8.2.16 The preservation of the quality tourist commercial land base fronting on water is essential to the long term health of the tourism industry in Huntsville. The non tourist commercial redevelopment or rezoning of resort commercial properties with significant land holdings and frontage on water will not generally be supported. <i>In extenuating circumstances rezoning may be considered where the impact of the loss of the commercial land base has been analyzed and it is demonstrated that it would not negatively affect the critical mass of the tourism infrastructure and land base in Huntsville.</i>
OPA#6 Site Plan Control	8.2.17 Site Plan control will be required for all development in the Waterfront.

8.3 DESIGN PRINCIPLES

General Design
Considerations

- 8.3.1 When viewed from the water, the visual impact of development is an important consideration in maintaining the character of a waterbody. The natural environment is intended to be the dominant landscape feature around a waterbody. Disturbance on lots should be limited and minimized and the maximum amount of vegetation should be retained on a lot. Vegetation should be maintained on skylines, ridge lines or adjacent to the top of rock cliffs. Additional natural buffering or screening should be provided to supplement existing vegetation along the shoreline. Terrain alterations should be minimized. Structural development that would create a new skyline or ridgeline above the tree canopy will not be permitted.

Waterfront
Design
Principles

- 8.3.2 The following design principles will be adhered to for development in the Waterfront, as appropriate for the specific use and the area:
- a) the natural landscape should prevail with built form blending into that landscape and shoreline;
 - b) natural shorelines will be retained or restored;
 - c) lot sizes will respond to the natural landscape, topographic features and the character of the lake or river;
 - d) rock faces, steep slopes, vistas and panoramas should be preserved and vegetation should be maintained on skylines, ridge lines or adjacent to the top of rock cliffs;
 - e) native species should be used for buffers and where vegetation is being restored;
 - f) buildings and structures should be low profile and should not exceed the height of the tree canopy. A prominent building may be considered for resort commercial development only if it is designed as a landmark and is in keeping with the building style and environment of the surrounding area;
 - g) building mass and coverage should be limited in relation to the size and frontage of the property and shall be in keeping with the character of the surrounding area;
 - h) lot lines should follow existing features and terrain and should be configured so that conflicts between abutting properties are minimized, particularly at the shoreline.

- i) setbacks from roads shall be sufficient to provide and maintain a natural buffer between the development and the road, in order to maintain a vegetative character along the roads, however, the waterfront setback should take precedence when a lot has insufficient depth to provide a buffer at both the shoreline and the road.
- j) building envelopes and the associated activity area should be defined and located in the most appropriate area on the property, with the remainder of the property generally remaining in its natural state.

"Ribbon of Life"

8.3.3 The shallow near shore area in the water in front of lots is a significant component of the "ribbon of life" around the lakes, and is a key component in preserving the health of the lakes. This shallow near shore area is generally located within 20 metres (66 feet) of the shoreline, and/or in shallow areas that are generally less than 2 metres (6.6 feet) in depth. Development within and adjacent to the shallow near shore areas shall be restricted and shall have minimum impact on the near shore.

Shoreline
Activity Areas

8.3.4 A shoreline activity area is the portion of a shoreline frontage of a lot located within the required setback from the shoreline where accessory shoreline structures are located and where there is access to the water for activities such as swimming or boat launching. To maintain an appropriate balance between a natural shoreline and built form within the Waterfront, structures in shoreline activity areas should be focused within a defined area of the shoreline frontage and be limited in extent. Such activity areas may be developed in more than one location on a property, where appropriate. The extent of shoreline activity areas will be considered within the following targets:

OPA#6

- a) 25% of the shoreline frontage or up to 15 metres (49.2 feet), whichever is the lesser, for linear shoreline residential development;
- b) 25% of the shoreline frontage of the open space block or up to 30 metres (100 feet) whichever is the lesser for residential cluster development;
- c) 33% of the shoreline frontage for tourist commercial and institutional accommodation, waterfront contracting operations, and waterfront landings; and
- d) 50% of the shoreline frontage for marinas.

Variations

8.3.5 Variations to the standards noted in Section 8.3.4 above, may only be considered where site characteristics warrant such a variance, and shall generally be subject to the submission of a Site Evaluation Report or Environmental Impact Study satisfactory to the Town that outlines how the natural shoreline features and buffers are protected or enhanced on the site, should such a variance be justified.

Zoning	8.3.6 The size and location of shoreline structures, including docks, decks, gazebos, boat ports and boathouses have a direct effect on both the environmental and visual impact of development on a property. The zoning by-law shall provide standards to regulate the size and location of shoreline structures. These structures may be regulated through a combination of restrictions on the total footprint, floor area, width, length or height.
Visual Impact	8.3.7 Shoreline structures should be located in such a manner as to minimize the visual impact on neighbouring properties, and should avoid sensitive environmental features, both on shore and in the water. The Zoning By-law may provide standards to require a minimum visibility triangle to regulate the visual impact of shoreline structures on neighbouring properties.
Vegetative Buffer	8.3.8 The portion of the shoreline frontage not required for shoreline activity shall be retained or restored as a natural vegetative buffer in order to protect the riparian and littoral zones and associated habitat, prevent erosion, siltation and nutrient migration, maintain shoreline character and appearance, and minimize the visual impact of development. Within the natural vegetative buffer, meandering pathways or access points to the shoreline that are constructed of permeable material, pruning of trees for viewing purposes, or the removal of trees for safety reasons may be permitted. The principle of development in the vegetative buffer shall be minimal disturbance of the ground, shrub and canopy layers.
Existing Shoreline Structures	8.3.9 Where existing shoreline structures do not meet the requirements of this Plan, they may be rebuilt or replaced provided the new structure better meets the requirements of this Plan.
Structures in the Water	8.3.10 Buildings and structures extending beyond the controlled or normal high water mark of a waterbody shall be designed and located in a manner which: <ul style="list-style-type: none">a) do not create a hazard to navigation as defined in the Canada Shipping Act;b) do not have a significant detrimental effect on abutting property;c) do not significantly obstruct the natural flow of water;d) minimize, to the extent possible, potential damage from flood and ice heaving; ande) do not have a detrimental effect on fish habitat and wildlife habitat as determined by the authorities having jurisdiction.
Boathouses	8.3.11 Boathouses and boat ports shall be limited to one storey in height. No accommodation facilities are permitted in a boathouse.

8.4 ACCESS

Public Road
Frontage

8.4.1 Development will have frontage on and access from a year round maintained public road, wherever possible.

Alternate
Access

8.4.2 Notwithstanding Section 8.4.1, development of shoreline lots may be permitted with the following access, in descending order of preference:

- a) a seasonally maintained public road;
- b) a private road, with a legal right-of-way or condominium description;
- c) water access.

