



Township of Lake of Bays

Official Plan



*A Plan to implement our
Vision for Quality Living
Space*

January 12, 2016 – Adopted by By-laws Nos.
2016-005 and 2016-049.



A Joint Project of the District Municipality of Muskoka and the Township of Lake of Bays



**Office Consolidation
of the Township of Lake of Bays
Official Plan**

Consolidated July 5, 2016

Prepared by the
Township of Lake of Bays



Township of Lake of Bays Official Plan Explanatory Note

The Lake of Bays Official Plan was adopted by the Council of the Township of Lake of Bays on December 14, 1999 by By-law 99-119. With the exception of Sections H.46, H.55 and H.56 and the boundary of the Lower Oxtongue River Muskoka Heritage Area illustrated on Schedule C1, the Council of the District Municipality of Muskoka approved the Plan on February 7, 2000 by By-law 2000-2.

An appeal of Sections D.64 to D.68 of the Lake of Bays Official Plan was forwarded to the Ontario Municipal Board for resolution, and the remainder of the approved Plan came into effect on March 1, 2000.

On March 12, 2001, the District of Muskoka passed By-law 2001-19, to approve Sections H.46, H.55 and H.56 which subsequently came into effect on April 6, 2001.

The Ontario Municipal Board issued Order No. 1930 (PL000245) on December 16, 2004 approving Sections D. 64 to D.68.

This Plan was consolidated on March 14, 2014.

A five (5) year review on the Plan was initiated in January, 2014 and was adopted by the Council of the Township of Lake of Bays on January 12, 2016 by By-laws 2016-005 and 2016-049.

The District Municipality of Muskoka approved the Official Plan with modifications on June 20, 2016 by By-law 2016-22.

Official Plan Amendments To the Official Plan of the Township of Lake of Bays			
OPA#	TITLE	ADOPTED	CONSOLIDATED
	Township of Lake of Bays Official Plan	By-law 99-119 December 14, 1999 DMM By-law 2000-2	
1	Baysville Servicing Policies	By-law 02-66 July 16, 2002 DMM By-law 2002-48 September 9, 2002 – modified	June 2005
2	Bigwin Island – Special Policy Areas	OMB Decision Order 0295 (PL933035) issued February 28, 2003 By-law 95-37	June 2005
3	Paddlefoot Natural Adventures Inc. Tourist Commercial Development	By-law 04-85 July 13 th , 2004 DMM By-law 2004-42 September 13, 2004	June 2005
4	Development Permit System	By-law 04-161 October 19, 2004 amended text October 19, 2004 DMM By-law 2004-63 November 14, 2004 – modified	June 2005
N/A	Revised Official Plan Policy for the Lower Oxtongue River Heritage Area	OMB Decision Order 1930 (PL000245) Issued December 16, 2004	June 2005
5	Echo Valley	By-law 05-151 September 13, 2005 DMM By-law 2005-49 October 17, 2005	June 2006
6	Peninsula Lake and Housekeeping Matters	By-law 05-128 August 23, 2005 DMM By-law 2005-51 November 7, 2005 - modified	March 2014
7	Echo Valley Phases 2, 3 & 4	On-going	-
8	Paint Lake Ratepayers Association – Lake Plan	By-law 08-88 July 8, 2008 DMM By-law 2009-03 January 26, 2009 – modified	March 2014
9	Marnoch Conservancy - closed	-	-

10	Menominee Lake Association – Lake Plan	By-law 10-69 July 20, 2010 DMM By-law 2010-56 September 7, 2010	March 2014
11	Raven Lake Association – Lake Plan	By-law 10-69 July 20, 2010 DMM By-law 2010-57 September 7, 2010	March 2014
12	Ril Lake – Balenovic	By-law 12-16 May 7, 2012	March 2014
13	Ril Lake - Straker	By-law 12-131 November 28, 2012 - modified	March 2014
14	Northern Lights Muskoka Inc. (formerly Echo Valley)	By-law 12-130 December 11, 2012 - modified	March 2014
15	Technical Amendment to the Township Official Plan	By-law 13-096 July 16, 2013	March 2014
16	5-Year Review	By-law 2016-005 January 12, 2016 and By-law 2016-049 May 10, 2016	January and May, 2016

Table of Contents

Section A: Introduction	A-1
Background and Basis	A-1
Township of Lake of Bays	A-1
The Township Vision	A-1
Supporting Documentation	A-2
Context and Contents	A-2
Title and Components	A-2
Purpose of the Official Plan	A-3
Scope and Duration	A-4
Use of the Plan	A-5
Reading the Plan	A-5
Interpretation	A-6
 Section B: Goal and Objectives	 B-1
Foundation of the Plan	B-1
Goal	B-1
Objectives	B-1
 Section C: Strategy for Growth	 C-1
Framework for Growth	C-1
Managing Growth	C-1
Basis and Principles	C-1
Settlement Pattern	C-2
Land Use Designations	C-3
General Policy	C-4
Community Building	C-4
Group Homes	C-5
Garden Suites and Secondary Units	C-5
Mobile Home Parks	C-6
Open Space Strategy	C-6
Water and Sewage Servicing	C-9
Roads and Access	C-13
Healthy Communities	C-18

Section D: Environment	D-1
Environmental and Landscape Conservation	D-1
Water Resources	D-2
Shoreline Protection	D-3
Recreational Water Quality	D-5
Groundwater and Storm Water	D-12
Wetlands	D-14
Natural Heritage	D-17
General	D-18
Oxtongue River Corridor Lake of Bays Heritage Area	D-19
Lower Oxtongue River Muskoka Heritage Area	D-20
Big East River Corridor Muskoka Heritage Area	D-22
Langmaid's Island Muskoka Heritage Area	D-24
Bella Lake Glaciofluvial Outwash Deposit Muskoka Heritage Site and Big East Glaciofluvial Outwash Deposit Lake of Bays Heritage Site	D-25
Little Nelson Lake Till Unit Muskoka Heritage Site	D-26
Port Cunningham Intrusive Muskoka Heritage Site	D-27
Highway 35 Rock Cut ANSI	D-27
Fish Habitat	D-28
Wildlife Habitat and Endangered or Threatened Species	D-31
Cultural Heritage	D-34
Implementation	D-35

Section E: Development Constraints	E-1
Constraints to Development	E-1
Slopes	E-1
Narrow Water bodies	E-3
Flood Prone Lands	E-5
Land Use Compatibility	E-6
Wildland Fires	E-11

Section F: Economy	F-1
Economic Basis	F-1
Tourism	F-1
Business, Service Sector and Cultural Arts	F-5
Resource Industries	F-6
Aggregates	F-7
Forestry	F-10

Section G: Communities	G-1
Community Designation	G-1
Definition	G-2
Function	G-2
Basis and Principles	G-3
General Policy	G-4
Community Design	G-4
Lot Requirements	G-6
Access	G-7
Environmental Protection	G-8
Land Use Policy	G-8
Permitted Uses	G-8
Residential	G-9
Commercial Uses	G-10
Industrial Uses	G-11
Institutional Uses	G-11
Sub-designations	G-12
Baysville	G-12
Boundaries	G-13
Function	G-13
Character	G-13
Influences on Community Growth and Development	G-14
Constraints and Environmental Protection	G-14
Water and Sewage Servicing	G-15
Growth and Development	G-16
Community Design	G-16
Core Area	G-17
Commercial Area	G-17
Tourist and Water Oriented Commercial	G-18
Business Area	G-18
Institutional Node	G-19
Dorset	G-19
Boundaries	G-19
Function	G-19
Character	G-20
Influences on Community Growth and Development	G-20
Municipal Co-operation	G-21
Constraints and Environmental Protection	G-21
Water and Sewage Servicing	G-21
Growth and Development	G-22
Community Design	G-22
Core Area	G-22
Business Area	G-23
Residential	G-23
Dwight	G-23
Boundaries	G-24

Function	G-24
Character	G-24
Influences on Community Growth and Development	G-25
Constraints and Environmental Protection	G-25
Water and Sewage Servicing	G-26
Growth and Development	G-26
Community Design	G-26
Core Area	G-26
Commercial Areas	G-27
Tourist Commercial	G-27
Business Area	G-28
Institutional Node	G-28
Special Policy Area 1	G-28
Special Policy Area 2	G-29
Hillside	G-29
Boundaries	G-30
Function	G-30
Character	G-30
Influences on Community Growth and Development	G-30
Constraints and Environmental Protection	G-31
Water and Sewage Servicing	G-31
Growth and Development	G-32
Community Design	G-32
Commercial	G-32
Industrial	G-32
Residential	G-33
Echo Valley	G-33
Boundaries	G-33
Function	G-34
Character	G-34
Constraints and Environmental Protection	G-34
Servicing	G-35
Access	G-36
Storm Water Management	G-37
Community Design	G-38
Growth and Development	G-39
Residential and Open Space	G-39
Nature Reserve	G-40
Environmental Protection	G-41
Implementation	G-42

Section H: Waterfront H-1

Waterfront Designation	H-1
Function	H-2
Basis and Principles	H-3

Character	H-3
General Policy	H-4
Preservation of Waterfront Character	H-4
Access	H-7
Waterfront Landings and Individual Access Points	H-8
Water and Sewage Servicing	H-9
Boat Impact Assessment	H-9
Land Use Policy	H-10
Permitted Uses	H-10
Lot Requirements	H-11
Waterfront Residential	H-11
Waterfront Commercial	H-14
Special Policy Areas	H-16
Bigwin Island	H-16
Paddlefoot	H-27
Ril Lake – Balenovic	H-28
Ril Lake - Straker	H-29
Specific Lake Plans	H-31
Peninsula Lake Plan	H-32
Paint Lake Plan	H-34
Menominee Lake Plan	H-36
Raven Lake Plan	H-37

Section I: Rural I-1

Rural Designation	I-1
Definition	I-1
Function	I-1
Basis and Principles	I-1
Character	I-2
General Policy	I-3
Preservation of Rural Character	I-3
Access	I-4
Water and Sewage Servicing	I-5
Land Use Policy	I-5
Permitted Uses	I-5
Lot Requirements	I-5
Rural Residential	I-6
Rural Business	I-7
Agriculture	I-8
Rural Resource Industries	I-9

Section J: Implementation J-1

Use of Planning Tools	J-1
Impact Assessment, Site Evaluation and Technical Reports	J-1
Municipal By-laws	J-7
Comprehensive Zoning By-law	J-7

Development Permit By-law	J-7
Holding By-laws	J-9
Temporary Use By-laws	J-10
Non-Conforming Uses	J-11
Non-Complying Buildings, Structures and Lots	J-11
Existing Lots	J-12
Division of Land	J-12
Creation of Lots, Units or Interests in Land	J-12
Plans of Subdivision & Condominium Descriptions	J-14
Agreements	J-15
Development Permits and Site Plan Control	J-15
Municipal Agreements	J-17
Community Development	J-17
Community Improvement Policy	J-17
Community Standards	J-18
Notice Requirements	J-19
Municipal Road Allowances	J-19
Original Shoreline Road Allowances	J-20
Road Allowances Leading to Water	J-21
Monitoring	J-21

APPENDIX A	Sensitive Lake Trout Lakes
APPENDIX B	Cultural Heritage Resources
APPENDIX C	Special Policy Area: Bigwin Island
APPENDIX D	Lake Classification by Phosphorus Sensitivity
APPENDIX E	Lake System Health – Terms of Reference for Water Quality Impact Assessments
NOTES	

Section A: Introduction

Background and Basis

Township of Lake of Bays

The Township of Lake of Bays is located on the southern edge of the Canadian Shield and possesses a rich and rugged natural landscape of forests, rocks, lakes and wetlands. This natural and diverse scenic setting, which offers high quality living and recreational opportunities, has played a significant role in the settlement of the area and continues to define the character and identity of the Township.

The close proximity of the Township to the urban population of Ontario has contributed to its historic and contemporary role as an important cottaging, recreation and tourism destination. The small communities, waterfront and rural areas also provide an attractive lifestyle, which have their heritage rooted in lumbering, milling, steamship and rail travel, and tourism and recreation. Currently, the economy of the Township is primarily based on tourism, recreation and the service sector. Forestry and aggregate extraction also contribute to the local economy.

The Township of Lake of Bays with its permanent population of 3,700 and seasonal population of approximately 12,500 encompasses approximately 66,000 hectares (163,083 acres) of land. The Township is situated 193 kilometres (120 miles) north of Toronto, within the District Municipality of Muskoka. The Township of Lake of Bays was established in 1971 by the Muskoka Act, as an Area Municipality within a two-tier local government framework.

In 1999, a new comprehensive Official Plan was prepared by the Township and was updated in 2010. In 2014, a further review was conducted as part of the 5-year review under the Planning Act, as amended.

The Township Vision

The Vision was developed by and for the community as part of the preparation of the first Plan, identifies the characteristics that make the Township of Lake of Bays a special place to live and visit. It is these characteristics or elements that form the basic character, which defines the Township and creates a sense of identity. The Vision also provides an image of the Township that is desired for the future, identifies basic community values and sets forth the qualities and features that should be preserved over time. The Vision is still considered to be a valid reflection of the Township's identity in 2014 where "special" means getting back in touch with nature in a unique confluence of water, rocks and trees while still enjoying the amenities of a 'busy' community rich in culture, and heritage and an ideal and safe setting in which to raise a family.

Supporting Documentation

A Background Document, prepared as part of the 2014 5-year review provides an update of the 1997 "Official Plan Policy Direction" background information used as a basis for the revisions to the Official Plan. The 2014 Provincial Policy Statement which came into force on April 30, 2014 is also an important document that guided the review.

Context and Contents

Title and Components

A.1	This Official Plan of the Township of Lake of Bays is referred to as the "Lake of Bays Official Plan". The Lake of Bays Official Plan consists of the text herein including Sections A to J and the following Schedules:	Text and Schedules
	Schedule A1: Settlement	Settlement Pattern
	Schedule A2 (revised): Community of Baysville (May 2002)	
	Schedule A2-1: Community of Baysville – Water and Sewer Service Areas	
	Schedule A3: Community of Dorset	
	Schedule A4: Community of Dwight	
	Schedule A 5: Community of Hillside	
	Schedule A-6: Community of Echo Valley	
	Schedule A6-1: Echo Valley - Master Plan	
	Schedule A6-2: Echo Valley - Construction Limits	
	Schedule A7: Waterfront Special Policy Area: Bigwin Island	
	Schedule A7-1: Bigwin Island - Setbacks and Vegetative Buffers	
	Schedule A8: Paddlefoot Natural Adventures Inc.	
	Schedule B1: Transportation and Public Land	Transportation
	Schedule C1: Wetlands and Natural Heritage (Revised Nov. 23/04)	Environment
	Schedule C-2: Fish and Wildlife Habitat	
	Schedule C-3: Lake Categories	
	Schedule D1: Terrain	Constraints
	Schedule D2: Narrow Waterbodies and Waste Disposal	
	Schedule E1: Aggregates	Resources

A.2	The background statements, which are identified by unnumbered text within a dotted border, the appendices and the endnotes, are provided for information only and do not comprise a formal part of this plan.	Background and Appendices
 Purpose of the Official Plan		
A.3	The Lake of Bays Official Plan has been developed by the community as an important tool to be used in managing growth and development. The plan sets out the goal, objectives and land use policies, which will guide economic, environmental and community-building decisions affecting physical, social and economic change within the Township.	Guidance for and Management of Growth
A.4	The Residents of the Township of Lake of Bays will nurture and sustain clean water, fresh air, natural shorelines, healthy forests and wetlands that will be the pride of the province. We will offer an outstanding combination of economic opportunity, peaceful living and recreation. This is our dream and legacy for our grandchildren's children.	Vision Statement
 We Value:		
• Responsible Leadership; • A Healthy Sustainable Natural Environment; • A Sound Economy; • Quality of Life for All; • The Allure of our Surroundings; and • Our Heritage		
A.5	Specifically, the Official Plan is intended to assist Township Council in: • implementing the Township vision; • promoting the wise stewardship of the Township's natural and cultural heritage and character; • providing for orderly growth that is environmentally and economically sustainable; • protecting the resources of the Township; • preserving the quality of life in the Township by fostering healthy, active and safe communities; • providing for predictable, open and integrated decision making; and • interpreting and applying Provincial and District of Muskoka policy within the context of the Township.	
A.6	While the Township Vision is the foundation for the Official Plan, the policies of the plan have also been developed within the broader policy framework established for the Province. The Township of Lake of Bays Official Plan was updated to be consistent with the 2014 Provincial Policy Statement and to reflect the intent of the <i>Planning Act</i> , as	Integration of Provincial and District Policy And Aboriginal Interests

amended. The Official Plan was also prepared in conformity with the Official Plan of the District Municipality of Muskoka.

The official plan will be implemented in a manner that is consistent with the recognition and affirmation of Aboriginal and treaty rights in Section 35 of the *Constitution Act, 1982*.

Where land use approvals involve potential approvals under other provincial legislation, the approvals under the affected legislation may be integrated, provided the intent and requirements of all affected Acts are met.

The official plan shall be implemented in a manner that is consistent with the Ontario *Human Rights Code* and the *Canadian Charter of Rights and Freedoms*.

- | | | |
|---------------------------|--|---|
| A.7 | Official Plan policy is implemented on a property specific basis through the zoning by-law and/or development permit by-law and other municipal by-laws, as is detailed in Section J of this Plan. Any municipal by-law must conform to this Plan. Therefore, this Plan is the basis on which any zoning or development permit by-law will be prepared. The development permit by-law may apply throughout the Township and may be complimented with the use of other planning tools where appropriate. Until a new land use by-law is approved, the existing zoning by-law and site control by-law will apply in the Community and Rural designations. | Comprehensive
Zoning and/or
Development Permit
By-law(s) |
| Scope and Duration | | |
| A.8 | The policy within the Lake of Bays Official Plan applies to all the land within the boundaries of the Township. | Application |
| A.9 | As provided for in Section 6 of the Planning Act, provincial plans and undertakings within the geographic boundaries of the Township of Lake of Bays should have regard to the policy of this Official Plan | Application to
Crown Land |
| A.10 | The policy direction within the Lake of Bays Official Plan has been based on a twenty-year time frame, but the Plan has no specific terminal year. | Time Frame |
| A.11 | The plan is considered to be a "living" document, which will be continually monitored and updated to ensure that the intent of the Township Vision is being addressed, community needs are being met and the policies can be properly implemented. In addition, the policies of the plan should be monitored to ensure that they are valid and realistic in light of prevailing circumstances, and that any new District and provincial policies are addressed. A review of the plan will be undertaken every five years, as required by the Planning Act to evaluate whether the goal and objectives are being achieved and to determine the effectiveness of the policy. | Monitoring and
Updating |

Use of the Plan

Reading the Plan

The Official Plan represents the community's blue print for growth in the Township of Lake of Bays. It reflects the Township Vision and the desires of the residents of the Township, and will guide Council in making future land use decisions and preparing a comprehensive zoning by-law.

When trying to determine how the plan is relevant to a specific property or development proposal, the plan should generally be read using the following process. However, the Township should be contacted for assistance and confirmation of applicable policy early in the process of planning a development or making property decisions that may involve a planning application.

1. Refer to the goal and objectives of the plan found in Section B, to understand what the Township is attempting to achieve, the intent of the plan and to understand the basis of the policies.
2. For details respecting the background and scope of the Plan, as well as guidance for the interpretation of the Plan refer to Section A.
3. Determine the land use designation of a particular property by referring to Sections C.9 to C.12 and then to Schedules A1 to A6 for Community designations; Section H and Schedule A7 for the Waterfront designation; and Section I for the Rural designation (the Township should be consulted to confirm the land use designation).
4. Refer to the general policies of Section C: Strategy for Growth, Section D: Environment, Section E: Development Constraints and Section F: Economy which applies to growth and development in all land use designations.
5. Refer to the policies for the specific land use designation that is applicable to the property which may include Section G: Communities, Section H: Waterfront, or Section I: Rural.
6. Certain policies in this Plan may make specific reference to the District Official Plan. In that case, the policy of the District Official Plan should be read for direction regarding that particular matter (the general strategy and policy direction for all of Muskoka should also be taken into account in any proposal).
7. Finally, refer to Section J: Implementation for more information respecting the implementation of the policies of this Official Plan. Section J also gives direction and guidance respecting the preparation of supporting documentation for planning applications and approval processes for such applications.
8. For further information, background or guidance respecting the Township, this Official Plan or particular policies, refer to the background statements (which are not numbered, have a shaded area and are surrounded by a border) and the appendices. It should be noted that the background statements and appendices are not a formal part of the plan.
9. Endnotes in the background statements identify the documents used to prepare that statement and can also lead to additional information respecting

that topic. The endnotes found directly in the policy of the Plan provide reference to particular Provincial Ministries or specific sections of legislation.

Interpretation

- | | | |
|------|---|--|
| A.12 | The boundaries of each Community as Shown on Schedules A2 to A 6, and for each Special Policy Area (Schedule A7) have been specifically located, and primarily correspond to property boundaries or an environmentally sensitive area. Any refinement other than a minor adjustment will require an amendment to this plan. Based on the most recent District of Muskoka Growth Strategy, no growth-related changes to the settlement area boundaries of the communities in the Township of Lake of Bays is required. | Adjustment to
Community
Boundaries |
| A.13 | As more specifically detailed in this plan, the boundaries and entities identified on Schedules B1 to E1 inclusive are general in nature. These schedules are intended to act as indicators of values, influences on, or constraints to development which may require further confirmation and evaluation, and which must be considered and read in conjunction with the applicable policies of this plan. Refinements or determination of specific location, extent or final definition of such entities will be satisfactory to the Township or other authority as specified herein, and will not require amendment to this plan. | Location of
Entities on
Schedules |
| A.14 | The exact limits or boundaries of a natural heritage area or site, environmentally sensitive area, habitat area, or influence areas of constraints such as flooding, sewage lagoons or landfill sites will be confirmed, as required by the Township. Confirmation may require a site inspection by Township staff and/or an impact assessment. Final determination of exact limits of boundaries or areas of influence will be made by the Township, or other applicable authority as specifically noted in this plan, and will not require amendment to this plan. | Determination of
Boundaries of
Sensitive Areas
or Constraints |
| A.15 | Deviation from numerical requirements in the plan, which are minor and restricted in nature, may be permitted without amendment to the plan, provided that the principles and intent of the plan are maintained. | Deviation from
Numeric Values |
| A.16 | Individual policies should not be read or interpreted in isolation. The intent, goal and objectives and all applicable policies must be considered together to determine conformity. Sections A to F and J are general in nature and apply in any land use designation. The Plan establishes minimum standards for development and is not intended to prevent development that exceeds these standards unless they are deemed to conflict with provincial policies, the provincial policy statement and the District of Muskoka Official Plan. | Reading Policies |
| A.17 | Where lists or examples of permitted uses are provided in the Plan, they are intended to indicate the possible range and type of uses that are to be considered. Specific uses which are not listed, but are considered by | Lists of
Permitted Uses |

the Township to be similar to the listed uses and to conform to the intent of the applicable land use designation and the plan, may be recognized as a permitted use.

- A.18 References to the “Township of Lake of Bays” or the “Township” in this plan will mean the Council of the Township of Lake of Bays or its designate, unless specifically indicated otherwise.

Meaning of
“Township”

Section B: Goal and Objectives

Foundation of the Plan

The goal and objectives set out in this section are the foundation on which the policies of the Official Plan are built. The goal of the Official Plan is the primary statement that identifies the desired outcome for growth and development within the Township. It identifies what is to be accomplished and the primary purpose of the plan. All objectives and policies stem from this goal.

The objectives are secondary statements, which provide more detail respecting the individual components of the goal. These supplementary statements identify specific aims or outcomes to be achieved. The objectives flow from the goal and must be consistent with that primary statement.

Goal

- B.1 To provide quality living space and foster a sound economy by nurturing and sustaining the health and allure of the environment, and encouraging growth that enhances economic opportunity while respecting the character and heritage of the Township of Lake of Bays.

Objectives

- | | | |
|-----|--|-----------------------|
| B.2 | To conserve the rich landscape of lakes, forests and wetlands, and safeguard the health and integrity of the water, air, forests, shorelines and natural habitat. | Environment |
| B.3 | To preserve the natural panorama and setting of the land and lakes. | |
| B.4 | To strengthen the economy through land use and development which builds upon and complements the existing economic base of the Township in a fiscally, socially and economically sound manner. | Economic |
| B.5 | To recognize and support the development of the tourist commercial, service commercial, cultural arts and associated business, and recreational sectors as vital components of the Township's economic base. | |
| B.6 | To recognize and build upon the pattern of land use in the Township of Lake of Bays by accommodating compatible land uses and sustainable growth. | Settlement and Growth |

B.7	To enhance the role, function, and vitality of the existing communities as the focal points for growth and development.	
B.8	To recognize and enhance the “small town” appearance and basic character which contributes to a sense of identity in each community.	
B.9	To recognize the rural area as a low density, small scale, space expansive, resource and recreational area, and accommodate development which is compatible with the overall rural, rustic and natural setting that can be sustained by the available level of rural infrastructure.	
B.10	To conserve the waterfront as a valuable resource and accommodate development which respects the basic character and traditional mix of uses, and maintains the natural and aesthetic qualities of the area.	
B.11	To encourage the identification, maintenance and establishment of recreational and community facilities, parkland and trails as well as natural areas and open space.	Open Space & Recreation
B.12	To preserve the cultural heritage of the Township, including historic areas, building and sites, landmarks and landscapes, and archaeological remains, for its cultural, historical and economic value and contribution to the community’s sense of identity.	Cultural Heritage
B.13	To protect the primary resources of the Township, where appropriate and promote responsible, controlled and sustainable resource extraction.	Resources
B.14	To ensure that development is provided with adequate and efficient access, services and infrastructure which can be functionally and economically sustained over time.	Access, Services and Infrastructure
B.15	To preserve and enhance the safety, function, quality and character of our countryside and cottage roads, while ensuring security to residents by providing appropriate access to essential emergency services.	
B.16	To support energy conservation, green energy infrastructure and initiatives and plan for the reduction of greenhouse gasses and the impacts of climate change.	Energy Conservation
B.17	To recognize Aboriginal interests in land use planning.	Aboriginal Interests
B.18	To build an inclusive community that recognizes the diversity of the	Charter of Rights

	cultural, ethnic and social makeup and respects the values embedded in the Ontario Human Rights Code and the Canadian Charter of Rights and Freedoms.	and Freedoms
B.19	To build an active and healthy community which is supports measures for active transportation, safe neighbourhoods, accessible services and conserves the ecological attributes of the natural environment. Long range planning will include the identification of community-wide safe routes to workplaces, public facilities and services, commercial areas, places of worship, cultural and recreational spaces.	Healthy Communities
B.20	To provide for an appropriate range and mix of housing.	Housing
B.21	To direct development away from hazard lands that are unsafe for development such as flood prone and wildland fire areas.	Natural Hazards

Section C: Strategy for Growth

Framework for Growth

Managing Growth

Planning for growth and development can assist the Township in finding the delicate balance between growth and the protection of the environment. The permanent population of the Township is increasing slowly, and this trend is expected to continue. The total population for the Township in 1997 was estimated to be 18,005, with 84% of that population being part-time or seasonal in nature. The permanent population in the Township in 2011 was 3,700 and this is expected to grow to a population of 4,000 by 2031. A significant majority of this population resides in the rural and waterfront areas.

In 2011, the part-time population of the Township was estimated at 12,500 making it the predominant component of the community. Growth of this population is difficult to predict because it is dependent on broader economic and demographic trends rather than historic growth. However, it is likely that there will be an increase in this population as the baby boom generation enters the second home market. As would be expected, most of these residents live in the waterfront and rural areas.

As is detailed in the District of Muskoka Growth Strategy 2013, Phase 2 Update report, the Township is well positioned to accommodate the growth anticipated by the report within the land designated in this Plan and with the existing inventory of lots. No growth-related adjustments to the settlement area boundaries are required to accommodate the projected growth based on the Growth Strategy Phase 2 Report. The policies of this plan are intended to ensure that growth occurs in a manner that is consistent with and respects the character and resources of the Township.

This section of the plan outlines the basic framework for growth and development within the Township, and includes the basis and principles for growth, identification of the overall settlement pattern and definition of the basic land use designations. Policies, which would apply to growth and development in all designations such as open space, transportation and servicing, are also included in this section.

Basis and Principles

- | | | |
|-----|---|---------------------------|
| C.1 | Growth and development which builds upon and expands the existing economic and employment base of the Township is desirable and will be supported. | Type of Growth |
| C.2 | Businesses, which provide employment opportunities and effectively use the skills and initiatives of existing or potential residents, will be encouraged. | Employment Opportunities |
| C.3 | The principles which will guide growth include:
a) the integrity of the natural environment and landscape will be | Principles for Growth and |

	maintained;	Development
	b) aesthetic values and scenic areas should be preserved;	
	c) the overall rural character and heritage of the Township and the area will be preserved and complemented;	
	d) economic and financial impact should be beneficial to the Township;	
	e) Infrastructure, public services and access should be appropriate and sustainable over the long-term;	
	f) providing sufficient land to meet current and projected growth and development needs for both residential and non-residential land uses; and	
	g) measures to build a healthy and sustainable community.	

C.4	Influences and limitations on growth and development are detailed in this Plan and may include physical, environmental, economic and social factors which are either affected by nature, or have been identified by the community as being desirable.	Influences on and Limits to Growth and Development
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Settlement Pattern

The settlement pattern of the Township of Lake of Bays has long been established as low-density waterfront and rural development with a number of small communities. Each area possesses its own function, development form and natural characteristics. The support and continuation of this basic development pattern will assist in preserving the character of the Township and the lifestyle it offers.

C.5	The Township is a composite of small communities, waterfront and rural areas, each of which has been recognized as a separate land use designation.	Basic Settlement Pattern
C.6	The particular character and values of each designation will be preserved and enhanced. The character of a community, waterfront and rural designation or a particular area is the essence, which defines that area and provides a sense of identity. Character is established over time and is rooted in the following: • physical setting and landscape characteristics including the unique confluence of water, rocks and trees and scenic landscapes; • historic development patterns; • cultural heritage; • extent and form of development; density, intensity of use and height; • architecture and design; • safe and healthy community; • level of services and infrastructure; and • open space, natural areas and recreational areas and facilities.	Character

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| C.7 | The character of a community or the rural and waterfront designations is not static, but rather evolves over time, adapting to new circumstances. Development will be managed to ensure that the essence and fundamental features of the designation are maintained. As the area grows, development, which is compatible with and complements this character should be fostered. | |
| C.8 | Growth will generally be directed to areas of waterfront, rural and community settlement; while the areas of remote, relatively undeveloped land without appropriate public road access should be preserved for conservation, resource-based uses, and recreational activities such as hiking, canoeing, hunting, trapping, or fishing. | Location of
Growth |
| Land Use Designations | | |
| C.9 | The community designation identifies nodes of settlement that generally function as service and community centers for surrounding waterfront and rural areas. The location, extent and boundaries of each community designation are shown on Schedules A1 to A6 and are not expected to be expanded during the life of this Plan to accommodate projected growth needs. The intent of the Plan is to strengthen and support the vitality, growth and prosperity of Baysville, Dorset, Dwight and Hillside through intensification, redevelopment and regeneration. Detailed policies respecting the community designation are found in Section G of this Plan. | Community
Designation |
| C.10 | The waterfront designation generally encompasses the land outside of a community designation, which surrounds and relates, either physically or functionally, to substantial lakes and rivers. Section H of this plan specifically defines the extent of this designation and provides detailed policies respecting development within the waterfront designation. | Waterfront
Designation |
| C.11 | The rural designation includes the hinterland beyond the boundaries of the community and waterfront designations. Detailed policies respecting the rural designation are found in Section I of this plan. | Rural Designation |
| C.12 | These three basic designations may also contain special policy areas, which provide more detailed policy for development within a particular area. The policy applicable within a Special Policy Area may not strictly conform with the specific policy of the surrounding designation, but may be appropriate due to such matters as settlement pattern, land requirements, servicing needs, the character of the area, the focus of the development, or market forces. However, the policy within any special policy area will satisfy the basic goal, objectives, principles and intent of the plan. Special Policy Areas will be established by amendment to this Plan. | Special Policy
Areas |

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| C.13 | <p>Where opportunities for growth cannot be accommodated in a settlement area through intensification, redevelopment or in a designated growth area, a comprehensive review shall be undertaken to consider a new settlement area or allow the expansion of a settlement area boundary. The comprehensive review must demonstrate that population and employment projections including growth allocations provided by the District of Muskoka cannot be accommodated through intensification and redevelopment within designated growth areas to meet projected needs. Consideration shall be given to physical and natural environmental constraints to accommodating growth, the integration of development with planned infrastructure, public service facilities, the capacity of sewage and water services to accommodate growth and any cross jurisdictional issues. The extent of the review will correspond with the complexity and scale of the settlement area boundary or development proposal.</p> | New Designations |
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General Policies

Community Building

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| C.14 | <p>Public uses, which are public services, facilities or utilities provided by a government authority or utility company, may be permitted in any land use designation, subject to the detailed policies of this plan.</p> <p>Growth and development will be integrated with efficient and cost-effective infrastructure, public services and utilities and sustainable private services, particularly individual on-site water supply and sewage disposal services.</p> <p>Public services and infrastructure owned and operated by the municipality will be installed, operated and maintained having regard to the life-cycle costing and asset management plan and associated financial strategy for the replacement of infrastructure.</p> | Public Service
Uses and
Infrastructure |
| C.15 | <p>All existing electric power, or similar facilities and the development of any new facilities including renewable energy projects, works such as transmission lines, transformer stations and distributing stations, may be permitted within all designations, provided that such development has been subject to the provisions of the Environmental Assessment Act and/or other applicable legislation.</p> | |
| C.16 | <p>Energy, communication, transportation or utility corridors or facilities will be located in a manner that will avoid or minimize negative social, environmental, and aesthetic impacts.</p> | |
| C.17 | <p>Commercial, industrial, institutional and public or private community uses and recreational facilities will be directed to Community Designations to promote and reinforce the character and function of those communities, unless the use is more appropriate in another designation due to the land requirements or the nature of the use.</p> | Uses to be
located in the
Community
Designation |

C.18	Growth and development will not occur in a manner that will result in land becoming unusable, land locked or which will reduce or limit the future potential for development.	Potential for Development
	Group Homes	
C.19	A group home shall be permitted in a residential dwelling provided the home is licensed or approved under a provincial statute, and is located on a year-round maintained public road.	Group Homes
	Garden Suites and Secondary Units	
C.20	Garden suites are individual, temporary and self contained residential units that are accessory to a primary residential dwelling, located within a separate building and designed to be portable. Garden suites offer an alternative, non-profit, living arrangement designed to meet the housing needs of elderly parents, handicapped family members or other similar individuals who may require some support from the occupants of the primary dwelling. Secondary units are self-contained dwelling units in a detached dwelling, semi-detached house or row-house or within appropriate accessory structures that add to the supply of housing and affordable housing for the community. Secondary units can provide homeowners with an opportunity to earn additional income to help meet the costs of home ownership; support changing demographics by providing more housing options for extended families, elderly parents, or live-in caregivers; increasing densities in appropriate areas, which support the efficient use of land and infrastructure; and help to create income-integrated communities, which support local businesses and labour markets.	Definition
C.21	Garden suites may be permitted by rezoning and/or a development permit as a discretionary use and defined as an accessory residential use on a temporary basis provided that: a) all requirements applicable within the zoning category or development permit area can be satisfied; b) an adequate water supply and sewage disposal system is available to accommodate the unit; c) the unit is compatible with the surrounding properties and uses; and d) the unit is compatible in appearance with other buildings on the property.	Temporary & Accessory Residential Use
C.22	Accessory buildings containing a garden suite will be smaller than the primary dwelling, and will either be portable, or be capable of conversion to another accessory residential use, once the garden suite is discontinued.	
C.23	Secondary units shall be permitted as a permanent use in the community and rural designations provided the policies for water and	

sewage servicing are met (see Section C.) and the applicable development criteria in this plan are met. Accessory buildings containing a secondary unit will be smaller than the primary building and/or structure.

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| C.24 | <p>An agreement with the owner will be executed under the provisions of the Municipal Act,¹ and will:</p> <ul style="list-style-type: none"> a) address the conditions under which the garden suite will be installed, maintained and removed from the property; b) identify the period of occupancy; c) require that the garden suite not be used as a rental dwelling unit for profit or gain; d) require that the garden suite meets all health, safety, servicing and building code standards; e) address the provision of securities to ensure that the conditions of the agreement will be satisfied; f) acknowledge limitations to emergency and other services where such a unit is accessible only by water or a private road; and g) include any other conditions that the Township deems necessary. | <p>Agreement for
Garden Suites</p> |
| C.25 | <p>Garden suites will be subject to site plan control or will require a development permit.</p> | <p>Site Plan Control</p> |
| <p>Mobile Home Parks</p> | | |
| C.26 | <p>Establishment of new mobile home parks will not be permitted within the Township in order to avoid the municipal financial impacts that can occur in providing services to this type of development.</p> | |

Open Space Strategy

Open Space in its broad sense includes not only active and passive parkland and recreational trails, but also water corridors and access points to the water, as well as environmentally and culturally important sites and areas. Open space plays an important role in the definition of the character of the Township, the preservation of the landscape and environment, and it also contributes to tourism and adds to the quality of life for the residents of the Township. Public access to the water is particularly important in providing the opportunity to share this public resource. Such access points should be clearly identified to avoid trespass situations on private property.