Water Access

8.4.3 Development of shoreline lots with only water access may be permitted where:

- a) road access is not available;
- b) road access cannot be provided by way of an extension from an existing road in the vicinity; and
- c) adequate docking and vehicle parking facilities are secured by the property owner on the mainland to the satisfaction of the Town.

Mainland
Parking and
Docking

8.4.4 Mainland parking and docking facilities for water access properties may be provided through commercial marinas, individual access points serving one property, or waterfront landings serving more than one property.

Public Access
Points

8.4.5 Public access points shall not be utilized as mainland parking and docking facilities for water access only lots, unless specifically approved by Council.

Waterfront
Landings

8.4.6 Waterfront landings and individual access points may be permitted or expanded provided the following matters are addressed:

- a) the property has adequate area and frontage to accommodate the facility;
- b) sufficient docking and parking facilities will be provided to serve the use;
- c) the property, particularly the shoreline, is suitable for the use;
- d) access to and from the facility by both water and land is suitable;
- e) the facility will not have a negative impact on environmental sensitive areas, habitat, or heritage areas;
- f) the facility is designed in a manner that is compatible with abutting properties;

- g) parking facilities will be setback at least 20 metres (66 feet) from the shoreline and a natural vegetative buffer is maintained within the setback area;
- h) storm water management and construction mitigation is addressed;
- i) approval will be subject to a zoning amendment and site plan agreement;
- j) they are secured through ownership or by a registered right-of-way or condominium approval;
- k) generous side yards shall be maintained to provide for screening and buffering of neighbouring residential properties.

Site Evaluation Report

8.4.7 A Site Evaluation Report shall be required, which demonstrates to the satisfaction of the Town how the criteria noted in Section 8.4.6 are addressed.

Size Restrictions

8.4.8 In general, the size of the waterfront landing and the number of properties it serves will depend on the suitability of the site and its impact on the abutting properties.

Zoning

8.4.9 The zoning by-law will establish specific standards regarding number of berths and parking requirements for waterfront landings and individual access points.

8.5 SERVICES

Private Services

8.5.1 In general, development or redevelopment in the Waterfront will be serviced by private individual water and sewage systems, with the exception of tourist commercial development where private communal services may be considered, as provided for in Section 8.9.2.8. This Plan supports the increased use of sewage systems with proven ability to mitigate phosphorus.

Setback

8.5.2 New leaching beds and mantles are encouraged to be located as far back from the shoreline as is reasonable and possible, and shall be located a minimum of 30 metres (100 feet) from the shoreline. Where it is not physically possible (due to terrain features, lot depth or design features) to locate the leaching bed and mantle at such a distance, a lesser setback may be permitted based on the recommendations of a Site Evaluation Report and in accordance with current legislated minimum setback requirements. Advanced septic system technology may be required in this instance.

Current Standards

8.5.3 Owners of existing properties are encouraged to upgrade their existing sewage systems to current standards if inspection suggests that those systems are not performing up to the levels achievable with new installed systems.

Stormwater Management

8.5.4 Stormwater management and construction mitigation shall be provided on site as required.

8.6 PERMITTED USES

Permitted Uses

8.6.1 The following uses may be permitted in the Waterfront:

- a) residential uses, which are limited to single detached dwellings in the form of shoreline/linear development, back lot development and cluster development;
- b) waterfront commercial uses, which are limited to tourist commercial uses, traditional religious and institutional camps, marinas and waterfront contracting operations;
- c) open space uses;
- d) conservation uses.

8.7 LOT REQUIREMENTS

Lot Sizes

8.7.1 All lots will be of sufficient size and dimension and possess terrain suitable to accommodate the proposed use. Among other matters, this shall include consideration of the following:

- a) environmental concerns and development constraints;
- b) provision of water supply and sewage disposal;
- c) provision of appropriate access and a safe road entrance;
- d) provision of a sufficient area to accommodate buildings and structures without substantial alteration of the natural landscape.

Variety of Lot Sizes

8.7.2 A variety of lot sizes will be encouraged to address the design principles of this plan.

8.8 RESIDENTIAL DEVELOPMENT

8.8.1 Forms of Development

Forms of Residential Development

8.8.1.1 Residential Development may take the form of:

- shoreline linear development;
- back lot development; or
- cluster development.

Shoreline Linear Definition

8.8.1.2 Shoreline linear development consists of individual residential lots which are situated in a linear fashion along the shoreline.

Back Lot
Definition

8.8.1.3 Back lot development consists of lots that are physically separated from the shoreline by a legally conveyable parcel of patented land that has development potential. Back lots are usually located in a linear fashion along a road which is generally parallel to the shoreline, but may also be located on a road which runs perpendicular to the shore.

Cluster
Definition

8.8.1.4 Cluster development consists of single detached dwellings each located on a single lot or unit area which are setback from the shoreline, with a significant portion of the shoreline frontage being maintained as communal open space.

8.8.2 Shoreline Residential

Minimum Lot
Area

8.8.2.1 The minimum lot area for all new lots shall be 1 hectare (2.5 acres).

Shoreline
Frontage

8.8.2.2 The minimum required shoreline frontage for a linear residential lot shall be 60 metres (200 feet). The frontage may be increased beyond 60 metres (200 feet) on a particular lake where the character of the lake warrants such increased standard, where development or environmental constraints dictate the need for a larger frontage, or where the characteristics of the particular lot require an increased standard.

Alternate
Frontage
Provision

8.8.2.3 Notwithstanding the requirements established above, where a property owner proposes to convey a significant portion of lakefront land to a land trust or the municipality for conservation purposes in perpetuity, shoreline lots with smaller frontages may be recognized. A minimum lot frontage of 45 metres (150 feet) would be required for any residential lot considered in this instance, as long as an equal minimum 45 metres (150 feet) of lakefront is conveyed for conservation for each residential lot created.

Existing
Undersized
Lots

8.8.2.4 Wherever possible, existing, undersized shoreline lots should be merged to create larger parcels. This would help preserve the character of the lake, and reduce the overall amount of development on the lake. Development of existing undersized lots for residential use may be permitted where it has been demonstrated to the satisfaction of the Town, that the lot is suitable for development and all other applicable policies of the Plan are satisfied. Existing vacant lots of record that are below 30 metres (100 feet) of frontage and 0.3 hectares (0.7 acres) in area may be considered for development subject to the processing of a zoning amendment or variance application which establishes site specific regulations. A site evaluation report may be required by the Town to confirm the suitability of the lot for development.

Setbacks

8.8.2.5 Setbacks provide room for buffers and are utilized to attenuate phosphorus loadings from storm water as well as to maintain the natural integrity of shorelines, including fish and wildlife habitat. Setbacks are also utilized to reduce or soften the visual impact of development on a lot. Vegetation within the setback should be

disturbed as little as possible. Similarly, alterations to the soil mantle should be minimized. Except as identified elsewhere in this Plan, the minimum setback for all structural development (including redevelopment on existing properties) except refurbishment or modernization of existing dwellings shall be 20 metres (66 feet), measured horizontally from the high water mark. A septic tile field shall be a minimum 30 metres from the high water mark. This provision does not apply to docks or boathouses or other approved shoreline structures or to heritage structures.

Guidelines for
Lesser
Setbacks

8.8.2.6 A lesser setback may be permitted only if:

- a) it is not physically possible, due to terrain or lot depth features, to meet the required setback, or
- b) in the case of redevelopment of a property, the imposition of the new setback would result in a more negative impact on the property than allowing reconstruction at the existing setback.

Site Evaluation
Report

8.8.2.7 A site evaluation report and a site plan agreement shall be required by the Town in support of requests to reduce the setback beyond that which is established in the zoning by-law. The site evaluation report will clearly identify the compensating features that justify the reduction in the setback and will propose mitigation measures to further reduce the impact of the development.

Dwelling Size
Regulations

8.8.2.8 The size of a dwelling, combined with its location on a site, may have a direct effect on the visual impact of the development. As such, the zoning by-law shall provide standards to regulate dwelling size. Dwelling size may be regulated through a combination of restrictions on the total footprint, floor area, width, or height, combined with setback and landscaping considerations.

Parking Area
Location on Lot

8.8.2.9 Parking areas on a lot shall be located as far back as possible from the shoreline, and should not be located between the dwelling and the shorelines.

8.8.3 Back Lot Residential

Back Lot
Lot Sizes

8.8.3.1 New residential back lots will have a minimum lot area of 4 hectares (10 acres) with a minimum of 135 metres (440 feet) of lot frontage on a year round publicly maintained road.

Setback

8.8.3.2 Development on back lots will be setback from the public road a sufficient distance to provide a buffer which will address visual impact. Within the buffer area, vegetation will be substantially retained and will not be completely removed. Where previously removed, vegetation should be restored using native species.

Shoreline
Access
Restrictions

8.8.3.3 The creation of new access to the water by right-of-way over existing waterfront properties to accommodate shoreline access by a residential back lot shall not be permitted.

8.8.4 Cluster Residential

Cluster
Residential

8.8.4.1 Cluster residential development may be permitted in suitable locations as an alternative to linear residential development where it can be demonstrated that the conservation of shoreline or specific natural features along the shoreline will be enhanced.

Development
Criteria

8.8.4.2 New residential cluster development will proceed by way of plan of subdivision or vacant land condominium description and may be permitted where:

- a) a maximum of 25 lots or dwelling units are located in the cluster;
- b) the land is suitable for the proposed development;
- c) the property on which the cluster is developed has a minimum water frontage of 150 metres (492 feet);
- d) the natural features of the site are maintained and substantial natural vegetation is preserved; the existing tree line is maintained;
- e) each cluster incorporates substantial open space so that the gross density of development is not greater than 25 lots or dwelling units in 40 hectares (100 acres), or there is a ratio of 1 lot or unit for every 1.6 hectares(4.0 acres) of area;
- f) natural open space surrounds the perimeter of the cluster;
- g) a continuous open space block with a depth of at least 30 metres (100 feet) will be retained along the entire shoreline;
- h) the cluster is located adjacent to and has a functional relationship with the shoreline open space block;
- i) a minimum of 10 metres (33 feet) of water frontage will be required per dwelling unit in a cluster;
- j) single detached dwellings are located on individual lots or dwelling units located to the rear of the open space block;
- k) each lot holds an equal interest in the shoreline open space block or the block is held as a common element in a condominium description;
- l) the shoreline open space block will be substantially maintained in its natural state or re-vegetated if necessary to provide a

vegetative buffer to the lake, but may include a common shoreline activity area and common docking facility; the disturbance area for the shoreline activity area is as established in Section 8.3.4(b);

- m) the shoreline activity area, including a common docking facility, is not located on a narrow water body;
- n) the impact of the development from a boating perspective is no greater than would occur if the property were developed for linear shoreline residential development;
- o) a hydrogeological assessment demonstrates that an adequate and sustainable supply of potable water exists on each lot or parcel and that the development will be sustainable over time;
- p) the property has legal access from a year round maintained public road;
- q) any internal private roads are constructed and maintained in a manner that will accommodate emergency services; and
- r) conservation easements may be required for preservation of the shoreline.

Locational
Limitation

8.8.4.3 Residential cluster development which is separated from the shoreline by linear shoreline development or separate and developable patented land will not be permitted.

8.8.5 Residential Compounds

Residential
Compounds

8.8.5.1 Where more than one dwelling exists on a property in a residential compound type situation, the existing development may be permitted but the addition of any further dwellings on the property should not be permitted unless the development complies with the standards in Section 8.8.4.2, above, and an appropriate individual water supply and sewage disposal system location can be confirmed. Expansion of existing buildings or structures or the addition of accessory structures should only be permitted where the intent and principles of the plan will be addressed.

Lot Division

8.8.5.2 Any lot division of a residential compound shall comply with the applicable provisions of Section 8.8.2, 8.8.4 or 11.5.5.

8.9 COMMERCIAL DEVELOPMENT

8.9.1 Forms of Development

Forms of
Commercial
Development

8.9.1.1 Waterfront commercial uses include:

- a) Tourist commercial uses;
- b) Institutional camps;
- c) Marinas;
- d) Existing Contractors' access operations;
- e) Existing tent and trailer parks.

Contribution to
the local
economy

8.9.1.2 Waterfront commercial uses are recognized for their contribution to the heritage, character and diversity of the waterfront area and their important role as economic generators in terms of employment and business assessment for the Town. These uses are traditional and vital components of the economy of the Town, which will be retained and enhanced.

Continued
Operation

8.9.1.3 The continued operation, upgrading, expansion and redevelopment of existing commercial properties within the waterfront will be encouraged and facilitated within the policy framework of this Plan.

Conversion

8.9.1.4 The Town supports the retention of viable commercial properties and operations. Where tourist commercial land is proposed for removal from a commercial zoning, a report justifying conversion or alternative zoning shall be prepared by a qualified consultant and approved by the Town. If the conversion is to residential, the development shall comply with the relevant provisions of Sections 8.8.2 and 8.8.4.

8.9.2 Tourist Commercial

Tourist
Commercial

8.9.2.1 Tourist commercial uses consist of those commercial uses which provide lodging, accommodation and recreational facilities for the vacationing and local public.