In order to develop a high quality open space network, the preparation of a comprehensive open space strategy should be undertaken, and would include an inventory of existing Township open space and identification of open space needs. Preservation of existing Township open space, particularly that with shoreline frontage, and acquisition of new public open space through the development process, provides valuable tools in retaining and securing important open space sites and areas for the benefit of the whole community. Many recreational

opportunities such as trails can best be provided with the support of the Township and the community.

C.27	Open Space includes public and private land for passive parkland or natural open space and environmentally sensitive areas, as well as for active outdoor recreation and may include: a. active parks, or cemeteries b. recreational, educational or interpretive facilities c. historic and cultural sites and features d. access points to water e. recreational trails f. water corridors or routes and portages, and g. environmentally sensitive or significant natural areas.	Open Space
C.28	Lands that form the bed of any waterbody will be considered to be open space.	
C.29	Open space uses are permitted in all designations in order to provide areas for open-air, active and passive recreational purposes, community gardens, and for the protection of heritage, hazard lands, environmentally sensitive areas or habitat.	Open Space Uses
C.30	New commercial uses, which significantly alter the natural landscape and have an open space or recreational focus, such as golf courses or alpine ski facilities, will proceed by amendment to the zoning or development permit by-law. Where such open space and recreational uses are permitted as accessory uses to a resort commercial establishment, they will be subject to site plan control or the issuance of a development permit. Supporting impact assessments, such as hydrogeological assessments, technical reports such as storm water management or construction mitigation plans, and operation and management plans may be required by the Township to ensure that any potential impact can be mitigated.	Commercial Uses with an Open Space Focus
C.31	Commercial uses with an open space or recreational focus, accessory open space uses, recreational areas or facilities and associated parking areas will be located and designed in a manner which will promote shoreline protection and be compatible with abutting uses. In particular, a natural vegetative buffer of at least 20 metres (66 feet) in depth will generally be provided between the normal or controlled high water mark and any part of a commercial use with an open space or recreational focus. The Township may require measures to restore and maintain a vegetative buffer as a condition of development approval.	Shoreline Protection and Compatibility
C.32	Large tracts of natural public open space should be preserved over the long term. The Township recognizes and supports provincial parks, conservation areas and other protected areas for their recreational and	Large Tracts of Open Space

conservation attributes.

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| C.33 | The release of crown land for private development within the Township will be discouraged. However, where such land is to be released by the Province, it should only occur in consultation with the Township and in conformity with this plan. Where the Crown intends to release land with water frontage for private development, the province will retain adequate functional public access to that waterbody. | Release of Crown
Land |
| C.34 | <p>A comprehensive public open space, parkland and recreation strategy should be developed by the Township in order to:</p> <ul style="list-style-type: none"> a) inventory public land and facilities; b) identify needs for active and passive public open space and recreation; c) create an action plan to address open space needs; d) identify potential locations for future trails, parks, water access points, and natural open space; e) establish land acquisition and disposition options and procedures; and f) identify minimum standards for public parks, trails and other open space and recreational facilities. | Open Space
Strategy |
| C.35 | Public open space and parkland should be acquired by purchase, exchange, easement and donation or through dedication under Section 42 of the <i>Planning Act</i> during the development process. | Acquiring Open
Space |
| C.36 | <p>Public parkland should be provided or supported in the following locations and situations:</p> <ul style="list-style-type: none"> a) to expand or enhance existing open space or parkland; b) to enhance, extend, or provide linkages with existing trails, active transportation facilities; c) to protect portages; d) to protect scenic areas or points of natural beauty; e) to preserve historic sites or special landmarks or features; f) to protect environmentally sensitive, significant natural and wilderness areas; g) to provide eco-tourism opportunities; h) to improve the open space network and recreational facilities or opportunities, as may be defined in the open space strategy; and i) to provide land for community gardens | Location of
Parkland |
| C.37 | The parkland and natural open space, which is requested by the Township during the development process under Section 42 of the <i>Planning Act</i> as a parkland dedication, should be of a nature and in a location that is in the public interest and will benefit the community. Payment, in lieu of conveyance of land, will be requested, where the | Parkland
Dedication |

Township deems it undesirable to accept the dedication of land.

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| C.38 | Public land, including road allowances, adjacent to the water or abutting existing public lands should be retained, enhanced or acquired where: | Public Access to the Water |
| | <ul style="list-style-type: none"> a) the property represents the only existing public land providing access to a waterbody; b) the property is appropriate for the open space or recreational use proposed; c) the property is large enough to support the use and facilities proposed; d) any conflicts with abutting properties can be mitigated; e) there would be no negative impact on water quality, a significant natural or an environmentally sensitive area; or f) adequate road, trail or water access to the site is available. | |
| C.39 | Water corridors, (canoe) routes and their associated portages should be preserved to enhance recreational opportunities. | Water Corridors and Routes |
| C.40 | The long-term private use of public docking facilities, for access to private properties should not be permitted. | Public Docking Facilities |
| C.41 | The retention, expansion and enhancement of the existing recreational trail network in the Township will be actively promoted and expanded where feasible to support active transportation, community connectivity, and healthy lifestyles | |

Water and Sewage Servicing

The provision of potable water and disposal of sewage in a manner which will be sustained over the long term is a basic community planning matter that must be addressed to avoid health, environmental and financial problems. Community growth and development is directly tied to the type and availability of water and sewage servicing that supports that development over time. Land use planning decisions should be made with the knowledge that development can be accommodated in the long term with sufficient potable water and appropriate sewage disposal. However, servicing is not the only reason for defining density, land uses and community character.

In the Township of Lake of Bays, almost all development is served by a private, individual surface or groundwater supply and a septic system. Where private individual services are proposed, lots must be large enough to avoid cross contamination between wells and septic systems. In addition, the uses permitted must be restricted to those that do not use substantial amounts of process water or produce significant or hazardous effluent. To ensure that development, other than limited residential infilling, will have adequate services, a hydrogeological assessment may be required prior to the approval of development applications.

In recognition of the importance of resort commercial operations to the Township, private communal systems are generally only permitted where the condominium ownership of resort commercial accommodation units is proposed. Communal services are often small systems, which serve more than one unit and may be constructed to a different standard than a full municipal system. These systems must be subject to adequate technical, operational and financial controls and the Province of Ontario² currently requires that the owners of such systems enter into an agreement with the District Municipality of Muskoka to secure such systems. Although provincial policy permits this servicing option, it is not in the long-term municipal interest to encourage remote, private communal servicing systems throughout the Township or Muskoka. Therefore, the use of this type of system in other circumstances is generally not permitted.

Municipal water and sewage services service existing development in Baysville. The intent of the Plan is that all new development or redevelopment be serviced by municipal water and sewage services except in areas where the extension of services are not reasonable available or are not expected to be available in the foreseeable future. Development will otherwise be serviced by private water and sewer systems where site conditions are suitable for the long-term provision of such services.

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| C.42 | All development shall have a sufficient supply of potable water and a suitable system for sewage disposal, both of which are adequate to serve that development over the long term. | Adequate Services |
| C.43 | Development will be served with a private, individual water supply and sewage disposal system, unless municipal water and sewer services are available, or otherwise specified in this plan. | Private, Individual Services |
| C.44 | <p>Where private water and sewage disposal services are proposed, uses should be limited to those that are “low effluent” producing. Low effluent producing uses generally include:</p> <ul style="list-style-type: none"> a) general commercial and industrial uses that use a water supply similar to domestic requirements and do not generate large quantities of liquid effluent; b) uses that do not use water for processing; and c) uses that do not create discharge which would be a hazard to ground or surface water, or negatively affect the operation of the sewage disposal system. | Low Effluent Producing Uses |
| C.45 | Private, individual water and sewage disposal systems generally will not serve more than one property. | One Property |
| C.46 | A hydrogeological assessment will generally be required by the Township in support of a development approval in order to ensure that an adequate supply of water will be available, there will be no cross contamination, or negative impact on the groundwater supply, and the lot sizes proposed are appropriate. A hydrogeological assessment in | Hydrogeological Assessment |

accordance with provincial standards will generally be required where:

- a) private groundwater and sewage disposal services are proposed for development by plan of subdivision or condominium or multiple lot development or where there is a need to demonstrate that site conditions are suitable for the long-term provision of such services with no negative impacts.
- b) for commercial, industrial, institutional or other uses, which would produce an effluent flow of greater than 5,000 litres per day or would be a high water user and require a water taking permit.

C.47	A hydrogeological assessment will be required, as determined by the Township, where development is proposed in proximity to uses that may have had an impact on groundwater or sensitive surface water features, such as landfill sites, salt storage areas, farms or industrial uses or where there may be a cumulative impact from adjacent existing development in order to determine whether an adequate supply of potable water will be available, and as may be further detailed in this Plan.	
C.48	Where more than 5 shoreline lots or units are proposed which would drain away from the abutting waterbody, a sewage impact assessment should be required prior to development proceeding to ensure that there will not be a negative impact on groundwater and that the lot sizes proposed are appropriate.	Shoreline Lots and Sewage Impact
C.49	In areas where either the quality or quantity of groundwater is a concern, new development will be conditional upon the confirmation of an adequate potable water supply.	Confirmation of Potable Water
C.50	Where existing lots do not have established development rights, an adequate potable water supply should be confirmed to the satisfaction of the Township, prior to any development being permitted.	
C.51	Wells should be setback a minimum of 8 metres (26 feet) from the property line abutting a public roadway or any watercourse that intersects such a road and drains from the road through the property.	Setback of Wells
C.52	Where private, individual sewage disposal systems are permitted: a) suitable approved systems will be used; b) pit privy or chemical toilet and a leaching pit will only be considered in remote locations where running water is not available; c) holding tanks will not be used, unless to remedy a problem or situation on an existing lot that would be unsuitable for any other system; and d) site conditions are suitable for the long-term provision of such services and capacity is available for hauled sewage.	Type of Sewage System

C.53	Where development is permitted on the basis of individual, private water and sewage disposal services, lots will have a sufficient and suitable area to adequately accommodate such services. A site evaluation may be required by the Township to confirm suitability of the site to accommodate services to ensure that site and soil conditions are suitable for the long-term provision of such services without negative impacts on sensitive surface and groundwater features and their related hydrologic functions. Approval of new private sewage systems will only be approved where off-site treatment capacity for hauled sewage is verified.	Lot Suitability and Off-site Capacity
C.54	Lot sizes will be dependent on the physical characteristics of the site and the recommendations of hydrogeological studies, and as a result, lot sizes greater than the minimum lot size requirements of this Plan may be required for the proper provision of water and sewage disposal services.	Lot Size
C.55	Where municipal water and sewer services will be provided: a) servicing schedules and specific servicing policy will be prepared in conjunction with the District Municipality of Muskoka and will be included within this Plan; b) a municipal water and sewage capacity allocation strategy will be prepared and maintained in conjunction with the District Municipality of Muskoka; and c) Municipal services or infrastructure will not be extended to rural areas except in limited circumstances in accordance with the District of Muskoka Official Plan.	Municipal Services
C.56	A water and sewage allocation strategy will ensure that municipal plant capacities are monitored and not exceeded, and that a managed approach to the allocation of capacity is taken, which implements the following principles: a) allocation will be based on a system which is fair and equitable; b) capacity will be retained for important community projects or projects which will benefit the community; c) capacity will be distributed within various use categories; and d) capacity will be allocated with a performance requirement so that it will be used within a reasonable time.	Capacity Allocation
C.57	Development on the basis of a partial municipal service (municipal water service and private sewage disposal systems) will be discouraged unless to rectify failed private sewage or water systems or in the community land use designation to allow for limited infilling and minor rounding out of existing development provided that site conditions are suitable for the long-term provision of partial services without negative impacts on sensitive surface and groundwater features.	Partial Municipal Service

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| C.58 | Private communal systems are generally smaller systems which serve more than one unit and are owned and operated by a private individual or corporation, but which must be constructed and guaranteed to the satisfaction of the authority having jurisdiction. ³ Private communal water and sewage systems will generally be discouraged. These systems may only be permitted for resort commercial accommodation registered by way of a condominium description or as otherwise specifically permitted in this Plan and subject to the requirements of the authority having jurisdiction. ⁴ | Private
Communal
Systems |
| C.59 | Water conservation measures that will result in the efficient use of either private or municipal water and sewage facilities will be promoted and encouraged. | Water
Conservation |
| C.60 | Zoning and development permit by-laws will generally not permit “as of right” high water users or effluent producers, rather these uses should only be permitted by development controls where municipal water and sewer services are available, or where it is confirmed through technical studies or an Environmental Compliance Approval that such uses will be sustainable and will not have a negative impact on ground or surface water resources. | High Water Users
or Effluent
Producers |

Roads and Access

The road system within the Township is composed of a hierarchy of Provincial, District and Township public roads, and private roads. Each type of road varies in its function, the traffic volumes it handles and the speed of traffic it can accommodate. As a result, the design and standard of roads also varies. The network of roads provides a basis for the local economy by allowing the safe and efficient movement of people and goods from one place to another. In addition, it provides access to individual properties.

Standards are generally established for each type of public roadway for various reasons including safety, speed and site visibility, uniformity from place to place, road life and traffic volumes. In addition, standards are important for the provision of emergency services as well as ease of maintenance, particularly in the winter. Private roads have historically provided access to individual waterfront properties or to remote rural properties for uses such as hunt camps or resource extraction. The standard and maintenance of private roads greatly varies.

The appearance of the Township's rural and cottage roads contributes to the character of the Township which is highly valued by residents. Scenic drives also make an important contribution to the tourism sector by drawing visitors into and through the area. Provided that safety and road function can be maintained, it is beneficial and desirable to retain the character of these roads.

Generally, a public, year round maintained road is the best means by which to provide public access, public services and emergency services to individual properties. This is the primary means of access within the communities and the rural area. Condominium

roads may also be acceptable in these designations. However, in the waterfront area, there is a tradition of cottage development with private road or water access. In the past, the standard level of access and public services was not considered necessary in seasonal residential areas. As a result, an extensive network of private roads providing access to shoreline properties has been constructed within the Township over time.

Although services along these private roads will be limited, their benefits lie in their scenic qualities, their ability to minimize environmental impact and that their maintenance does not require public funding. Where private or condominium road access exists or is proposed, the Township must be cautious not to assume liability for such a road and it should be recognized that the level of public services will continue to be limited where there is only water access or private road access.

The Township recognizes that the roles of roads are changing and that there is a need to incorporate active transportation infrastructure for public safety and to support tourism and healthy life-styles. The Township will encourage senior governments to build in active transportation infrastructure as part of the reconstruction and upgrading of roads infrastructure and will work collaboratively to build in similar features for local roads where appropriate.

C.61	The hierarchy of roads, ranging from Provincial roads to Township roads, is generally illustrated on Schedule B1. The Township will continue to encourage and develop a safe and efficient road network, which has regard for natural and cultural heritage resources, environmentally sensitive areas and the character of the area and the Township. The Township will work collaboratively with the District of Muskoka and the Province of Ontario to improve the network of roads to incorporate active transportation infrastructure as part of the design, development or redevelopment and reconstruction of roads.	Road Network and Improvements to Infrastructure for Active Transportation
C.62	Every effort should be made to preserve the character and scenic amenity of a roadway, while ensuring that the function and safety of that roadway will be maintained.	Character, Safety and Function
C.63	Where new roads are proposed, such roads will be located and designed to coordinate with existing roads in the area, and provide for connection with abutting parcels which have development potential. In this regard, roads should be linked, wherever possible and appropriate, and blocks of land should be provided, where necessary to facilitate future access to abutting properties.	Design and Location of New Roads
C.64	The establishment of new public seasonally maintained roads will be discouraged.	Seasonally Maintained Roads
C.65	Generally, the construction of roads will be in accordance with Township road related by-laws or other applicable construction standards or requirements. The Township may consider alternate standards in particular circumstances where the function of the road will not be negatively affected.	Road Standards

C.66	Where new development is proposed, the roads providing access will have the capacity to accommodate the additional traffic. The Township will control access, parking, truck routes and traffic signalization and may require a traffic study where applicable on Township roads.	Capacity of Roads
C.67	Safe and appropriate access to properties, as may be further detailed in specific policies within this Plan, will be provided to the satisfaction of the applicable road authority. Improvements at the expense of the proponent may be required by that road authority, in order to ensure that appropriate access for emergency vehicles is provided which is in a condition for the use proposed.	Access and Improvements
C.68	The provision of public services will be limited where development is proposed on the basis of private road or water access. Such limitations should be recognized in zoning or development permit by-laws, development permits, site plans or municipal agreements.	Limits to Public Services
C.69	Where access is provided by a private road (i.e. to serve a condominium development), a legal right of way will be secured and the right of way width should be 20 metres (66 feet), where possible and appropriate in the circumstances. Where a condominium development is permitted, the condominium may be serviced with a private road provided that the internal road is connected directly with a public road maintained by a public authority.	Private Rights of Way
C.70	Where property abuts a Provincial Highway or a Muskoka Road, all of the policies and requirements of those authorities will be satisfied. Access to provincial and District of Muskoka highways is restricted and development shall only be permitted where the applicable approvals/permits have been obtained. Greater lot frontages or setbacks than required by this plan, internal roadways or common entrances, road improvements, or road widenings may be required for development abutting these roadways. In addition, a development permit or site plan approval may be required prior to construction.	Provincial and Muskoka Roads
C.71	Where property abuts a Township road, the Township may require the dedication of land for road widening purposes. Such dedications may be requested at the time development applications, such as the following are being considered: a. plan of subdivision or condominium description; b. consent (severance); c. development permit; or d. site plan control.	Dedication of Road Widening on Township Roads
C.72	As authorized by the Planning Act, the dedication of a widening of a Township road allowance, to a standard width of 20 metres (66 feet), may be required along all or part of the abutting or immediately	

adjacent lot line.

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| C.73 | <p>The required road allowance width, set out in Section C.73 above, may be increased, as necessary to 26 metres (85 feet), in order to address matters such as additional turning lanes, curve alignments, sidewalks, utilities, road cuts and embankment slopes. Dedication of an additional area may also be required along all or part of the abutting or immediately adjacent lot line, for:</p> <ul style="list-style-type: none"> a) dedication of sight triangles and turning lanes primarily at the intersection of public roads to meet Township standards; and b) dedication of an area necessary to construct grade improvements, separations or road alignments, where the proposed development would result in the need for such improvements due to traffic volumes or to eliminate hazards. | |
| C.74 | <p>Road widening of Township road allowances will generally be dedicated in equal widths from the center line on each side of the road allowance. Exceptions to this may be considered where:</p> <ul style="list-style-type: none"> a) topographic constraints exist; b) an alternate dedication would be consistent with the previous pattern of dedication; or c) heritage features and natural or environmentally sensitive areas are preserved. | |
| C.75 | <p>Where a private property contains a trespass and/or colonization road that is not owned by the public authority having jurisdiction, the dedication of an appropriate road allowance containing the travelled portion of the road may be required at the owner's expense. The width of said dedication should be at a minimum of 5 metres or an appropriate width depending on the specific situation. Such dedications may be requested at the time that development applications, such as the following, are being considered:</p> <ul style="list-style-type: none"> a) plan of subdivision or condominium description; b) consent (severance); c) development permit; or d) site plan control. | <p>Trespass and
Colonization
Roads</p> |
| C.76 | <p>Private roads will not be assumed by the Township, unless the Township considers it to be in the public interest. Where the Township deems such an assumption to be appropriate:</p> <ul style="list-style-type: none"> a) a minimum right of way of 20 metres (66 feet), or where required due to terrain or environmental considerations, 26 metres (85 feet), will be dedicated to the Township; and b) prior to assumption, the road will be improved to Township standards with the affected landowners bearing the cost. | <p>Assumption of
Private Roads</p> |
| C.77 | <p>The location of private roads on public road allowances for the</p> | <p>Private Roads on</p> |

	provision of access to individual properties should not be permitted. However, where such use of a public road allowance is deemed advisable and acceptable by the Township, the affected land owners may be required to enter into an agreement with the Township to cover such matters as financial contribution, liability insurance, road standards, storm water management and construction mitigation measures, and rehabilitation where a temporary use is proposed.	Public Road Allowances
C.78	Development and maintenance of public roads will be at the discretion of the road authority. There will be no commitment or requirement for the Township to maintain open, but undeveloped road allowances. Conversely, nothing in this section will limit the Township's ability to open, improve or maintain any roadway as part of its capital works program.	Development and Maintenance of Township Roads
C.79	The design and installation of municipal infrastructure (including roads and municipal services) and the development of public services will be undertaken to meet current and projected growth needs with the following principles in mind: a) Coordination in the design and installation; b) Design that responds to the potential effects of climate change; c) Financial viability over the projected lifecycle of the asset and integration with the Township's asset management planning process; d) Optimize the use of existing infrastructure and/or the adaptive re-use before expanding or extending infrastructure and public service facilities; e) Promote green infrastructure; f) Strategically locate infrastructure and public service facilities to support the effective and efficient delivery of emergency management services; g) Cluster or centralize public service facilities for cost-effectiveness and integration with active transportation services; h) Infrastructure corridors and rights-of-way for pipelines, power transmission lines, provincial highways, provincially planned infrastructure corridors and Township infrastructure will be protected from land use development that could negatively affect the use of these corridors.	Planning for New Infrastructure and Public Service Facilities
C.80	Renewable energy projects and alternative energy systems can provide important sources of energy while having minimal or no negative impacts to public health, public safety or to the natural environment. Alternative energy systems and renewable energy projects will be encouraged in support of reducing greenhouse gases and promoting energy conservation. Projects may be sponsored by the private sector or by the municipality provided the installation of such systems complies with the setbacks and other regulatory controls set	Energy Conservation, Renewable Energy Projects, Alternative Energy Systems

out by the approval authority.

The municipality may undertake renewable energy projects which help achieve energy self-sufficiency in the community.

Healthy Communities

A healthy community is a community in which all people, regardless of age and abilities, have access to the services and conditions that contribute to achieving physical, mental, environmental and economic health. Therefore a healthy community works to improve its environments and shares its resources so that people can support each other in achieving their highest potential. Healthy communities are places where people have the opportunity to walk, or bike for both pleasure and purpose (e.g. active transportation), have access to affordable and nutritious food and they create a sense of belonging and inclusion.

Residents of the Lake of Bays already enjoy a high quality living environment within a dynamic rural and scenic setting. However, all communities can seek to improve the quality of life through land use planning policies and initiatives. The Plan sets out a menu of choices that establish a framework for a healthy community in Lake of Bays.

- C.81 Characteristics of a healthy community include:
- a) Clean and safe physical environments;
 - b) Adequate access to food, clean water, shelter, income, safety, work and recreation for all;
 - c) Peace, equity and social justice;
 - d) Strong, mutually-supportive relationships and networks;
 - e) Wide participation of residents in decision-making;
 - f) Strong cultural and spiritual heritage;
 - g) A diverse and robust economy;
 - h) Opportunities for learning and skills development;
 - i) Access to health services, including public health and preventive programs.
- C.82 The Township supports a healthy and sustainable community through the following strategy:
- a) Building on the existing system of trails, parks and open space, public access to water and the design and implementation of an active transportation system.
 - b) Creating meeting places for public engagement and social interaction.
 - c) Offering recreational programs and accessible recreation facilities for all age groups.
 - d) Supporting local food production through provisions such as for community gardens, backyard small animal husbandry; farmer's markets, greenhouses, etc.
 - e) Conserving and improving the natural environment.

Healthy
Communities

- f) Sustaining and improving water quality and the protection of water source for domestic water supply.
- g) Providing affordable housing opportunities.
- h) Encouraging the use of alternative energy sources.
- i) Supporting programs for waste management, waste diversion, recycling, and reuse.

Section D: Environment

Environmental and Landscape Conservation

Preservation of a healthy natural environment is the cornerstone of the Township's Vision for the future. The Vision specifically states that:

"The residents of the Township will nurture and sustain clean water, fresh air, natural shorelines, healthy forests and wetlands that will be the pride of the province."

The landscape and water resources that characterize the Township provide a quality living space, significant fish and wildlife habitat and the primary basis of the area's economy. This setting and natural features of Lake of Bays are highly valued by its residents and visitors, and the Township is dedicated to the conservation of locally significant and visually scenic features of natural and cultural heritage which can become attractions for visitors and therefore contributors to economic opportunity for the municipality.

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| D.1 | The health, integrity, biodiversity and ecological benefits of the natural environment, and natural heritage system, will be conserved. | Environmental Protection |
| D.2 | Conservation of the natural environment will take precedence over development when the two are in conflict and mitigation measures are unable to protect environmentally sensitive or significant natural heritage features and functions. | |
| D.3 | The conservation of the overall natural landscape, tree cover and vegetation will be encouraged in an effort to preserve the natural appearance, character and aesthetics of the area and to protect the natural heritage of the Township. | Natural Landscape and Vegetation |
| D.4 | Where natural vegetation has been removed and where feasible, regeneration of tree cover or the restoration of a vegetative buffer using native species will be encouraged. | Restoration of Tree Cover |
| D.5 | 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. | Natural Vegetative Buffer |
| D.6 | Land management practices that reduce and minimize the use of chemicals, compounds, pesticides and nutrients for the treatment of land or vegetation will be promoted, particularly adjacent to a lake or watercourse. | Land Management Practices |

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| D.7 | Important scenic sites as well as the scenic character of road, pedestrian, river and boating routes should be preserved and development should occur in a manner that maintains those scenic values. | Scenic Sites and Areas |
| D.8 | Natural watercourses should be retained in their natural form. Any required approvals will be obtained prior to any alteration to such features. | Watercourses |
| D.9 | Natural landscape features such as watercourses, significant 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, and where feasible, dedication or acquisition of such land for the purpose of conservation should be encouraged. | Natural Landscape Features |
| D.10 | <p>Development will be designed to maintain, fit into and use the natural characteristics and features of individual sites. In this regard, the following principles should guide lot design, road design and construction:</p> <ul style="list-style-type: none"> a) built form should not dominate the landscape; b) visual impact should be minimized; c) as much natural vegetation as possible should be maintained and natural vegetative buffers should be retained or restored adjacent to shorelines and roadways d) natural land form and contours should be preserved; e) ridge lines and skylines should be protected; f) natural infiltration, storm water management and construction mitigation techniques should be used; g) the use of environmentally friendly construction materials and design/installation will be strongly encouraged; and h) conservation of the natural heritage system. | Design with Nature |
| D.11 | The height of buildings and structures should generally be low profile in nature and respect the character and height of the surrounding natural and built environment, including slope, tree cover, setbacks and architecture. Generally, the height of buildings and structures should not exceed the height of the tree canopy or break the skyline horizon. | Height |

Water Resources

The lakes, rivers, streams and ponds that cover a significant portion of the Township, play a key role in defining the overall landscape and character of the Township of Lake of Bays. These extensive water resources provide aesthetic beauty, potable water, recreational and economic opportunities as well as habitat for many fish and wildlife species. Human habitation and land-water use can affect the quality of these water resources with undesirable results such as

contaminated drinking water, algae and weed growth in surface water or loss of fisheries habitat. This can have a negative economic impact and result in the need for municipal servicing, loss of tourism opportunities and decreased shoreline property values. Preserving the quality of the Township's ground and surface water resources is imperative for the protection of the natural environment and the economy of the Township of Lake of Bays. The Plan promotes water conservation and stewardship practices that are intended to sustain, if not improve water quality.

Shoreline Protection

A ribbon of life, essential to the survival of many species, is formed by the shallow water and the first 20 metres (66 feet) of the land around lakes and rivers. The majority of lake life is born, raised and fed in the littoral and riparian zones or this shoreline area where the land and water meets.⁵ The health and condition of the riparian and upland areas may also directly affect the quality of surface water.

This shoreline area is also a traditional area of residential, cottage and resort development due to the natural aesthetic qualities and water-based recreational opportunities. Intensified human use of the land and water interface, however, can have a negative impact on the very environment that initially attracted that settlement. Often landowners, unaware of the importance of shoreline area, remove vegetation along the shore or significantly alter the landscape creating a "groomed" or urban appearance. In addition, aquatic vegetation is often removed or fill introduced in shoreline activity areas to accommodate swimming, boating and other recreational activities. These changes alter the natural character and beauty of the shoreline, eliminate fish and wildlife habitat and result in the deterioration of water quality.⁶

The preservation of the natural land form, vegetation and wetlands along the shoreline provides wildlife and fish habitat, protects water quality, traps runoff and excess nutrients, prevents erosion, shades and cools the shallow water, and discourages the growth of algae and aquatic plants.⁷

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| D.12 | New development or the demolition and rebuilding of existing structures other than permitted shoreline structures such as accessory docks, boathouses or marina facilities (including storage, service and maintenance facilities or parking areas), and including any component of an existing private sewage disposal system, will be setback a minimum of 20 metres (66 feet) from the normal or controlled high water mark of a lake or watercourse. Greater setbacks may also be required to address terrain constraints, recreational water quality, land prone to flooding, or to preserve habitat or specific features as specifically outlined in this plan. | Development
Setback |
| D.13 | New Leaching beds or other similar devices for distributing effluent will be setback a minimum of 30 metres (98 feet) from the normal or controlled high water mark of a lake or watercourse. Greater setbacks may be required to address terrain constraints, land prone | Setback of Sewage
Systems |

to flooding or to preserve habitat or specific features.

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| D.14 | Where it is not possible to achieve the setbacks required in Sections D.12 or D.13, and where there will not be a negative visual impact or a negative impact on the natural environment, a lesser setback may be considered in the following situations, subject to site plan control or the issuance of a development permit: | Exemption |
| | <ul style="list-style-type: none"> a) sufficient lot depth is not available on an existing lot to meet the setback requirements; b) terrain or soil conditions exist which make other locations on an existing lot more suitable; c) for a major addition to an existing building or the replacement of a sewage disposal system where the setback is not further reduced; or d) where there is an established building line situated no closer than 10 metres to the shoreline. | |
| D.15 | As a condition of approval of a lesser setback, proponents may be required to provide or implement compensating measures designed to sustain or enhance the integrity of the shoreline area including: | |
| | <ul style="list-style-type: none"> a) upgrading or installation of a tertiary sewage treatment system or system with soils that have a demonstrated ability to effectively eliminate phosphorus; b) a planting program to revegetate or plant an area equivalent to the floor or surface area of the building encroachment into the required setback; c) relocating other buildings to comply with the setback requirements; d) demolishing buildings, removing building materials or other detritus or comparable measures designed to enhance or return the environment to a natural condition; or e) other measures may be considered where the result will be a net improvement to the environment. | |

The Township may require a technical report prepared by a qualified professional in support of any one or more of the compensating measures.

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| D.16 | The preservation and restoration of natural shorelines and shoreline vegetation will be strongly required to: | Natural Shorelines |
| | <ul style="list-style-type: none"> a) protect the riparian and littoral zones and associated habitat; b) prevent erosion, siltation and nutrient migration; c) maintain shoreline character and appearance; and d) minimize the visual impact of development. | |

A minimum target of 75% of the 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 with a community, these targets should be achieved to the extent possible. Where these targets cannot be met, a net improvement over the existing situation is required.

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| D.17 | Filling, dredging and other shoreline alteration will be strongly discouraged and any artificial water frontage or lot area created will not be used in the determination of development rights related to the calculation of minimum lot frontage and area. Prior to the alteration of any shoreline, the necessary approvals will be obtained from the appropriate authority. In addition, a development permit or site plan approval may be required prior to construction. | Shoreline
Alteration |
| <p>Alteration of the shoreline to construct or install erosion control measures will only be permitted where those measures are designed by a qualified professional provided that the shoreline is maintained in its naturalized state to the greatest extent possible.</p> | | |
| D.18 | <p>Buildings, structures or works extending beyond the normal or controlled high water mark or located at the shoreline will be designed and located in a manner which addresses the following matters:</p> <ul style="list-style-type: none"> a) navigation; b) fish and wildlife habitat; c) the natural flow of the water; d) potential damage from water levels and ice heaving; e) natural landscape and terrain; f) narrow water body constraints; g) access from the land and water; and h) privacy and views, as a result of projecting property lines onto the water. | Shoreline
Buildings and
Structures |
| D.19 | Dwellings or sleeping cabins will not be permitted within or over boathouses. Boathouses will be limited to one-storey in height. | Boathouses |
| D.20 | Boathouses or boatports extending out into the water beyond the maximum permitted in the applicable land use by-law will generally not be permitted. | |

Recreational Water Quality

Lake of Bays is known as a recreational area for its clean, clear lakes and waterways, and the protection of the quality of that water is of prime importance to the Township. The most significant impact on water quality is from increased levels of nutrients, particularly phosphorus, entering surface

waterbodies.

Additional phosphorus in lakes stimulates algae and other aquatic plant growth. Algae blooms lower the aesthetic qualities of a waterbody by producing pungent odours and reducing water clarity. Thick mats of aquatic weeds may also clog waterways and deteriorate swimming and boating opportunities.

Natural input of phosphorus comes from sources such as precipitation and natural drainage from the watershed. Man-made sources of phosphorus include increases in overland flow as a result of disruption on the natural vegetation, use of fertilizers, increased storm water run-off from impervious surfaces and leaching from septic systems.⁸ The impact of shoreline development is cumulative, occurring over a period of time, and the result cannot be easily rectified.⁹

A water quality modeling and monitoring program was initiated in the late 1970's by the District of Muskoka, with the support of the Township of Lake of Bays, in recognition of the importance of water quality to the economy and environment of all of Muskoka. The model embodied within the 2003 Muskoka Water Strategy, Lake System Health component, and further detailed in the 2005 Recreational Water Quality Management in Muskoka report establishes lake sensitivity classifications on lakes based on natural and man-made nutrient inputs and predicts its impact on the water quality of a waterbody. Phosphorus classifications are established for individual lakes and in accordance with District Official Plan policy and development must not result in further impairment to the water quality. This program and policy is supported by the Township of Lake of Bays.

Where development is proposed that may have an impact on the recreational water quality of a lake, the policy of the District Official Plan will prevail. This policy direction will require implementation by the Township of Lake of Bays.

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| D.21 | <p>The Township recognizes that there are limits to the amount of phosphorus that lakes and watercourses can withstand over a period of time without a deterioration of water quality. Recreational water quality is modeled and monitored in Muskoka as one measure of a lake's capacity to sustain development.¹⁰ The Township has a significant interest in the water quality of the lakes and watercourses within its jurisdiction, and therefore, supports this program and the associated official plan policy. The District of Muskoka, through its Lake System Health Program, classifies lakes and rivers based primarily on water quality and the environmental well-being of our lake system.</p> | <p>Township Support
for the Muskoka
Water Quality
Program</p> |
| D.22 | <p>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. All waterbodies have been classified by the District of Muskoka Official Plan, as having high, moderate or low sensitivity to additional phosphorus loading. This classification is based on the</p> | |

responsiveness of a waterbody to phosphorus and its mobility within the watershed. Appendix D lists the classified lakes and rivers. If a lake or river is not on the list, it is assumed that it is a moderate sensitivity waterbody unless otherwise identified by the District of Muskoka.

- D.23 Some waterbodies classified as low, moderate, and high sensitivity may be identified by the District of Muskoka as also being "Over Threshold". An amendment to this Official Plan is not required to identify or delist a waterbody as being "Over Threshold". Waterbodies that have been identified as "Over Threshold" are subject to additional policies contained in this Official Plan.
- D.24 The policies of Section H (Waterfront) including any specific Lake Plans also apply to specific lake areas.
- D.25 The Township shall require a development permit for substantial development on lots abutting low sensitivity waterbodies. In addition, the Township shall require a development permit for all shoreline and non-shoreline commercial, institutional and industrial development in order to ensure that stormwater management and construction mitigation techniques are implemented. Low Sensitivity Waterbodies
- D.26 In order to ensure no negative impact on recreational water quality, all substantial development on a lot within the waterfront designation (including backlots), and on shoreline lots in the urban centre and community designations, of moderate and high sensitivity and Over Threshold waterbodies, will be subject to site plan control or development permitting. Moderate and High Sensitivity and Over Threshold Waterbodies
- D.27 Where a development permit is required, or where on-site phosphorus management is required, the following matters will be addressed: Development Permits
- a) appropriate location of buildings, structures and sewage disposal systems;
 - b) retention or restoration of a natural vegetative buffer in accordance with Section D.16 to prevent erosion, siltation and nutrient migration;
 - c) maintenance or establishment of native tree cover and vegetation on the lot wherever possible;
 - d) appropriate location and construction of roads, driveways and pathways, including use of permeable materials; and
 - e) implementation of stormwater management and construction mitigation techniques, including proper re-contouring, discharging of roof leaders, use of soak away pits and other measures to promote infiltration.

D.28	The release of Crown land, other than lands under water, for private development is discouraged, particularly in the Waterfront designation. Should the Province dispose of Crown land for private development, such land will not be further divided unless it is to alleviate problems associated with existing development and no more than one single family dwelling will be permitted on those lands as of right.	Release of Crown Lands within the Waterfront Designation
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High Sensitivity Waterbodies (HSW) – Specific Policy (D.29-D.35)

D.29	In general, no lot creation will be permitted on waterbodies identified as being of high sensitivity unless the lot is connected to municipal water and sewer services.	HSW Lot Creation - General
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D.30	Notwithstanding Section D.29, lot creation on private services may be permitted on high sensitivity waterbodies provided that the following requirements is implemented:	
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- a) Lot creation may only proceed where a water quality impact assessment, undertaken and implemented to the satisfaction of Muskoka and the Township, demonstrates that 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:

Phase 1

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 vegetative cover. The Phase 1 report must be completed to the satisfaction of the District of Muskoka and the Area Municipality before proceeding to Phase 2.