Redevelopment

8.9.2.2 The reasonable redevelopment of existing tourist commercial properties to provide rental accommodation and lodging, shall be encouraged. Their potential for expansion is encouraged provided the site and abutting water area has the physical capability to support the expanded use. In addition such redevelopment will reduce the impact on abutting property owners through careful site planning.

Limits

8.9.2.3 Appropriate limits for the upgrading, expansion or redevelopment of each existing tourist commercial use will be established in the zoning by-law for individual sites. Such limits will ensure:

- a) the location, size, characteristics and capacity of the property will be addressed;
- b) any increased density of development or intensity of use (buildings, structures and facilities, floor area, accommodation units, boat slips, lot coverage, recreational and leisure facilities, etc.) will be appropriate for the site;
- c) the density and range of uses are adequate to ensure the long term viability of the commercial operation;
- d) adequate access and services, including water supply and waste disposal will be available and sustainable;
- e) access routes are appropriate or can be upgraded to accommodate the additional traffic;
- f) storage, service, maintenance and parking areas will be generally screened or buffered from public roadways;
- g) compatibility with surrounding properties will be addressed; and
- h) the phasing of development can be accommodated, where appropriate.

New Tourist
Commercial by
Official Plan
Amendment

8.9.2.4 The establishment of new tourist commercial uses on properties not previously used for commercial uses will proceed by amendment to this Plan, to establish the principle of use on an individual property. Such an amendment will establish policies to guide the scale, size and density of development, and recognize and respond to the characteristics and capacity of that particular site such as adequate and appropriate water frontage, compatibility with surrounding properties, retention of native vegetation and buffer areas.

Open Space

8.9.2.5 Tourist commercial uses should incorporate substantial active and passive open space areas, and integrated recreational facilities.

Conversions

8.9.2.6 Where a change is proposed in the use of a tourist commercial property which currently contains accommodation units and is designed to provide condominium, time sharing, leaseback, fractional or interval ownership, such change shall not require an official plan amendment where the use of the property remains tourist commercial.

Golf Courses

8.9.2.7 Golf courses may be considered an integral part of a tourist commercial facility. New golf courses shall be developed in accordance with the recommendations of a Site Evaluation Report or environmental impact assessment. Such report shall determine site suitability, environmental impacts, compatibility with surrounding land uses, and shall identify any necessary mitigation measures.

Communal
Servicing

8.9.2.8 Where multi-unit tourist commercial development is proposed to be registered by way of condominium description, communal servicing may be permitted in accordance with District of Muskoka requirements.

8.9.3 Institutional Camps

Institutional
Camps

8.9.3.1 Institutional camps are a form of tourist commercial activity that contribute to the tourist social and cultural base of the Town.

Expansion of
Existing Camps

8.9.3.2 Areas traditionally used as Institutional camps, such as religious resorts, children's camps or other establishments providing common use of recreational or waterfront facilities may be expanded and redeveloped for similar use provided there is no negative impact on the property or surrounding lands, or the water quality of the waterbody.

Limits

8.9.3.3 The expansion of institutional camps shall be based on appropriate limits for the upgrading, expansion or redevelopment of each existing use and will be established in the zoning by-law for individual sites. Such limits will ensure that:

- a) the location, size, characteristics and capacity of the property is suitable for the proposed use;
- b) any increased density of development or intensity of use (buildings, structures and facilities, floor area, accommodation units, boat slips, lot coverage, recreational and leisure facilities, etc.) will be appropriate for the site;
- c) adequate access and services, including water supply and waste disposal will be available;
- d) compatibility with surrounding properties will be addressed; and
- e) the phasing of development can be accommodated, where appropriate.

Conversions

8.9.3.4 The conversion of institutional camps to other tourist commercial uses shall require an amendment to this Plan.

New Camps by
Official Plan
Amendment

8.9.3.5 The establishment of new institutional camps will proceed by amendment to this Plan, to establish the principle of use on an individual property. Such an amendment will establish policies to guide the scale, size and density of development, and recognize and respond to the characteristics and capacity of that particular site such as adequate and appropriate water frontage, compatibility with surrounding properties, retention of native vegetation and buffer areas.

8.9.4 Marinas and Contractor's Access

Marina
Definition

8.9.4.1 Marinas are facilities, building and structures located on the shoreline which provide docking, mooring, sales, service, repairs and storage of boats and other recreational vehicles (except trailers), and may include accessory convenience and service commercial uses.

Contractors
Access
Definition

8.9.4.2 Waterfront contractor access operations are businesses located on the shoreline which provide construction, building and barging services to the waterfront community. Such facilities may be permitted in association with a marina.

Expansion

8.9.4.3 The expansion of existing marinas is encouraged in appropriate locations, provided the site is suitable for the use, and the use is adequately buffered from surrounding residential uses.

New Facilities
by Official Plan
Amendment

8.9.4.4 The establishment of new marinas or waterfront contractor's access operations shall require an amendment to this Plan. A Site Evaluation Report or Environmental Impact Study shall be submitted in support of any such application, in order to determine site suitability, environmental impacts, compatibility with surrounding land uses, and to identify any necessary mitigation measures.

Lot and Siting
Requirements

8.9.4.5 New marinas or contractor's access operations shall meet the following minimum lot and siting requirements:

- a) the lot area and frontage is appropriate to the scale of the operation;
- b) frontage on and direct access to a year round maintained public road;
- c) a natural buffer to ensure compatibility with adjacent residential uses;
- d) limited outside storage areas and parking areas associated with the commercial operation that are well set back from the water's edge;
- e) generally located on level land of which a majority is treed and the natural vegetation is preserved or enhanced to provide natural buffering of facilities from adjacent uses and from the water, where required.

8.9.5 Tent and Trailer Parks

New Tent &
Trailer Parks
Prohibited

8.9.5.1 The establishment of new Tent and Trailer parks is not permitted in the Waterfront.

Expansion of Existing Tent & Trailer Parks

8.9.5.2 The expansion and enlargement of existing tent and trailer parks may be permitted with an amendment to the zoning by-law. A Site Evaluation Report or Environmental Impact Study shall be submitted in support of any expansion of a tent or trailer park in order to determine site suitability, environmental impacts, compatibility with surrounding land uses, and to identify any necessary mitigation measures.

8.10 OPEN SPACE AND ENVIRONMENTAL FEATURES

Open Space

8.10.1 Open space and conservation uses are encouraged throughout the Waterfront. The predominant use of lands shall be for passive and active recreation and conservation purposes.

Permitted Uses

8.10.2 Permitted uses shall include public parks, portages and access areas for hiking, picnicking, cross-country skiing, snowmobiling, angling, or other similar outdoor recreational activities, and conservation uses and areas including nature study and wilderness areas.