Phase 2

- i. Identification of recommended building and septic system (including the leaching bed) envelope and mitigation measures, including but not limited to, detailed construction mitigation plans, shoreline setbacks and buffers, measures for protecting natural vegetation, and stormwater management;

- ii. Monitoring will be required to confirm that the vegetative buffer and stormwater mitigation measures are in place until such time as construction is complete and an occupancy permit is issued, and on an annual basis until such time as the waterbody is no longer considered to be Over Threshold;
- iii. The use of a septic system with soils that have a demonstrated ability to effectively eliminate phosphorus; and
- iv. The recommendations of such a report and the monitoring and septic system requirements will be implemented through the official plan or zoning amendment and in Section 51(26) (subdivision, condominium and development permits).

A detailed terms of reference is contained in Appendix E.

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| D.31 | Development of a vacant lot on private services will only be permitted where it is demonstrated through a Phase 2 Water Quality Impact Assessment that building and septic system envelopes, together with appropriate mitigation measures, including but not limited to, detailed construction mitigation plans, shoreline setbacks and buffers will protect water quality and where these requirements are implemented in development permits. | HSW Development
of Vacant Lots on
Private Services |
| D.32 | The use of a septic system with soils that have a demonstrated ability to effectively bind phosphorus will be required. | |
| D.33 | Redevelopment on private services will only be permitted where mitigation measures are implemented in order to prevent negative impacts on water quality, including phosphorus management measures. | HSW
Redevelopment on
Private Services |
| D.34 | Where the setback requirements cannot be met due to insufficient lot depth or the existence of terrain or soils conditions which make other locations on the lot more suitable, or where existing buffers or stormwater management practices do not satisfy the requirements outlined in this Plan, an overall net improvement shall be achieved through on-site phosphorus management measures. | |
| D.35 | A net reduction of phosphorus loading to the lake will be required for commercial redevelopment. | |

Over Threshold Waterbodies (OTW) – Specific Policy (D.36-D.42)

D.36	In general, no lot creation will be permitted on waterbodies identified as being Over Threshold.	OTW Lot Creation - General
D.37	Notwithstanding Section D.36, lot creation on private services may be permitted on waterbodies identified as being of moderate or low sensitivity and shall implement the following requirements: a) An amendment to the Official Plan shall be required to implement specific development policy. b) Lot creation may only proceed where a water quality impact assessment, undertaken and implemented to the satisfaction of Muskoka and the Township demonstrates that development can proceed without impacting water quality and which outlines the circumstances under which development should occur. c) The water quality impact assessment shall consist of the following main elements at a minimum: Phase 1 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 vegetative cover. The Phase 1 report must be completed to the satisfaction of the District of Muskoka and the Area Municipality before proceeding to Phase 2. Phase 2 i. Identification of recommended building and septic system (including the leaching bed) envelope and mitigation measures, including but not limited to, detailed construction mitigation plans, shoreline setbacks and buffers, measures for protecting natural vegetation, and stormwater management; ii. Monitoring will be required to confirm that the vegetative buffer and stormwater mitigation measures are in place until such time as construction is complete and an occupancy permit is issued, and on an annual basis until such time as the waterbody is no longer considered to be Over Threshold;	OTW Lot Creation – Moderate and Low Sensitivity Waterbodies

- iii. The use of a septic system with soils that have a demonstrated ability to effectively eliminate phosphorus; and
- iv. The recommendations of such a report and the monitoring and septic system requirements will be implemented through the official plan amendment and in the zoning amendment and Section 51(26) (subdivision, condominium or consent) agreements and development permits.

A detailed terms of reference is contained in Appendix E.

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| D.38 | Development of a vacant lot on private services will only be permitted where it is demonstrated through a Phase 2 Water Quality Impact Assessment that building and septic system envelopes, together with appropriate mitigation measures, including but not limited to, detailed construction mitigation plans, shoreline setbacks and buffers will protect water quality and where these requirements are implemented in development permits. | OTW Development of Vacant Lots on Private Services |
| D.39 | The use of a septic system with soils that have a demonstrated ability to effectively bind phosphorus will be required. | |
| D.40 | Redevelopment on private services will only be permitted where mitigation measures are implemented in order to prevent negative impacts on water quality, including phosphorus management measures. | OTW
Redevelopment on Private Services |
| D.41 | Where the setback requirements cannot be met due to insufficient lot depth or the existence of terrain or soils conditions which make other locations on the lot more suitable, or where existing buffers or stormwater management practices do not satisfy the requirements outlined in this Plan, an overall net improvement shall be achieved through on-site phosphorus management measures. | |
| D.42 | A net reduction of phosphorus loading to the lake will be required for commercial redevelopment. | |
| D.43 | 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, as set out in Section H of this plan, are strongly encouraged to address these matters on an individual lake basis. The Township supports a collaborative approach with lake associations, waterfront communities and the District of Muskoka to: <ul style="list-style-type: none"> a) Encourage and conduct ongoing water quality testing as a | Lake Plans |

measure to monitor the impacts of development on water quality;

- b) Maintain a data base on water quality parameters (e.g. total phosphorus, dissolved oxygen, water transparency though secchi diskings);
- c) Provide educational programs and information dissemination on best practices for lake stewardship;
- d) Facilitate the preservation and restoration of naturalized shorelines; and
- e) Review and update lake plans

Groundwater and Storm Water

Groundwater is an important resource in the Township, as a source of drinking water and because it supplies cool water to the rivers, streams and lakes. Water contamination and increased run-off of storm water due to the introduction of hard surfaces related to development can have significant environmental and economic consequences. This is particularly true where the nitrate concentration produced by septic systems begins to negatively affect a drinking water supply in a concentrated community.

Shallow till and rock ridges characterize the majority of surficial geology in the Township. Only a thin layer of soil over bedrock exists in many locations. As a result, the majority of wells in the Township are drilled into the bedrock. In areas of shallow bedrock, the absence of deep overburden increases the susceptibility of groundwater to environmental impacts originating on the surface or in the shallow subsurface. Attenuation of potential contaminants is difficult in these areas. Where there is fractured bedrock, contaminants can migrate more rapidly and unpredictably than through an area of overburden. Where the bedrock is not fractured, infiltration is minimal and overland surface flow of storm or wastewater predominates.¹³

Remnants of eskers, which are ridges of roughly stratified gravel and sand, are oriented in a north-south direction through Franklin, Sinclair and Finlayson.¹⁴

Eskers are often recharge areas, and in some cases have been selected as natural heritage sites due to their geological significance. Isolated kames are mounds, knobs or short irregular ridges composed of stratified sand or gravel, which may also provide a recharge function. A sand plain exists in Dwight, along Highway 60 and Highway 35 and this is also an important area of groundwater recharge.¹⁵

Groundwater recharge can be maintained or enhanced, and surface water protected through good storm water management practices. Storm water is the surface water flow that results from a storm event. Storm water management involves measures to treat storm water on a comprehensive basis or on an individual property before it reaches any surface body of water. Storm water management measures are designed to detain storm water and reduce peak run off rates as well as to reduce the transport of suspended solids and erosion. The objective is to implement measures that will manage post-development storm water flows so that off site impacts of development are minimized.

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| D.44 | <p>The quality and quantity of groundwater resources will be preserved. Sensitive groundwater recharge areas or sites, which are identified in hydrogeological assessments or other impact assessments or technical reports, will be protected from incompatible development and site alteration. Such sensitive areas may include;</p> <ul style="list-style-type: none"> a) wetlands; b) areas with high water tables; c) recharge areas; d) areas with soils which are unable to sustain sewage disposal systems; and e) areas of exposed bedrock. | <p>Hydrogeologically
Sensitive Areas</p> |
| D.45 | <p>Development will not be permitted where it would have a significant detrimental effect on surface or groundwater features.</p> | |
| D.46 | <p>Measures that will promote infiltration and maintain groundwater recharge will be encouraged. Such measures include;</p> <ul style="list-style-type: none"> a) minimizing the amount of site grading; b) minimizing or restricting site alteration in areas with steep, rocky terrain; c) preserving natural vegetation or encouraging the restoration of vegetation with native deep rooted vegetation; d) using grass swales; e) directing runoff from roof tops and paved areas to soak away pits or grassed areas; f) using storm water retention ponds where necessary; g) minimizing paved or covered areas; h) providing open, grassed drainage ditches along roadways; using permeable surfaces where appropriate; and i) securing contaminants such as fuel oil. | <p>Infiltration &
Groundwater
Recharge</p> |
| D.47 | <p>Storm water management and construction mitigation measures will be encouraged on individual residential lots and for minor development. Measures such as those in Section D.46 will be implemented in development permits, site plans or other agreements.</p> <p>Planning for stormwater management shall:</p> <ul style="list-style-type: none"> a) minimize, or, where possible, prevent increases in contaminant loads; b) minimize changes in water balance and erosion; c) not increase risks to human health and safety and property damage; d) maximize the extent and function of vegetative and pervious surfaces; and e) promote stormwater management best practices, including stormwater attenuation and re-use, and low impact | <p>Measures for
Storm Water
Management</p> |

development.

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| D.48 | Stormwater management and construction mitigation (erosion and sediment control) plans should be required by the Township for commercial, industrial, institutional, active open space or recreational areas or facilities and comprehensive residential development. The plans will be prepared in accordance with “best management practices” to the satisfaction of the Township, and any affected road authority. The recommendations of such plans will be implemented in development permits, site plan, subdivision, or other agreements. | Plans for Storm
Water Management
and Construction
Mitigation |
| D.49 | Remedial drainage work will be designed so that such work will not negatively affect adjacent lands, habitat or water resources. | Drainage Work |
| D.50 | Any storm water management facilities such as retention facilities should be designed to conserve the landscape and natural features as much as possible, and be naturalized using native species. | Natural Facilities |

Wetlands

Wetlands include lands that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to, or at the surface.

Wetlands are an integral component of the Township ecosystem which provide habitat for fish and wildlife; flood and erosion control; shoreline stabilization and sediment retention for the protection of water quality; recharge for groundwater; and tourism, recreational and educational opportunities. Wetlands should no longer be viewed as development impediments to be overcome by filling and alteration, but rather must be preserved for their values and benefits. By protecting wetlands, we contribute to the protection of literally thousands of plant and animal species, and to the protection of surface and groundwater resources.¹⁶

Some wetlands are recognized as being significant due to their size, uniqueness and individual values and require special protection measures. However, all wetlands are an important part of the natural system and require preservation.

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| D.51 | 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. | Definition |
| D.52 | Wetlands that have been identified as having provincial or regional significance are generally identified on Schedule C1. Wetlands, which are of local significance or have not been evaluated, are also generally identified on Schedule C1. | Identification |
| D.53 | The exact boundaries of the provincially significant Boyne Creek Wetland have been defined through a specific evaluation that was | Provincially
Significant |

confirmed by the Province of Ontario.¹⁷ Detailed information respecting these boundaries and the specific values of this wetland are available for reference at the Township of Lake of Bays or the District Municipality of Muskoka.

D.54	Additional wetlands may be identified as being of provincial significance during the development process or through other means, using the evaluation procedures established by the Province. The Province ¹⁸ will confirm any such wetland evaluation. The policies of this plan that are applicable to provincially significant wetlands will be implemented once the Province has confirmed a wetland as being provincially significant.	Identification of Provincially Significant Wetlands
D.55	Regionally significant wetlands and their specific boundaries have been identified through the Muskoka Heritage Areas Program or under the provincial evaluation system. Information respecting the boundaries and the values of these wetlands is available for reference at the Township of Lake of Bays or the District Municipality of Muskoka. Where additional information is provided in a wetland impact assessment, the refinement of the boundaries of a regionally significant wetland may be considered by the District and the Township.	Regionally Significant Wetlands
D.56	Additional wetlands may be identified as being of regional significance during the development process, or through municipal programs or other means. Schedule C1 will be updated by amendment to this plan to show any new regionally significant wetland.	Identification of Regionally Significant Wetlands
D.57	Prior to a development proposal proceeding, the Township may require that a wetland be evaluated in accordance with provincial evaluation procedures to determine its significance.	
D.58	Other wetlands, which are of local significance or have not been evaluated, have been generally identified on Schedule C1 using Ontario Base Map information. These wetlands will be confirmed, and the boundaries will be specifically defined through site inspection, or the submission of a wetland impact assessment, if required by the Township. In addition to the wetlands identified on Schedule C1, wetlands may also be identified through site inspection or impact assessment.	Other Wetlands
D.59	Wetlands will be protected as natural areas. The protection of wetland areas and sites will be implemented through the Development Permit or Comprehensive Zoning By-laws, the use of holding or interim control by-laws, site plan control and the implementation of a by-law under the Municipal Act to regulate fill and grading, ²² or other appropriate measures. Nothing in the policies for wetlands is intended to limit the ability of existing agricultural uses	Protection

to continue.

D.60	The following uses and associated structures or site alteration may be permitted within wetlands (except those identified as provincially significant) where there will not be 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) existing agricultural uses.	Permitted Uses
D.61	Conservation and interpretation of wetlands will be encouraged, and where feasible and desirable, education and recreational activities should be accommodated provided that there will be no negative impact on the natural features or ecological functions of the wetland.	Conservation and Interpretation of Wetlands
D.62	Development and site alteration will not be permitted in provincially significant wetlands. Development or site alteration may only be permitted within 120 metres (394 feet) of a provincially significant wetland, if a wetland impact assessment demonstrates that there will be no negative impact on the natural features or ecological functions of that wetland.	Conservation and Interpretation of Wetlands
D.63	Limited and compatible development may be permitted adjacent to wetlands other than those that are provincially significant, where the integrity of the wetland can be preserved, and it is demonstrated that the lot is suitable for development. In these cases, lots should be large enough to accommodate a suitable area for development 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 and development setbacks.	Land Adjacent to Other Wetlands
D.64	Where development is proposed in close proximity to wetlands other than those that are provincially significant, a wetland impact assessment may be required by the Township in order to ensure that the integrity of the wetland is preserved, identify how development can be appropriately accommodated and identify any mitigating measures which must be implemented.	Wetland Impact Assessment
D.65	In response to the findings of a site inspection or to implement the recommendations of a wetland impact assessment, appropriate planning tools will be used to ensure that the integrity of a wetland is protected. These tools, amongst others, may include the following: a) requiring increased lot sizes at the time lots are being divided or	Measures for Wetland Protection

- through development permit or zoning requirements;
- b) imposing building and development setbacks through development permitting or zoning;
- c) specific siting of buildings and structures through development permitting or site plan control;
- d) retaining vegetation and placing restrictions on site alteration through development permits, site plan or other agreements; and
- e) implementing construction mitigation and storm water management measures through development permits, site plan or other agreements.

- D.66 Peat extraction will not be permitted within or adjacent to provincially or regionally significant wetlands, and will not be permitted in other wetlands where there would be a negative impact on associated or downstream waterbodies or adjacent properties.

Peat Extraction

Natural Heritage

Natural heritage areas are those areas of the Township's landscape that exhibit biological, geological, scenic and other heritage values of national, provincial, regional or local significance. Natural heritage features include wetlands, fish and wildlife habitat, habitat of endangered and threatened species and areas of natural and scientific interest. Natural heritage areas must be preserved so that the values that make them important are retained over time. A natural heritage system includes natural heritage features and linkages intended to provide connectivity and support for natural processes essential to maintaining biological and geological diversity, natural functions, and viable populations of indigenous species and ecosystems. The natural heritage system may also include parks and conservation areas.

A number of regionally important biotic and abiotic areas or sites have been identified within the Township of Lake of Bays primarily through the Muskoka Heritage Areas Program. That program produced an inventory of significant heritage areas and sites across Muskoka. A number of the areas identified extend beyond the boundaries of the Township of Lake of Bays.

Heritage areas are generally larger and contain a variety of values while heritage sites generally exhibit one feature of interest. The heritage sites identified in the Township of Lake of Bays are either a representative or distinctive landform feature. Distinctive features are landforms, which are unusual in the Muskoka or broader context. The regionally significant wetlands identified through this program have been addressed in the previous section respecting wetlands.

Areas of Natural and Scientific Interest (ANSIs) are areas of land or water containing natural landscapes or features that have been identified by the Province as having values requiring protection. One Area of Natural and Scientific Interest of local significance has been identified in the Township of Lake of Bays.

In addition to the Lower Oxtongue River being identified as a Muskoka Heritage Area, the whole river corridor has been identified as having local significance for its natural, cultural, scenic and recreational values. Other local heritage areas may also be identified by the Township in the future.

General

D.67	Natural heritage areas and sites are sections of the landscape or features that exhibit natural (e.g. biological, geological, hydrological or landform) or cultural (e.g. scenic or historic) attributes. These attributes are important on a local, regional, provincial or national scale, for their environmental and social values, or as an attribute of the Township's landscape.	Definition
D.68	Schedule C1 generally identifies natural heritage areas and sites of local and regional significance. One Area of Natural and Scientific Interest (ANSI), identified by the Province ²⁰ as being of local significance, is also shown on this Schedule.	Identification
D.69	The boundaries of the ANSI have been identified by the Province. ²¹ The boundaries of the regionally significant heritage areas have been identified through the Muskoka Heritage Areas Program. The selection and boundaries of the heritage sites as initially identified through the Muskoka Heritage Areas Program have been further refined based on the Ontario Geological Survey and field assessment. Additional information respecting the boundaries and values of these areas and sites is available for reference at the Township of Lake of Bays or the District Municipality of Muskoka. Where additional information is provided in an impact assessment, or through other means, the refinement of the boundaries of heritage areas or sites may be considered by the District Municipality of Muskoka and the Township.	Boundaries
D.70	Additional areas or sites may be identified during development applications, or through other inventories or evaluations. The general policies for natural heritage will apply until specific policy for a new heritage area or site is prepared. Schedule C1 will be updated by amendment to this plan, to show any new natural heritage areas or sites.	New Areas and Sites
D.71	The features and values, which contribute to the importance of natural heritage areas and sites, will be preserved and these areas will be protected from incompatible uses or activities. Nothing in the policies for natural heritage is intended to limit the ability of existing agricultural uses to continue.	Preservation
D.72	The use of natural heritage areas for education, interpretation and conservation will be encouraged, where feasible and desirable. Education and recreational activities should be accommodated,	Conservation and Interpretation

provided that there will be no negative impact on the natural values of the area.

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| D.73 | Specific policies have been provided, where possible, for individual heritage areas and sites. Unless specific policy for an individual area or site directs otherwise, and prior to consideration of any development proposal in a heritage area or site, an impact assessment will be undertaken. Such an impact assessment will determine whether the development should be permitted, ensure that the features, functions and values that make that area or site important can be preserved, and identify appropriate mitigation measures to be implemented. | Impact
Assessment |
| D.74 | Any impact assessment undertaken for a regionally significant heritage area will be completed and implemented to the satisfaction of both the Township of Lake of Bays and the District Municipality of Muskoka. | |
| D.75 | <p>Natural heritage areas and sites will be protected through the use of various methods appropriate to the circumstance, including amongst others:</p> <ul style="list-style-type: none"> a) prohibiting or restricting development through specific Official Plan policy, the development permit system or zoning; b) limiting forestry on private land through a good forestry practices by-law; 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 or infrastructure on crown land. | Planning Tools |
| D.76 | The protection of natural heritage areas and sites will be implemented through the Development Permit or Comprehensive Zoning By-laws, the use of holding or interim control by-laws, site plan control and the implementation of a by-law under the Municipal Act to regulate fill and grading, ²² or other appropriate measures. | |

Oxtongue River Corridor Lake of Bays Heritage Area

The Oxtongue River Corridor is of significance within the Township of Lake of Bays for its cultural heritage, scenic, recreational and natural values. This meandering river corridor has provided an historic transportation and logging route and may contain areas of archaeological significance. Currently, this

corridor is considered important for its natural attributes, scenic values and as a canoe route. In addition, flooding and erosion hazards present a constraint to development within the river corridor.

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| D.77 | The boundaries of the Oxtongue River Corridor above Marsh's Falls have been based on the identification of the meander belt allowance for the river, or at a minimum a 30 metre (98 foot) setback from the normal or controlled high water mark. The boundaries of the river corridor below Marsh's Falls have been defined as detailed in Section D.84. | Boundaries |
| D.78 | The meander belt allowance for the Oxtongue River identifies the maximum extent that a water channel will migrate and defines the limits of the erosion hazard. The boundaries of this meander belt allowance may be confirmed and refined through the submission of a technical report. | Meander Belt Allowance |
| D.79 | The entire Oxtongue River corridor will be protected for its historic, cultural, archaeological, scenic, natural and recreational values. Development will be directed to land outside the boundaries of the river corridor. | Preservation |
| D.80 | Where possible and in order to ensure the preservation of the river corridor, public open space directly abutting the river within this heritage area will be obtained or retained by the Township or other authority, through parkland or other dedication, and conservation easements, purchase, or other means. | Land Acquisition |
| D.81 | Within the entire Oxtongue River corridor, the natural vegetation and landscape will be maintained. Meandering pathways to the shoreline constructed of permeable material, or the location of small viewing areas may be permitted within the corridor area, but should be specifically located and designed to preserve the values of the corridor. | Pathways |
| D.82 | Shoreline structures, such as docks or boathouses will not be permitted along the Oxtongue River. | Shoreline Structures |

Lower Oxtongue River Muskoka Heritage Area

This site, which is in private ownership, includes the lower course of the Oxtongue River below Marsh's Falls, and a sandy, low energy delta where the river empties into Lake of Bays. The edges of the meandering river and several meander scars and oxbow lakes support a variety of aquatic and emergent vegetation communities. An isolated kettle near the mouth of the delta has matured into a small bog pond. The occurrence of American Elm-Yellow Birch association on poorly drained sands of the delta near the mouth of the river has also been reported. This association is uncommon and is not known elsewhere in Muskoka. However, this was not confirmed

by the Muskoka Heritage Areas Programs.²³

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| D.83 | The boundaries of the Lower Oxtongue River Muskoka Heritage Area have been identified through the Muskoka Heritage Areas Program and expanded to the south to include the meander belt allowance. | Boundaries |
| D.84 | <p>In addition to the values identified in the preceding section for the entire Oxtongue River corridor, the Lower Oxtongue River Area is extremely highly valued as a distinct landform as well as for its natural, biological and scenic values. This area is of regional significance exhibiting the following values and importance:</p> <ul style="list-style-type: none"> a) the features associated with a modern low energy depositional formation including a meandering river, alluvial floodplain features, on-going deposition along the delta mouth, such as the development of a re-curved spit, and the build-up of organic deposits in wet floodplain depressions; b) the mature delta deposit of a size which is unusual in Muskoka; c) the extensive undisturbed length of riverfront and lakefront on a large lake, backed by wetlands and forests in a natural state; d) the low ratio of introduced plant species and habitat for a number of rare and regionally uncommon species; e) the trout and yellow perch spawning areas; f) the high archaeological potential; and g) the high scenic and recreational value particularly at Marsh's Falls. | Values |
| D.85 | The landform, ecological, aesthetic and scenic values of the Lower Oxtongue River Muskoka Heritage Area will be protected, in addition to the values identified for the entire Oxtongue River Corridor. | Preservation |
| D.86 | <p>Development will be directed to land outside the boundaries of the Lower Oxtongue River Muskoka Heritage area, as identified on Schedule C1 to this Plan. However, where a lot existed prior to or on March 1st, 2000, residential use of that lot may be considered in the following circumstances:</p> <ul style="list-style-type: none"> a) The development can occur safely and will not be subject to flooding and erosion hazards. Where development is proposed, a technical report will be required to determine the limits of land prone to flooding and erosion, to confirm soil stability and to ensure that development can safely be accessed and located on the property; b) The identified values of the Heritage Area can be preserved. Where development is proposed, an impact assessment will be undertaken to better identify, locate and evaluate the values identified for the Heritage Area and to determine whether development can occur in a location and manner which will ensure the preservation of these values; c) Any development located along the Oxtongue River, and | Development |

including any component of a private sewage disposal system, will be setback a minimum of 30 metres from the controlled high water mark. Within the 30 metre setback, the natural vegetation and landscape will be maintained. Meandering pathways or access points to the shoreline which are constructed of permeable material, removal of trees for safety reasons may be considered, but should be specifically located and designed to preserve the values of the Heritage Area.

- d) Shoreline structures, such as docks or boathouses will not be permitted along the Oxtongue River.

D.87.1 On those parts of Lots 12 and 13 in Concession 8 and 9 of the former Township of Franklin, the Original Road Allowance between Concessions 8 & 9, and the Original Shore Road Allowance abutting the said lands, the development rights for these two existing lots are being combined into one lot, which is identified on Schedule C1 within the Heritage Area. The lot not being developed is to be used for conservation purposes. In this regard, the following policies apply:

- a) One primary residential structure, a secondary residential structure and accessory structures as may be permitted by the applicable Zoning/Development Permit By-law are permitted in that area identified as being subject to this policy on Schedule C1.
- b) Subject to Section D.87 a, b and c, in the area identified as being subject to this policy on Schedule C1, the following uses are permitted;
 - (i) Open space and recreational uses that will not result in landform alteration, or require substantial removal of vegetation;
 - (ii) Uses that will take advantage of the characteristics of the area for educational or scientific purpose.

D.87 Wherever possible, public open space in the Lower Oxtongue River Area, particularly at Marsh's Falls, should be retained or obtained by the Township, or other authority for protection and parkland purposes.

Land Acquisition

Big East River Corridor Muskoka Heritage Area

The Big East River Corridor is the larger of two rivers that form the North Muskoka watershed system, and is hydrologically important to the Muskoka River watershed. It flows approximately 50 km across northern Muskoka from Algonquin Park to Lake Vernon through the Township of Lake of Bays and the Town of Huntsville. The river is characterized by a shallow channel, broad floodplain containing a complex of meander channels and oxbow lakes and steep, rocky headwater regions. The river descends a total of 88 metres (289 feet) and most of that drop is within the Township of Lake of Bays through a series of waterfalls, rapids and ponds. Areas of steep valley slopes, rocky terrain, thickly forested valleys and wetland areas characterize the corridor.

A significant proportion of the Big East River Corridor is crown land. Vegetation has been influenced in part by extensive logging along the entire length of the river from 1920-1930. However, the shoreline setbacks and the presence of steep valley walls have made timber extraction difficult, and therefore, a largely mature conifer vegetated corridor with scattered stands of mature hardwoods have been maintained along the river. Development along the river over time has been limited due to spring flooding, low summer levels and the presence of numerous rapids and waterfalls.²⁴

D.88	The regionally significant Big East River Corridor exhibits the following values and importance: a) the Big East River glacial spillway valley is a distinctive land form feature at a regional level; b) the river contributes a high quantity and quality of water to the Muskoka River system and provides some degree of seasonal stage of floodwaters; c) the area contributes to the full range of biotic representation in Muskoka, supports over 400 species of vascular plants and contains a high diversity of bird, mammals, reptiles and amphibians compared to other areas; d) the area provides habitat for a large number of rare species and regionally uncommon species and also acts as a biogeographic corridor, allowing species movement from the Algonquin Highlands down the river valley; e) the flora is composed of species with representation of both southern and northern elements, including two boreal community types with limited occurrence in Muskoka; f) the area includes several biotic communities of unusually high quality; g) the corridor provides recreational value for canoeing; and h) the view from the Finlayson Dam has been identified as having high scenic value and the Distress Chutes are noted as one of the most scenic waterfalls in Muskoka.	Values
D.89	The Big East River valley corridor will be preserved for its geological and hydrological values, biogeographic significance, representational values and significant species, importance as a wildlife corridor as well as its scenic and recreational values.	Preservation
D.90	Development, including roads, should be situated outside of the boundaries of the Big East River Corridor.	Development
D.91	However, where development is proposed within this area, an impact assessment will be undertaken in order to better identify, locate and evaluate the values of the area and to determine whether development can occur in a location and manner which will ensure the preservation of these values.	Impact Assessment

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| D.92 | Site alteration of the natural flow of water and normal erosive processes along the meander cut banks will not be permitted. Development, where permitted, will only proceed provided that it can occur safely and will not be subject to the hazards of flooding and erosion. Technical information may be required to ensure that, where permitted, development can occur safely. Such information will determine the limit of lands prone to flooding and the limit of lands prone to erosion that may be associated with either the meander belt or soil stability. | Technical Report |
| D.93 | Within the Big East River corridor, the Township will advocate the retention of crown land in public ownership, and the implementation of management strategies on crown land that will protect the values of the area. This will include restrictions on forestry and aggregate extraction as well as the maintenance of existing dams. Any site alteration or resource activity on crown land must address the impact of the proposal on erosion, sedimentation and the presence of significant species or vegetation community types. In addition, the valley slopes should remain forested with a high conifer content. | Crown Land |
| D.94 | Natural vegetation, including the ground, shrub or canopy layers, particularly conifer cover, and the natural land form or soil mantle along the valley slopes will be protected. Minor meandering pathways or access points to the river which are constructed of permeable material, or the removal of trees for safety reasons may be considered, but should be specifically located and designed to preserve the values of the corridor. | Protection of
Vegetation |
| D.95 | Shoreline structures, such as docks or boathouses will not be permitted along the Big East River corridor. | Shoreline
Structures |

Langmaid's Island Muskoka Heritage Area

The southern half of Langmaid's Island is located in the Township of Lake of Bays, with the other half in the Town of Huntsville. This Heritage Area also includes Seagull Island, an associated and small rocky island that functions as a Herring Gull loafing area.

Langmaid's Island is valued for its wide range of topography and natural features as well as the habitat that it offers. Due to the quality and lack of disturbance of the forested communities, the island is considered as a regionally significant forest and was identified as a candidate ANSI. The island supports long stretches of undeveloped shoreline and natural beaches on a lake, which is well developed with recreational properties. For this reason, it is highly valued for its scenic and aesthetic qualities. Although the sandy beaches are frequented by boaters who stop to picnic and swim, they are clean. The island is currently held in single ownership.²⁵

D.96	Langmaid's Island, together with Seagull Island have been identified as a heritage area of regional significance for the following reasons: a) Langmaid's Island supports a diversity of habitats including various forest types, rocky shorelines, sandy beach, marshland, steep rocky ridges, exposed cliff faces and semi-open treed barrens; b) The landscape, shoreline and biotic communities on Langmaid's Island show little recent disturbance; c) Langmaid's Island was evaluated as a regionally significant forest and recommended as a candidate ANSI; d) Langmaid's Island supports a deer wintering area as well as a potential Lake Trout spawning location; e) Seagull Island is a nesting area for Canada Geese and functions as a Herring Gull loafing area; and f) Seagull Island has high scenic value and the hills on Langmaid's' Island offer a commanding and scenic vista of Lake of Bays.	Values
D.97	Seagull Island will remain in its natural state and be protected as a nesting area.	Seagull Island
D.98	Creation of new lots on Langmaid's Island or substantial development will be discouraged in order to retain this as a natural and undisturbed area and retain its important values. Any further development or site alteration on the island should be focused in the area, which has already been disturbed by development.	Lot Creation
D.99	Where further development of the island is proposed beyond the existing development site, an impact assessment will be undertaken in order to better identify, locate and evaluate the values of the area, and to ensure that development can occur in a location and manner which will ensure the preservation of these values.	Impact Assessment
D.100	Where it is not feasible to preserve the whole island in its natural state, protection of important areas and features of the island that have been identified through impact assessment will be accomplished by: a) dedication or purchase of the land in favour of the Township, or other appropriate organization; or b) establishment of a conservation easement; or c) private land stewardship; and d) zoning, together with site plan or other agreements or the Development Permit System.	

Bella Lake Glaciofluvial Outwash Deposit Muskoka Heritage Site and Big East Glaciofluvial Outwash Deposit Lake of Bays Heritage Site

Two sites have been identified as representations of glaciofluvial outwash deposits and these sites are connected by a small esker. Deposits such as these are more

prominent in the northeastern area of the Township of Lake of Bays, than elsewhere in Muskoka. These two sites are representative of the deposits of glacially-fed spillways which occurred within the Algonquin Highland area leaving behind relatively flat channel forms with surface sediments consisting of cobble gravel to fine sand.

The Bella Lake site is located at the north end of Bella Lake and was identified as a representative site through the Muskoka Heritage Areas Program. This site is generally in private ownership, with a portion being held privately as a conservation area. The plain is relatively flat and the surface sediments consist of cobble gravel to fine sand. Several peat-filled; ice block depressions have also been identified and are up to 300-400 metres (984-1312 feet) in diameter.

The second site is located on the south side of the Big East River, where it ponds upstream of the distress Dam and directly north of the Bella Lake site. This site, which has been identified as a representative site by the Township, coincides with the Big East River Corridor Muskoka Heritage Area and is located on Crown land.

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| D.101 | The Bella Lake Glaciofluvial Outwash Deposit has been identified through the Muskoka Heritage Areas Program and the Big East site has been identified by the Township as representations of glaciofluvial outwash deposits. | Value |
| D.102 | The function of landform representation and groundwater recharge provided by these sites will be protected from incompatible development and site alteration. | Protection |
| D.103 | Development within these deposits will be discouraged. However, where development is proposed, an impact assessment will be undertaken in order to better identify, locate and evaluate the glaciofluvial outwash deposit affected, and to ensure that development can occur in a location and manner which will provide for the preservation of value exhibited by the site. | Development |
| D.104 | Aggregate extraction will be prohibited within these heritage sites, and forestry will be limited to selective cutting. | Resource
Extraction |

Little Nelson Lake Till Unit Muskoka Heritage Site

The Little Nelson Lake Heritage Site is a representation of an expansive area of till primarily found in the Algonquin Highland area of Muskoka. This site is located in the vicinity of South Nelson Lake, north of Muskoka Road 8 and is accessible by a forest access road. The Little Nelson Lake Till Unit is located on Crown land and is relatively undisturbed. The Township selected the Little Nelson Lake Till Unit as the representative example of this type of landform since it is held in public ownership.

The Little Nelson Lake Till deposit is representative of fluted to undulating ground moraine with thick till deposits. The surface is typically scattered with cobbles and boulders in a forested hardwood landscape. Hummocks of stony, sandy till were generated by the melting out and accumulation of debris on the glacier surface as it moved in a north-south direction, and which was then left behind after the

disintegration of the ice. This was not subjected to reworking by Glacial Lake Algonquin, which reached levels of 350 metres a.s.l. near Huntsville.

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| D.105 | The Little Nelson Lake Till Unit has been identified as a representation of the expansive areas of till which are confined primarily to the Algonquin Highland section of Muskoka. | Value |
| D.106 | Development within this deposit will be discouraged. However, where development is proposed, an impact assessment will be undertaken in order to better identify, locate and evaluate the till unit, and to ensure that development can occur in a location and manner which will ensure the preservation of the value exhibited by this site. | Protection |
| D.107 | Aggregate extraction will be prohibited within this heritage site and forestry will be limited to selective cutting. | Resource
Extraction |

Port Cunningham Intrusive Muskoka Heritage Site

The Port Cunningham Intrusive is a small, late Precambrian intrusion of ultramafic rock exposed in a small borrow pit along Elder Drive. This site is privately owned. These rocks have been intensely weathered, resulting in their fragmented texture. This weathering probably took place 65 million years ago when the climate in this region was tropical. Drilling undertaken several decades ago suggests that the weathering may extend several hundred feet into the subsurface.

The weathered rock is overlain by up to 4 metres (13 feet) of sub-glacial melt out and flow till, a deposit common to Muskoka. However, the sharp and undulating contact between the rock and till is significant in that it attests to the passive mode in which the till was deposited. This site is of assistance in interpreting deglaciation in this region.²⁶

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| D.108 | The Port Cunningham Intrusive is a distinctive landform, being one of only two known examples of late Precambrian intrusions of ultramafic rocks in Muskoka. | Value |
| D.109 | Development and aggregate extraction in this site will be restricted in order to ensure that the exposure located at the northwest corner of the pit, which shows weathered bedrock and substantial thickness of the overlying till, is preserved. | Aggregate
Extraction |
| D.110 | Where development or aggregate extraction is proposed, an impact assessment and technical report will be undertaken in order to better identify, locate and evaluate the intrusive, and to ensure that development or aggregate extraction can occur in a location and manner which will ensure the preservation of the value exhibited by this site. | Impact
Assessment |

Highway 35 Rock Cut ANSI

The highway 35 Rock Cut is an excellent example of the folding and faulting of the gneissic bedrock of the area which has been exposed as a result of highway road work. This rock cut has been identified by the Province²⁷ as an Area of Natural and Scientific Interest, specifically a locally significant earth science feature. The site on which this feature is located is crown land.

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| D.111 | The Highway 35 Rock Cut is identified on Schedule C1 and is a significant feature within the Township of Lake of Bays since it is an excellent display of the folding and faulting of the gneissic bedrock of the area. | Value |
| D.112 | Since this feature is located on crown land, the Province should retain and preserve the integrity of the Highway 35 Rock cut in any policy and management plans or roadwork. The Township will advocate that this feature be preserved. | Preservation |

Fish Habitat

Fish and their habitats are important parts of the Township ecosystem, which should be protected. A healthy fisheries habitat in the Township's lakes, watercourses and wetlands provides an indication of a healthy human habitat.²⁸ In addition, angling opportunities for both warm and cold water fish species in the Township are an asset to the tourism industry and contribute to the local economy.

The Canada Fisheries Act guides the protection of fish habitat and prohibits activities which result in the harmful alteration, disruption or destruction of fish habitat and the discharge of deleterious substances into waters frequented by fish.²⁹ To guide land use planning, the Provincial Policy Statement also requires the protection of fish habitat.

Fish habitat includes spawning grounds and nursery, rearing, food supply and migration areas on which fish depend directly or indirectly for their life processes.³⁰ The basic life requirements for fish include food, reproduction, cover and good water quality.³¹ Disturbance to any part of fish habitat can result in the deterioration or loss of fish population.

The activities, structures and change in landscape associated with development can have a negative impact of fish and fish habitat. Potential impacts caused by development, particularly those on the shoreline, can contribute to the loss of fish habitat through:

- direct removal of fish habitat (dredging, filling, removal of aquatic vegetation or substrate);
- introduction of barriers to fish movement;
- impacts on groundwater (base flow or temperature);
- alteration of the landscape such as grading, the placement fill or the removal of terrestrial vegetation (increased water temperature due to lack

of cover or increased run-off with increased sedimentation and turbidity); and

- increased nutrients and contaminants affecting water quality.

Options for preventing these impacts include designing development to prevent impact (e.g. specific location of lot lines or retention of vegetation) and by implementing mitigation measures (e.g. storm water management).³² On shoreline lots, owners expect to be able to have access to the water. Therefore, lots that would not have a suitable activity and docking location, and would have a negative impact on fish habitat should not be created.

Prior to any alteration in or around the shoreline, or the construction of shoreline structures, consultation with the Province of Ontario³³ and the Federal Department of Fisheries and Oceans is recommended to ensure that there will be no contravention of the Canada Fisheries Act.

D.113	Schedule C2 generally identifies Type 1 and Type 2 fish habitat, as well as areas where the type of fish habitat is unknown. Type 1 habitat is highly sensitive to the potential impact of development and affects fish productivity. Type 2 habitat is moderately sensitive to the potential impacts of development and although important to fish populations, does not limit the productivity of fish.	Identification of Fish Habitat
D.114	The identification and typing of fish habitat was undertaken and provided by the Province of Ontario. ³⁴ More detailed habitat information is available for reference at the Township of Lake of Bays. However, a site inspection or additional information provided by a qualified expert may be required to confirm the actual location or extent of the habitat in an individual location. Additional habitat may be identified, as further information becomes available, upon site inspection of individual properties or through supporting documentation acceptable to the Township, which is submitted with development applications. Such information will be used in the application of policy respecting fish habitat.	
D.115	A fish habitat impact assessment will be required by the Township prior to consideration of a planning application, where there is not sufficient fish habitat information or knowledge available on which to make a decision.	Fish Habitat Impact Assessment
D.116	Fish habitat will be protected in order to ensure the long-range health of fisheries resources.	Protection
D.117	Development and site alteration shall not be permitted in fish habitat except in accordance with provincial and federal requirements.	
D.118	Appropriate planning tools will be used to protect and ensure that the integrity of fish habitat is maintained, as well as to implement the recommendations of fish habitat impact assessments. Among other	Measures for Habitat Protection

approaches, these may include:

- a) requiring increased lot frontages and areas at the time lots are being divided through development permits or zoning requirements;
- b) imposing building and development setbacks through zoning or development permitting or zoning;
- c) specific siting of buildings and structures, driveways and pathways through development permits or site plan control; and
- d) requiring the retention of vegetation in development permits, site plan or other agreements.

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| D.119 | The creation of a lot should not be permitted where its entire shoreline would abut Type 1 habitat, wetlands and any other natural constraints that would limit access to the water. | Type 1 Habitat
along the Entire
Shoreline |
| D.120 | | |
| Development of existing lots abutting Type 1 habitat may be permitted provided that: | | |
| <ul style="list-style-type: none"> a) development, other than permitted shoreline structures, is setback 30 metres (98 feet) from the shoreline in the waterfront designation and 20 metres (66 feet) in a community designation, unless a fish impact assessment recommends a greater setback, or demonstrates that a lesser setback would not have a negative impact on the habitat; b) a 15 metre natural vegetative buffer is maintained directly adjacent to the shoreline within the setback area; c) the shoreline structures permitted include floating and post, or other structures authorized by the authority having jurisdiction;³⁵ and d) stormwater management and construction mitigation measures are implemented. e) Development and site alteration may be permitted within the required setbacks provided there will be no negative impacts on fish habitat. | | |
| D.121 | | |
| Where Type 1 fish habitat occurs adjacent to a portion of a lot, the shoreline activity area, particularly shoreline structures, will be located outside of that habitat area, unless a fish impact assessment demonstrates that there will be no negative impact on the habitat, or authorized by the authority having jurisdiction. ³⁶ | | Type 1 Habitat
along Part of a
Shoreline |
| D.122 | | |
| Development will be set back from a cold water stream or creek a minimum of 30 metres (98 feet) in the waterfront and rural designations and 20 metres (66 feet) in a community designation and a setback of 15 metres from any warmwater stream is required, 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 (49 foot), natural vegetative buffer located directly adjacent to the banks of the | | Setback |

watercourse will be maintained within this setback.

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| D.123 | <p>Appendix "A" identifies the sensitive Lake Trout lakes which have been verified by the Province of Ontario³⁷ as being managed for lake trout, and as being unable to sustain further development. Development of existing vacant lots for residential uses may be permitted, subject to the requirement of Section D.121. Further, lot creation will not be permitted on these lakes, unless:</p> <ul style="list-style-type: none"> a) to separate existing habitable dwellings on lots each of which is capable of supporting an approved independent sewage disposal system provided that the land use will not change ; b) new leaching beds for each lot will be setback at least 300 metres (984 feet) from the normal or controlled high water mark of the lake, or so that the drainage from each leaching bed will flow at least 300 metres to the normal or controlled high water mark of the lake or direct tributary; c) new leaching beds on each lot are located so that they will drain into a waterbody other than those identified on Appendix "A"; or d) it is demonstrated through the submission of a site specific soils investigation prepared by a qualified professional in accordance with provincial requirements as set out in Appendix A that the proposal will not negatively impact lake trout habitat including water quality, and provided the associated implementation requirements of Sections J.8 and J.9 are met. The minimum lot area for each lot shall be 0.8 ha (2 acres). | Sensitive Lake
Trout Lakes |
| D.124 | <p>New development, including any component of an existing private sewage disposal system, but not including permitted shoreline structures such as accessory docks, boathouses or marina facilities, will be setback a minimum of 30 metres (100 feet) from the normal or controlled high water mark of an identified Lake Trout lake at capacity. In addition, the removal of natural vegetation within 30 metres of the lake is prohibited, except to accommodate a limited number of paths, water lines, docking facilities or other permitted shoreline accessory structures and removal of trees posing a hazard.</p> | |
| D.125 | <p>Site alteration, such as dredging, filling, and removal of aquatic vegetation or substrate within or abutting fish habitat will be discouraged, unless a fish impact assessment demonstrates that there will be no negative impact on the habitat, or authorized by the authority having jurisdiction.³⁸</p> | Dredging and
Filling |

Wildlife Habitat and Endangered or Threatened Species

The flora and fauna of the Township are key elements of, and contribute to, a healthy ecosystem. In addition, wildlife also provides economic benefit through tourism activities including viewing, nature appreciation and education, as well as

activities such as hunting and trapping.

Wildlife habitat includes areas where plants, animals and other organisms, live and find adequate amounts of food, water, shelter and space needed to sustain their population. Significant wildlife habitat may include areas where species concentrate at a vulnerable point in their annual life cycle, and areas, which are important to migratory or non-migratory species.³⁹ The protection of wildlife habitat may be important to the survival of the species. Human activity such as non-native species introduction, land clearing, wetland drainage, timber harvest and placement of fill can result in the loss of wildlife habitat.⁴⁰

The Township's conifer forests, particularly hemlock, provide shelter, food and travel corridors for deer during the winter. Without this habitat for protection from the harsh winters, deer are likely to deplete their energy stores and perish. Development, removal of vegetation and the stress and disruption caused by human and domestic animals can result in the loss of habitat.

The Province is particularly concerned with the loss of the habitat of endangered or threatened species. At the present time, no regulated habitat of endangered or threatened species has been identified by the Province within the Township of Lake of Bays. However, should such flora or fauna in this category be identified within the Township, its protection would be desirable for the Township and would be required by provincial policy.

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| D.126 | The Township recognizes the value of wildlife and supports the protection of significant wildlife habitat. The location of significant wildlife habitat, which, has been identified by the Province of Ontario ⁴¹ and may present a constraint to development is identified with a symbol on Schedule C2. Wildlife habitat generally includes areas where plants, animals and other organisms live and find adequate amounts of food, water, shelter and space needed to sustain their population. Prior to a development proposal proceeding, more detailed information respecting individual sites, such as the type of habitat, its exact location, and sensitivity will be obtained by the Township from the Province. | Identification of
Wildlife Habitat |
| D.127 | Schedule C2 also identifies important deer wintering areas. | |
| D.128 | Additional significant wildlife habitat, including deer wintering areas, waterfowl nesting, staging or feeding areas or the other habitat of plants or other organisms may be identified as additional information becomes available, upon site inspection of individual properties or through supporting documentation submitted with development applications. | |
| D.129 | Wildlife habitat will be preserved and protected from incompatible development. Development and site alteration shall not be permitted in significant wildlife habitat unless it has been demonstrated that there will be no negative impacts on the habitat or its ecological | Preservation and
Protection |

functions. Development and site alteration shall not be permitted on adjacent lands to significant wildlife habitat unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions.

Habitat conservation measures will include appropriate development controls to protect stick nests that are identified at the time of an impact assessment for birds dependent on existing stick nests.

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| D.130 | <p>Development within an identified deer wintering habitat areas will be located and occur in such a way that coniferous vegetation required for shelter and food is conserved. More specifically, development and site alteration will not be permitted in Stratum 1 winter deer habitat, as identified on the Land Use Schedules, unless an impact assessment is undertaken by a qualified professional that demonstrates that there will be no negative impacts on the natural features of the habitat or their ecological functions. Development and site alteration may be permitted in Stratum 2 winter deer habitat, as identified on the Land Use Schedules, where valuable conifer stands, feeding areas and movement corridors are conserved. An impact assessment by a qualified professional may be required to identify measures to conserve critical habitat features in Stratum 2 habitat or to refine winter deer yards.</p> <p>New lot creation in winter deer habitat should be restricted to single detached dwellings on lots which have minimum lot dimensions of 90 m by 90 m or .81 ha. Shoreline lots should have a minimum lot frontage of 90 m, or 120 m where winter deer habitat is restricted to a narrow fringe. Vegetation cover, specifically, deciduous browse should be conserved in its natural state within 30 - 50 m of any conifer thermal cover. Alternate lot sizes may be permitted only if an impact assessment indicates that deer winter habitat does not exist.</p> <p>Intensive development or site alteration, such as golf courses, mineral aggregate operations, commercial and industrial land uses may only be permitted in deer winter habitat where an impact assessment has been undertaken by a qualified professional which demonstrates that there will be no negative impacts on the natural features of the habitat or their ecological functions.</p> | Deer Wintering
Habitat |
| D.131 | <p>Endangered and threatened species are listed in the Regulations under the Endangered Species Act or otherwise identified in information provided by the Province.⁴² The identification of all habitat of endangered or threatened species will be made on an individual site by site basis, through the development process or through other information, and in consultation with the Township and the Province.</p> | Endangered and
Threatened
Species |
| D.132 | <p>Development and site alteration shall not be permitted in habitat of</p> | Protection |

endangered species and threatened species, except in accordance with provincial and federal requirements.

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| D.133 | An impact assessment may be required by the Township, in consultation with the Province, prior to consideration of a planning application, in order to confirm the type, specific location and extent of wildlife habitat or the habitat of an endangered species or threatened species, and to identify the measures necessary to ensure that the habitat will be protected. | Habitat Impact
Assessment |
| D.134 | <p>Appropriate planning tools will be used to protect and ensure that the integrity of wildlife habitat is maintained as well as to implement the recommendations of a habitat impact assessment. Among other approaches, these may include:</p> <ul style="list-style-type: none"> a) requiring increased lot frontages and areas at the time lots are being divided and through development permits or through zoning requirements; b) imposing building setbacks through development permitting or zoning; and c) specific siting of buildings and structures, driveways and pathways and the retention of vegetation through development permits, site plan control or other agreements. | Measures for
Habitat
Preservation |

Cultural Heritage

The cultural heritage of the Township of Lake of Bays provides a substantial contribution to the sense of identity and character of the community. Buildings, structures, artifact, features and landscapes comprise the cultural heritage of the Township, and have community, historic and economic importance. The conservation of significant community heritage will assist the Township in preserving its unique character and retaining a sense of community pride. The Township Vision identifies the importance of recognizing the cultural heritage of the Township by restoring, protecting and researching the heritage of the Township as well as incorporating this element into the promotion of tourism. Cultural heritage resources can be assessed and conserved using a number of techniques. This may include the use of the provisions of the Planning Act or the Heritage Act. The Heritage Act enables municipalities to appoint Local Architectural Conservation Advisory Committees (LACACS) and designate heritage resources for conservation. Non-profit community or municipal trust funds may also be established to provide financial assistance for heritage conservation efforts.

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| D.135 | Built heritage resources and cultural heritage landscapes include features such as buildings, structures, features, settlements and landscapes or archaeological sites, remains and artifacts which have played a role in the historic development of the municipality and/or are culturally or architecturally significant. | Definition |
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D.136	Appendix "B" identifies important built heritage resources and cultural heritage landscapes within the Township, which should be conserved, where possible. Continued research and evaluation of the cultural heritage resources of the Township will be encouraged and as additional resources are identified, Appendix "B" will be updated.	Identification of Heritage Resources
D.137	The Township's cultural heritage resources are recognized as providing an important contribution to the identity and character of the Township.	Importance
D.138	The conservation and enhancement of significant built heritage resources and cultural heritage landscapes shall be preserved through wise public and private stewardship, education, support of community efforts or the use of the provisions of the Ontario Heritage Act. The Township shall consider the interests of Aboriginal communities in conserving cultural heritage and archaeological resources.	Conservation
D.139	Development and decisions respecting infrastructure will have regard for the conservation of built heritage resources and cultural heritage landscapes. Where appropriate, these resources should be incorporated into any development plans in a manner that preserves the integrity and heritage attributes of the resource. Prior to development proceeding, the Township may require that an impact assessment be prepared.	
D.140	The potential for discovery of archaeological resources on individual lots will be identified by the Township at the time development is proposed, or upon request by a property owner and will be based on the Archaeological Master Plan prepared for the District Municipality of Muskoka. The evaluation of the archaeological potential of a property will take into account situations where original lake levels were altered and land was flooded by the introduction of control structures.	Archaeological Potential
D.141	Archaeological remains of prehistoric and historic habitation may exist in the Township, particularly adjacent to watercourses and waterbodies, and these remains should be conserved through removal and documentation, or preservation on site. Development and site alteration shall not be permitted on lands containing archaeological resources or areas of archaeological potential unless significant archaeological resources have been conserved.	Archaeological Conservation
D.142	Archaeological impact assessments conducted by licensed archaeologists and undertaken in accordance with the requirements of the Province of Ontario may be required as a condition of development where areas of moderate to very high potential, as identified in the Archaeological Master Plan would be affected. Such	Impact Assessments

impact assessments will be completed and implemented to the satisfaction of the Province of Ontario⁴³ and the Township.

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| D.143 | When an identified human cemetery or a marked or unmarked human burial is affected by development, the appropriate Ministries of the Province of Ontario ⁴⁴ will be consulted and the provisions of the Ontario Heritage and Cemeteries Acts will apply. | Cemeteries and
Burials |
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Implementation

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| D.144 | Measures such as parkland dedication, conservation easements or agreements, acceptance of land, acquisition of land, private land stewardship programs will be supported or required to ensure the protection of environmentally sensitive areas such as wetlands, natural heritage areas and sites or scenic or culturally significant areas or sites. Designation in accordance with the Ontario Heritage Act may be considered for the conservation of cultural heritage resources. | Conservation of
Natural and
Cultural Heritage |
| D.145 | The Township will encourage and support private landowners and organizations in their efforts to manage property in a way that maintains or enhances environmental and cultural values. | |
| D.146 | Crown land within natural heritage areas or sites should be retained in public ownership. In addition, the protection of identified values of heritage areas should be addressed in preparation and implementation of policies, plans, or management strategies, or in the provision of infrastructure. | |
| D.147 | The Township will review its own practices to ensure that the development of its properties and the provision of infrastructure take advantage of opportunities to design with nature, conserve landscape, conserve cultural heritage resources, and preserve natural and environmentally sensitive areas, wherever possible. | |
| D.148 | All development proposed within or adjacent to environmentally sensitive areas or cultural heritage resources including a protected heritage property will be subject to consideration and appropriate use of planning tools to ensure the development is appropriate and that any impact of the development is minimized. These development techniques will be implemented through mechanisms such as development permitting, zoning, site plan control, or other municipal agreements. More specifically, development and site alteration on adjacent lands to protected heritage property shall not be permitted except where the proposed development and site alteration has been evaluated by a qualified professional and it has been demonstrated that the heritage attributes or the protected heritage property will be conserved. | |

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| D.149 | Proposals will be denied by the Township where the impacts of the development would have a negative environmental effect, and those impacts cannot be mitigated to the satisfaction of the Township through the use of planning or other mechanisms. | Refusal of
Proposal |
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| D.150 | Development Permit and Zoning by-laws, where appropriate, will identify and conserve significant natural heritage features and areas, and significant archeological resources. Interim control by-laws, holding provisions and development permit provisions may be used to protect such areas, until an inventory and evaluation of specific areas can be completed. | Zoning By-laws |
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| D.151 | The Township will promote the preparation of archaeological management plans and cultural plans, where appropriate, as measures to conserve cultural heritage and archaeological resources where appropriate. | Archaeological
Management and
Cultural Plans |

Section E: Development Constraints

Constraints to Development

Development constraints are natural features or man-made situations that present impediments, restrictions, or limits to development. In some cases, if development occurs within a specific area of constraint, it may result in a hazard to life, health or property.

Where necessary, limitations on development must be imposed to protect the environment, minimize the visual impact of development and preserve the character and aesthetics of the areas. Restrictions or limits to development must also be imposed to ensure public health and safety, avoid conflicts between different land uses, and mitigate "adverse effects" as defined in the Environmental Protection Act. Often, development can be sited or designed to mitigate the influence of a constraint.

Slopes

Lots with steep slopes often present desirable development sites due to the views and panorama offered. However, if development on a steep slope is not undertaken carefully, it can result in substantial alteration of the natural landscape, visual intrusion due to the prominence and location of development, interruption of the skyline, erosion, slope instability, damage to fish and wildlife habitat and a significant increase in storm water run-off which can negatively impact an adjacent property or waterbody. Along the shoreline, steep slopes often also present constraints with respect to locating water lines, locating shoreline structures and obtaining access from the water or locating an access route for construction.

Designing lots and siting development so that it fits into the natural contours of the land, limiting the extent of alteration to the landscape, retaining a substantial amount of the natural vegetation and implementing storm water management techniques can effectively mitigate these concerns. The terrain in the Township is so varied that individual site analysis and comprehensive design of development is more appropriate for dealing with this matter than attempting to apply one standard approach. A site inspection and site evaluation approach provides the flexibility to respond to the characteristics of individual sites.

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| E.1 | Schedule D1 provides an indication of the presence of slopes greater than 20%. Where development is proposed, the degree of slope and slope stability will be confirmed by the Township 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. | Identification of
Slopes |
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| E.2 | 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. | Development on
Slopes greater
than 20% |
| E.3 | <p>In addition to the requirements of Section E.2 and where slopes greater than 30% exist on a property or a portion of a property, the following principles will be implemented for development:</p> <ul style="list-style-type: none"> 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 values will be protected; d) scenic slope faces and cliffs should be preserved; e) visual impact of buildings such as the footprint and height should be minimized; f) lots will have sufficient frontage and area to accommodate the development proposed and should be larger than the minimum lot size permitted; g) access to the property can be properly provided by road or from the water; 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 on a shoreline lot; and k) tolerance for engineered solutions which affect the natural landscape may be greater for property within a designated community. | Slopes greater
than 30% |
| E.4 | <p>Where development is proposed on slopes in excess of 30%, but less than 40%, the Township will undertake a preliminary site inspection and evaluation of the property. The principles identified in Section E.3 will be considered and where appropriate, planning tools will be used to implement any necessary mitigation measures. Where necessary, and as determined by the Township, 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. In either case and at a minimum, the following should be addressed:</p> <ul style="list-style-type: none"> a) identification of appropriate lot frontages, areas and lot line locations; b) suitable building and septic system envelopes; c) approximate area of potential site alteration (i.e blasting) and a review of pre and post grade, as may be required; | Slopes between
30% and 40% |

- d) establishment of minimum setbacks from the slope or the top of the bank;
- e) appropriate access routes and pathways;
- f) locations for a shoreline activity area and particularly permitted shoreline structures;
- g) natural vegetative buffers and vegetation to be retained;
- h) environmentally sensitive areas or habitat to be protected; and
- i) stormwater management and construction mitigation measures.

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| E.5 | 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 Township, in order to confirm that the lot is suitable to accommodate the development proposed. Any site evaluation or technical report will address the principles identified in Section E.3, and will identify any mitigation measures that are necessary. Where development or site alteration will not occur on or affect these slopes or unstable soils, development may proceed subject to the provisions of Section E.3 | Development on
Slopes in Excess
of 40% or
Unstable Soils |
| E.6 | Development should be setback at least 15 metres (49 feet) from the top of a defined bank. A greater setback from the top of the bank may be imposed where recommended in a site evaluation or a technical report. | |

Narrow Waterbodies

Narrow Waterbodies are confined areas of lakes or watercourses and include bays, channels and rivers. The confined nature of narrow waterbodies results in a perception of increased density and less private recreational space for boating and swimming. This raises compatibility issues related to location of shoreline structures, visual impact, impact on views, noise, lighting, privacy and navigation. A river, bay or channel, although all narrow waterbodies, present slightly different issues which may require different approaches for resolution. The narrow waterbodies within a community, such as that in Baysville or Dorset, need to be treated differently than those in the waterfront designation in order to retain community character.

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| E.7 | A narrow waterbody is defined as a navigable lake or watercourse where: <ul style="list-style-type: none"> a) the distance from shore to shore is 150 metres (500 feet) or less; b) in the case of a bay, the length of the bay will also be greater than 100 metres (330 feet); c) the mouth of an enclosed bay would be considered a narrow waterbody, and the majority of the bay is less than 300 metres (1,000 feet) from shore to shore; or | Definition |
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- d) a portion of a river where the general distance from shoreline to shoreline is less than 30 m,

E.8	Schedule D2 identifies narrow waterbodies for the larger waterbodies and watercourses in the Township. The Township will confirm this identification after a site inspection. Smaller lakes and watercourses may not have been evaluated and noted on the Schedule and will be assessed through site inspection by the Township. Additional narrow waterbodies may be identified as further information becomes available, through supporting documentation submitted with development applications or in specific lake plans, as defined in Section H.	Identification
E.9	The confined nature of narrow water bodies can result in potential safety and compatibility issues which present constraints to development related to: a) navigation; b) channel congestion; c) perception of density and lack of privacy, particularly for boating and swimming; d) impact on views and aesthetics; or e) difficulty in properly locating and orienting shoreline structures.	Nature of Narrow Waterbodies
E.10	Development will not be permitted on a narrow waterbody where a hazard to navigation would result, as confirmed by the authority having jurisdiction. ⁴⁵	Hazard to Navigation
E.11	Within the waterfront designation, where development is proposed on or adjacent to a narrow waterbody and even though other lot frontages in the same area may be smaller, the shoreline lot frontage will be increased as follows: a) where the distance of the narrow waterbody from shore to shore is 90 metres (295 feet) or greater, a minimum shoreline frontage of 90 metres 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.	Waterfront Designation
E.12	Appropriate lot line configuration and a greater lot frontage than set out in Section E.11 may be required to address the constraint of a particular narrow waterbody, or to address other natural areas or constraints.	
E.13	In addition to an increased shoreline frontage or in the case of an existing lot located adjacent to a narrow waterbody, a variety of other techniques, such as building setbacks for primary buildings, limitations on the location and size of shoreline structures, retention of vegetation and the appropriate and safe use of lighting will be considered in order	

to address issues associated with specific narrow water bodies.

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| E.14 | Where only a portion of a lot is located within a narrow waterbody, the requirements for narrow waterbodies will be applied to the whole property, unless the siting of development and other appropriate measures can be implemented to the satisfaction of the Township in order to properly address the issues associated with development on a narrow waterbody. | Part of a Lot in a
Narrow
Waterbody |
| E.15 | New marinas, waterfront landings or other docking facilities within the waterfront designation should not be located within a narrow bay, which is predominantly residential. | |
| E.16 | <p>Within a community designation, where development is proposed on or adjacent to a narrow water body the following techniques will be implemented where appropriate:</p> <ul style="list-style-type: none"> a) retaining or obtaining public land along the shoreline, wherever possible; b) applying a minimum setback of 20 metres (66 feet) for residential structures, and for commercial structures unless there is an established building line; c) maintaining natural shorelines or restoring shoreline vegetation with native species, where feasible; d) limiting the size, location and type of shoreline structure; e) locating shoreline structures parallel to the shoreline; and f) using appropriate and safe lighting. | Community
Designation |
| E.17 | A site evaluation may be required by the Township, prior to consideration of a development application in either the waterfront or community designations, in order to better evaluate any safety or compatibility issues related to a narrow waterbody, the suitability of the development proposed and to identify any necessary mitigating measures which should be implemented. | Site Evaluation |

Flood Prone Lands

Periodic flooding occurs as a result of spring run-off or storm events. This type of flooding can present a constraint to development due to the potential hazard to life and property. Except for permitted shoreline structures, development within flood prone land is not permitted or may be restricted (e.g. by establishing minimum elevations for building elevations). In Lake of Bays, the lands prone to flooding include those lands that are susceptible to flooding under the regulatory flood. The regulatory flood is defined as the flood resulting from the 1:100 year flood, or the regional flood (which is a particularly intense storm with characteristics similar to a storm that occurred in Timmins in 1961), whichever is greater.

Areas of potential concern in Lake of Bays include the Muskoka River, the Big

East River, the Oxtongue River, and the Black River. However, the Big East and the Black are at the head of their watersheds, and Lake of Bays assists in the mitigation of flooding of the Muskoka River directly below Baysville. Consequently, these areas have historically not been subject to significant flooding.

In periods of high water flows, lake environments do not generally react the same as a river situation, and therefore do not require the same development restrictions. Minimum elevations for building openings have been previously identified for Lake of Bays and Peninsula Lake and implemented in the Township's comprehensive zoning by-law.

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| E.18 | Lands prone to flooding (i.e. including wave run-up) are defined as those lands adjoining a river, stream or lake, which are susceptible to flooding during the regulatory flood, as determined by the Province of Ontario. ⁴⁶ Development restrictions will apply within these areas where they have been identified. | Definition |
| E.19 | New development, except for minor expansions to existing legal non-conforming uses, permitted marine related structures (such as docks, boathouses or pump houses, minor additions such as a deck or uses which by their nature must locate in a flood prone area including flood and/or erosion control works) will not be permitted within areas prone to flooding. | Restriction to Development |
| E.20 | Site alteration, such as filling, channelization or construction will not be permitted within areas prone to flooding unless it is demonstrated that there will be no significant negative off-site impacts on flood depths and velocities. | Site Alteration |
| E.21 | A technical report, satisfactory to the Township may be required to determine whether lands are subject to flooding, and will be required when development or site alteration is proposed within an identified floodplain in order to address the requirements of Section E.19 or where there may be a need to determine the specific elevation in the absence of flood plain information. Consideration will be given to the impact of climate change. | Additional Technical Information |
| E.22 | Where data respecting flood prone lands are available through the Province of Ontario, engineering studies, flood elevations, or other means, appropriate regulations will be included in development permit and zoning by-laws. | Zoning and Development Permit By-laws |

Land Use Compatibility

In addition to the constraints to development imposed by the natural environment, limits to development are also caused by the man-made environment. Land uses, infrastructure or other situations can impose a constraint to development due to

the potential for land use conflicts. Land use conflicts created in those situations may present a hazard or particular adverse effects such as noise, dust, odour, ground water contamination, traffic, pests, litter, methane gas, or visual impact. These impacts may present a hazard to health, safety or the use or enjoyment of property, particularly for sensitive land uses such as residences, hospitals, schools, and recreation areas. Consequently, sensitive uses need to be protected from industrial and public facilities, which may cause adverse effects.

Conversely, the location of sensitive uses near industrial uses or public facilities may reduce the viability of that operation and its potential for expansion. The need for, and cost of, mitigation may be imposed upon that facility or operation in accordance with the Environmental Protection Act. Industrial operations often provide an important contribution to the economy of the Township and should be protected from sensitive uses. Similarly, where there is substantial public investment in essential facilities such as landfill sites, sewage facilities, or significant roadways, these uses should be protected from sensitive uses to ensure their continued viability and avoid public expense to mitigate a conflict. Within the Township, there are several public transfer or landfill sites and two sewage lagoon sites that need to be protected from sensitive sites. Old non-active dumps and landfill sites may also exist on private land throughout the Township, which could affect any development proposed in the area.

Adverse effects can often be prevented or mitigated by location and design of development, specifically the separation of uses, the use of setbacks and buffering.

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| E.23 | Uses, including renewable and alternative energy projects which contribute noxious effluent, noise, emissions, vibrations, or pose a danger will not be permitted, unless satisfactory mitigating measures are provided. Ministry of the Environment Guidelines D-1, Land Use Compatibility, D-6 Compatibility Between Industrial and Sensitive Land Uses, and NPC-300 Environmental Noise Guideline will be considered in the evaluation land use compatibility. The Township may require one or more technical studies prepared by a qualified professional to be undertaken in support of an application for development. | Impact of Uses |
| E.24 | Sensitive land uses include natural areas or buildings and amenity areas or outdoor spaces, which may experience adverse effects from an abutting use. Such land uses may include residences, tourist accommodation, day care centers, parks or recreational areas, and educational and health care facilities. | Sensitive Land
Uses |
| E.25 | Essential public facilities such as sewage lagoons and landfill or solid waste transfer sites will be protected from sensitive land uses and other incompatible uses. | Public Facilities |
| E.26 | New development or use of land will be compatible with:
a) the type and character of the area in which the use is being proposed; and | Compatibility of
Uses |

- b) other legal conforming land uses in the vicinity so as to ensure the protection of public investment and the continued operation and expansion of such uses, where feasible and appropriate.

E.27	Development will occur in a manner, which ensures compatibility between uses, and with the surrounding area. In determining compatibility the following will be considered, where applicable: a) an adequate separation distance or other suitable mitigation measures will be implemented to protect sensitive land uses; b) the maintenance of natural vegetative buffers, landscaping using native species or berms should be used where appropriate to mitigate conflicts between uses; c) the number and location of vehicular access points should be limited to minimize disruption to traffic flows; d) outdoor storage will be appropriate to the use and site, and should be located at the rear of buildings and screened from view through vegetation or fencing; e) off street or loading will be located in such a manner as to minimize the impact on sensitive adjacent uses with respect to noise, traffic, emissions and visual appearance; and f) the use of architectural styles or materials to attenuate noise and vibration.	Mitigating Measures
E.28	Sensitive lighting which is oriented downward, is low wattage, energy efficient, and minimizes glare will be encouraged, particularly in waterfront and rural areas, to: a) prevent conflicts with abutting uses and preserve privacy; b) prevent impacts on wildlife and hazards to navigation; and c) preserve the night sky.	Lighting
E.29	Where appropriate, and particularly for industrial and commercial operations, measures for sensitive lighting will be implemented in development permits and site plan agreements.	
E.30	Potential noise and vibration impacts shall be evaluated and addressed when new sensitive land uses are proposed adjacent to existing highways, sewage treatment facilities, waste management facilities, industries, other than Class One industries, or any other stationary or line noise sources where noise and vibration are being, or may be, generated. An evaluation will also be required where new generators of noise and vibration are proposed adjacent to existing sensitive uses or lands zoned to permit sensitive land uses. Development proponents will engage a qualified consultant to either confirm a study is not required or to undertake a noise and/or vibration study to assess the impact on existing or proposed sensitive land uses within the minimum distances identified in Ministry of Environment (MOE) guidelines, including NPC-300, Environmental Noise Guideline – Stationary and Transportation Sources- Approval and Planning	Noise and Vibration

Publication (NPC-300) or any replacement standard, as required and shall demonstrate that impacts will be reduced or can be mitigated to acceptable levels.

Consistent with NPC-300, detailed noise studies may be required for new sensitive development within 250 m from a highway or 100 m from other arterial roads.

These distances are guidelines and may vary depending on individual structures and site topography.

Stationary noise sources include equipment and extended facilities associated with industrial uses and aggregate extraction uses, sewage treatment, ancillary transportation and commercial facilities. Feasibility and detailed noise studies are generally required for new development proposed within the influence area of a stationary noise source. The influence area will be determined on a case-by-case basis depending on factors such as the type and scale of the stationary noise source, the intervening topography and other land uses.

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| E.31 | The Township may require a land use compatibility report for commercial scale renewable energy source facilities such as solar farms and wind farms to evaluate the visual, noise and other impacts on adjacent land uses, measures to mitigate impacts, if feasible and the application of planning tools to mitigate the impacts. Where impacts cannot be satisfactorily mitigated or avoided, development of these facilities may not be supported. | Renewable
Energy Facilities |
| <p>The Township may require a land use compatibility study and/or impose development controls for non-commercial renewable energy facilities such as wind turbines, solar collectors, solar cells, geothermal and heat pumps and outdoor furnaces.</p> | | |
| E.32 | Schedule D2 identifies known active and inactive waste disposal sites. Additional sites may be identified during the development process. | Waste Disposal |
| E.33 | No development (including the construction of buildings and structures) will be permitted within 30 metres (98 feet) of the licensed footprint of any waste disposal site. If the footprint is unknown, development will not be permitted within 30 metres (98 feet) of the property line unless a technical report has been submitted in accordance with Section E.34. | |
| E.34 | Where new development is proposed within 500 metres (1640 feet) of an active or inactive waste disposal site or waste management system, ⁴⁷ or a lesser distance as approved by the District of Muskoka or the Province, a preliminary technical report will be prepared to the satisfaction of the Township and any other authority having jurisdiction, ⁴⁸ in order to determine the potential for gas and leachate migration to the development site and the need for further investigation of the site. Where the need for a comprehensive technical report is | Preliminary
Technical Report |

identified, it will be prepared and implemented to the satisfaction of the Township and other authority having jurisdiction in order to:

- a) evaluate the presence and impact of any adverse effects or risk to health and safety;
- b) undertake a hydrogeological assessment to evaluate ground water where it will be the potable water source;
- c) determine whether the development is appropriate; and
- d) identify any remedial measures to mitigate any concerns.

E.35	A preliminary technical report may also be required where there is reason to believe that the influence area of a waste disposal site or waste management system extends beyond the 500 metre (1640 feet) distance. In the case of operating sites, a modified influence area may be applied where information, such as monitoring or a closure plan is available to justify a change in the radius or shape of the 500 metre (1640 feet) area of influence.	Modified Influence Area
E.36	New private tire or hazardous waste disposal/ recycling sites will not be permitted. The establishment of other private waste disposal or recycling sites, such as salvage yards, dumps, landfilling or recycling facilities, will be discouraged and may only be permitted by amendment to this Plan, in order to address specific location and feasibility, site suitability, traffic and haul routes, and assess impacts as well as to establish specific policy direction for the site. A preliminary technical report as set out in Section E.35 will be required for any new proposal.	Private Waste Disposal sites or Facilities
E.37	Where a new sensitive land use is proposed within 300 metres (984 feet) of a pit operation or 500 metres (1640 feet) of a quarry operation, an impact assessment should be prepared and implemented to the satisfaction of the Township, to: a) evaluate the presence and impact of any adverse effects; b) determine whether the development is appropriate; and c) identify any remedial measures to mitigate any concerns.	Aggregate Operations
E.38	Municipal sewage lagoons are identified on Schedule D2.	Sewage Lagoons
E.39	Residential uses shall be setback a minimum of 200 metres (660 feet) from a sanitary sewage disposal site. Non-residential uses shall be setback a minimum of 150 metres (500 feet) from a sanitary sewage disposal site. All uses will be setback a minimum of 400 metres (1320 feet) from a waste stabilization pond (i.e. sewage lagoon).	
E.40	Development located within 400 metres (1312 feet) of the design limit of a sewage lagoon facility will be limited to passive open space. Where sensitive land uses are proposed immediately beyond this distance, the preparation of a technical report to the satisfaction of the Township and the District Municipality of Muskoka may be required to ensure that any potential impacts can be mitigated.	

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| E.41 | No development will be permitted within 1000 meters of a municipal water supply intake or sanitary sewage outfall unless the District of Muskoka is satisfied that the proposal will have no detrimental impacts on the municipal servicing system. Where necessary the proponent shall provide sufficient data in order to demonstrate no negative impact of any proposed development in these areas. Changes in land use within 1000 metres (3,280 feet) of a municipal water supply intake or municipal sanitary sewage outfall will be monitored. | Municipal water
Intake and
Sewage Outfall |
| E.42 | Prior to the development of sensitive land uses proceeding on known sites that have previously been the location of uses such as gas stations, waste disposal sites or waste management systems, salt storage, industrial or other uses that may have caused soil or ground contamination, the sites will be remediated as necessary so that the site is suitable for development and would not pose a risk to public health or safety or property damage. Any technical report shall be prepared by a qualified professional and in compliance with the most current provincial protocols. | Potential
Contamination |
| E.43 | New significant energy storage facilities for flammable or explosive bulk materials or products may only be permitted where a technical report, required by the authority having jurisdiction, demonstrates that the location is appropriate and identifies any measures to satisfactorily address potential hazards. | Energy Storage
Facilities |

Wildland Fires

Forests, while being an asset to the community, can create a hazardous environment for human habitation. The type of forest species, the density and structure of a forest, the health of the foliage, tree crown cover, drought and ground fuel accumulation can all have an impact on creating conditions for a wildland fire. The Ministry of Natural Resources has produced Wildland Fire Hazard Mapping for Ontario forests that are intended to predict the potential for wildfire behavior. The mapping entitled "Fire - Potential Hazardous Forest Types for Wildland Fire, is available in the Land Inventory Ontario (LIO) warehouse and may be used by a municipality in establishing land use policies that manage the risk for wildland fires. The Township may request a risk assessment as part of the review of a planning application.