8.10.3 Public open space and conservation lands will remain in the public domain for public use.

Portages

8.10.4 Currently used portages will be preserved or new trails made to provide another suitable route.

Incidental Structures

8.10.5 Only buildings and structures incidental to the principal permitted recreational uses shall be permitted.

Recreational Uses

8.10.6 Recreational uses shall be compatible with adjacent land uses and, where necessary, such facilities shall be designed in such a manner so as to provide adequate spatial separation, buffering, landscaping and/or fencing to ensure that any adverse effects associated with such uses are minimized.

Golf Courses

8.10.7 The establishment of new golf courses or the expansion of existing golf courses shall require an amendment to this Plan, unless such a facility is ancillary to a tourist commercial operation.

8.11 DEVELOPMENT CONSTRAINTS - NARROW WATERBODIES

Narrow Waterbodies

8.11.1 A narrow waterbody is defined as a navigable lake or river where:

- a) The distance from shore to shore is 150 metres (500 feet) or less; and,
- b) In the case of a bay in a lake, the length of the bay is also greater than 100 metres (330 feet).

Hazard to Navigation

8.11.2 Development will not be permitted on a narrow waterbody where a hazard to navigation would result, as confirmed by the authority having jurisdiction.

New Lot
Creation

8.11.3 Where new lot creation is proposed on or adjacent to a narrow waterbody the shoreline lot frontage may be increased as follows:

- a) Where the distance of the narrow waterbody from shore to shore is between 90 metres (295 feet) and 150 metres (500 feet), a minimum shoreline frontage of 90 metres (295 feet) will be required; and
- b) Where the distance of the narrow waterbody from shore to shore is less than 90 metres (295 feet), a minimum shoreline frontage of 120 metres (393 feet) will be required.
- c) Appropriate lot line configuration or greater lot frontages may be required to address the constraints of a particular narrow waterway or to address other natural constraints.

Development
on Existing Lots

8.11.4 In the case of an existing lot located adjacent to a narrow waterbody, a variety of other techniques, such as increasing building setbacks for primary buildings, limitations on the location and size of shoreline structures, retention of vegetation and night sky sensitive and safe lighting will be considered in order to address issues associated with specific narrow water bodies.

Narrow
Waterbody
Applies

8.11.5 Where only a portion of a lot is located on a narrow waterbody, the requirements for narrow waterbodies may be applied to the whole property, unless the siting of development and other appropriate measures can be implemented to the satisfaction of the Town in order to properly address the issues associated with development on a narrow waterbody.

Location
Restricted

8.11.6 New marinas, waterfront landings or similar docking facilities should not be located on a narrow bay which is developed predominantly for residential use.

Development
Form

8.11.7 Where development is proposed along a narrow waterbody located along a river, the following policies shall apply:

- a) Development will be a backshore or cluster form of development, with no individual lot having direct or exclusive access to the shoreline, and will be subject to the provisions of Section 8.8.4.
- b) Any shore road allowance shall be retained in public ownership and where practical, be used for recreational trail purposes;
- c) Additional lands required to enhance the public usability of the shoreline shall be provided;
- d) Where the features and facilities noted above are provided, lots shall not be required to have increased lot frontages as contemplated for lots on narrow waterbodies, and shall be subject to the provisions of this plan for cluster residential development.

Site Evaluation

8.11.8 A Site Evaluation Report will be required by the Town, prior to consideration of a development application related to a narrow waterbody. The Report will evaluate environmental issues and the safety, compatibility and the suitability of the development and identify any mitigating measures which should be implemented.

8.12 WATERFRONT SPECIAL POLICY AREAS

8.12.1 Waterfront Special Policy area – One (Peacock Bay Resort)

8.12.1.1 The subject lands to these policies consist of Part of Lot 30, Concession 7, Geographic Township of Stisted, Town of Huntsville, and are identified on Schedule D-1.

8.12.1.2 A tourist resort with Tourist Accommodation Units and a Marina may be permitted on the lands subject to Council approval of an appropriate implementing zoning by-law amendment. A "Tourist Accommodation Unit" shall mean an accommodation unit which is used for the vacationing and/or travelling public only. A "Marina" shall be restricted to those limited marine uses as defined in the implementing zoning by-law amendment.

8.12.1.3 The implementing zoning by-law amendment shall include a Holding Symbol pursuant to Section 36 of the Planning Act, R.S.O. 1990. Council may consider an application to remove the Holding Symbol upon the owner demonstrating that the environmental site conditions are suitable or have been made suitable for the intended uses and are in compliance with all Provincial statutes and regulations respecting the redevelopment of brownfield sites.

8.13 LAKE PLANS

Lake Plans

8.13.1 Lake Plans provide more detailed land use policy direction for specific lakes in the Town, and are intended to go beyond the more general policy framework of both the Town of Huntsville Official Plan and District Municipality of Muskoka Official Plan. Such plans are intended to identify, reflect and respond to the character and physical capabilities of particular lakes.

Individual Character

8.13.2 Each lake possesses its own character that is a result of its location, size, physical attributes, access and historic development. The mix of uses, extent of natural features and constraints, and individual historic lot standards all combine to generate the uniqueness of a given lake. Lake Plans may be developed for specific lakes in Huntsville that address different minimum lot standards for new lot creation, regulate redevelopment activities, support improved public access to the lake, or recognize special needs (e.g. for waterfront landings where there are extensive "water access only areas").

Land Use
Policies

8.13.3 Lake Plans prepared for individual lakes often go beyond land use planning considerations. The land use planning components of a Lake Plan are intended to be implemented through policies in this Plan. Other features of a Lake Plan will be implemented through the efforts of individual ratepayer organizations.

Development
Limits

8.13.4 It is recognized that environmental, physical and social factors other than recreational water quality may also present limits to the amount of development that would be desirable for a particular lake. Therefore, the preparation of specific Lake Plans in consultation with waterfront communities is strongly encouraged to address these matters on an individual lake basis.

Contents of a
Lake Plan

8.13.5 The following matters should be addressed where appropriate through a specific Lake Plan:

- a) definition of the characteristics and character of the Lake;
- b) place in the watershed, drainage basin and related waterways;
- c) topography, landscape, shoreline features and hazards;
- d) areas of constraint to development such as steep slopes, narrow waterbodies and wetlands;
- e) allocation of water quality capacity;
- f) cultural heritage and historic development;
- g) identification of current land use on lake with distinct areas and neighbourhoods shown and type of vegetation cover around lake;
- h) sensitive boating issues/areas;
- i) public and private open space, recreation areas or trails;
- j) public access points;
- k) development potential and capacity;
- l) natural areas or landscape features to be preserved; and
- m) specific policies and standards for development.

Have regard to
the Lake Plans

8.13.6 Development will be encouraged to have regard for the values, principles and stewardship features of individual Lake Plans.