- E.44 Development shall generally be directed to areas outside of lands that are unsafe for development due to the presence of hazardous forest types for wildland fire. Development may be permitted in lands with hazardous forest types for wildland fire where the risk is mitigated in accordance with wildland fire assessment and mitigation standards, as identified by the Ministry of Natural Resources. Proponents may be required to undertake a site assessment to determine the presence of hazardous forest types for wildland fire, as may be indicated by

generalized wildland fire hazard information. If development is proceeding where hazardous forest types are present, mitigation measures should be identified by proponents to outline how the risk will be lessened. Areas with the presence of hazardous forest types for wildland fire will be subject to site plan control or development permits. Wildland fire mitigation measures shall only be accepted where they are consistent with the natural heritage policies of this Plan.

Section F: Economy

Economic Basis

The basis of the Township's economy is its natural environment and setting and the excellent lifestyle and recreational opportunities it offers. The amenities of the Township of Lake of Bays have long had appeal to full and part-time residents, retirees and tourists.

Tourism has historically been a prime contributor to the economy of Lake of Bays due to the Township's natural attributes and proximity to Algonquin Park. This sector must continue to be actively supported and enhanced.

The Township also significantly benefits from a strong service sector, particularly in the areas of construction, retail and services. Employment in the service sector highlights the importance of the seasonal residents to the economic base of the Township. The service sector is comprised primarily of small or home-based business. Further opportunity for growth within the Township can be found within these areas of small business and home-based business. The cultural arts industries are also significant contributors to the vitality of the local economy as is the evolving interest in sports events such as cycling and triathlons.

The resource sector including forestry and aggregate activities also contributes to the local economy, by providing employment opportunities and materials for the construction industry. However, resource extraction can have significant environmental impact and can result in conflicts with local residents and the tourism sector, if it is not properly controlled. Heavy industries are not considered to be suitable land uses with the economic portfolio of the Township.

The best course to achieve sustainable economic prosperity is to encourage strengthening of these sectors, and to fostering new growth where it will complement the character and natural environment of the Township. The Official Plan provides the policy framework to support economic development including initiatives in the Strategic Plan for Lake of Bays. The Township prides itself as a community that is "open for business" and intends to facilitate economic development by expediting planning and other approvals that reflect the policies of the Official Plan.

Tourism

Resorts form part of the heritage of the Township of Lake of Bays, particularly in the waterfront community. In addition, resort accommodation establishments provide employment, business assessment and spin off benefits. Aging tourist resorts and facilities, together with the difficulty of obtaining financing for upgrading these facilities, present barriers to the continued health of this sector. The retention and upgrading of existing tourism facilities and the development of new establishments and attractions which complement the character and

environment of the Township is vital to the local economy.

The amount of resort commercial land along the shorelines of the Township has declined over time and historic resorts have been lost. Once land along the shoreline is converted to a residential use, it is unlikely to ever be returned to a commercial use. Land that is zoned for tourist commercial use is more likely to be developed or redeveloped, and therefore it is important to retain this commercial zoning. Large operations are not the only type of tourist commercial use that may be viable or beneficial for the Township, small inns and bed and breakfast establishments may also offer important opportunities. Therefore, the retention of small parcels may be as important as the larger parcels of land.

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| F.1 | Tourism is a vital component of the Township's economy and this sector will continue to be strengthened and enhanced. | Tourism |
| F.2 | Development of new, or redevelopment of existing tourist commercial operations, attractions, facilities or services which complement the existing tourism base and the character of the Township will be encouraged. | |
| F.3 | Where appropriate, scenic routes and trails through the Township will be identified and promoted and linked with tourist facilities, attractions and points of interest. Trails will be integrated as part of the Township's active transportation system to ensure connectivity and safe travel between activity nodes. | Links with Scenic
Routes |
| F.4 | <p>For the purpose of this plan:</p> <ul style="list-style-type: none"> a) tourist commercial uses consist of commercial uses or facilities, such as resort commercial establishments, institutional accommodation and tourist commercial camping establishments, that cater to the traveling or vacationing public; b) resort commercial establishments consist of a full range of roofed tourist commercial accommodation, operated by a central management for profit and provide lodging, accommodation, related services, and recreational facilities for the traveling or vacationing public; c) institutional accommodation consists of private and institutional camps, retreats and educational or training facilities, where lodging, accommodation, recreational facilities and related services are provided for members or clients; and d) tourist commercial camping establishments consist of land used or maintained for the temporary accommodation of camping, with sites rented to and used by the traveling public for tents, trailers or recreational vehicles. Such establishments will not be used for residential purposes except for one accessory residential unit and will not include park model units or mobile homes, or permit accessory structures on campsites, such as porches, decks or sheds. | Definitions |

F.5	The development or redevelopment of resort commercial establishments, which maintain the intent, principles and policies of the plan, will be actively encouraged and supported.	Resort Commercial Establishments
F.6	Traditional and new concepts related to the form or ownership of resort commercial establishments will be supported, provided the intent, principles and policies of the Plan will be satisfied.	Form and Ownership
F.7	Regardless of the form of tenure, accommodation units in a resort commercial establishment located along the shoreline will form an integral part of the commercial operation. Commercial use of the accommodation units, and the resort commercial components and facilities will be maintained and residential use will not be permitted. Specifically, the following criteria will be satisfied and implemented through phasing, site and property design, as well as in development permits, zoning and municipal agreements: a) a significant portion of the resort commercial land base, shoreline, shoreline structures, and a target of 50% of the accommodation units will be owned by the resort; b) the sequence of the development, including the timing of construction of the resort commercial rental accommodation and facilities, will occur in accordance with the intent of this section; c) all resort accommodation units will be available for rental to the travelling or vacationing public by a central resort management operating on the site for profit; and d) the on-going services and recreational facilities that are a normal part of a resort commercial establishment will be available to all resort guests, and will not be specifically assigned or granted exclusive use.	Commercial Character of Shoreline Resorts
F.8	Multiple unit, mixed use resort development which includes tourist commercial accommodation and residential accommodation units, may only be permitted in a community where municipal services are available, and provided that the commercial character and function of the operation is maintained by requiring the following in development permits, zoning and municipal agreements: a) a minimum of 50% of the units will remain in commercial use; b) a central management will operate on site for profit; and c) the on-going services and recreational facilities that are a normal part of a resort commercial establishment will be maintained.	Mixed Use Development
F.9	The retention of the quality tourist commercial land base in the Township, particularly that with shoreline frontage, is important to the long-term health of the tourism sector. Therefore, amendments to the zoning or development permit by-laws for tourist commercial land with shoreline frontage to other zoning categories or development permit areas will not be encouraged.	Loss of Resort Commercial Land

F.10 Amendments to the Zoning or Development Permit By-laws for tourist commercial land with shoreline frontage to another zone or development permit area will only be supported by the Township, in extenuating circumstances where it is clearly demonstrated that the property is not suitable for tourist commercial use. An amendment may be considered in one or more of the following circumstances:

- a) another use has been located on the property for a significant amount of time;
- b) historic or environmental factors restrict further development;
- c) the provision of water and sewage disposal servicing required for further development or redevelopment is restricted;
- d) the property is less than 0.8 hectares (2 acres), or has less than 120 metres (394 feet) of water frontage;
- e) the property does not possess water frontage;
- f) it is demonstrated that the tourist commercial use would not be economically viable in the long run; or
- g) the portion of the property to be removed from the commercial zone or development permit area is not suitable for development, exhibits development constraints, or is physically or functionally unrelated to the existing operation.

F.11 Where amendment to the Zoning or Development Permit By-laws to another zoning category or development permit area may appear to be appropriate in accordance with Section F.10, and to properly evaluate the situation and ensure that viable resort commercial property is not being lost, the Township may request that a report be prepared to address:

- a) the reason for the proposed amendment;
- b) the existing property and potential;
- c) existing buildings and facilities;
- d) historic background;
- e) suitability of the property to sustain a tourist commercial use;
- f) attributes or liabilities of the property for tourist commercial and recreation use;
- g) long term financial viability of the property for tourist commercial use;
- h) impact of the removal of the land from the Township and Muskoka shoreline tourist commercial land base; and
- i) other pertinent factors or issues.

F.12 New tourist commercial camping establishments will proceed by amendment to this Official Plan in order to establish the principle of use on an individual property. Such an amendment should also provide policies to guide the scale, size and density of the development, and recognize and respond to the characteristics and capacity of the particular site. At a minimum, the consideration of such a use through the amendment process will ensure:

Tourist
Commercial
Camping
Establishments

- a) the objectives, principles and policies of the plan will be satisfied;
- b) the site is suitable for the use proposed;
- c) adequate potable water and sewage disposal services can be provided on site;
- d) access routes are appropriate or can be upgraded to accommodate the additional traffic;
- e) the proposal will be compatible with surrounding properties;
- f) development will be phased, where appropriate; and
- g) that the requirements of the amendment are implemented through the Development Permit By-law or zoning and a by-law passed in accordance with the Municipal Act⁴⁹ for regulating such establishments.

Business, Service Sector and Cultural Arts

The second home or cottage population, together with full-time residents has a significant influence on the business and service sector (goods and services). This sector is a primary contributor to the Township's economic base and the role of part-time and full-time residents in supporting and generating business in this sector should be recognized and encouraged.

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| F.13 | Growth in the business and service sector, the cultural arts and associated businesses and activities, particularly the development of small business and home-based business, which serve the second home and full time residential population, will be encouraged and promoted. | |
| F.14 | Service commercial and industrial uses which will not have a negative impact on the environment and which is compatible with abutting uses and the character of the Township should be encouraged. Where municipal water and sewer service is not available, these uses should be limited to low effluent producing uses, as defined in Section C.50. | Commercial and
Light Industrial |
| F.15 | Education and training centers or facilities, particularly those, which relate to the economic base and environment of the Township, will be encouraged. | Education and
Training |
| F.16 | Home-based businesses are occupations that are completely conducted within a residential dwelling unit or an accessory building on a residential property and are considered to be secondary and accessory to the residential use. Home-based businesses, which are compatible with abutting uses and maintain the character of the designation and area should be encouraged and promoted. | Home-based
Business |
| F.17 | Where a home-based business is permitted the following will be | |

satisfied:

- a) the business will clearly be secondary and incidental to the residential use;
- b) there will be sufficient lot area to accommodate a residence, the associated business and any parking;
- c) only a limited portion of the dwelling will be used for the business;
- d) where the business is located in an accessory building, the size of the building will be limited and lot coverage provisions will not be exceeded;
- e) the residential character and appearance of the property and the neighbourhood will be maintained;
- f) the external residential appearance of the dwelling will be maintained and exterior signs restricted in size;
- g) the business will be compatible with adjacent residences and the neighbourhood;
- h) the business will have no negative environmental impacts or adverse effects;
- i) the business will not be a high traffic generator;
- j) the business will be a low water user and sewage effluent producer;
- k) there will be no outdoor storage or display;
- l) the types of businesses may be established through the zoning or development permit by-laws;
- m) two home-based businesses may be operated from a residence where professional, knowledge-based, administrative or high-technology services are offered and where the scale of the businesses meets the development criteria listed above; and
- n) the business will not require a second entrance or commercial entrance where located on a District of Muskoka, provincial highway or local road.

- F.18 In addition to the requirements of Section F.17, a bed and breakfast operation may be considered as a home-based business where it contains a maximum of three guestrooms for overnight accommodation.

Bed and
Breakfast

Resource Industries

The resource sector supports local business, particularly the construction industry and provides employment in the Township. Resource industries primarily operate in the rural area, but can be found in the waterfront designation and in isolated cases, within the community designation. It is essential to ensure that these activities are undertaken in a responsible manner so that these resources are conserved over time, and conflicts and environmental damage are avoided.

- F.19 Resource industries including aggregates and forestry will be encouraged in appropriate locations within the rural designation, but generally will not be permitted in the waterfront or community

Location and
Designation

designations. Where such uses now exist in Community or Waterfront designations, they will cease to exist in the long run, and in the interim will be limited or regulated to minimize any impact.

- F.20 Resource industries will only be permitted in a manner, which will be environmentally sound and prevent land use conflicts.

Aggregates

The Township of Lake of Bays has an aggregate supply, which is located close to the market and can satisfy local road building and construction needs. This resource industry provides employment and supports the local construction industry. Therefore, the protection of aggregate deposits is of benefit to the Township.

However, the establishment and operation of pits and quarries and associated facilities such as blasting, crushing, screening, washing, stockpiling, and hauling, as well as concrete batching plants and asphalt plants must be carefully manage to avoid negative effects such as visual impact, noise, dust, traffic, safety problems, impact on environmentally sensitive areas and the use of abandoned pits for dumping. Land use conflicts can occur between sensitive land uses such as residential development and pit or quarry operations.

. Pits and quarries on private lands require a license issued under the Aggregate Resources Act by the Ministry of Natural Resources. The Township may govern the establishment of a new pit or quarry through zoning or a development permit or the expansion of an existing pit or quarry and, the Township may regulate off-site impacts in addition to the license requirements. Pits and quarries located on crown land are controlled and regulated under other legislation and regulation and are beyond the jurisdiction of the Township. A license is required to establish and operate a pit or quarry on crown land.

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| F.21 | Schedule E1 identifies primary, secondary and tertiary aggregate deposits, as well as potential deposits of unknown potential. Additional deposits may be identified and confirmed through site analysis that is satisfactory to the Township. As much of the mineral aggregate resources as is realistically possible shall be made available as close to markets as possible. | Aggregate
Potential |
| F.22 | Known private and crown pits or quarries are also identified on Schedule E1. However, other pits or quarries may exist, as of the date of adoption of this plan. These pits or quarries may be recognized by the Township where extraction has occurred within the last 10 years. | Private and
Crown Pits
or Quarries |
| F.23 | The contribution of the aggregate resource industry to the economy of the Township of Lake of Bays is recognized, and this industry will be encouraged where the extraction and operation is undertaken in a safe and environmentally sound manner, and where it will be compatible with the existing community and surrounding land uses. | Economic
Contribution |

F.24	Primary and secondary aggregate resources that are identified in Schedule E1 or through site analysis, and are located within the rural designation will be protected for extraction by prohibiting incompatible land uses, particularly residential land use, to occur on or in proximity to those resources where it would prevent or hinder future extraction.	Protection of Aggregate Resources
F.25	Uses other than industrial extraction of aggregates may be permitted within areas of, or in close proximity to, primary and secondary aggregate resources, where it is demonstrated that: - the resource is in the waterfront designation, or a community designation; - the resource is located in an environmentally sensitive area or natural heritage area; - the resource is substantially depleted; - the Township is satisfied that extraction would not be feasible; - the proposed use of land would not preclude or hinder future extraction; - the proposed use would serve a greater long term public interest; or - incompatible, long-term uses have been previously established.	Other Uses
F.26	New aggregate or quarry operations and expansion of existing operations will not be permitted in the following areas unless confirmation is provided to the satisfaction of the Township that there will be no negative impact within: - environmentally sensitive areas; - natural heritage areas; and - the boundaries of the Waterfront or Community designations.	New Extraction Operations
F.27	All aggregate extraction and processing operations should be located, expanded and operated in an environmentally sound manner, which will also minimizesocial and economic impacts and the impacts on existing uses. Impact assessments and technical reports may be required by the Township to ensure that impacts of such operations are evaluated and addressed.	Impact Assessments & Technical Reports
F.28	A zoning by-law amendment or development permit will be required to permit the establishment of new pit or quarry operations and the following matters will be addressed to the satisfaction of the Township: - appropriateness of the location; - identification of the quality and extent of the resource; - protection of surface and ground water; - protection of environmentally or aesthetically sensitive areas or features; - impact on the surrounding uses and properties; - impact on transportation routes and access to the site; and	Establishment of a New Operation

g) identification of the limits of extraction.

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| F.29 | The continued operation of existing pits or quarries with potential for further extraction will be recognized and protected from incompatible uses. | Existing
Aggregate
Operations |
| F.30 | The existing pits or quarries will be expanded in a way, which is environmentally sound and will not have a negative impact on adjacent uses. Where an expansion of a pit or quarry operation requires an amendment to the zoning by-law, the provisions of Section F.28 will apply. | |
| F.31 | A program of progressive and final rehabilitation shall be required for each pit or quarry operation. | Progressive
Rehabilitation |
| F.32 | <p>Pit and quarry (aggregate) operations on both Crown and private lands are regulated under the <i>Aggregate Resources Act</i>. Licenses are required subject to compliance with the applicable provincial criteria as set out in <i>The Aggregate Resources of Ontario: Provincial Standards Version 1.0</i>. Receiving a license or permit under the <i>Aggregate Resources Act</i> does not relieve the individual or company from meeting the requirements of other agencies and applicable legislation (e.g. <i>Planning Act</i>, <i>Endangered Species Act</i>, the <i>Environmental Protection Act</i>, the <i>Ontario Water Resources Act</i>) both during the application stage and throughout the life of the operation. In parallel to the issuance of a license, the Township may require the proponent to enter into one or more agreements or obtain approvals to address or mitigate impacts including:</p> <ul style="list-style-type: none"> a) Haulage routes; b) Access, driveways, fencing, gates; c) Dust control; d) Noise and vibration; e) Hours of operation; f) Protection of natural heritage features and areas; g) Protection of surface and groundwater resources and features; h) Visual and aesthetic values; i) Signs. <p>The Township may use development permits, site plan control and the authority of the <i>Municipal Act</i> where applicable to regulate matters within its jurisdiction.</p> | Pit & Quarry
By-law |
| F.33 | Wayside pits, quarries or portable asphalt plants will be permitted without need for a zoning by-law amendment or development permit, subject to obtaining an Environmental Compliance Approval, where required, except in environmentally sensitive areas or heritage areas, waterfront areas or communities. For the purpose of this plan, wayside pits, quarries or portable asphalt plants/portable concrete plants will be defined as temporary facilities opened and used solely in the completion of a project undertaken by a public road authority or its | Wayside Pits,
Quarries or
Portable Asphalt
Plants |

agent.

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| F.34 | Any impacts from a wayside pit or quarry will be minimized and mitigated. | |
| F.35 | Wayside pit or quarry sites will be rehabilitated and portable asphalt plants/portable concrete plants will be removed from the site upon completion of the public project. | |
| F.36 | The Township encourages the conservation and recycling of mineral aggregate resources wherever feasible. | Conservation and
Recycling |

Forestry

The Township of Lake of Bays is characterized by a forested landscape comprised of both private and crown land. The forests provide economic benefit through the forest industry, contribute to the tourism and recreation sector, benefit the lifestyle of the residents of the Township and provide habitat for wildlife as well as assisting in the maintenance of water quality. Management of the forest is important in the preservation of these benefits.

The Township of Lake of Bays has an active forest industry on both private and crown land due to its supply of hardwood, proximity to the market and good transportation links. The private forestry industry in the Township provides an important hardwood supply for the mills locally and elsewhere in the Province. However, where proper forestry practice is not used, it can result in conflicts with other land uses, particularly residential development, environmental damage, the destruction of habitat, impact on water quality, or the loss of aesthetic appearance and the values which contribute to tourism, recreation and the rural lifestyle. Proper forest management practices may mean less profit to landowners and forestry operators in the short term and therefore discourage sustainable practice, but in the long run proper forest management practice will sustain the industry and provide economic benefit over a longer period. Consequently, proper forestry practice is important to the Township's economic and environmental well being.

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| F.37 | The forested landscape in the Township is a resource which will be preserved for its role in supporting tourism and recreation, wildlife and natural heritage and the forestry industry which includes both timber and fuel wood operations. | Benefit of
Forested
Landscape |
| F.38 | The sustainable management of the forest as a resource will be encouraged in order to maintain the forested appearance of the landscape, to protect water resources and natural habitat, and to support the forestry industry. | Sustainable
Management |
| F.39 | An active and responsible forest industry will be promoted on private land in the Township in order to sustain both the forest and the industry | Forest
Industry |

in the long term and to avoid land use conflicts.

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| F.40 | Forestry related industry, such as sawmills and fuel wood operations will be located in the rural area where land use conflicts will be avoided. | |
| F.41 | Reforestation and forest maintenance will be encouraged along watercourses and shorelines. | Reforestation and
Regeneration |
| F.42 | Reforestation or regeneration will be encouraged on idle lands and as soon as possible after logging. | |
| F.43 | Residential development will be discouraged from locating in areas where substantial forestry industry activities exist. | Residential
Development |

Section G: Communities

Community Designation

The community designation identifies a concentration of settlement that generally functions as a center for service, business and community uses which serve the community, as well as the surrounding waterfront and rural areas. Each community varies in population, scale, density, range of uses, and area of influence. Each community possesses its own character and sense of identity, which has developed over time as a result of its heritage, function and role. This basic essence of each community is important and should be preserved and enhanced.

Community growth and development is directly linked to the type and availability of water and sewage servicing and other infrastructure that supports development over time. The provision of municipal water and sewer services enables a community to develop at a higher density and accommodate a greater range of uses. However, servicing is not the only factor that should influence the development of a community. Therefore, it is important that planning policy identifies the type of growth and development that is desirable for the communities in the Township of Lake of Bays.

In order to address health and environmental problems, municipal water and sewer services are to be provided in the community of Baysville. In addition to resolving these issues, the serviced areas of Baysville will provide a center for desirable growth that will preserve and enhance existing community character. This may include new business opportunities or the ability to provide the type of housing that will allow seniors to remain in their own community. Although the provision of services for the whole community is a long term objective, currently it is only financially feasible to service a portion of Baysville. As a result, growth in the unserviced areas of this community will be limited.

Dwight, Dorset and Hillside are smaller nodes of settlement, which provide for the needs of the immediate rural and waterfront areas. Each of these communities is different and possesses its own heritage, function, appearance and character that should be preserved and enhanced.

Echo Valley is a residential lifestyle community of a defined size, set within the context of extensive natural and recreational open space. This community will have a recreational focus, and will be developed in a phased manner.

Policies in this Plan are designed to recognize the scale, function, characteristics and attributes of each individual community.

The development permit system may be used to facilitate the integration of community design principles in the development and redevelopment of residential, commercial and institutional uses in the communities in the Township.

Definition

G.1 A community designation identifies a concentration of settlement in the Township, which acts as a service centre for the community as well as the surrounding waterfront and rural areas, or which has a special focus and character. Community Designation

G.2 The Community Designation applies to the following centres: Identification

- Baysville
- Dorset
- Dwight
- Hillside
- Echo Valley

G.3 The land included within a community designation, and the boundaries of each community are shown on Schedules A2 to A6 and have been specifically located to: Boundaries

- reflect property ownership;
- include existing development;
- provide sufficient land to accommodate anticipated growth over a 20 year period; and
- in some cases, exclude significant natural or environmentally sensitive areas.

G.4 Areas identified as Environmental Protection on Schedules A2 to A6 are environmentally sensitive, natural or hazard areas, which need protection or are generally not suitable for development. Environmental Protection

Function

G.5 Communities in Lake of Bays are predominantly residential in nature. However, they also provide community facilities, businesses and services for the surrounding waterfront and rural areas. The vitality of each community is dependent on a mix of land uses, usually with an identifiable core surrounded by residential land uses. The function, character and influence of each community in the Township varies depending upon: Residential & Service Centres

- historical development;
- role;
- location;
- access;
- services and infrastructure; and
- setting and aesthetics.

G.6 The level of community and municipal services within the community designations are greater than in the other designations of the Plan. Level of Service

Basis and Principles

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| G.7 | <p>The following principles for growth and development will apply in a Community designation:</p> <ul style="list-style-type: none"> a) the role, function and focus of each community will be enhanced; b) individual community character, appearance and identity will be conserved and fostered; c) the integrity of the environment and natural landscape will be preserved; d) community facilities and services will provide a focus for each community; e) core areas will be enhanced and strengthened; f) water and sewage systems, roads and other infrastructure are designed to sustain development. g) public open space, walkways, trails and access points are provided and will be enhanced, particularly along shorelines; h) community boundaries will remain well defined by discouraging fringe development; i) development will occur within the community, before the community boundaries are expanded; j) Accessibility for persons with disabilities and older persons will continue to be improved; k) Building a healthy community; l) Encourage higher density cost-efficient development; m) Providing adequate housing | Principles for Growth and Development |
| G.8 | <p>Communities, as the primary focus of growth are considered areas where affordable housing policies established in the District of Muskoka may be implemented. Affordable housing will be encouraged and facilitated in the Township through such measures as the provision for second units, secondary suites and garden suites, intensification such as the conversion of single detached dwellings to multiple dwellings, infill on vacant lots of record and redevelopment and repurposing of buildings for residential use. The Township will work with the District of Muskoka and non-profit and co-operative groups in facilitating the delivery of social housing.</p> | Affordable Housing |
| G.9 | <p>Community type uses and standards for development will not be permitted to encroach into the rural fringe area immediately outside a community boundary, and in particular along major travel routes beyond the boundary of the community, in order to:</p> <ul style="list-style-type: none"> a) maintain community identity; b) preserve the area for future community expansion; c) avoid land use conflicts; d) provide for efficient, cost-effective development; and e) conserving the role of the community as a service centre. | Rural Fringe |

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| G.10 | Expansion of community boundaries generally will be considered through a comprehensive review of this plan based on the following criteria: | Expansion of
Boundaries |
| | <ul style="list-style-type: none"> a) the community is substantially developed and additional land is required to accommodate population and employment growth; projected or allocated in consultation with the District of Muskoka; b) to maintain a compact, efficient and well defined settlement pattern. c) the character, focus and sense of the community will be maintained and enhanced; d) the rural area will not be negatively affected; e) the land is physically suitable for such development and generally does not include areas which consist of hazard lands, significant terrain constraints, environmentally sensitive or important natural areas; f) the aesthetic qualities of the community will be preserved; g) infrastructure is integrated or planned to accommodate projected growth; | |
| G.11 | Growth and development will be integrated with efficient and cost-effective infrastructure, public services and utilities and sustainable private services, particularly individual on-site water supply and sewage disposal services. Public infrastructure will be installed, operated and maintained having regard to the life-cycle costing and asset management plan and associated financial strategy for the replacement of infrastructure. | Infrastructure |
| G.12 | Growth, in communities based on individual, private water and sewage services, will occur primarily through infilling, intensification or redevelopment at a low density, in order to ensure that the use of such services will be viable over the long term and to prevent health and environmental problems. | |

General Policies

Community Design

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| G.13 | Development within a community designation will take place in the form of infilling, intensification, redevelopment or a controlled and phased, expansion immediately contiguous to the built up area of the community in order to facilitate the growth of the community in a compact manner. | Infilling &
Expansion |
| G.14 | The current development characteristics including density, height and scale will be maintained. | |
| G.15 | The conservation and restoration of heritage buildings and structures, | Heritage |

	which are important to the historic development or character of a community and the Township will be encouraged and promoted.	Preservation
G.16	Public open space along shorelines and access to the water will be preserved, expanded and enhanced.	Shorelines
G.17	Where a lot is adjacent to a shoreline, any development should be oriented and designed so that it is visually attractive and accessible from both the road and the water.	
G.18	The shoreline in front of any commercial or institutional use should be enhanced, and designed to provide pedestrian access.	
G.19	Open Space uses will be integrated as a key attribute to community development.	Open Space
G.20	Adequate off-street parking and loading facilities will be provided. The Township may use cash-in-lieu of parking to increase parking facilities.	Parking
G.21	The preparation of a community design strategy should be undertaken for each Community, and in particular the core area, in order to define community character and guide development and design activities. Such a strategy should identify a theme or principles for the development of the community and promote meeting places and people oriented environments. A community design strategy may include components such as built heritage conservation, architectural form, building facade, open space, linkages, streetscape and landscape guidelines, and parking design.	Community Design Strategy
G.22	Development and redevelopment should occur in accordance with the community design guidelines and strategy, and should consider the following criteria: a) Orientation, frontage, depth and land area, bulk, scale and design of buildings and facilities with a focus on human scale, and public safety and to provide weather protection in public gathering places; b) Access including emergency access to the land from a public or private road; c) Scope of permitted uses and discretionary uses with consideration for mixed uses, compact layout and linkages within and between community activity areas; d) Preservation and/or restoration of the natural landscape, open space, landscaping, tree canopies, and conservation of natural features; e) Green infrastructure and measures to develop renewable energy sources;	Design and Site Plan Control/ Development Permits

- f) Visual impact;
- g) Orientation and access to the water for shoreline properties;
- h) Buffering, screening and other measures to address land use compatibility and ensure clean air and water;
- i) Provision of sustainable water, sewage disposal and stormwater facilities and services.
- j) Solid waste storage and disposal including measures for re-use, recycling and reduction;
- k) Accessory uses and storage containers;
- l) Lighting and signage;
- m) Parking location, stacking lanes, on-site traffic circulation and end-of-trip facilities for cycling;
- n) Barrier-free and accessibility measures;
- o) Snow storage that avoids or impedes access and parking;
- p) Conservation of cultural heritage resources; and
- q) Measures to support and sustain a healthy and safe community.

G.23 Development and redevelopment of residential, commercial, institutional, industrial and other land uses will be governed through the use of zoning or development permits.

Lot Requirements

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| G.24 | All lots will be of sufficient size and dimension and possess terrain suitable to appropriately accommodate the land use proposed. Amongst other matters, this will address the following: | Size & Dimension |
| | <ul style="list-style-type: none"> a) environmental concerns or development constraints (e.g. ensuring that the development or building envelope is large enough to accommodate development without encroaching into a flood prone area, hazardous site or sensitive natural feature); b) water and sewage disposal servicing requirements; c) provision of access and a safe road entrance; and d) provision of a sufficient area of level land to accommodate buildings and structures without substantial alteration of the natural landscape. | |
| G.25 | Lot sizes larger than the minimums detailed herein may be required in order to reflect the existing character in individual communities, the recommendations of a hydrogeological assessment, or to accommodate individual private water and sewage disposal services. Larger lot sizes may also be required for uses other than residential, due to the nature of the use. | |
| G.26 | A site evaluation may be required by the Township to determine lot or site suitability, and to identify any mitigation measures, which may be necessary. | Site Evaluation |

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| G.27 | New lots with individual private water and sewer service should have a minimum lot area of 0.8 hectares (2 acres) with a minimum road frontage and where it exists water frontage, of 60 metres (197 feet). | Private Services |
| G.28 | <p>A smaller lot area and frontage, which is not less than 0.4 hectares in area (1 acre) with a minimum of 45 metres (148 feet) of road and where it exists, 60 metres (197 feet) of water frontage, may be considered for new lots with private individual services where:</p> <ul style="list-style-type: none"> a) the lot would constitute an infilling situation in character with the area, where an adequate potable water source is confirmed, and a sewage disposal system which will not have a negative impact on abutting properties, can be located on the property; b) the lot is located on a shoreline and is for residential use; c) in the case of a residential plan of subdivision or the creation of more than 5 residential lots or units, a hydrogeological assessment confirms that a smaller lot size would be viable and sustainable; or d) a hydrogeological assessment confirms that a smaller lot size would be suitable for a use other than residential. | |
| G.29 | Lots may be developed on partial services where the appropriate lot development standards can be met in accordance with Section C.57. | Partial Services |
| G.30 | New residential lots with municipal water and sewer services will have a standard lot size of 800 square metres (8,611 square feet), with 20 metres (66 feet) of road and where it exists water frontage. However, the creation of smaller lots, which are generally not less than 465 square metres (5,005 square feet) in area, with 15 metres (49 feet) of road and where it exists water frontage, may be considered by the Township. | |
| Access | | |
| G.31 | All new development will front upon and be accessible from a year round maintained, public road, which is in a condition appropriate for the use proposed. | Public Roads |
| G.32 | <p>However, minor residential infilling may be considered on an existing private road provided that:</p> <ul style="list-style-type: none"> a) it is determined to the satisfaction of the Township that the upgrading and Township assumption of the private road is not feasible or desirable; b) the development would not significantly extend the private road and it is the last development feasible; c) a legal right of way can be secured; d) emergency service can be accommodated; and e) any limits on municipal services are identified in a municipal agreement. | Private Roads |

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| G.33 | Individual condominium units may be provided with private road access that forms part of the development and is constructed and maintained in a manner, which will accommodate emergency services provided the internal road connects to a public road. | Condominium
Roads |
| G.34 | Vehicular access points will be well defined and limited in number and will be designed in a manner that will minimize danger to vehicular and pedestrian traffic. | Access Points |
| G.35 | The use of internal roadways for residential development and the use of joint access with common parking areas for business development will be encouraged adjacent to Provincial or Muskoka Roads. | Internal Roads and
Joint Access |
| G.36 | Where terrain allows, new streets will be located and laid out in a manner, which is consistent and compatible with the existing street pattern in the Community and will allow for the future expansion of the Community. | Road Layout |

Environmental Protection

- G.37 Environmental Protection Areas as shown on Schedules A2 to A6, identify specific environmentally sensitive or hazard areas within, or on the edge of a community, which require protection in accordance with the policy of Section D. These areas may include:
- wetlands;
 - creeks;
 - Muskoka or Lake of Bays Heritage Areas; or
 - Floodplain or erosion hazards
- G.38 Constraints such as steep slopes, narrow waterbodies, wildlife habitat or fish habitat may not be specifically identified on the community schedules, but may present constraints to development or may require protection in accordance with Sections D and E.

Land Use Policies

Permitted Uses

- G.39 Within a community designation, the permitted uses of land will be limited to the following:
- a) residential uses;
 - b) commercial uses;
 - c) light industrial uses;
 - d) institutional, long-term care homes, child care facilities and community uses; and
 - e) open space uses, community gardens, cemeteries and

recreational facilities.

- G.40 Floating residences will not be permitted in the Community designation.

Residential

- G.41 An appropriate range and mix of housing types and densities, including second unit dwellings will be permitted within communities. Residential
- G.42 The gross density of single detached residential development where municipal water and sewer services are available will not be greater than 20 units per hectare (8 units per acre). Gross density means the density of the residential area including all land such as roads and open space.
- G.43 Multiple unit residential development, which includes low profile apartments, townhouses, triplexes, residential conversions of more than two units and special housing such as nursing or senior's homes, should proceed on the basis of municipal water and sewer services. However, where municipal water and sewer services are not available, single owner, multiple unit residential development may be considered in limited circumstances through the zoning and development permit process provided that a hydrogeological assessment demonstrates that the location and lot size would be appropriate. Multiple Unit Residential
- G.44 Secondary dwelling units are permitted within townhome and semi-detached dwelling units.
- G.45 The orientation of multiple unit residential development and associated facilities will be considerate of adjacent residential development.
- G.46 A conversion of a single detached dwelling to a multiple unit residential structure may be permitted provided that: Residential Conversions
- the dwelling is structurally sound and of sufficient size to allow for the creation of more than one dwelling unit;
 - municipal water and sewer services are provided, where applicable;
 - adequate potable water and sewage disposal systems can be provided on site, where private services are permitted;
 - adequate minimum dwelling unit areas can be provided within the converted structure;
 - the lot is of sufficient size to allow parking lots only at the side or rear of the principal building, as well as any associated access and circulation for vehicular traffic;
 - any expansion of the principal structure must retain adequate

- setbacks from adjacent properties to ensure compatibility;
- g) the use remains compatible with the character of the surrounding neighbourhood; and
- h) adequate landscaping, buffering and on-site amenities are provided.

G.47 Where municipal water and sewer service is available, multiple unit residential development should not exceed 33 dwelling units per hectare and each structure should not contain more than 15 units.

Commercial Uses

G.48	Commercial uses involve the buying or selling of commodities or the supplying of services, and include uses such as retail sales or service establishments, business or professional offices, automotive or marine sales or service establishments, dining or entertainment establishments, tourist commercial uses, cultural arts and associated businesses and activities and water-oriented commercial uses.	Definition
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G.49	Commercial uses, other than water-oriented commercial uses, which are beyond the scale of a home-based business, should be located within a defined core, commercial, or business area, where such areas have been identified within a community.	Location
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G.50	Retail and service commercial uses will be at a scale which serves the community and its associated service area, or the travelling public.	Scale
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G.51	Highway commercial uses which cater to the travelling public, are space extensive in nature, or require outdoor display will be encouraged to locate in commercial areas situated adjacent to major roadways or within identified business areas. Highway commercial uses should be clustered into a compact form wherever feasible.	Highway Commercial
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G.52	Outdoor storage associated with highway commercial uses should be located to the rear of buildings and buffered from view.	
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G.53	Marinas may be permitted within a core area, commercial area, or business area. A marina may also be considered along the shoreline in another location within the community provided that it is compatible with surrounding uses.	Marinas
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G.54	Boat storage facilities associated with marinas will be located back from the shoreline and buffered from abutting residential uses and the roadway.	
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G.55	Tourist commercial uses may be permitted within core areas and commercial areas or in another location within the community that is	Tourist Commercial Uses
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compatible with surrounding uses.