Specific
Policies

8.13.7 Those provisions of the lake plan that are related to municipal planning policy and that may vary from the general provisions of the Huntsville Official Plan are carried forward as specific policies applicable to the Lake.

8.14 Peninsula Lake

8.14.1 Background

Peninsula Lake

8.14.1.1 Peninsula Lake is split between the Town of Huntsville and the Township of Lake of Bays. The Peninsula Lake Association is desirous of ensuring a consistent approach to the review of development applications, and to the commitment to developing and enforcing environmental stewardship standards.

Characteristics

8.14.1.2 Peninsula Lake has a surface area of 869 hectares (2150 acres), with 19% (167 hectares / 411 acres) located in the Town of Huntsville. Of a total shoreline length of 27.4 kilometres (17 miles), 23% (6.4 kilometres / 4.0 miles) is in Huntsville.

Shoreline

8.14.1.3 The shoreline around Peninsula Lake in the Town of Huntsville is designated Waterfront and Hidden Valley settlement Area. Three kilometres (1.9 miles) of shoreline is in the Waterfront; 3.4 kilometres (2.1 miles) is in the Hidden Valley Settlement area.

Existing Development

8.14.1.4 Most of the shoreline is already developed, with more intensive residential and commercial uses in the Hidden Valley Settlement area. The south shore of Peninsula Lake is in the Waterfront, and is predominately residential. The north-east shore in the Waterfront is a mix of residential and tourist commercial uses. Pow Wow Point and Cedar Grove are the two major commercial uses on this east shore.

Stewardship

8.14.1.5 The Peninsula Lake Association has adopted a Lake Plan (2001) that provides a stewardship approach for all stakeholders around the lake to work cooperatively to preserve the health of the lake and its surrounding community and includes proposed land use regulations.

Waterfront Designation

8.14.1.6 The policies in this Section apply to the lands designated Waterfront in the Huntsville Official Plan.

8.14.2 Vision Statement

Vision Statement

8.14.2.1 The Peninsula Lake Association has endorsed a Vision Statement, to ensure that current and future generations will enjoy:

- Pristine water quality;
- Beautiful natural vistas, landscapes and shorelines;
- A diverse and sustainable natural heritage of plants, fish and wildlife;
- Economic development, property development and commercial operations that provide employment, social and recreational opportunities, and access to the lake while respecting the natural, social and historical character of the lake;

- A tranquil ambience that nourishes and recreates the spirits of community residents and lake users;
- Social and recreational activities and facilities that promote a spirit of community and neighbourliness; and
- Historic and cultural features, including neighbourhoods, areas and buildings.

8.14.3 Policies

Minimum Lot
Frontage

8.14.3.1 The minimum shoreline frontage for new lot creation shall be 120 metres.

Development
Setback

8.14.3.2 In general, a minimum development setback of 30 metres shall be maintained adjacent to identified Type 1 Fish Habitat, except for permitted shoreline structures.

Canal
Lighthouse

8.14.3.3 The restoration of the Canal Lighthouse is encouraged.

8.14.3.4 The preservation of the canal between Fairy and Peninsula Lakes is encouraged.

8.15 Lake Vernon

8.15.1 Background

Lake Vernon

8.15.1.1 Lake Vernon has a surface area of 1500 hectares (3566 acres), with 50 kilometres (31 miles) of shoreline.

Stewardship

8.15.1.2 The Lake Vernon Association has adopted a Lake Plan (2003) that provides a stewardship approach for residents around the lake to work cooperatively to preserve the health of the lake and its surrounding community.

Waterfront

8.15.1.3 These policies apply to the lands designated Waterfront in the Huntsville Official Plan.

8.15.2 Vision Statement

Vision
Statement

8.15.2.1 The Lake Vernon Association has endorsed a vision statement as follows:

- To protect the natural environment, health and beauty of Lake Vernon and to represent issues affecting its membership and their quality of life; and
- Through effective leadership integrate a vigilant, informed, cultural community working with other lake associations as stewards committed to maintaining and enhancing an environmentally health, natural community in and around Lake Vernon.

8.15.3 Policies

Minimum Lot Frontage	8.15.3.1 The minimum frontage for a new lot creation shall be 90 metres in any identified deer wintering area.
Big East River	8.15.3.2 Shoreline development along the Big East River should not disturb or increase the natural erosion rate.
High Profile Development	8.15.3.3 High profile development is discouraged on backlands, heights of lands or in scenic areas having a view of the Lake, or on Big Island.
Cultural and Historic Sites	8.15.3.4 Cultural and Historic sites have been identified by the Lake Association. Future development should not jeopardize the integrity of these sites. These sites include: <ul style="list-style-type: none">• Big East River Delta (Muskoka Heritage Area and Provincially Significant Wetland);• Robinson's Creek and Lake (unique plant species);• Eagle Mountain (also known as Tawingo Mountain);• Hutcheson Beach (Kinsmen beach);• Vernon Mountain;• Black Creek;• Wallington Creek;• Hoodstown Rapids (historic portage); and• Hudson Bay Trading Post
	8.15.3.5 The Hoodstown Portage may be restored to public ownership and preserved through conservation easements or land trust.

8.16 Menominee Lake

8.16.1 Background

Menominee Lake	8.16.1.1 Menominee Lake is split between the Town of Huntsville and the Township of Lake of Bays. The Menominee Lake Association has expressed a desire to ensure a consistent approach to the review of development applications, and to the commitment to developing and enforcing environmental stewardship standards.
Characteristics	8.16.1.2 Menominee Lake has a surface area of 97 hectares (240 acres), with 14% (13.5 hectares / 33 acres) located in the Town of Huntsville. Of a total shoreline length of 6.8 kilometres (4.2 miles), 21% (1452 metres / 4764 feet) is in Huntsville.

Stewardship

8.16.1.3 The Menominee Lake Association has adopted a Lake Plan (August, 2004) that provides a stewardship approach for residents around the lake to work cooperatively to preserve the health of the lake and its surrounding community.

8.16.2 Vision Statement

Vision Statement

8.16.2.1 Menominee Lake and its surroundings provide a tranquil environment of strong natural beauty, clear air and clean water in which cottagers and residents can relax, gather with family and friends, promote respect for the environment, and restore their sense of well-being.

8.16.3 Lake Character

Lake Character

8.16.3.1 The Character of Menominee Lake has the following features:

- the natural landscape should be preserved and restored
- trees are an important component of that landscape
- the wetland areas around the lake are important features
- the building environment should not overwhelm the natural landscape
- buildings should fit with and blend into the natural landscape
- development or redevelopment should fit in with the natural landscape
- a peaceful, relaxed atmosphere is valued.