- G.56 The establishment of new or the expansion of existing tourist commercial uses will:
- be appropriate to the location, size, characteristics and capacity of the property;
 - have adequate access and services, including potable water and sewage disposal services;
 - be compatible with the surrounding uses; and
 - be phased, where appropriate.
- G.57 The gross density for a resort commercial use should not exceed:
- 15 commercial units per hectare (6 units per acre) with a maximum lot coverage of 15% where private water and sewage disposal serves the development; and
 - 40 units per gross hectare (16 units per acre), where municipal water and sewer serves the development.
- G.58 Commercial buildings will be designed, and lighting and signs arranged to blend in with the surrounding areas and abutting uses.
- G.59 Parking areas should generally be located to the side or rear of commercial buildings.
- Industrial Uses
- G.60 A range of light industrial uses, which are limited in scale, generally low effluent producing and not obnoxious, may be permitted within a community. Such uses may include light manufacturing and assembly, warehousing, storage, transfer stations, distribution, wholesaling, service and repair, and utilities or communication uses.
- G.61 Natural vegetative buffers or landscaping should be provided adjacent to main transportation routes, and development should be designed in a manner, which ensures a high quality appearance and promotes a positive community image. The extent of buffering should be determined by the nature of the use.
- G.62 Outdoor storage should be located to the rear of buildings and buffered from view.
- Institutional Uses
- G.63 Institutional uses are uses with the primary purpose of serving the educational, health or social needs of the community and include uses such as:
- educational facilities;

Resort Commercial
Density

Building Design

Light Industrial

Buffers and Land
Use Compatibility

Outdoor Storage

Definition

- b) places of worship and retreats;
- c) facilities for service clubs and non-profit organizations;
- d) public health care centres, long-term care homes, child care facilities, counselling centres or emergency centres;
- e) libraries, community centres, assembly halls and arenas;
- f) fire, ambulance and police stations;
- g) cemeteries; and
- h) municipal, provincial and federal buildings or facilities.

G.64	Institutional facilities should be located on properties which can provide a focus for the community, are easily accessible and have sufficient area for off-street parking and for future expansion.	Location
G.65	The scale and function of the use should be compatible with the abutting uses and surrounding area.	Scale & Function
G.66	Shared use of community facilities or institutional buildings will be encouraged.	Shared Use

Sub-designations

G.67	Sub-designations may be identified on the Schedules for individual communities. These sub-designations recognize particular areas within a community, which may have a special policy focus. Sub-designations may include Core Areas, Business Areas, Institutional Nodes, Special Policy Areas, or site specific policy.	Identification
G.68	Except for the Special Policy Areas and unless otherwise specified in the specific policy for a community, the boundaries of these sub-designations are intended to be flexible and should be considered in conjunction with the following policies for that specific area.	

Baysville

Baysville is located adjacent to a dam site at the head of the South Muskoka River and has direct water access to Lake of Bays. Baysville is also located at the junction of the travel routes of Muskoka Road Nos. 117 and 2 (Brunel Road).

Baysville originally developed as a sawmill site and became a major logging centre with numerous hotels for boarding loggers. Baysville was also the site of a gristmill. The dam raised the level of the River and Lake of Bays and flooded land within the community.⁵⁰ The original settlement area was designed by William H. Brown in the late 1800's and is compact in nature. The settlement included commercial enterprises as well as church sites and a school site. Historic buildings and sites that reflect this history can be found in the community.

Growth in Baysville has occurred slowly by infilling and low-density expansion on the outskirts of the original settlement area. Growth was limited by the health

and environmental problems that have been experienced in the community due to cross contamination of wells and sewage disposal systems. Municipal water and sewer services were installed in 2001 in order to resolve this situation. This will also enable the serviced areas of Baysville to become a centre for growth within the Township.

Boundaries

- G.69 The boundaries of the community of Baysville are identified on Schedule A2 and generally follow property boundaries.
- G.70 Municipal water and sewer service areas are identified on Schedule A2-1.

Function

- G.71 Baysville functions primarily as a residential settlement and as a commercial, business and tourism service centre for the surrounding waterfront and rural areas.

Character

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| G.72 | The character of Baysville is rooted in its natural setting on the Muskoka River, and historic development related to travel, lumbering, milling and tourism. A number of heritage buildings, structures and artifacts reflect this past development. | Heritage |
| G.73 | Baysville is a compact community characterized by a distinct grid street pattern laid out in the 1800's with its commercial core area located along Bridge and Bay Streets. | Grid Pattern |
| G.74 | Baysville's location on the water provides an attractive setting and access to Lake of Bays. A significant amount of open space exists along the shoreline of this community and public docking facilities provide for boat access to the community. However, the Muskoka River also splits the community with the Muskoka Road No. 117 Bridge providing the only link. Muskoka Road No. 117 also proves an alternative route to Algonquin Park. | Muskoka River |
| G.75 | Baysville's physical setting is characterized by varied terrain with areas of steep slopes, isolated rock outcroppings and several distinct rock faces as well as creeks and low wet areas. This provides an interesting and unique setting for the community and shapes its physical growth, but also presents constraints to development. | Physical Setting |
| G.76 | A node of institutional uses and community facilities has developed on University Avenue and includes the arena and library, the curling club, the senior citizens centre and the fire hall. | Institutional Node |

Influences on Community Growth and Development

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| G.77 | Future growth and development of Baysville will be influenced by: <ul style="list-style-type: none"> • its location along the Muskoka River and Muskoka Road No. 117; • access by water to and from Lake of Bays; • provision of municipal water and sewer services; • its proximity to the larger centres of Huntsville and Bracebridge; • environmentally sensitive areas and development constraints; • the lack of an elementary school; and • intensification, conversion of seasonal dwellings to year round living and redevelopment all leading to a more compact community. | Influences |
| G.78 | Residential development located in the northern section of the community at the intersection of Muskoka Road No. 2 and Burlmarie Road will be constrained due to the location of a works yard and the former landfill site which now serves as a transfer station. | Works Yard & Transfer Site |
| G.79 | Growth should be directed to the areas within the community that have municipal water and sewer services. In the long term, the entire area within the community boundary is expected to be serviced. However, until that time, growth in unserved areas of Baysville will be limited. | Services |

Constraints and Environmental Protection

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| G.80 | Since the boundaries of the community generally follow property boundaries, environmentally sensitive or hazard areas, and areas with development constraints which may not be suitable for development have been included within the boundaries of the community. | |
| G.81 | A number of drainage courses cut through this community to drain into the Muskoka River. These watercourses have been specifically identified on Schedule A2 as Environmental Protection Areas. | Drainage Courses |
| G.82 | A wetland area, consisting primarily of flooded land, exists adjacent to Muskoka Road No.2 and is identified on Schedule A2, as an environmental protection area. Type 1 fish habitat exists within the wetland area and along portions of the shoreline within the Community. The specific locations of Type 1 fish habitat are identified on Schedule C2. In addition, the Muskoka River in this location has been identified as a cold water fishery. | Wetland & Fish Habitat |
| G.83 | Areas of steep slopes within the Community have not been | Terrain |

	specifically identified on the Schedule A2, but rather have been generally identified on Schedule D1 and will be further identified and confirmed through site specific analysis, as set out in Section E.	
G.84	Schedule D2 generally identifies the portion of the Muskoka River leading from Lake of Bays to and through Baysville as a narrow waterbody, and this constraint will be considered and addressed as set out in the other narrow waterbody and other dock and boating policies. .	Narrow Waterbody
	Water and Sewage Servicing	
G.85	The provision of municipal water and sewer services in Baysville will address health and environmental issues and within the serviced areas will also: • allow Baysville to continue to be compact in nature and retain its village appearance; • provide a focus for growth and services within the Township; • permit a higher density of development, including multiple unit residence; • allow for greater range and type of uses'; and • permit the optimization of existing infrastructure through infilling, intensification and redevelopment	Benefit
G.86	Within the municipal water and sewer service areas identified on Schedule A2-1 or where service is available, new development will proceed on the basis of these services. Development will not proceed until municipal water and sewer services are available.	Municipal Water and Sewer Service Areas
G.87	An exemption from the requirement to connect to municipal water or sewer services may be considered for a low density residential use or other use on an existing lot of record or a minor expansion to an existing use, provided that municipal services are not reasonably available, or are not expected to be available in the foreseeable future and provided that the lot size and site conditions are suitable for the long-term provision of such services and the land use is restricted to those of a non-toxic, low effluent producing nature.	
G.88	Existing development within the municipal water and sewer service areas will be encouraged to connect to these services.	Connection to Services
G.89	In a future service area as identified by Schedule A2-1, growth, will be limited to the development of existing lots or minor infill, where: a) such development would constitute a low effluent producing use; b) a potable water supply is confirmed and a suitable sewage disposal system can be accommodated on the property; and c) it is designed in a manner that will facilitate future connection to	Future Service Areas

municipal services.

A hydrogeological report may be required to confirm that such development will be viable and sustainable, and as detailed in Section C.

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| G.90 | The extension of municipal water and sewer services beyond the community boundary will not be permitted, except to facilitate the installation of works by the authority having jurisdiction that have been determined to be in the public interest or are necessary in order to remedy a health hazard or environmental concern. | Extension of
Services |
| G.91 | The extension of municipal water and sewer services beyond the service boundaries identified in Schedule A2-1 will not confer or be deemed to confer, development rights for abutting properties, except for those rights which are specifically permitted by this plan. | |
| Growth and Development | | |
| G.92 | The character and function of Baysville will be preserved and enhanced. | Character and
Function |
| G.93 | The serviced areas of Baysville will provide a focus for growth in the Township. | |
| Community Design | | |
| G.94 | The existing grid street pattern including provision for active transportation infrastructure should be preserved and enhanced. | Street Pattern and
Active
Transportation |
| G.95 | Community facilities and public meeting places should be linked, expanded and enhanced. | Community
Facilities |
| G.96 | Additional public open space along the shoreline and boat docking facilities should be secured in the Core Area. Community gardens should be incorporated into the design of public open space. | Open Space and
Community
Gardens |
| G.97 | Linkages between docking facilities and the Core Area should be provided and enhanced to improve water access into the community for shopping and recreation. | |
| G.98 | Conservation, restoration and use of the heritage buildings and structures within Baysville will be encouraged. | Heritage
Preservation |
| G.99 | A boat impact assessment undertaken in accordance with Section J.16 may be required prior to the approval of an application for an official plan, zoning by-law amendment, development permit, minor variance, or site plan approval, where the establishment of a significant boat docking or mooring facility is proposed. A boat impact | Boat Impact
Assessment |

assessment is intended to evaluate the suitability of the land-water interface of a site and the immediate area to accommodate a significant docking or mooring facility and its associated boat traffic.

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| G.100 | A significant boat docking facility includes: | Significant Docking
Facility |
| | a) a facility or an addition to a facility which from the date of approval of this plan would cumulatively accommodate 15 or more boats; | |
| | b) a new or expanded facility associated with a commercial use on a narrow waterbody; and | |
| | c) the establishment of a new marina, waterfront landing, or a boat livery, as defined by the Municipal Act. | |

Core Area

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| G.101 | The Core Area, as identified on Schedule A2, contains a mix of uses and acts as the primary retail and service commercial centre of Baysville, as well as a focus for community, institutional and recreational activities. | Function |
| G.102 | The role and function of the Core Area in Baysville will be preserved and strengthened through infilling, intensification and the implementation of the Community Design Strategy and guidelines. | Preservation |
| G.103 | Retail, service and general commercial activities which are not space extensive or highway commercial in nature, or considered as home-based businesses, will be encouraged to locate within or directly adjacent to the Core Area in order to strengthen its role and function. | Mix of Uses |
| G.104 | Institutional uses, private and public community uses and facilities, meeting places as well as open space and recreational uses should also be encouraged to locate within or near the Core Area. Such uses may include recreational facilities, places of worship, daycare centres or day nurseries, government offices, long-term care homes, health care offices or facilities, or parks and playgrounds. | |
| G.105 | Existing, accessory or infill residential uses may also be permitted in this area. Where possible, accessory residential units should be located to the rear of the buildings or in the upper storeys. | |
| G.106 | Additional public parking facilities should be provided to serve the Core Area. | |

Commercial Area

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| G.107 | The primary use of land in the commercial area will be for the buying or selling of commodities or the supplying of services. Since this area is located along Muskoka Road No. 117, highway commercial uses will predominate. | Highway
Commercial |
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G.108	The commercial area will be developed on larger lot sizes.	Form
G.109	Joint access points and common parking areas will be encouraged along Muskoka Road No. 117.	
G.110	Existing, minor infill or accessory residential uses may be permitted in the commercial area, provided that any potential impacts can be mitigated.	Residential
Tourist and Water Oriented Commercial		
G.111	A resort commercial establishment, a summer camp and a marina are located along the shoreline within Baysville. These uses are singular in nature and are located on relatively large parcels of land. Due to their nature, these commercial uses have not been specifically identified within a commercial sub-designation.	Existing Uses
G.112	These tourist commercial uses contribute to the character of the Community and provide services to the surrounding area, and their continued operation, enhancement or expansion will be encouraged.	Continued Operation & Expansion
G.113	The retention of the marina within Baysville should be encouraged to ensure that water access to and from the community is provided and to serve the waterfront area.	Marina
Business Area		
G.114	A Business Area sub-designation has been identified in proximity to the existing works yard and transfer site. A mix of light industrial and certain types of commercial uses, which will not create a land use conflict with the existing residences in the surrounding area will be accommodated in this area.	Light Industrial & Commercial Uses
G.115	The types of commercial uses permitted in this Area will include space extensive, highway commercial uses, or commercial uses with outdoor storage or extensive outdoor display and sale.	Type of Commercial Uses
G.116	Visual enhancements from the public roadway may be mitigated through appropriate landscaping, the retention of vegetation and the use of buffers.	Buffers
G.117	Residential uses should be discouraged within the Business Area, but existing dwellings may be recognized and accessory residential units may be permitted, provided that any potential impact can be mitigated and the future expansion of industrial uses on the property or abutting properties will not be restricted.	Existing & Accessory Residential

Institutional Node

- G.118 Institutional uses or community facilities will be encouraged to locate in or adjacent to the existing institutional node. Consideration could be given to the provision of a long-term care or retirement home in Baysville.

Dorset

Dorset is located on the narrows between the main body of Lake of Bays and Trading Bay, and is split by Highway No. 35. This community originated as the site of a trading post, and later a sawmill and gristmill. Many of the heritage buildings and structures that reflect the historic development of this community remain in Dorset today. Dorset has also been a tourist location and a commercial service centre for the surrounding area since its early settlement.

A wooden bridge over the narrows was erected at the time the Bobcaygeon Road was constructed and was replaced by the arched steel bridge that is currently considered as a notable feature of this community. This community is also known for the Dorset Fire Tower, which was built around 1922.⁵¹

This community is split between the jurisdiction of the Township of Lake of Bays in Muskoka and the Township of Algonquin Highlands in the County of Haliburton. The boundary between the two jurisdictions is located along the original alignment of the Bobcaygeon Road. The Township of Lake of Bays' portion includes the shoreline of Lake of Bays, land on both sides of Muskoka Road No. 117, and a section of Highway No. 35. The boundary road (Muskoka Road No. 39), which is also the main street of the community, is Muskoka's responsibility. The split jurisdiction can make community planning difficult. However, consultation with Officials from the Township of Algonquin Highlands indicates that common community values exist and that this difficulty can be overcome with municipal cooperation.

Dorset continues to act as a service and commercial centre for the surrounding permanent and seasonal population, as well as for the traveling public and visitors to the area. It is also the administrative and institutional centre for the Township of Algonquin Highlands.

Boundaries

- G.119 The boundaries of the Community of Dorset are identified on Schedule A3 and generally follow property boundaries, the municipal boundary of the Township of Lake of Bays and the shoreline of Lake of Bays. Only a portion of the Community of Dorset is located within the geographic and administrative boundaries of the Township of Lake of Bays.

Function

- G.120 Dorset serves as a smaller service and tourist commercial centre providing products and services for the community, and surrounding

rural and waterfront areas, as well as the travelling public. Dorset is also recognized as a community with the potential for modest growth over the long-term.

- G.121 Dorset is also the administrative and institutional satellite for the Township of Algonquin Highlands.

Character

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| G.122 | The character of Dorset lies in its natural setting in tree covered hills, which slope down to the shoreline of Lake of Bays, and the narrows between Lake of Bays and Trading Bay. Dorset's heritage as a logging, milling, and tourist centre also contributes to the character of this community. | Character &
Heritage |
| G.123 | Dorset has a compact settlement area with an active commercial core. The Township of Lake of Bays portion of the core includes tourist accommodation, retail and service uses and a marina. This area generally lacks parking facilities, which has in the past presented difficulties to the expansion of commercial uses. | Core Area |
| G.124 | Space extensive commercial and industrial uses are located along Muskoka Road No. 117. This road ends at Highway 35 and this link also provides an alternative route to Algonquin Park. | Muskoka Road No.
117 Area |
| G.125 | Lower density residential development exists along the shoreline of Lake of Bays and outside of the original settlement area. This residential development generally blends in with, and is in character with, the greater waterfront area beyond the community designation. | Residential |
| G.126 | A range of community facilities exists within Dorset. These facilities include a community and administrative satellite office, a library, a museum, a church, and parks within the Algonquin Highlands portion of the community. Within the Lake of Bays portion of the community, the existing institutional uses include a church, public works yard, a health care centre, a community policing office, a fire hall, and a senior citizen's centre that is located along Muskoka Road No. 117. | Community
Facilities |
| G.127 | Public and private open space, parks and docking facilities exist along the community shoreline both in the Township of Lake of Bays and in the Township of Algonquin Highlands. These areas shall be maintained or enhanced wherever possible. | Open Space |

Influences on Community Growth and Development

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| G.128 | Future growth in the Lake of Bays portion of Dorset will be influenced by: <ul style="list-style-type: none"> • its location on Lake of Bays; | Influences |
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- its location along Muskoka Road No. 117 and Highway No. 35 on route to Algonquin Park;
- water access to the core area;
- the use of private, individual water and sewage systems;
- environmentally sensitive areas and development constraints; and
- the distance to larger centres.

G.129 Since land for business and light industrial growth is limited elsewhere in the community due to the restriction on access points from Highway No. 35, the area along Muskoka Road No. 117 offers the opportunity for space extensive, highway commercial and light industrial development. Business Growth

G.130 Highway No. 35 is a Provincial Class 4, Major Highway and as a result, development along the highway may be restricted. Access Restrictions

Municipal Co-operation

G.131 The divided municipal jurisdiction affects community planning and development. Every effort will be made by the Township of Lake of Bays to cooperate with the Township of Algonquin Highlands respecting community planning matters and community development activities.

Constraints and Environmental Protection

G.132 Since the boundaries of the community generally follow property boundaries, environmentally sensitive areas and areas with development constraints which may not be suitable for development have been included within the boundaries of the community.

G.133 Several drainage courses cut through this community to drain into Lake of Bays and these water courses have been specifically identified on Schedule A3 as Environmental Protection Areas. The watercourse south of Muskoka Road No. 117 is classified as a cold water stream. Drainage Courses

G.134 A number of small areas of Type 1 fish habitat exist along the shoreline, and are identified on Schedule C2. Fish Habitat

G.135 Areas of steep slopes within the Community have not been specifically identified on Schedule A3, but rather have been generally identified on Schedule D1 and will be further identified and confirmed through site specific analysis, as set out in Section E. Terrain

Water and Sewage Servicing

G.136	Dorset will continue to develop on the basis of private, individual water and sewage systems.	Private, Individual Systems
Growth and Development		
G.137	The basic character and function of Dorset will be preserved and enhanced.	Character
G.138	Dorset will continue to grow as a retail, service and tourist centre and low-density residential community primarily through infilling within the community boundaries.	Function
Community Design		
G.139	The heritage buildings and structures in Dorset should be conserved.	Heritage
G.140	The one lane bridge over the narrows is a notable and distinct structure, which is strongly associated with the heritage of the community and will be conserved.	
G.141	Muskoka Road No. 39 not only provides access to the community, but also serves as its main street. Any reconstruction of this road should take its function into account and preserve and enhance its character.	Main Street
G.142	Shoreline open space, walkways, trails and docking facilities should be encouraged. Long-range planning will be directed at improving linkages within the community between activity areas.	Open Space & Community Linkages
G.143	A Community Design Strategy should be prepared and implemented in cooperation with the Township of Algonquin Highlands.	Design Strategy
Core Area		
G.144	The Core Area of Dorset contains a variety of commercial and residential uses and acts as a portion of the primary retail, service and general commercial centre of Dorset.	Commercial Focus
G.145	The Core Area should remain compact and the focal point for retail and service commercial business. This area of Dorset should be preserved and strengthened through infilling and intensification	Compact Form
G.146	Retail and service commercial activities which are not space extensive or highway commercial in nature will be encouraged to locate within or directly adjacent to the Core Area.	Mix of Uses
G.147	Additional parking facilities should be provided to serve the Core Area. A cash in lieu of parking by-law may be implemented so as to	Parking

- permit the expansion of commercial businesses in the Core Area and to secure sufficient funds to ultimately provide public parking facilities in the area.
- G.148 The development of new resort commercial establishments and the upgrading of existing facilities should be encouraged. Resort Commercial
- G.149 Institutional uses, private and public community uses and facilities, meeting places as well as open space, local food production uses (i.e. community gardens) and recreational uses should also be encouraged to locate within or near the Core Areas. Institutional
- G.150 Existing, accessory, or infill residential uses may be permitted in the Core Area. Accessory residential units should be located to the rear of buildings or in the upper storeys. Residential
- Business Area
- G.151 Light industrial and certain commercial uses will be directed to the Business Area located along Muskoka Road No. 117. Light Industrial & Commercial
- G.152 The types of commercial uses permitted in this Business Area will include space extensive, highway commercial uses, or commercial uses with outdoor storage or extensive outdoor display and sale. Type of Commercial Uses
- G.153 Visual enhancements may be provided through landscaping, the retention of vegetation and the use of buffers.
- G.154 Residential uses should be discouraged within this Area, but existing dwellings may be recognized and accessory residential units may be permitted provided any potential impact can be mitigated and the future expansion of industrial uses on the property or abutting properties will not be restricted. Existing & Accessory Residential
- Residential
- G.155 Residential development located outside of the Core Area including the shoreline along Lake of Bays will be permitted.

Dwight

Dwight generally extends along Highway No. 60 from the head of Dwight Bay on Lake of Bays past the junction of Highway Nos. 60 and 35. The community also extends down Highway No. 35 toward the Oxtongue River corridor.

Edmund James Gouldie, a trapper and trader who came to the area in 1875 founded Dwight. The next settlers to the area were the Blackwells who were attracted by the land grants offered at that time. They cleared land and their family arrived in approximately 1879. Shortly after the first settlers, sportsman

H.P. Dwight came to the area. He was the president of the Northwestern Telegraph Company, and to keep in touch with his business, he had the telegraph line extended to the site. This communication link promoted growth within this settlement. H.P. Dwight also established a school and library.⁵²

Currently, this community provides goods and services for residents of the community and the surrounding area. Visitors are drawn to the community since it is on the main route to Algonquin Park, or in order to visit resorts on, or overlooking Lake of Bays.

Businesses with a highway commercial orientation are located along Highway No. 60. A number of businesses exist in the community, which are related to the forestry industry in the area.

Dwight is expected to continue to be a low-density tourism and service centre developed on the basis of private individual water and sewage systems.

Boundaries

- G.156 The boundaries of the Community of Dwight are identified on Schedule A4 and generally follow property boundaries; except where the boundaries have been modified to exclude significant natural areas.
- G.157 Sufficient land exists in the area designated to accommodate projected 20-year growth. Residential growth is expected to occur primarily through infilling, or plan of subdivision.

Function

- G.158 Dwight functions as a service centre for the surrounding waterfront and rural area, as well as an all-season tourist service centre and gateway to Algonquin Park. Dwight is also the administrative centre for the Township of Lake of Bays. The strategic location close to Algonquin Park can be further leveraged to support growth in the tourist, service commercial and cultural arts sectors.

Character

- G.159 The character of Dwight is founded in its: Basis
- natural setting and location on Lake of Bays;
 - location on two major routes leading to Algonquin Park;
 - historic origin as a resort location and communication link;
 - role as a settlement, administrative and tourist service centre/gateway to Algonquin Park;
 - historic and current relationship with the forestry industry;
 - proximity to the Oxtongue River and Boyne Creek;
 - environmentally sensitive areas and development constraints; and
 - predominantly permanent population.

- G.160 Dwight is generally linear in form, with the following two focal points: Linear Form
- the old village centre, which is characterized by smaller lots and older buildings and extends along Highway No. 60, and down Dwight Bay Road to the shoreline of Dwight Bay; and
 - the lower density commercial and administrative node at the junction of Highway Nos. 60 and 35.

- G.161 The majority of the community particularly the eastern half, is low density in nature. Larger lots have been created in the area to support private, individual water and sewage services. However, one apartment building provides rental accommodation for the community. Low Density

Influences on Community Growth and Development

- G.162 Future growth in Dwight will be influenced by: Influences
- the community's location along Highway Nos. 60 and 35;
 - the use of private, individual water and sewage systems;
 - its location on Lake of Bays and proximity to Algonquin Park;
 - its role as the Township administrative centre;
 - its role as a tourist service centre; and
 - its terrain, scenic beauty, viewsapes and the surrounding natural and environmentally sensitive areas.

- G.163 The presence of the elementary school and Township Office will also affect growth in Dwight.

- G.164 Since Highway Nos. 60 and 35 are Provincial Class 4, Major Highways, entrances may be restricted from these roadways, and this will affect commercial and business development. Access control is administered under a Ministry of Transportation (MTO) permitting system. Access Restrictions

Constraints and Environmental Protection

- G.165 Dwight borders a number of significant natural areas, which are identified on Schedule C1. for the most part, these areas have been excluded from the boundaries of the community in order to ensure their protection. Significant Areas
- G.166 Where portions of these areas are included within the community boundary, they have been identified as Environmental Protection Areas. Section D, Environment, contains specific policy respecting the preservation of these natural areas. Although community development in these areas would not be appropriate, they influence the shape and character of the community. The natural areas which border the Community of Dwight include:

- a) Boyne Creek Wetland (provincially significant wetland);
- b) Dwight Conifer Peat Forest (regionally significant wetland);
- c) Oxtongue River (Lake of Bays Heritage Area); and
- d) Lower Oxtongue River (Muskoka Heritage Area).

Water and Sewage Servicing

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| G.167 | Dwight will continue to develop on the basis of private individual water and sewage systems. | Private, Individual
Systems |
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Growth and Development

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| G.168 | The basic character and function of Dwight will be preserved and enhanced. | Commercial and
Tourism Service
Centre |
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| G.169 | Dwight will continue to grow as a low-density community, which acts as a commercial and service centre for the surrounding area, a tourism centre and an administrative centre. These functions will be preserved and enhanced. | |
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| G.170 | New attractions, retail and service businesses and tourist commercial uses will be encouraged within the Core Area, Commercial and Business Areas of Dwight. | |
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| G.171 | Growth will be encouraged between the two focal points, particularly along Dwight Beach Road, in order to provide a more cohesive and congruent community. | Focal Points |
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Community Design

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| G.172 | The re-use, restoration and enhancement of existing buildings should be encouraged. | Existing Buildings |
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| G.173 | The development of pathways and trails, leading into and within the community, will be encouraged and facilitated. The Township will work with the Ministry of Transportation and the District of Muskoka to design and develop active transportation linkages. | Links |
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| G.174 | Dwight's location on Lake of Bays and Dwight beach is an asset to the community. The shoreline of Dwight Bay in public ownership will be retained and where possible expanded. The natural landscape is an attribute to the image of the community as a tourist and service commercial destination. Conservation and enhancement will be incorporated into site plan or development permit approvals. | Beach and Natural
Landscapes |
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Core Area

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| G.175 | The Core Area, as identified on Schedule A4, is generally the setting | Location and |
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	of the old village center, which is more compact and possesses smaller lot sizes than in other areas of the community. This area generally contains a mix of uses, but has a commercial orientation. The portion of this area along the highway is primarily retail and service commercial oriented. The portion of the area leading down Dwight Bay Road to the shoreline of Dwight Bay has been the location of community oriented and administrative uses.	Character
G.176	The role and appearance of the Core Area in Dwight will be enhanced with an emphasis on infill and intensification to create a more compact community.	Role
G.177	Tourist commercial uses and retail and service commercial uses which are not space extensive or highway commercial in nature will be encouraged to locate within or directly adjacent to the Core Area to strengthen its role, function and appearance.	Uses
G.178	Existing, accessory or infill residential uses may also be permitted in this area. Where possible, accessory residential units should be located to the rear of buildings or in the upper storeys.	Residential
	Commercial Area	
G.179	The primary use of land in the Commercial Area will be for the buying or selling of commodities or the supplying of services. Since this area is located along Highway Nos. 60 and 35, highway commercial uses will predominate.	Highway Commercial
G.180	Service commercial uses and tourist commercial establishments, which cater to the travelling public, will be encouraged within this area.	Service & Tourist commercial
G.181	This commercial area will be developed on the basis of larger lot sizes.	Form
G.182	Joint access points and common parking areas will be encouraged for development along the highway subject to obtaining MTO approval.	Access
G.183	Existing, minor infill or accessory residential uses may be permitted in the commercial area, provided that any potential impacts can be mitigated.	Residential
G.184	Tourist Commercial	
G.185	A number of resort commercial establishments are located within Dwight and are oriented toward Dwight Bay. Due to the low number of establishments, these uses have not been specifically identified	Resort Commercial Establishments

within a commercial sub-designation.

- G.186 These tourist commercial uses are an important component of the heritage and character of the Community and their continued operation, enhancement and expansion will be encouraged.
- G.187 Opportunities for eco-tourism development will be encouraged and facilitated. Eco-Tourism
- Business Area**
- G.188 A Business Area sub-designation has been identified on the eastern side of the community along Highway No. 60. This area is a low density mix of light industrial and space extensive or highway commercial uses. Light Industrial & Commercial Uses
- G.189 The types of commercial uses permitted in this Business Area will include space extensive, highway commercial uses, or commercial uses with outdoor storage or extensive outdoor display and sale. Type of Commercial Uses
- G.190 Light industrial uses and industrial service or storage uses related to the forestry industry may be permitted within this Business Area. These uses should be developed in a manner, which will prevent land use conflicts and negative visual impact from a public roadway and will be mitigated through the retention of vegetation and the use of buffers. Light Industrial
- G.191 Visual enhancements from the highway will be provided through landscaping, the retention of vegetation and the use of buffers. Buffer
- G.192 Residential uses should be discouraged within business areas, but existing dwellings may be recognized and accessory residential units may be permitted provided any potential impact can be mitigated and the future expansion of industrial uses on the property or abutting properties will not be restricted. Existing & Accessory Residential
- Institutional Node**
- G.193 Institutional uses, private and public community uses and facilities and public meeting places should be located within or in close proximity to the Institutional Node identified on Schedule A4.
- Special Policy Area 1**
- G.194 Special Policy Area 1 is identified on Schedule A4 and is currently used as a tourist commercial camping establishment. This existing use may continue to exist and expand to the limits currently permitted on the property. Tourist Commercial Camp

- G.195 A maximum of 200 campsites may be permitted on this property.
- G.196 Accessory recreational facilities and trails and one accessory dwelling may also be permitted within this area.
- G.197 Any new use permitted within this Special Policy Area 1 will conform to the policies of the plan.

Special Policy Area 2

- G.198 Special Policy Area 2 is identified on Schedule A4, and notwithstanding any other policy of this plan to the contrary; the use of this property will be limited to a 26-unit residential apartment complex. Residential Apartment Complex
- G.199 Vehicular access points to the property will be limited in number and will satisfy the requirements of the authority having jurisdiction.⁵³
- G.200 Land not devoted to buildings, structures, parking, or access will be landscaped.
- G.201 Development will not exceed a gross density of 8 units per hectare (3 units per acre).
- G.202 Development will be served by private water supply and sewage disposal systems, in compliance with the conclusions and recommendation detailed in the hydrogeological study prepared by Canviro consultants for the property, and subject to the requirements of the authority having jurisdiction.⁵⁴
- G.203 All development on the property will be subject to site plan control or Development Permit.

Hillside

Hillside is located on Peninsula Lake at the junction of Highway No. 60 and Muskoka Road No. 8. The community is generally characterized by a forested landscape with several areas of open pasture and a low-density development.

The community originated in 1867 with the settlement of Rev. R. N. Hill and his family. It became the site of a public school and church and a post office. Today, the church remains as a key building in Hillside, which serves primarily as a residential community. Hillside also functions as a convenience commercial service centre for the surrounding area, and several tourist commercial operations are located on the shoreline area of the community. Small residential lots characterize the shoreline area and the Grassmere dock and public beach

provides access to the lake for the community.

Boundaries

- G.204 The boundaries of the Community of Hillside are identified on Schedule A5, include the shoreline area and generally follow property boundaries.
- G.205 A need to further expand the community boundaries in the near future to accommodate growth is not anticipated. Sufficient land exists in the designated community to accommodate projected 20-year growth.

Function

- G.206 Hillside functions primarily as a residential community and as a minor convenience service centre for the community and the surrounding waterfront and rural area.

Character

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| G.207 | Hillside is a very low-density community, which is divided by Highway No. 60. This community is characterized by forested landscape and varied terrain, which includes open pasture, areas of slope and rock outcropping. The topography provides a vista of Peninsula Lake from Muskoka Road No. 8. | Basis |
| G.208 | The area south of the highway fronts on the shoreline of Peninsula Lake, and includes several resorts and small waterfront residential lots. The shoreline area is well developed and does not offer much potential for additional development. Several vacant back lots exist in this area. The Grassmere dock and beach is also located in this area of the community and provides public access to the lake. | South of the Highway |
| G.209 | The area north of Highway 60 generally possesses a rural residential character and contains a residential subdivision. A large residential parcel that continues to operate as a farm is located in this area. | North of the Highway |
| G.210 | Several isolated businesses including a sawmill operation, and repair business, and several abandoned pits exist in the northern portion of the community. | Isolated Businesses |
| G.211 | A minor service commercial node has developed at the intersection of the Highway No. 60 and Muskoka Road No. 8. A church is located at the intersection of the Highway and Tally Ho Winter Park Road. These uses serve Hillside as well as the surrounding waterfront and rural areas. | Minor Service Node |

Influences on Community Growth and Development

- G.212 The future growth in Hillside will be influenced by:
- its location on Highway No. 60 and Muskoka Road No. 8;
 - its proximity to Huntsville;
 - the use of private individual water and sewage systems;
 - the location of cold water streams and deer wintering habitat;
 - the location of abandoned aggregate pits; and
 - the presence of convenience commercial operations and community facilities such as the church and fire hall.
- G.213 Access restrictions on Highway No. 60 may limit development and the larger lot frontage of 150 metres (492 feet) required along the highway and the frontage requirements along Muskoka Road No. 8 will affect the density of development. Access controls will be administered by the Ministry of Transportation. Access Restrictions
- G.214 The sawmill operation which is located on a relatively large lot along the northern portion of Tally Ho Winter Park Road has not resulted in significant land use conflicts due to its separation from residential uses. However, as the community grows the potential for land use conflicts will increase. Sawmill
- Constraints and Environmental Protection
- G.215 Since the boundaries of the community generally follow property boundaries, environmentally sensitive areas, areas of habitat and areas with development constraints, which may not be suitable for development, have been included within the boundaries of the community.
- G.216 Several cold water streams cut through this community to drain into Peninsula Lake. These watercourses have been specifically identified on Schedule A5 as Environmental Protection Areas. Cold Water Streams
- G.217 This community is also the location of a deer winter area and a number of areas of Type 1 fish habitat exist along the shoreline. These values are identified on Schedule C2. Habitat
- G.218 Areas of steep slopes within the Community have not been specifically identified on Schedule A5, but rather have been generally identified on Schedule D1 and will be further identified and confirmed through site specific analysis, as set out in Section E. Terrain
- Water and Sewage Servicing
- G.219 Hillside will continue to develop on the basis of private individual water and sewage systems. Private, Individual Systems

Growth and Development

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| G.220 | The basic low-density character and minor service function of Hillside will be preserved and enhanced. | Character &
Function |
| G.221 | Hillside will be developed through infilling as a primarily low-density residential community with minor convenience commercial and resort commercial functions. | Infilling |
| G.222 | Lot frontages of 150 metres (492 feet) will be required, in accordance with the policy of the District Official Plan, along Highway No. 60 and Muskoka Road No. 8. | Increased Lot
Frontage |

Community Design

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| G.223 | Heritage buildings and structures, such as the church should be preserved. | Heritage |
| G.224 | The Grassmere public access point, dock and beach will be retained. | Access to Water |
| G.225 | Trails leading into and within the community will be encouraged. | |
| G.226 | Vegetation should be substantially retained within Hillside in order to maintain the natural environment character of the community and to preserve deer wintering habitat. | Vegetation |

Commercial

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| G.227 | Commercial uses should be directed to the small node developing at the junction of Highway No. 60 and Muskoka Road No. 8, provided that safe access can be provided from these roads. | Node |
| G.228 | Joint access and parking areas should be used for commercial uses. | |

Industrial

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| G.229 | The sawmill operation located within Hillside may continue to exist. Residential development in close proximity to this operation will be discouraged, unless negative impacts can be mitigated. | Sawmill |
| G.230 | New light industrial, space extensive commercial or storage uses should be directed to the north-western section of Tally Ho Winter Park Road, south of the intersection with Muskoka Road No. 8. Any such uses will be developed in a manner, which prevents land use conflicts, and avoids or mitigates negative impacts including visual impact from a public roadway. | New Industrial |
| G.231 | The abandoned pits within Hillside should be rehabilitated and | Pit Rehabilitation |

converted to another use.