8.16.4 Policies

Minimum Lot Frontage

8.16.4.1 The minimum frontage for new lot creation shall be 120 metres (400 feet).

Permitted Uses

8.16.4.2 Permitted uses around the shoreline of the lake shall be limited to linear residential development and open space/conservation uses.

Boathouses Prohibited

8.16.4.3 Boathouses, boat ports or other accessory buildings (except docks) shall be configured so that conflicts with neighbouring properties are minimized.

Upstream Development

8.16.4.4 Any development upstream of the Lake and within the Menominee Lake watershed shall be assessed with regard to its impact on the water quality of Menominee Lake.

8.17 Fairy Lake

8.17.1 Background

Fairy Lake

8.17.1.1 The shoreline of Fairy Lake is divided among a number of Land Use designations: Huntsville Urban Settlement Area, Hidden Valley Settlement Area, Highway 60 Special Policy area and Waterfront.

Characteristics

8.17.1.2 Fairy Lake has a surface area of 711 hectares (1757 acres), with 22.5 kilometres (14 miles) of shoreline.

Stewardship

8.17.1.3 The Fairy Lake Association has adopted a Lake Plan (2003) that provides a stewardship approach for residents around the lake to work cooperatively to preserve the health of the lake and its surrounding community.

Waterfront Designation

8.17.1.4 These policies apply to the lands designated Waterfront in the Huntsville Official Plan.

8.17.2 Vision Statement

Vision Statement

8.17.2.1 The Fairy Lake Association has endorsed the following vision statement:

- The beauty of the landscape, the tranquility of the surroundings and the quality of the water are preserved;
- Wildlife, fish, and plant habitat are safeguarded;
- The community is actively involved in stewardship;
- There is an appropriate balance between economic development and the preservation of the environment; and
- Local residents and visitors to Muskoka will have access to the lake's recreational opportunities.

8.17.3 Policies

Public Access Points

8.17.3.1 Existing public access points shall be retained and protected. New sites shall be created in appropriate locations particularly on the south side of the lake, where feasible and shall be provided as part of the development approval process.

Setback

8.17.3.2 In general, a minimum development setback of 30 metres shall be maintained adjacent to identified Type 1 Fish Habitat, except for permitted shoreline structures.

Natural and Cultural Features

8.17.3.3 A number of natural and cultural points of interest have been identified on Fairy Lake and should be protected from incompatible development. These include:

- The first steamer “Northern” is sunk off shore;
- One Tree Island;
- Canal; and
- Brunel Locks.

(OPA#2) **8.18 Mary Lake**

8.18.1 Background

Mary Lake

8.18.1.1 Mary Lake has a surface area of 1,062 hectares (2,625 Acres), with 23 kilometers (16 miles) of shoreline.

Mary Lake Basin

8.18.1.2 The “Mary Lake Basin” is defined as Mary Lake and the first 1000 meters adjacent to the lake. With the exception of policy 8.18.5, the policies in this subsection apply to the lands designated “Mary Lake Ridgeline Area”.

8.18.2 Vision Statement

Vision Statement

8.18.2.1 It is deemed the responsibility of the stakeholders in the Mary Lake Basin to ensure that planning and development occur in a manner that will enable future generations to experience the special character and serene natural beauty of the lake including:

- The unbroken forest panorama covering the islands and rising to the steep and highly visible ridgeline surrounding the lake.
- Clean water and unspoiled natural environment throughout the lake basin that sustains the broad diversity of flora and fauna of the water and land.
- Continued social and visual contribution of the notable large and traditional properties (camps, lodges, islands, marina and natural elements) which feature prominently in the landscape.
- Harmonious shoreline and back lot building development that blends into the natural viewscape.
- The special quality of community living, typified by the historical village of Port Sydney that respects natural, social and built heritage.
- Well-managed community access to recreational activities compatible with the established character of the lake.

- Active stewardship that educates residents and visitors and supports implementation of policies to achieve the vision.

8.18.3 Policies

To achieve the Mary Lake vision, the stakeholders have established 5 priorities. Each priority outlines attributes which have been identified and deemed essential to sustaining and enhancing the character of the Mary Lake Basin.

8.18.3.1 Ridgeline Scenic Panorama

Ridgeline Scenic
Panorama

The Mary Lake Basin presents a naturally beautiful viewscape that rises from the waterfront to the ridgeline of the surrounding cliffs and hills. Because the lake is a basic oval shape with only a few shallow bays, there is a sweeping visual connection from all points. The topography of the panoramic view combines gently rising forest coverage and extensive steep rock terrain. The ridgeline is unbroken and there is very little obtrusive or intrusive development in the panorama.

- The goal is to preserve the unique natural character and beauty of the scenic panorama from the water to the waterside top of the ridgeline around the entire, visible Mary Lake Basin.

8.18.3.2 Shoreline Development

Shoreline
Development

The Mary Lake Basin contains a number of prominent rock faces which play an important role in defining the natural character of the lake setting. A notable characteristic is that the tree line is located above or behind barren rock face.

- The goal is to preserve the natural rock face in prominent locations.

The shoreline development provisions of Section 3 (Environment) and Section 8 (Waterfront) are consistent with the vision of the Mary Lake Basin.

- The goal is to encourage public appreciation and understanding of these provisions and to support rigorous enforcement.

8.18.3.3 Water Quality and Natural Environment

Water Quality
and Natural
Environment

Mary Lake has characteristics that present challenges in establishing and maintaining excellent water quality and a pristine natural environment. These include:

- Mary Lake’s position on the Muskoka River is downstream of considerable current and potential new development within the boundaries of the Town of Huntsville.
- Mary Lake has very limited adjacent wetland and lacks the associated environmental benefits which wetlands provide.
- The goal is to improve and restore the water quality and natural environment to realize the potential for enjoyment and preservation of natural diversity throughout the Mary Lake Basin.

8.18.3.4 Prominent and Traditional Properties

Prominent and Traditional Properties

Part of the character of the Mary Lake Basin is defined by a number of prominent waterfront properties that are prominent based on their unique location and site characteristics and/or their historic use. For many decades the sites identified below have provided a “Muskoka lake experience” centred on youth education, camping and family activities.

Prominent Locations:	Traditional Use Properties:
Rocky Island	Sister of Saint John Convent
Crown Island	Clyffe House
Raymond’s Bluff (southwest shore)	Camp Mini Yo We
Buckhorn Bluff (northwest shore)	Muskoka Baptist Conference
Gryffin Bluffs (northeast shore)	Gryffin Lodge
	Mary Lake Marina
	Pitman’s Bay

- The goal is to encourage continuation of the longstanding use and form of these properties to maintain the traditional character of Mary Lake.