Residential

- G.232 Residential development should generally be directed to municipal roads rather than along the Highway.
- G.233 Residential development along the shoreline will be limited to development of existing lots. Shoreline Area
- G.234 Residential development on an existing lot that does not possess water frontage and which is located in the area south of Highway may only be permitted where it fronts on a public year-round maintained road and satisfies the applicable minimum lot requirements.
- G.235 The larger residential lot sizes that characterize this community will generally be maintained, with a minimum lot size of 1.2 hectares (3 acres) required for new lots. Along a Township road, a lot frontage of 91 metres (299 feet) will be required. Lot Size
- G.236 Residential development composed of a cluster of residential lots, created by a plan of subdivision or condominium description, and located on a new internal roadway may be permitted provided that: Residential
- a) the natural features of the site are preserved;
 - b) hazards or constraints to development as detailed in Section D will be addressed;
 - c) the development has no more than 25 lots;
 - d) hydrogeological assessment confirms that an adequate supply of potable water exists for the development and that the subdivision will be sustainable over time;
 - e) the development incorporates substantial open space area, so that the gross density of development is not greater than 25 lots in 40 hectares (25 lots in 99 acres) or there is a ratio of 1 lot for every 1.6 hectares (1 lot for every 4 acres) of area;
 - f) a natural vegetative buffer area surrounds the perimeter of the development and substantial vegetation is retained;
 - g) the development includes a variety of lot sizes which reflect the terrain and natural features of the site;
 - h) the average lot size will be no less than 1.2 hectares (3 acres) with 90 metres (295 feet) of road frontage, and the minimum lot size will be 0.4 hectares (1 acre) in area with 60 metres (197 feet) of road frontage; and
 - i) internal roads should be looped, rather than dead end roads.

Echo Valley

Boundaries

G.237 The boundaries of the Community of Echo Valley are identified on Schedule A6. The land included within the community is more particularly described as Lot 8, Concession XIV; Part of Lots 6 and 7, Concession XIV; Part of Lot 13, Concession XIV, more particularly described as Parts 8 and 11 on Plan 35R-15215; Part of Lots 13 and 14, Concession XIV, more particularly described as Part 5 on Plan 35R-15215; Lots 8, 9, 10, 11, 12, 13, Concession XIII, and Part Lot 14, Concession XIII, more particularly described as Part 1 on Plan 35R-12371; Lots 11, 12, and 13, Concession XII, all in the former Township of Franklin, now in the Township of Lake of Bays, and in the District Municipality of Muskoka.

G.238 Sub-designations identifying areas within the community to be used for specific land uses are shown on Schedule A6. The boundaries of these sub-designations have been specifically determined and only minor adjustments may be permitted without amendment to this plan.

Function

G.239 Echo Valley will function as a residential community, by offering an alternate lifestyle opportunity with a recreational focus.

Character

G.240 Echo Valley will be a planned, residential community of a maximum of 207 dwelling units, primarily developed by way of vacant land condominium descriptions, with a recreational focus, and set within a context of extensive natural and recreational open space.

Focus & Context

G.241 The community centre, an outdoor community pavilion and a public park will provide local services as well as a focus for the community. A golf course may be permitted as part of the future development of this property and subject to the other related policies within this plan.

G.242 The community includes 536 hectares of land, and the residential uses shall be located as generally illustrated on Schedule A6-1. The balance of the lands will be used for open space, comprised of active recreational amenities, including a golf course, an outdoor community pavilion, public park and community centre on the west side of the Boyne Creek, as well as a nature preserve affiliated with the Boyne Creek Wetland.

G.243 Recreational trails, viewing opportunities, and facilities for educational interpretation may be located within the areas of natural open space, provided that any such facilities within the Boyne Creek Wetland will not have a negative impact on the ecological features or functions of the wetland.

Recreational and
Educational
Facilities

Constraints and Environmental Protection

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| G.244 | The Boyne Creek Wetland, which is a provincially significant wetland, and the Lee Lassetter Lake Wetland, which is of regional significance, both exist on the property, and have been specifically designated as environmental protection on Schedule A6. The Boyne Creek also provides fish habitat for both warm and cold water species. | Wetlands |
| G.245 | All components of the Echo Valley Community will be designed and developed in a manner that will preserve the ecological features or functions of these wetland areas. | |
| G.246 | Environmental analyses support the construction of the first phase of the residential development and a golf course. Specific mitigation measures related to the anticipated impacts of these phases of the development will be implemented through zoning or development permits and development agreements where applicable. Prior to the draft approval of each subsequent phase of the development, including the back nine holes of the golf course, further detailed environmental evaluation including vegetation and wildlife surveys will be undertaken to guide the location of roads, residences and accessory structures. The additional evaluation will also ensure that the development of each phase will not have a negative impact on adjacent land uses or the ecological functions and features of the Boyne Creek Wetland or the Lee Lassetter Lake Wetland. | Landscape
Conservation |
| G.247 | A water quality monitoring program will be established in the Boyne Creek prior to the final approval of the first phase. The purpose of this program will be to evaluate pre and post development conditions and to determine any required mitigative measures. | Planting |
| G.248 | Conservation of the overall natural landscape, tree cover and vegetation, as well as the water resources of the community will be encouraged to preserve the overall natural appearance and habitat of the area. | |
| G.249 | Use of native species will be encouraged for any planting on the property. | |
| | Servicing | |
| G.250 | All components of the community will be serviced by individual private individual water and sewer services. | Water and Sewage |
| G.251 | Hydrogeological assessment supports the construction of the first phase of the development. However, prior to the draft approval of each subsequent phase of the development, or the following shall be completed to the satisfaction of the authority having jurisdiction:
a) an annual hydrogeological monitoring and assessment program will be established and implemented to document the quantity and quality of the water wells which are constructed in each preceding | |

phase; and

- b) a further detailed hydrogeological assessment including a water supply and nitrate impact assessment will be required to confirm individual well and suitable septic system locations are available for each land unit within the phase. This analysis will also address any potential negative impacts on wetland features and functions, including associated habitat.

G.252 Prior to the final approval of Phase 1, a hydrogeological study will be undertaken to determine how many of the existing 22 residential units may be sustainably serviced by private individual water and sewer services in their current location. Where demonstrated, existing residential units may remain in their current location. Where an existing dwelling unit must be moved, if possible, prior to the expiry of the land leases, it will be relocated to a vacant land condominium unit elsewhere on the lands, or off the property. However, on expiry of the lease, such dwelling units shall be relocated to a vacant land condominium unit elsewhere on the lands, or off the property.

G.253 The existing private communal water and sewage disposal system servicing these dwelling units will be decommissioned by the end of 2018.

Solid Waste

G.254 A recycling and solid waste collection system will be established and operated for the property by the owner. The owner will enter into an agreement with the District Municipality of Muskoka, to provide for the on-going operation and maintenance of this system.

Fire Protection

G.255 Fire protection and facilities necessary for fire fighting purposes will be provided to the satisfaction of the Township.

Access

G.256 Access to the Echo Valley Community will be provided from Highway No. 60, and access within the community will be provided by way of an internal private road.

Highway Entrance

G.257 The principal entrance to the property from Highway No. 60 and the access road will be re-located and constructed to the satisfaction of the Province of Ontario⁵⁵ and the Township of Lake of Bays. To this end, a traffic study satisfactory to the Province and the Township will be prepared by the owner in order to detail the works required and the timing of such works. The study will be completed prior to the final approval of Phase 1 of the community and the condominium agreement will address the implementation of the traffic study and any required works. Prior to subsequent phases of development proceeding, confirmation will be obtained from the Province⁵⁶ that any required works have been completed.

- G.258 Prior to the creation of a further entrance onto Highway No. 60, a traffic study satisfactory to the Province and the Township will be prepared by the owner in order to detail the works required and the timing of such works. The study will be completed prior to the final approval of Phase 4 of the community and the condominium agreement will address the implementation of the traffic study and any required works. Prior to subsequent phases of development proceeding, confirmation will be obtained from the Province⁵⁶ that any required works have been completed.
- G.259 A wetland impact assessment will be required by the Township, in order to ensure that the internal private road leading from the new entrance will not have a negative impact on the ecological functions or features of the Boyne Creek Wetland. Impact Assessment
- G.260 The internal private access road, which will provide access within the community will be designed and constructed: Road Design
- a) to a standard which will accommodate emergency vehicles;
 - b) in a manner which will not have a negative impact on the ecological features or functions of the Boyne Creek Wetland; and
 - c) in a manner which will accommodate fish passage at stream or wetland crossings.
- Storm Water Management
- G.261 Storm water management will maximize shallow overland flow and promote infiltration. In addition, storm water management will be based on the maintenance of water balances and hydrologic responses in existing catchment areas, as well as the incorporation of maximally diffused discharge and no direct discharge to waterbodies. Basis
- G.262 Detailed storm water management and construction mitigation plans will be prepared for all components of the development, prior to site alteration or development proceeding in any phase of the community and specifically for a golf course. Such plans will be implemented in a condominium and/or site plan agreement. Detailed Plans
- G.263 The detailed storm water management and construction mitigation plans will incorporate the recommendations for storm water management and construction mitigation contained in the Environmental Impact Study Update prepared by Golder Associates in February of 2005.
- G.264 Detailed construction mitigation plans, among other matters, will include a strategy for arresting existing sources of erosion, managing topsoil, stockpiles and aggregates to ensure no sedimentation occurs to the receiving waterbodies. In addition, the plans and condominium and/or site plan agreement will include the requirement for an environmental inspector to be on site periodically, and particularly

during work in, or adjacent to sensitive areas.

Community Design

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| G.265 | Development will generally occur in accordance with the master plan shown in Schedule A6-1, prepared by Wayne Simpson & Associates, dated September 7, 2005. Substantial deviations from the master plan will require the submission of a supplemental wetland impact assessment to ensure that the features or functions of the Boyne Creek or Lee Lassetter wetland will not be negatively affected. The details of the master plan for the community will be specified and implemented through the vacant land condominium and/or site plan control processes. | Master Plan |
| G.266 | The vacant land condominium development will proceed in phases as illustrated on Schedule A6-1. The second and subsequent phases will only proceed after satisfactory completion of well monitoring of 35 percent of the permitted dwelling units throughout each of the successive preceding phases and if hydrogeological and environmental assessments are supportive. An outdoor community pavilion and a public park will be constructed in the first phase of the development. A community centre will be constructed within the third phase of development. Prior to the approval of any future phases of the development, background hydrogeological and environmental studies must be completed to support the future redesignation of the lands included in those phases to the Residential and Open Space designations. The construction of a golf course may be permitted during any phase of the development and subject to the other related policies in this plan. | Phasing |
| G.267 | Conservation of the natural landscape and retention of vegetation will be encouraged. In particular, internal private roads should follow natural contours, where possible, to minimize alteration of the natural landscape. | Landscape
Conservation |
| G.268 | Prior to site alteration or development in the locations shown in Schedule A6-2, construction limits will be confirmed by a qualified ecologist. Such limits will be identified through zoning, site plan or development permits and will be staked and fenced on site. Existing vegetation communities between the development limits and adjacent natural features should be maintained in an ecologically beneficial condition in order to, among other matters, maintains stability, intercept nutrients and runoff, and retain land-water interface processes. Tree and vegetation preservation planning will also be undertaken in these areas. | Construction Limits |
| G.269 | Parkland, in an amount equivalent to a maximum of five percent of the area subject to development in the residential and open space use, will be conveyed to the Township. The Township may, in lieu of such dedication, accept cash and/or easements, as may be detailed | Parkland |

in the implementing agreements.

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| G.270 | Prior to the development of each phase, the owner will undertake an archaeological impact assessment in accordance with the requirements of and satisfactory to the Province of Ontario. ⁵⁸ Any archaeological resources, which may be identified on the property, will be conserved through removal and documentation, or preservation on site. | Archaeological
Assessment |
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| G.271 | The condominium and/or site plan agreement will include provisions for the rehabilitation of the existing borrow pits on the property, following the provision of community services or access routes. | Pit Rehabilitation |
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Growth and Development

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| G.272 | Schedule A6 establishes the following sub-designations intended for specific land use within Echo Valley:
a) Residential and Open Space;
b) Nature Reserve; and
c) Environmental Protection. | |
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Residential and Open Space

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| G.273 | The following uses may be permitted within the Residential and Open Space sub-designation;
a) a maximum of 185 vacant land condominium units;
b) a maximum of 22 land lease dwelling units;
c) a community centre, and associated community or recreational facilities such as an outdoor community pavilion;
d) a golf course, club house and associated facilities;
e) outdoor recreational facilities, including recreational trails; or
f) natural open space and conservation. | Permitted Uses |
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| G.274 | The community centre may include facilities such as recreational and meeting facilities, a local convenience commercial outlet, a medical office and other facilities, which serve the community. An outdoor community pavilion shall be defined as a large shelter for the purpose of providing the residents with an outdoor meeting or picnic space. | Community Centre |
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| G.275 | Adequate parking facilities will be provided for the community centre, public park and any associated recreational amenities such as the outdoor community pavilion. | |
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| G.276 | Residential development will occur in five or more phases, as illustrated on Schedule A6-1. The vacant land condominium approval process will be used to implement the phasing of development. | Residential |
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- G.277 The interest in the portion of the property containing these existing dwelling units may be divided by way of a vacant land condominium description, provided that all necessary background justification studies, (including hydrogeological and environmental assessment) are completed to the satisfaction of the authority having jurisdiction.
- G.278 The minimum land area per vacant land condominium unit will generally be 0.6 hectares (1.5 acres) and the minimum frontage shall generally be 60 metres (200 feet) on the internal private road, save and except those units located on a cul-de-sac. The zoning by-law or Development permits will be used to identify and regulate a maximum building size, and lot coverage provisions.
- G.279 Buildings and structures should fit into the landscape with minimal alteration. As much as possible, the removal of natural vegetation and grading of land will be minimized on each vacant land condominium unit or land lease site.
- G.280 Storm water management and construction mitigation measures will be implemented on each vacant land condominium unit and land lease site and shall include the direction of roof leaders to the farthest discharge point from adjacent natural features.
- G.281 A golf course may be located west of the Boyne Creek Wetland, and will not cross the Boyne Creek Wetland or any of its tributaries. Golf Course
- G.282 A golf course management plan, including an integrated pest management strategy, will be prepared prior to the establishment of a golf course, and final site plan approval for the property. Such a plan will demonstrate to the satisfaction of the Township that the irrigation, pest management and fertilization program will not negatively impact the localized water balance, or the nitrogen or phosphorus budgets of the lake and stream. The management plan should also address edge treatments, riparian management, encroachment controls and planting guidelines, as well as a performance-monitoring program.
- Nature Reserve
- G.283 The land within the nature reserve sub-designation is generally intended to remain in its natural state, and to be used only as open space for educational interpretation and recreational trails. Permitted Uses
- G.284 The following uses may be permitted within Nature Reserve designation:
- a) natural open space;
 - b) conservation;
 - c) recreational trails; or
 - d) facilities for educational or scientific interpretation.

G.285	The overall landscape and vegetation, including canopy cover, shrubs and ground cover, will be protected and substantially retained in its natural state.	Landscape and Vegetation Preservation
G.286	Recreational trails for skiing and hiking will be designed and located to fit into and preserve the natural land form, contours, and to protect watercourses.	Trails
G.287	The site plan agreement for the community will detail the location and construction of the trail network, and ensure the substantial maintenance of vegetation.	
Environmental Protection		
G.288	The Environmental Protection sub-designation identifies the Boyne Creek Wetland, which is a provincially significant wetland. The boundaries of this wetland, as defined through a specific wetland impact assessment prepared by Beak International, coincide with the boundaries of the designation. The Lee Lassetter Lake Wetland has also been identified within this sub-designation.	Boundaries
G.289	The Boyne Creek Wetland and the Lee Lassetter Lake Wetland will be protected. Within the Environment Protection sub-designation, development and site alteration, other than the following uses, will be prohibited: a) natural open space and recreational trails which will not have a negative impact on the wetland, result in landform alteration, or require substantial removal of vegetation; b) uses that assist in conserving or managing water supplies, wildlife, or other natural features or functions; or c) uses that employ the characteristics of the area for educational or scientific purposes.	Permitted Uses
G.290	Conservation and interpretation of the wetland may be permitted, and education and recreational activities accommodated provided that there will be no negative impact on the features or functions of the wetland. The Township will require the submission of a supplementary wetland impact assessment where site alteration is proposed to accommodate such uses or activities.	Supplementary Impact Assessment
G.291	Recreational trails will only be established where a wetland impact assessment, prepared to the satisfaction of the Township, confirms that there will be no negative impact on the features or functions of the wetland.	
G.292	With the exception of three additional roads on the site, which will cross an intermittent tributary and riparian wetland component and as	Roadways

shown on the master plan, additional roadway encroachments into or across the wetland or stream through the wetland will not be permitted. The additional crossings permitted will be designed in a manner, which will accommodate biological interaction between the small outlying waterbodies and the Boyne River system.

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| G.293 | Shoreline alteration will not be permitted, and natural shoreline vegetation will be retained. | Shoreline |
| G.294 | A lake management plan will be prepared to ensure that no exotic species introduction occurs in downstream receiving waters, and that the lake level management mimics natural seasonal fluctuations. This plan will also address the feasibility of fish passage between the upper and lower reaches of the Boyne Creek. | Lake Management
Plan |

Implementation

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| G.295 | Prior to the final approval of the first phase of the development, the following matters will be addressed to the satisfaction of the Township: | Vacant Land
Condominium
Approval Process |
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- a) completion of a satisfactory hydrogeological assessment for the existing land lease residential units;
 - b) a development agreement with Muskoka how and when the existing private communal water and sewage disposal system, which is owned and operated by the Owners of the land and currently services 22 dwelling units, will cease to operate;
 - c) confirmation from the District of Muskoka that all requirements respecting the establishment and operation of a solid waste and recycling facility have been completed to their satisfaction;
 - d) provision of adequate fire fighting facilities; completion of a satisfactory environmental impact analysis and/or the establishment of construction limits has been undertaken, where required herein;
 - e) completion of a satisfactory archaeological impact assessment;
 - f) completion of a satisfactory golf course management plan;
 - g) completion of satisfactory stormwater management and construction mitigation plans;
 - h) registration of a site plan agreement against the title of the lands containing the golf course;
 - i) confirmation from the Province of Ontario⁵⁹ that all requirements respecting the primary access from Highway No. 60 have been completed to their satisfaction;
 - j) establishment of a well monitoring program for water quality and quantity;
 - k) establishment of a water quality monitoring program in the Boyne Creek;
 - l) the construction of an outdoor pavilion and a public park that includes a multi-use trail system, kiosk and wetland viewing area.

G.296	Prior to the final approval of subsequent phases of the development, including the construction of a golf course, the following matters will be addressed to the satisfaction of the Township: a) confirmation of satisfactory completion of well monitoring of 35 percent of the permitted dwelling units in each of the successive preceding phases; b) completion of a detailed hydrogeological assessment including a water supply and nitrate assessment which confirms individual well and septic system locations; c) confirmation of satisfactory compliance with the terms of the development agreement with the District of Muskoka; d) completion of a satisfactory golf course management plan; e) confirmation that the Boyne Creek water quality monitoring program indicates that the systems will not have a negative impact on ground water or receiving waterbody; f) completion of a satisfactory archaeological impact assessment; g) confirmation from the Province of Ontario⁶⁰ that all requirements respecting the secondary access from Highway No. 60 have been completed to their satisfaction; h) where the internal roads contained within a particular phase of the development involve a proposed connection to and use of a Township Road, completion of traffic studies and improvements to said road; i) completion of further detailed environmental evaluation including vegetation and wildlife surveys will be undertaken to guide the location of roads, residences and accessory structures; and j) the location and construction of a new community centre.	Subsequent Phases
G.297	Prior to site development or alteration, condominium agreements will be applied against the lands in order to implement the requirements of the policies applicable to the lands. These agreements will detail the method and timing of the requirements of the authority having jurisdiction.	
G.298	The zoning by-law or Development permits will be used to implement the policies for the Echo Valley Community. This will include the use of provisions to control development pending the satisfaction of meeting certain conditions such as a detailed hydrogeological and/or environmental assessment.	Zoning or usage of Development Permits
G.299	Prior to site development or alteration, a master site plan and agreement pursuant to the Planning Act will be applied against the portions of the property outside of the vacant land condominium description in order to implement the requirements of this policy. Each vacant land condominium unit will also be subject to a site plan agreement.	Site Plan

- G.300 Prior to the completion of the last phase of development, the portions of the property outside of the vacant land condominium descriptions and the golf course will be conveyed to an organization which has a mandate of conservation and natural area protection.

Section H: Waterfront

Waterfront Designation

The waterfront designation describes the shoreline communities, which are located around the lakes or along the significant rivers in the Township. These communities are composed of low-density residential development interspersed with resort commercial uses, private or religious camps and marinas that have developed due to the excellent recreational opportunities and aesthetic values offered by these waterbodies.

Historically, visitors came to stay at resorts in the waterfront area. Small summer communities such as Port Cunningham, Glenmount, or North and South Portage developed around a resort or a transportation link. Cottage or second home development grew and residential development extended along the shorelines, as travel became easier with the automobile. Many of the original water-oriented summer settlements now blend into the broader waterfront area with only a small church or community center to distinguish them. Although many residences in the waterfront are now used on a year round basis, this area is still predominantly seasonal in nature.

The shoreline area and water resources, which have attracted settlement, possess physically and environmentally sensitive areas, as described in detail in Sections D and E. water quality, wetlands, natural heritage and habitat areas must be preserved and protected. Constraints such as steep slopes and narrow waterbodies impose limitations on development in the waterfront area for safety, aesthetic or environmental reasons.

The application of the waterfront designation must be flexible in order to respond to the varied terrain and development conditions within the Township. Generally, land that is on the shoreline or which physically or visually relates to the waterfront is included within this designation. The waterfront designation also includes commercial uses such as resorts or marinas, which have a functional relationship with the waterfront. The boundary between the waterfront and rural area must be specifically defined on an area and property basis, and therefore the waterfront designation is best defined through the development permit system.

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| H.1 | <p>The waterfront designation includes those lands beyond a community designation, which generally extend inland 150 metres (492 feet) from any lake greater than 8 hectares (20 acres) in area, or the Muskoka, Oxtongue, Big East and Black Rivers. Specifically, this designation:</p> <p>a) includes land that physically or functionally relates to the waterfront, even though it may extend more than 150 metres</p> | <p>Land Within the Waterfront Designation</p> |
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- (492 feet) from a waterbody; and
- b) includes all islands and land which form the bed of any lake or identified river; but
- c) may not include land that does not physically or functionally relate to the waterfront, even though it is located closer than 150 metres (492 feet) from a waterbody.

H.2	In determining which land is to be included within the waterfront designation, the following guidelines should be used:	Guidelines
	a) 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 waterfront area, and will be based on factors such as slope, drainage and visual connection or potential visual connection if vegetation is removed; b) small isolated parcels beyond the 150 metre distance, such as those on a peninsula, should be included within the waterfront designation; c) both sides of a road running parallel to a shoreline should generally be included within the waterfront designation, unless terrain provides a physical separation, and depending on the distance from the shoreline; d) the extent to which land, buildings, facilities or operations are associated with the waterfront area; e) where a commercial property extends inland beyond the 150 metre distance, the whole property should be included in the waterfront designation, unless it is clearly not functionally related to the operation; and f) where a residential property extends inland beyond the 150-metre distance, the whole property may not have a functional relationship, or be oriented to the waterfront area.	
H.3	The limits of the waterfront designation will be established in the Development Permit By-law.	

Function

H.4	The waterfront designation identifies and describes the overall low-density shoreline community, which is composed of permanent and recreational-residential dwellings, waterfront commercial and open space uses, and is related to the recreational, tourism, eco-tourism and aesthetic opportunities presented by a significant water resource. Waterfront areas are vital to the image, vision and economic vitality of the Township. The ecological character, health and function of the waterfront are recognized as integral to a sustainable waterfront community.	Identification of Shoreline Community
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Basis and Principles

H.5	The following principles will apply to growth and development within the waterfront designation: a) the waterfront area of the Township is an important economic and recreational resource which will be carefully managed to ensure orderly and sustainable development for the long-term; b) the integrity of the natural environment, landscape, shorelines and water quality will be protected; c) cultural heritage, and natural heritage features and habitat will be conserved; d) the aesthetic qualities and scenic features of a waterfront area will be preserved; e) the character of the waterfront area will be maintained; f) the traditional mix of uses in the waterfront will continue; g) development on the land and at the shoreline will be compatible with abutting uses and the surrounding area; h) development will not have a negative impact on the municipal fiscal situation; i) individual private water and sewage services and access will be sustainable; j) the water resources of the Township will continue to be accessible to both private and public users; k) the ability to provide and deliver emergency services, and l) protection against natural hazards	Growth & Development
H.6	The level and extent of municipal services within the waterfront designation will be less than that provided in the communities. In particular, services will be limited in remote locations, or where there is water or private road access.	Service Limitations
	Character	
H.7	The character of the waterfront designation stems from its physical setting at the interface of the land and water, and historic water-oriented settlement including cottage and resort development. The specific character of each waterfront area varies as a result of its location, lake or river size, physical and natural attributes and historic development.	Heritage
H.8	The varied topography, forested landscape and shorelines, views and panoramas, habitat as well as the access to bodies of water have attracted recreation and leisure oriented settlement, and strongly contribute to the character of the waterfront. Many significant natural and environmentally sensitive areas, including the shoreline itself exist within this designation.	Physical Setting

H.9	Settlement in the waterfront designation has traditionally been a mix of residential, tourist and service commercial, and open space uses. Development of the area around the lakes, on islands and along the rivers of the Township is low density and generally has been linear in nature.	Traditional Uses
H.10	Due to the low density of development and the largely seasonal nature of this area, municipal services have generally been limited. Private individual water and sewage systems are used and access to properties is often provided by water or by a network of public and private roads.	Services
H.11	Certain waterfront areas of the Township, particularly smaller lakes, areas with limited access or lands that are or have been in the ownership of the Crown, remain relatively undeveloped and provide potential alternative recreational and tourism opportunities when compared to the populated lakes.	Remote Areas
H.12	In the past, nodes of development formed in certain locations within the waterfront area, usually at a transportation link. These areas are important to the heritage of the shoreline communities, 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.	Historic Settlements
H.13	Residential development is generally linear in nature following the shoreline. Shoreline residential lots are oriented to the water and include a primary structure, shoreline structures and in many cases a sleeping cabin. Back lot development is generally located on larger lots which front on year round maintained public roads. Isolated cases of cluster development may exist, where buildings used previously in a cottage resort operation have been converted to a residential use, but remain in a single ownership.	Residential
H.14	Resorts and private or institutional camps, as well as water-oriented commercial uses such as marinas and contracting establishments which primarily serve the needs of the waterfront community are interspersed throughout the waterfront area.	Commercial
H.15	The waterfront designation also includes extensive areas of natural open space and developed parkland, conservation areas as well as public or private access points to the water.	Open Space

General Policies

Preservation of Waterfront Character

H.16	The character of the waterfront designation will be maintained by
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retaining the traditional mix of land uses and the overall low density of development, as well as preserving the natural environment, in particular, water quality, topography and landscape, shorelines with a natural and undeveloped appearance and significant natural areas and habitats.

H.17 The character of specific lakes should be identified and conserved.

H.18 The following design principles should be implemented for development in the waterfront designation, as is appropriate for the area and the use proposed:

- a) the natural waterfront landscape shall prevail with built form blending into that landscape and existing shoreline vegetation;
- b) natural shorelines will be retained or restored;
- c) lot sizes will be designed in response to the features of the natural landscape, shoreline interface and the character of the lake or river;
- d) disturbance on lots should be limited and minimized and the maximum amount of vegetation should be retained on a lot;
- e) vegetation should be maintained on skylines, ridge lines or adjacent to the top of rock cliffs;
- f) native species should be used for buffers or where vegetation is being restored;
- g) rock faces, steep slopes, vistas and panorama should be preserved;
- h) buildings and structures should be low profile and generally should not exceed the height of the tree canopy, but a prominent building may be considered for resort commercial development where the architecture would resemble traditional Muskoka resorts and it would serve as a landmark.
- i) Building materials are encouraged to be low contrast colours and natural materials such as stained wood and earth-tone paints that imitate natural vegetation.
- j) building mass and coverage should be limited in relation to the size and frontage of the property and the character of the surrounding area;
- k) lot lines should follow existing features and terrain and should be configured so that conflicts between abutting properties will be avoided, particularly at the shoreline;
- l) 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;
- m) roads should generally follow the contours of the land, fit into the landscape, and wherever possible, not run perpendicular

Design Principles

directly to the water. Grades should be gradual to facilitate the use of the road by emergency and delivery vehicles. Roads should be constructed and maintained to an acceptable municipal standard of construction, and including a minimum right-of-way width of 20 m. Provision should be made for a functional turnaround on any dead-ended road.;

- n) disturbance for the construction of roads and other services should be kept to a minimum; and
- o) maintaining natural drainage systems and directing run-off from buildings using appropriate stormwater management techniques.

H.19	A shoreline activity area is the portion or cumulative portions of a shoreline frontage of a lot located within the required setback from the normal or controlled high water mark where accessory shoreline structures such as boathouses, docks or other accessory structures such as pump houses are located, and where there is access to the water for activities such as swimming or boat launching.	Description of Shoreline Activity Areas
H.20	To maintain an appropriate balance between the ecological integrity and function of a natural shoreline and built form within the waterfront designation, shoreline activity areas should be focused within a defined area of the shoreline frontage of a lot and limited in extent. The extent of shoreline activity areas will be based on achieving the following targets, wherever possible: a) 25% of the shoreline frontage or up to 23 metres (76 feet), whichever is the lesser; b) 33% of the shoreline frontage for resort commercial and institutional accommodation and waterfront landings; c) 50% of the shoreline frontage for marinas; and d) in the case where a waterfront residential lot which has a frontage in excess of twice that which would generally be required for the relevant category of lake, consideration may be given to increasing the number and extent of shoreline activity areas, provided that no single shoreline activity area exceeds 23 metres in frontage (76 feet) and that the additional shoreline activity areas are not distributed and situated in areas according to additional required frontages. e) Shoreline activity areas will be designed and planned to balance development with the conservation of the shoreline riparian and littoral areas; consequently, such activity areas should be directed to less ecologically sensitive reaches of the shoreline. The removal of vegetative cover in shoreline activity areas will be minimized.	
H.21	The shoreline frontage other than the shoreline activity areas should be retained, restored or enhanced as a natural vegetative buffer, which is at least 15 metres (49 feet) in depth from the	Natural Shoreline Buffer

normal or controlled high water mark. The preservation, restoration or enhancement of natural vegetated shorelines will be undertaken through the use of development agreements, development permits, zoning and other by-laws to:

- a) protect the riparian and littoral zones and associated wildlife and fish habitat and fish and wildlife corridors;
- b) prevent erosion, siltation and nutrient migration;
- c) maintain the shoreline's natural character, definition and appearance;
- d) minimize the visual impact of development including the footprint and building height of buildings and structures
- e) maintain, restore or improve the biodiversity and connectivity of the natural heritage;
- f) control or prohibit the use of fertilizers, pesticides, herbicides and the storage of fuels and hazardous materials, and
- g) requiring alternative means of access to docks and boathouses through the use of ramps or bridges or other means where these abutting structures would otherwise detract from retaining the shoreline in a naturalized state.

H.22 Within the natural vegetative buffer, meandering natural pathways or access points to the shoreline that are constructed of permeable material, selective pruning of trees for viewing purposes, or the removal of trees for safety reasons may be permitted.

H.23 Waterfront design principles, limits of shoreline activity areas and natural vegetative buffers will be implemented through the Development Permit By-law.

Development
Permits

H.24 Alternative energy sources are encouraged; however, the use of wind turbines, solar power, geothermal and bioenergy (e.g. outdoor furnaces) structures and facilities will be designed and located on a lot to minimize any negative visual and noise impacts to neighbouring properties.

Alternative Energy
Sources

Access

Although a year round maintained public road is the best means of providing public access and services to individual properties within the waterfront area, there is a tradition of cottage development with seasonally maintained public road and private road access. Island or remote properties are accessed by water. Continued development with these types of access is expected. However, delivery of the same level of public services, such as police, fire, ambulance and school busing, provided in the Township, will not be enjoyed where access is limited. The Township should not assume liability where development is permitted with limited services. Therefore, the limitations on municipal services should be recognized in zoning and

appropriate development agreements.

H.25	Development will have frontage on and access from a year round maintained, public road, wherever possible.	Frontage and Access
H.26	In order of preference, development of shoreline lots may be permitted with the following access: a) seasonally maintained, public road; b) a private condominium road that can safely accommodate emergency vehicles and it connects to a municipally owned and year round maintained road; c) a private road, with a legal right of way; or d) water access.	Access Options
H.27	Development of shoreline lots with only water access including islands will 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; c) adequate private or commercial docking and parking facilities are secured on the mainland to the satisfaction of the Township; and d) in the case of a resort commercial use, the parcel on which such mainland facilities are located fronts on and is accessible from a year-round maintained, public road.	Water Access
H.28	Mainland parking and docking facilities for water access properties including islands may be provided through commercial marinas, private individual access points serving a maximum of three properties, or waterfront landings serving four or more properties.	Mainland Facilities
H.29	New lot creation of residential back lots will only be permitted where the lot fronts on and is accessible directly from a year-round maintained public road.	Back Lots
	Waterfront Landings and Access Points	
H.30	An access point is defined as a mainland parking and docking facility and serving a maximum of three residential water access properties including islands. A waterfront landing is defined as a mainland parking and docking facility for a commercial property or for four or more residential properties. These facilities are generally considered to be accessory to a primary residential or waterfront commercial use. Waterfront landings and access points will not include facilities normally associated with a commercial marina use, such as vessel or vehicle sales or	Accessory Use & Facilities

rental, fuel storage or sale, or extensive storage structures.

H.31	Waterfront landings and access points may be permitted or expanded provided the following matters are addressed and implemented through the development permit by-law or other development agreements;	Criteria
	a) the property has adequate area and frontage to accommodate the facility, but should not be smaller than 1400 square metres (15,070 square feet) in area with 30 metres (100 feet) of water frontage for a waterfront landing, and 700 square metres (7534 square feet) in area with 15 metres (50 feet) of water frontage for an access point; b) sufficient docking and parking facilities will be provided to serve the primary residential or resort commercial use; c) the property, particularly the shoreline, is suitable for the use; d) access to and from the landing/access point by both water and land is suitable; e) the landing/access point will not have a negative impact on natural heritage areas. f) the landing/access point is not located within an area affected by a development constraint; g) the landing/access point will be designed in a manner that is compatible with abutting properties; h) parking facilities will be setback at least 20 metres (66 feet) from the normal or controlled high water mark and a natural vegetative buffer will be maintained within the setback area; and i) stormwater management, and construction mitigation is addressed.	
H.32	New waterfront landings and individual access points will be secured through ownership or a registered right of way.	
H.33	The establishment or expansion of a waterfront landing or access point will be regulated in the Development Permit By-law.	Development Permit By-law
	Water and Sewage Servicing	
H.34	Development in the waterfront area will generally be serviced by private individual water and sewage systems, except as provided for in Section C.58 of this Plan. Bioengineered sewage disposal systems designed for phosphorus removal are strongly encouraged.	

Boat Impact Assessment

Significant docking facilities associated with marinas, resorts, waterfront landings or other uses and located at the shoreline, can have an impact on surrounding properties and the boat traffic in particular vicinity. A boat impact assessment provides an evaluation of the physical capability and suitability of a particular site for the location of significant boat mooring or docking facilities.

Boat impact assessments are not intended to address enforcement issues related to boating such as speed or operation of a vessel which are regulated under other legislation⁶¹. Similarly, the boating capacity of an entire lake is not properly addressed through a boat impact study, but rather should be considered through the development of a specific lake plan.

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| H.35 | A boat impact assessment undertaken in accordance with Section J.16 will be required prior to the approval of an application for an official plan or development permit by-law amendment, or upon the request of the Township, where the establishment of a significant boat docking or mooring facility is proposed. A boat impact assessment is intended to evaluate the suitability of the land-water interface of a site and the immediate area to accommodate a significant boat docking or mooring facility and its associated boat traffic. | Purpose |
| H.36 | <p>A significant boat docking facility includes:</p> <ul style="list-style-type: none"> a) a facility or an addition to a facility which from the date of approval of this plan would cumulatively accommodate 15 or more boats; b) a new or expanded facility associated with a commercial use on a narrow water body; and c) the establishment of a new marina, waterfront landing, or a boat livery, as defined in the Municipal Act.⁶² | Significant Docking
Facility |

Land Use Policies

Permitted Uses

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| H.37 | <p>The following uses may be permitted within the waterfront designation:</p> <ul style="list-style-type: none"> a) residential uses; b) waterfront commercial uses; c) open space; or d) conservation. |
| H.38 | <p>Floating residences will not be permitted in the Waterfront designation.</p> |

Lot Requirements

H.39	All lots will be of sufficient size and dimension and possess terrain suitable to appropriately accommodate the use proposed. Among other matters, this should include consideration of the following: a) environmental concerns and development constraints such as steep slopes, flood prone lands and sensitive habitat areas; b) provision of water supply and sewage disposal; c) provision of appropriate access and a safe road entrance; and d) provision of a sufficient area to accommodate buildings and structures without substantial alteration of the natural landscape and vegetative cover.	Size & Dimension
H.40	A variety of lot sizes will be required to address the principles for growth and development and the design principles for the waterfront designation, among other matters. These matters will be addressed prior to the creation of a lot.	Variety of Lot Sizes
H.41	Unless otherwise specified, new lots should be no smaller than 0.4 hectares (1 acre) in area with 60 metres (197 feet) of water frontage.	Minimum Lot Size
H.42	A site evaluation may be required by the Township to determine lot or site suitability, and to identify any necessary mitigation measures.	Site Evaluation

Waterfront Residential

Low-density residential development, with structures setback from the shoreline in order to achieve a natural appearance, is envisioned for the waterfront designation. The traditional form of linear residential development along the shoreline is recognized. Back lot development will be limited through lot size and access requirements.