8.18.3.5 Community Living

Community Living

Despite its annexation into the larger Town of Huntsville many decades ago, Port Sydney has managed to preserve and enhance its many small “village” attributes. The distinct character and history of the “Port Sydney Settlement Area” has been specifically recognized and defined in Section 6 of this Plan. The “village” has many defining attributes including historic buildings, deep setbacks of the lakefront properties, a large public beach, a central community hall and a single two lane roadway that provides a promenade from one end of the village to the other.

- The goal is to ensure that any development maintains the existing village character and ambience as an important feature for all Mary Lake residents. This character is reflected in the built structures, commercial activities and sense of safe, communal living in a small village environment.

8.18.4 Ridgeline Area

The term "Ridgeline Area" within the Mary Lake Basin for the purposes of this Official Plan is delineated on Appendix 11 – "Mary Lake Ridgeline Area" map.

8.18.4.1 Ridgeline Area Policies

Ridgeline Area

Within the Ridgeline Area, all development is subject to Section 8 – Waterfront Policies and the following policies which shall take precedence where there is a conflict:

- a. All development, with the exception of minor expansion or addition, within the Ridgeline Area shall be subject to Site Plan Control.
- b. All applications for Site Plan Approval shall address, amongst other matters, the following:
 - Identification of the location of the subject property on the map of the Ridgeline Area (Appendix 11)
 - Specific reference to the impact that the proposed development shall have on the "natural" view from the water to the ridgeline
 - Representation of the natural vegetation and existing or proposed tree cover
 - Completion of a plan checklist which will confirm compliance with Section 3 (Environment) and Section 8 (Waterfront)
- c. On prominent barren rock faces adjacent to the water, no development, with the exception of limited docking/boathouse facilities, shall be permitted.
- d. Creation of solid shoreline walls or "in water" structures that break the integrity of the waterfront "ribbon of life" are prohibited.
- e. To protect and preserve the "ribbon of life", the creation of new shoreline land by adding fill is prohibited.
- f. To avoid further fragmentation and disruption of the waterfront community, development of new multiuser waterfront landing facilities shall require an Official Plan amendment.

8.18.5 Prominent and Traditional Properties

Prominent and Traditional Properties

Prominent and Traditional Properties listed in Section 8.18.3.4 shall be:

- a. encouraged to continue their current use and/or form; and
- b. encouraged to ensure that any proposal to alter their current use or form is consistent with the traditional lake character.

8.18.6 Implementation and Interpretation

Implementation and Interpretation

- 8.18.6.1 The Mary Lake policies shall be subject to the relevant provisions of Section 13 of the Huntsville Official Plan relating to implementation and interpretation.

5.3 Shoreline Residential (SR) Zones

5.3.1 The Shoreline Residential Zones established by this By-law are as follows:

Zone	Symbol	"description"
Shoreline Residential One	SR1	Standard lot .4 ha, 60 m
Shoreline Residential Two	SR2	New lot standard 1.0 ha, 60 m
Shoreline Residential Three	SR3	Larger lot standard 120 m
Shoreline Residential Four	SR4	Existing lots – 20 m setback
Shoreline Residential Five	SR5	Existing lots – 30 m setback

5.3.2 Permitted Uses – Principal Uses:

Row	Table 5.3.2					
i		SR1	SR2	SR3	SR4	SR5
ii	Permitted Uses (principal use)	Shoreline Residential One	Shoreline Residential Two	Shoreline Residential Three	Shoreline Residential Four	Shoreline Residential Five
iii	Dwelling, single detached	•	•	•	•	•

5.3.3 Permitted Uses – Accessory Uses:

Row	Table 5.3.3					
i		SR1	SR2	SR3	SR4	SR5
ii	Permitted Uses (accessory use)	Shoreline Residential One	Shoreline Residential Two	Shoreline Residential Three	Shoreline Residential Four	Shoreline Residential Five
iii	Artisan's Studio	•	•	•	•	•
iv	Bed & breakfast establishment (a)	•	•	•	•	•
v	Home Occupation (a)(b)	•	•	•	•	•
vi	NOTES: (a) On a lot having a minimum lot area of 1 hectare (2.5 ac.); (b) Provided no activity related to the home occupation occurs within 30 metres (98.4 ft.) of a watercourse.					

2012-23 5.3.4 Lot Requirements:

ii	Lot Standards		Shoreline Residential One	Shoreline Residential Two	Shoreline Residential Three	Shoreline Residential Four	Shoreline Residential Five
iii	Lot Frontage		60 m (196.9 ft.)	60 m (196.9 ft.)	120 m (393.7 ft.)	(a)	(a)
iv	Lot Area		4,000 sq. m (1.0 ac)	1 ha (2.5 ac)	1 ha (2.5 ac)	(a)	(a)
v	Lot Coverage (Maximum)		10%	5%	5%	5% (b)	5% (b)
vi	Yard Requirements	Front Yard	20 m (65.6 ft.) c)	20 m (65.6 ft.) c)	30 m (98.4 ft.)	20 m (65.6 ft.)	30 m (98.4 ft.)
vii		Interior Side Yard	6 m (19.7 ft.)	6 m (19.7 ft.)	6 m (19.7 ft.)	6 m (19.7 ft.)	6 m (19.7 ft.)
viii		Exterior Side Yard	7 m (23.0 ft.)	7 m (23.0 ft.)	7 m (23.0 ft.)	7 m (23.0 ft.)	7 m (23.0 ft.)
ix		Rear Yard	10 m (32.8 ft.)	10 m (32.8 ft.)	10 m (32.8 ft.)	10 m (32.8 ft.)	10 m (32.8 ft.)
x	Setback from streams (on site) – Cold water		30 m (98.4 ft.)	30 m (98.4 ft.)	30 m (98.4 ft.)	30 m (98.4 ft.)	30 m (98.4 ft.)
xi	Setback from streams (on site) – Warm water		20 m (65.6 ft.)	20 m (65.6 ft.)	20 m (65.6 ft.)	20 m (65.6 ft.)	20 m (65.6 ft.)
xii	Building Height (maximum)		9 m (29.5 ft.)	9 m (29.5 ft.)	9 m (29.5 ft.)	9 m (29.5 ft.)	9 m (29.5 ft.)
xiii	Maximum Number of enclosed or roofed accessory buildings or structures on a lot		3	3	3	3	3
xiv	Other provisions		(d)	(d)	(d)	(d)	(d)
xv	<p>NOTES: (a) As exists on the date of passing of this By-law, but not less than the requirements of Section 3.3. (b) The lot coverage shall be calculated on the portion of the lot that is located within 90 metres (295.3 ft.) of the shoreline. (c) Where a lot does not front on a navigable waterway, the frontage shall be determined to be on the road and the front yard setback shall be 12m (39.4 ft.) (d) Where the lot abuts Type 1 Fish Habitat, the minimum yard setback shall be 30m (98.4 ft.)</p>						