An existing family compound or cluster type development that is located on one lot may be recognized in zoning, but should not be expanded.

H.43	Within the waterfront designation, residential uses will be limited to single detached dwellings in the form of shoreline development and back lot development.	Form of Development
H.44	Shoreline development consists of a single detached dwelling and accessory buildings and structures located on an individual lot, which are situated in a linear fashion along the shoreline.	Definitions

H.45	Back lot development consists of a single detached dwelling on an individual lot, which 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 generally is parallel to the shoreline, but back lots may also be located on a road which runs perpendicular to the shore.	
H.46	Residential development will only be permitted on islands, where: a) the island is greater than 0.2 hectares (0.5 acres) in area; b) it has been demonstrated to the satisfaction of the Township that the physical and natural characteristics, shape and size of the island make it suitable for the development proposed c) site conditions are suitable for the long-term provision of private water and sewage services, and pump-out services are available; d) the setback requirements and design principles of the plan will be satisfied; e) the development and shoreline structures in particular will not be located on a narrow waterbody f) water quality of the adjacent waterbody will not be compromised; g) the visual impact of development will be minimized through maintenance or restoration of vegetation and limits on shoreline structures.	Islands
H.47	New residential shoreline lots located on an island, which is less than 4 hectares (10 acres) in area, will have a minimum lot area of 0.8 hectares (2 acres).	
H.48	New lots on Category 2 and 3 lakes as identified on Schedule C3, or on lakes specified below will have the following minimum water frontages: a) Category 2 lakes and Peninsula Lake – 122 metres (400 feet); and b) Category 3 lakes – 152 metres (499 feet).	Increased Shoreline Frontage
H.49	Crown land with water frontage that has been released for private development will not be divided, unless to alleviate problems associated with existing development.	Release of Crown Land
H.50	Wherever possible, existing, undersized shoreline lots should be merged to create larger parcels. Development of existing undersized lots for residential use may be permitted where it has been demonstrated to the satisfaction of the Township, that the lot is suitable for development and any other applicable policies	Existing Undersized Shoreline Lots

of this Plan are satisfied.

H.51	New residential back lots will have a minimum lot area of 4 hectares (10 acres) with a minimum of 134 metres (440 feet) of lot frontage on a year round maintained and publicly owned road.	Back Lots – NOTE: This Policy is currently under appeal with the OMB.
H.52	Wherever possible, existing, undersized back lots should be merged to create larger parcels. However, development of existing undersized back lots for residential use may be permitted where: - it has been demonstrated to the satisfaction of the Township that the lot is suitable for development; - the lot satisfies the applicable requirements respecting lot frontage and access; - the lot is greater than 0.8 hectares (2 acres) in area and has at least 60 metres (197 feet) of lot frontage; and - in the case of a lot in an old reference plan, consideration has been given to the potential cumulative impact on the surrounding area and water body.	Existing Undersized Back Lots
H.53	Residential development will be setback from the public road a sufficient distance to provide a buffer which will address visual impact. Within the buffer area, vegetation should be substantially retained and will not be completely removed. Where previously removed, vegetation should be restored using native species.	
H.54	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 will not be permitted. 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. In addition to the tests outlined in Section J.52 for separation of existing uses, lot creation will only be permitted where the entire shoreline remains in one parcel and the requirements of Section H.20 are met.	Existing Residential Compounds
H.55	Setbacks will be established through the Development Permit By-law: - to establish vegetative buffers for shoreline protection and the protection of habitat, wetlands, flood prone areas or other sensitive natural areas; - to maintain a natural area between buildings, reduce the dominance of built form, ensure compatibility, maintain privacy and attenuate noise; and - in the case of shoreline structures, to allow for the movement of boats to boathouses and docks while generally	Setbacks and Standards

maintaining views and privacy between neighbouring properties.

- H.56 Standards will be established in Development Permit By-law respecting the type, location, mass, coverage, maximum floor area, and height of primary and accessory structures, in order to address the intent, principles and policies for shoreline residential development.

Waterfront Commercial

Resort commercial and service commercial uses are traditional and important components of the waterfront area. These uses contribute to the heritage, character and diversity of the shoreline community and the economic base of the Township. Marinas and waterfront contractors provide an essential service for new and existing waterfront residential uses. These businesses provide employment, commercial assessment and spin-off benefits in the retail and service sector.

Support for commercial uses in the waterfront designation is necessary in order to meet challenges such as aging facilities, predominantly seasonal operations, and difficulty obtaining financing. Existing operations must be able to upgrade and expand in order to ensure viability and survival in the market. In particular, resort accommodation must have the ability to upgrade and expand to remain competitive without going through an extensive approval process. However, such expansion must be reasonable so that the character and natural environment of the waterfront area are preserved and impact on abutting properties is minimized.

The existence and health of waterfront commercial uses relies on the natural environment and character of the waterfront. Therefore, these uses must be developed and maintained in a manner which preserves built heritage and character of the Township as well as the natural water resources and landscape of the shoreline area.

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| H.57 | <p>Waterfront commercial uses include:</p> <ul style="list-style-type: none"> a) tourist commercial and cultural arts industry uses; b) marinas are facilities, buildings and structures located on the shoreline which provide docking, mooring, sales, service, repair and storage of boats; and c) waterfront contracting operations are businesses located on the shoreline which provide construction, building and barging services to the waterfront community. | <p>Waterfront
Commercial Uses</p> |
| H.58 | <p>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 Township. These uses are traditional and vital components of the waterfront area,</p> | <p>Contribution to
Waterfront Area</p> |

which will be retained and enhanced.

H.59	A balance will be sought between ensuring the health and survival of the tourism sector in the waterfront area and preserving the resources upon which this sector depends, the natural environment, and the character of the area.	Balance for Tourism Growth
H.60	The continued operation, upgrading, expansion and redevelopment of existing commercial properties within the waterfront will be encouraged and facilitated.	Existing Commercial Properties
H.61	Appropriate limits for the upgrading, expansion or redevelopment of each existing waterfront commercial use will be established in the Development Permit 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, rooms, 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.	Limits to Expansion
H.62	The establishment of new waterfront commercial uses, which are compatible with the character of the waterfront, will be encouraged on suitable sites.	New Commercial
H.63	New waterfront commercial uses will proceed by amendment to this Official Plan to establish the principle of use on an individual property. Such an amendment should also establish policies to guide the scale, size and density of development, and recognize and respond to the characteristics and capacity of that particular site. At a minimum, the consideration of a new waterfront commercial use through the amendment process will ensure: a) the intent of the plan will be maintained; b) the site is suitable for the use proposed (appropriate density, intensity of use, location of buildings and structures, and type of facilities); c) the water frontage is adequate and suitable for the use proposed; d) adequate potable water and sewage disposal can be provided;	Establishment of New Waterfront Commercial Uses

- e) access routes are appropriate or can be upgraded to accommodate the additional traffic;
- f) the proposal will be compatible with surrounding properties; and
- g) development will be phased, where appropriate.

H.64	Storage, service, maintenance and parking areas should be buffered from roadways.	Setback
H.65	Waterfront commercial uses, particularly resort commercial and institutional accommodation, should incorporate substantial active and passive open space areas, and integrated recreational facilities.	Open Space & Recreation
H.66	All waterfront commercial development will require development permit approval.	Development Permit By-law

Special Policy Areas

Bigwin Island

H.67	Notwithstanding Sections E.11, E.12, H.41, H.19 to H.22 inclusive; H.36 as it relates to the docking facilities shown on the approved site plans prior to November 1, 2002; and any other provision to the contrary, development will be permitted on the lands illustrated on Schedules A1, A7 and A7-1, subject to the policies and provisions for Special Policy Area – Bigwin Island (Sections H.67 to H.75 inclusive), the requirements shown on schedule A7-1 and any other applicable policy of this plan.	General
H.68	The establishment of a causeway, bridge, or any other permanent fixed connection from any point on the island to any point on the mainland will not be permitted.	
H.69	Development on the island will have regard for the natural environment. In this regard land and water use policy, and implementation documents will establish regulations in order to mitigate impacts upon designated littoral or riparian habitat areas.	
H.70	Implementation documents including subdivision and other agreements will recognize that emergency (e.g. fire and ambulance services) are not generally available to the properties affected by this Special Policy Area, due to their location on an island. As such, developers will be required to make contributions toward the establishment of base firefighting facilities to service the island or parts thereof (e.g. development charges, dual purpose irrigation pumps and distribution system,	

provision of fire pumps).

- H.71 Schedule A7 establishes the pattern of development within the Bigwin Island Special Policy Area, by dividing it into the following specific land use designations:
- a) Bigwin Waterfront Residential;
 - b) Bigwin Condominium Residential;
 - c) Bigwin Open Space and Estate Residential; and
 - d) Bigwin Resort Commercial.
- H.72 The following general policies will be applied in all of the specific land use designations outlined in Section H.71:
- a) all new development will be generally set back a minimum distance, from the controlled high water mark, of 30 metres (98 feet). For purposes of this section, development will include waste disposal leaching beds and buildings and structures, but will not include marine related works in accordance with municipal policies. Similarly, redevelopment of existing buildings and structures within the said setback will be permitted subject to Council approval where required. Exceptions to such setback provision may be detailed in implementing documentation where lot shape or topography dictate otherwise. For undeveloped lots that existed prior to September 14, 1994, relief from such setback provisions may be provided where physical site conditions would to permit the subject requirements from being met. The setback provisions will be incorporated into implementing development Permit By-law and development permits, as well as subdivision agreements. Where a subdivision of land is proposed, the setback provisions will also be incorporated into an implementing subdivision agreement;
 - b) within the 30 metres (98 foot) or greater setback described in Section H.72 a), no cutting of vegetation will be permitted and the soil mantle will remain undisturbed except as detailed herein. Restrictions will be implemented in a Development Permit and/or site plan agreement required for the development of each lot, and such restrictions will be detailed in subdivision agreements where such agreements can be secured. The agreements will provide for an inventory of significant vegetation detailed by species and size on the site prior to development proceeding and specify the measures to be used in order to protect such significant vegetation (significant vegetation is defined as canopy, ground cover, and shrubs suitable to support deer) from damage due to construction and ongoing use. The restrictions will be referenced in an implementing subdivision agreement or special agreements as required and detailed in implementing site plan agreements, or development permits or development permit agreements. The agreements will be registered against title of each lot prior to any development

or redevelopment of such lot. Particular regard will be had to the retention of significant vegetation which may be improved to provide deer wintering habitat (Practices to maintain and enhance such habitat on site are identified in Schedule A7-1 and Sections 1 and 2 of Appendix C). In order to further assist in minimizing disturbance within the setback area, access for heavy construction equipment and material will, where possible, be provided via a common construction right of way adjacent to the rear of some lots (Schedule A7-1 and Section 1 of Appendix C);

- c) in order to optimize existing natural shoreline cover and protect the littoral zone surrounding the island, all shoreline or marine related works will be approved on a site-specific basis. Development restrictions will be included in an implementing subdivision agreement, where applicable, and detailed in required implementing site plan agreements or development permits and development permit agreements. In addition, where development is proceeding via a plan of subdivision or any other agreement, conditions of approval will note that activities on the lakebed or lands flooded by the lake may be required to be approved by the authority having jurisdiction;⁶³
- d) consistent with policy to retain as much as is possible of existing vegetation on the site, any new utility corridors (Ontario Hydro/Bell Telephone) will be set back from the water's edge a minimum of 30 metres (98 feet), and the number and the width of clearing for such corridors will be minimized;
- e) the existing base drainage pattern on the island will be maintained. Overland sheet flow will be facilitated and maintained in existing quantity and quality over all residential and commercial properties on the island. Open space areas will similarly utilize existing drainage patterns, except where they are associated with redevelopment of the golf course or estate housing, in which case stormwater detention plans and programs will be required. Construction mitigation and drainage plans will be required on all new development on the shoreland;
- f) prior to final approval of a plan of subdivision or site plan approval or development permits and development permit agreements for required works or development on the island, stormwater management and construction mitigation plans will be approved by the Township, where required;
- g) the location of individual waste disposal leaching beds and associated mantles will be specifically identified and flagged on all vacant proposed residential lots at the time of submission of a plan of subdivision and in the case of open space, estate residential and commercial uses, at the time of submission of a site plan application or development permits and development permit agreements;
- h) subdivision agreements will include specific provision related

to solid waste management on the island. In particular, all residential lots or units will be required to provide on lot composters. A centrally located solid waste collection station and recycling facility operated and maintained by private contract will be established on the mainland and a centrally located waste collection station and recycling facility will similarly be located on the island;

- i) all new development fronting onto the shoreline will be serviced by private individual sanitary waste disposal works and private potable water supplies. Where a subdivision of land process is required in order for development to proceed, an implementing subdivision agreement will provide notice to the effect that septic tanks should be pumped by a licensed hauler every three years, or as required by the authority having jurisdiction;⁶⁴
- j) no lot will be conveyed for residential purposes and no site plan approval will be granted for commercial, estate residential or open space purposes until such time as appropriate vehicular parking facilities and vessel mooring facilities have been constructed, or otherwise secured on the island and on the mainland;
- k) linked open space or recreational trail networks will be permitted and encouraged within all specific land use designations. Certain interior access routes designed to accommodate pedestrian or cart traffic will be constructed in such a manner so as to accommodate service vehicles and construction vehicles on the site;
- l) parkland equivalent to a maximum of five percent of the area subject to subdivision on Bigwin Island will be secured where a dedication of parkland is determined necessary and appropriate by the Township. The Township may in lieu of parkland dedication require cash in lieu of such dedication as detailed in an implementing subdivision agreement;
- m) where the Township considers the taking of land for parkland purposes, it may also, as part of such determination, consider as part of the required dedication, the need, location, use and appropriateness of land for beach purposes and the location and use of such beach will then be subject to further public consultation;
- n) golf course: it is intended that the Township will ensure that the development of estate residential lots in connection with the golf course will not proceed until such time as the golf course and the various supporting access requirements are established or secured to service the said lots;
- o) mainland support: the policy of the Township will require that developers on Bigwin Island ensure development of required mainland support services in connection with commercial development on Bigwin Island. Pump out of septic systems will be accommodated in the design of mainland support services;

- p) mainland Bigwin Resort: the developer will utilize land owned on the mainland in such a manner so as to provide the support mechanism for the subdivision development and will provide in the subdivision agreement for the establishment of financial assurances and letters of credit necessary to ensure the proper development of mainland support services, including but not restricted to, docks, parking facilities, boat storage facilities, road access facilities, launching facilities, and commercial material compound facilities. Alternatively, the subdivision agreement may prohibit the conveyance of any residential lot in the plan until such time as the subject works have been constructed to the satisfaction of the Township or secured through an implementing site plan or development permits and development permit agreements or other agreement; and
- q) mainland parking: the developer will establish adequate parking facilities for development undertaken in accordance with the by-laws in force. Save and except for lots of record, parking facilities may be established on lands other than those designated, providing the lands are secured and held exclusively in support of the island development.

H.73 The following policies will apply within the individual land use designations illustrated on Schedule A7:

a) Bigwin Waterfront Residential:

- (i) the uses permitted within the waterfront residential designation will be limited to one single household dwelling unit per lot and uses, buildings and structures accessory thereto;
- (ii) all new lots established within such designation will have a minimum water frontage of 60 metres (197 feet) and a minimum lot area of 0.4 hectares (1 acre). Notwithstanding this provision, lot frontages may be increased where required by the Township to ensure that shoreline preservation and occupancy of the lot by residential uses are compatible;
- (iii) the maximum total number of lots within the designation on lands owned by R.A.P. Trading and the Bigwin Resort and Development Corporation as of September 14, 1994, will not exceed sixty (60);
- (iv) significant, non-marine related buildings and structures such as private cabins or accessory buildings will not be permitted to be located within the required setbacks from the controlled high water level;
- (v) where marine related structures are approved for construction by the authorities having jurisdiction, such structures will generally be located on the shore in such a manner so as to minimize visual impact on the shore. In this regard, the clustering of boathouses adjacent to mutual property lines will be a principle to be regarded;

- (vi) all docks will be duly approved by the authority having jurisdiction⁶⁵ and the Township; and
- (vii) where more than one legally conveyable residential lot abuts another such residential lot and both are held in the same ownership, and where a principal residential dwelling unit has been constructed on one of the lots, an accessory marine related structure may be erected on or in front of the vacant residential lot, provided that relief from the zoning by-law is approved by the Township and the development is subject to site plan control and the Development Permit By-law.

b) Bigwin Estate Residential and Open Space:

- (i) the uses permitted within the estate residential designation will be limited to one single household dwelling unit per lot and uses, buildings and structures accessory thereto;
- (ii) the minimum lot size for estate residential lots will be not less than 0.5 hectares (1.2 acres) and will be sufficient to sustain all environmental services and require that each lot will have a minimum frontage of 60 metres (197 feet) on the interior access routes;
- (iii) the density of estate residential development will not exceed 16 lots per 40 hectares (16 lots per 99 acres) of designated lands to a maximum of 53 lots, and subject to the provision that for each estate residential lot which is approved there will be a reduction of one commercial unit available for development in the Bigwin Resort Commercial Designation;
- (iv) estate residential lots will have direct access onto a developed recreational amenity, which will be built prior to conveyance of any estate residential lot or otherwise secured by the Township. A recreational amenity in this case, will be defined as a golf course;
- (v) internal estate lots will have deeded access to waterfront mooring facilities and utility corridors where necessary. Such access will be maintained as private transportation access which may be used by all other island lot owners, resort guests, or community members holding social or recreational membership at the golf club or resort;
- (vi) no conveyance of any internal estate residential lot will be permitted until vessel mooring facilities to service such lot have been constructed or otherwise secured;
- (vii) permitted open space uses will include a golf course (private or public membership), park, marine landing and mooring works, developed trail systems, and other similar recreational uses, buildings and structures accessory thereto;
- (viii) open spaces and golf course lands may be designed and

- described as easements over private property;
- (ix) all residential lots in the estate residential designation will proceed by way of subdivision development and such subdivision will not be registered until such time as the golf course and associated facilities are developed in accordance with the approval of Council;
 - (x) all property which is to be developed for any purpose will be planned in such a way so as to minimize the removal of trees and vegetation, to utilize stormwater drainage practices which recognize the quality and quantity of the existing drainage pattern, to minimize the changes to the terrain, and such plans will be required to be presented to the Township prior to the particular development proceeding. Any altered areas are to be stabilized after construction or alteration with the planting of vegetation indigenous to the surrounding area;
 - (xi) all interior residential lots will be considered for subdivision only after a Servicing Options Report has been approved and the lot area and service requirement will be established on the basis of an approved report, but will in any case be larger than 1.2 acres; and
 - (xii) concurrently with development permit areas which would provide for the estate residential area and the golf course, the land not consumed for such uses will be zoned to an open space zone which would provide for outdoor recreational uses, buildings and structures accessory thereto.

c) Bigwin Resort Commercial:

- (i) the uses permitted within the resort commercial designation will include a golf club, restaurant, administrative works, recreational, social and sports clubs including a golf course and a tourism resort;
- (ii) the total number of accommodation units within the designation of Bigwin Resort Commercial will not exceed one hundred and fifty-three (153) units subject to a unit for unit reduction for each estate residential unit permitted on the golf course to a maximum of 53 units of Estate Residential;
- (iii) the resort commercial operator may establish and maintain as a commercial enterprise, and subject to applicable laws all transportation, waste management, recycling and property protection services within the resort commercial areas on the island and/or on the mainland designated for that purpose; and
- (iv) development of services will be in keeping with approvals of the authorities having jurisdiction, ⁶⁶ and where they are communal, will be secured financially to ensure long term operation.

d) Bigwin Condominium Residential:

- (i) the uses permitted within the Condominium Residential designation will be limited to medium density residential dwelling units, and uses, buildings and structures accessory thereto;
- (ii) the total number of dwelling units within the designation will be limited to those existing or approved at the date of adoption of the Amendment (79 units);
- (iii) notwithstanding any other policy of this Plan, Muskoka Condominium Corporation # 1, having been established prior to 1972 may continue to operate on private water and sewage services and may amend its registration to add more land but not more dwelling units;
- (iv) mainland parking: it is understood that the mainland parking for Muskoka Condominium Corporation #1 is established at Norway Point on land leased and upon which an agreement has been registered dealing with the securing of mainland parking facilities from R.A.P. Trading and Bigwin Resort Development Corporation. Such facilities will be maintained at that location or established on another location by agreement acknowledged by the Township and providing such agreements are in place for Muskoka Condominium Corporation #1;
- (v) further development or redevelopment or repair or maintenance of Muskoka Condominium Corporation #1 will proceed in accordance with the Building Code Act and the planning documents of the Township; and
- (vi) Muskoka Condominium Corporation #1 lands will be utilized in such a way that a single dock with a finger dock system on the island will be established and individual owners will be discouraged.

H.74

The following policies will apply to all development proposed on lands described as being Part of Lots 19, 20, 21, 22, 23, 24 and 25 and the Original Shore Road Allowance in front thereof, Concession 2, Franklin Ward, and the original road allowance between Lots 20 and 21, Concession 2, Franklin Ward and Part of Lots 23, and the Original Shore Road Allowance in front thereof, Concession 13, Ridout ward, all in the Township of Lake of Bays (as owned by R.A.P. Trading Corporation in Trust and the Bigwin Resort Development Corporation on September 14, 1994):

- a) a transportation system intended to service this development for both passenger and goods services will be set up, established and maintained by private enterprise. The provisions for such service may be detailed in subdivision (or other) authorized agreements. Encouragement will be given to the consolidation of such service with other landowners on

- Bigwin Island that may benefit from same;
- b) solid waste collection and recycling facilities will be provided by the developers and subsequent owners and such facilities will be designed and made available for use to other owners on the island on a pro rata basis. Vessel launching and loading facilities required to service island properties for septic pump-out purposes will be provided on the mainland;
 - c) the residential, commercial, open space and recreational uses on the island are designed to be private in ownership. However, access by membership to the social and recreational facilities on the island will be made available. Notwithstanding this provision, access to all public areas acquired through parkland dedication (i.e. public beach, public trails, or other features of public interest) will be accessible to the community in general without the need of a card or any proof of any residency or membership;
 - d) prior to redevelopment of Norway Point, the Purser's Cabin, Attendant's Quarter, and Stone Fronted Utility Building will be subject to a Heritage Assessment as carried out by a qualified individual endorsed by the Township and the Province.⁶⁷ The Purser's Cabin if not to be incorporated in the site plan or development permit for the property will be offered for acquisition to a local heritage organization, which offer will include the Muskoka Pioneer Village;
 - e) land subject to this special policy area will generally be subject to a requirement for the identification and preservation of sacred or historic features. Where evidence of encampments or burial have been identified through the investigations of the sites by representatives of the indigenous people, by duly qualified archaeological investigators, or by uncovering due to grading or construction operations, such sites will be catalogued and no development will proceed until consultation with the Province⁶⁸ and representatives of the indigenous people has been completed to the satisfaction of the Township to determine what protective or other measures are required and meaningful in order to respect such historic artifacts and uses. The owner may deed lands or interest in lands identified as sacred to the appropriate Tribal Council or the Township as agreed for preservation where required. Development of affected sites will proceed in consultation with the representatives of the indigenous people. The developer may deed any lands identified as sacred to the appropriate Tribal Council or to the Township as agreed for preservation where required.
 - f) all buildings and structures located within the resort commercial designation will be subject to photo documentation by an individual endorsed by the Township and the Province.⁶⁹ Prior to redevelopment of significant structures within such designation (including specifically the Rotunda building and Canadiana building) a further Heritage

Assessment of such buildings will be completed. Additionally and notwithstanding the results of such further assessment, the Rotunda and Canadiana structures may be adapted for re-use preserving their important architectural and historic features. Other significant buildings on the property, including the Sumaro and West Lodge, will be examined for their potential use as part of any redevelopment in the resort commercial designation if deemed economically feasible by the Owner. Where public or community funds are used to assist in preserving such buildings for heritage value, then community access to same will be provided and detailed in an implementing Heritage Easement Agreement, with reference to appropriate Heritage legislation;

- g) photo documentation of the Mohawk Belle and Water Tower will be completed prior to restoration of the dry dock or the Water Tower; the stone foundation central to the site will be further researched prior to disturbance, if any, and measures to protect and preserve the stone cairn on the north side of the island will be identified prior to final plan of subdivision approval. Additionally, the remnants of the dry dock on the north side of the island will be preserved, although improvements to same may be effected to provide communal boat docking and access to the island, and provided the dry dock structures will not be expanded;
- h) development of the subject lands will be phased. The first phase will consist of the proposed perimeter lots. Subsequent phases of development will not be permitted until the recreational amenities in support thereof have been developed or secured, and in no event will estate residential development be permitted until the golf course is constructed or otherwise secured;
- i) prior to final site approval or the issuance of a development permit for the golf course, a management manual or agreement for the operation and maintenance of same will be submitted to the Township. The subject manual or agreement will, among other matters, identify environmental practices to be employed to mitigate against nutrient migration and enrichment;
- j) the site plan or development permit applicable to the Norway Point lands will require that landscaped screening, using indigenous vegetative species of sufficient size to effect a visual barrier, be established to ensure that the parking area is not visible from the water or abutting residential properties. Additionally, low intensity, ground effect lighting will be required to lessen the visual impact of the parking lot development; and
- k) implementing subdivision agreements will require that access for construction of primary waterfront residential structures and construction of sewage systems servicing same will, where feasible, be constructed via a common construction access located to or on the rear of waterfront

lots, developed in the location of proposed lots 5, 6, 8 to 21, on the subdivision plan submitted.

- H.75 The following policies and instruments will be used, among others, to implement the policies and provisions of this special policy area. It is acknowledged that certain specific approvals of other agencies are necessary prior to development proceeding in addition to those detailed herein:
- a) all perimeter residential development will generally proceed via plan of subdivision;
 - b) in addition to the matters detailed previously for this special policy area (e.g. notice on title respecting no fixed link to the mainland, emergency services restriction, retention of vegetative waterfront buffer and site plan control or development permitting, requisite approval of authorities having jurisdiction, solid waste management, construction access, etc.) implementing subdivision agreements registered against title will not be removed from title of individual lots where covenants intended to run with the land in perpetuity are incorporated;
 - c) an amendment or amendments to the zoning or development permit by-law of the Township will be processed in order to implement the provisions of the Bigwin Island special policy;
 - d) site plan control or development permits will be applied against all land and development on the island and all lands on the island will not be excluded from the application of site plan control;
 - e) where the Province of Ontario⁷⁰ or other agency requests the deeding of flooded land to the crown or other public agency as a condition precedent to approval, such land will be so conveyed provided the agency guarantees that no rent or other fee will be paid in perpetuity to the crown or other agency for occupation of crown lake bed of permitted structures thereon. In the alternative, the flooded land may be held by the Township;
 - f) when site plan control or development permits are required to be implemented in this plan for protection of riparian or littoral vegetation and soil mantles, the agreements implementing such site plans will provide notice that the Township will monitor compliance from time to time without prior notice and such monitoring will be completed at least every three years; and
 - g) the required 30 metre (100 feet) or greater setback as detailed in an implementing development permit by-law amendment on lots identified by the Township as having significant vegetation will have such setbacks monumented as part of the subdivision approval process in order to properly and effectively identify the limit of such setbacks.

PADDLEFOOT

H.76	On Part Lots 11 & 12, Concession 14, Ridout Ward, an institutional accommodation use, which provides accommodation, outfitting, educational, training and recreational facilities available to the general public is permitted. In addition, appropriate accessory tourist commercial structures and only two accessory residences will also be permitted.	Permitted Uses
H.77	Development will generally occur in accordance with the master site plan, prepared by Wayne Simpson & Associates, and dated June 23, 2004. The details of the master plan for the development will be specified and implemented through a by-law amendment and in accordance with Section H.66 of the Township Official Plan. Substantial deviations from the master plan will be considered in accordance with Section H.63 of the Township Official Plan.	
H.78	All development, including the tile bed for the private sewage disposal system, save and except for pathways/walking trails, as illustrated on the master site plan, shall be located in the Roundabout Lake watershed.	Longline Lake Watershed
H.79	Except as noted H.76, the only uses permitted on the portion of the lands located in the Longline Lake watershed include: a. natural open space; b. conservation; and c. recreational trails.	
H.80	The following matters shall be addressed to the satisfaction of the Township in a development agreement that shall be registered against the title of the lands: a. the design, construction and conveyance of a cul-de-sac to the satisfaction of the Township at no expense to the Township; b. the design of the private access road, any associated watercourse crossings and associated stormwater management study shall be completed by a registered professional engineer to the satisfaction of the Township; c. the construction of the private access road shall be supervised by a registered professional engineer to the satisfaction of the Township; and d. building location and profile drawings, as well as the extent of the shoreline activity area and related lot grading and drainage plans shall be submitted to the satisfaction of the Township.	Development Agreement

RIL LAKE – BALENOVIC

H.81 The lands identified on Schedule A to OPA 12 and known as being Part of Lots 27 & 28, Concession 7, Geographic Township of Ridout, now in the Township of Lake of Bays, may be divided into a total of two waterfront residential lots that front onto Ril Lake which is defined as a “Moderately Sensitive” and “Over Threshold” lake by the District of Muskoka’s Lake System Health Program. The following site specific policies apply to the lots and are based on the findings of the Phase 1 and Phase 2 Water Quality Impact Assessment, submitted by Michalski Nielsen Associated Limited and dated August 2011, amended in September, 2011 and the peer review completed by Hutchinson Environmental Science Limited, dated September, 2011.

H.82 To ensure that development will occur in accordance with the Water Quality Impact Assessment and peer review, the following matters shall be addressed to the satisfaction of the Township in a site specific amendment to the Development Permit By-law:

- a) Only one single family detached residential dwelling and related accessory structures is permitted on a lot.
- b) All building and structures, except for permitted accessory shoreline structures shall be setback a minimum of 52 metres from the shoreline on the westerly lot. The minimum depth of the shoreline buffer shall be 50 metres.
- c) All building and structures, except for permitted accessory shoreline structures shall be setback a minimum of 33 metres from the shoreline on the easterly lot. The minimum shoreline buffer shall be 30 metres.
- d) Vegetation in the shoreline yard for each lot shall be maintained as a natural shoreline buffer, with the exception of the construction of a pathway or stairs in the identified shoreline activity areas. The pathway or stairs shall not exceed a width of 2 metres and shall be constructed to avoid the removal of trees and/or re-grading of the natural soils. Vegetation removal in the identified shoreline activity areas will be limited and not permitted along the edge of the shoreline.
- e) All water habitat features along the entire shoreline (i.e. woody debris) are to be left in their current location in the near shore area.
- f) Permitted shoreline structures shall be located within a specified shoreline activity area.
- g) Vegetation removal outside of the identified building envelopes shall be limited.

H.83 The following matters shall be addressed to the satisfaction of

the Township in a development agreement that shall be registered against the title of the lands:

Prior to any clearing or vegetation removal, appropriate sediment and erosion control works must be installed along the down gradient edge of any building envelopes (at or above the limits of the required shoreline yard buffer).

Site alteration and the stockpiling of soils on each of the properties shall be kept to a minimum. All disturbed areas are to be properly graded and stabilized in accordance with appropriate stormwater management techniques.

The dwelling shall be designed to include rooftop leaders that drain upslope of the proposed dwelling and incorporate the use of infiltration chambers to collect stormwater.

Driveways, parking areas and pathways should be designed and constructed to permit natural infiltration of runoff.

Identify the baseline conditions and continuous monitoring of the natural shoreline vegetation, stormwater management and construction mitigation techniques on each lot shall be initiated prior to any site alteration or vegetation removal or prior to the commencement of any construction. The terms of this agreement will include such things as timing for the submission of documentation (photographs, etc.), security deposits, etc. and a requirement that monitoring will continue until such time as the waterbody is no longer considered to be "Over Threshold".

RIL LAKE – STRAKER

- H.84 The lands identified on Schedule A to OPA 13 and known as being Part of Lot 30, Concession 8, Geographic Township of Ridout, now in the Township of Lake of Bays, may be divided into a total of two waterfront residential lots that front onto Ril Lake which is defined as a "Moderately Sensitive" and "Over Threshold" lake by the District of Muskoka's Lake System Health Program. The following site specific policies apply only to the vacant severed lot and are based on the findings of the Phase 1 and Phase 2 Water Quality Impact Assessment, submitted by Riverstone Environmental Solutions Inc. dated October 2011 and the peer review completed by Hutchinson Environmental Science Limited, dated March, 2012.
- H.85 To ensure that development will occur in accordance with the Water Quality Impact Assessment and peer review, the following matters shall be addressed to the satisfaction of the Township in a site specific amendment to the Development Permit By-law:
- a) Only one single family detached residential dwelling and related accessory structures are permitted on the proposed severed lot.

- b) All building and structures, except for permitted accessory shoreline structures shall be setback a minimum of 30 metres from the shoreline on the severed lot. The minimum depth of the shoreline buffer shall be 20 metres.
- c) Vegetation in the shoreline yard for the severed lot shall be maintained as a natural shoreline buffer, with the exception of the construction of a pathway or stairs in the identified shoreline activity area. The pathway or stairs shall not exceed a width of 2 metres and shall be constructed to avoid the removal of trees and/or re-grading of the natural soils. Vegetation removal in the identified shoreline activity area will be limited and not permitted along the edge of the shoreline.
- d) All water habitat features along the entire shoreline (i.e. woody debris and cobble) are to be left in their current location in the nearshore area.
- e) Permitted shoreline structures shall be located within a specified shoreline activity area.
- f) Vegetation removal outside of the identified building envelopes shall be limited.

H.86 The following matters shall be addressed to the satisfaction of the Township in a development agreement that shall be registered against the title of the lands:

- a) Prior to any clearing or vegetation removal, appropriate sediment and erosion control works must be installed along the down gradient edge of any building envelopes (at or above the limits of the required shoreline yard buffer).
- b) Site alteration and the stockpiling of soils on each of the properties shall be kept to a minimum. All disturbed areas are to be properly graded and stabilized in accordance with appropriate stormwater management techniques.
- c) Any imported soils used in the construction of the private individual sewage disposal system must have a high absorption capability to retain phosphorus.
- d) The dwelling shall be designed to include rooftop leaders that drain upslope of the proposed dwelling and incorporate the use of infiltration chambers or rain gardens to collect stormwater.
- e) Access to the proposed severed lot will be from McArthur Point Road near the proposed severance line and utilize the existing trail to minimize the disturbance of soil and vegetation removal.
- f) Driveways, parking areas and pathways should be designed and constructed to permit natural infiltration of runoff.
- g) Identify the baseline conditions and continuous monitoring of the natural shoreline vegetation, stormwater management and construction mitigation techniques on each lot shall be initiated prior to any site alteration or

vegetation removal or prior to the commencement of any construction. The terms of this agreement will include such things as timing for the submission of documentation (photographs, etc.), security deposits, etc. and a requirement that monitoring will continue until such time as the waterbody is no longer considered to be "Over Threshold".

Specific Lake Plans

Each lake possesses its own character that is a result of its location, size, physical and natural attributes and historic development. Each lake has its own recreational carrying capacity, which refers to the point at which the shoreline facilities and the recreational activities, which they generate, are in balance with the ability of the water body to withstand the impact. Specific lake plans are intended to identify, reflect and respond to the character and physical capabilities of an individual water body and shoreline community within the broader framework of the waterfront designation and policies. Where a lake is nearing capacity related to the phosphorus budget for recreational water quality, a specific lake plan should identify the method by which the remaining development capacity will be allocated. In the absence of such a plan, recreational water quality capacity is allocated on a first request basis.

A plan for a particular lake is expected to be developed by or with the community affected, have a geographic basis and specific policy, which will be inserted by amendment into this section of the Official Plan.

H.87	Specific lake plans should be prepared for individual lakes, or parts of larger lakes, in order to identify, reflect and respond to the character and physical capabilities of an individual waterbody and shoreline community.	Character of Individual Lakes
H.88	The following matters, amongst others, should be identified geographically and addressed through specific planning policy in a lake specific plan: a) location and access; b) location in relation to the watershed; c) drainage basin and related watercourses; d) size and shape of the lake; e) distinct areas or neighbourhoods on larger lakes; f) number and location of islands and narrow water bodies; g) topography, landscape, shoreline features and hazards; h) shoreline constraints and influences;	Matters to be Addressed

- i) natural heritage systems and linkages;
- j) water quality;
- k) cultural heritage resources and historic development;
- l) built heritage resources and cultural heritage landscapes;
- m) existing land uses;
- n) boating capacity;
- o) open space, recreation areas or trails;
- p) public access points;
- q) development potential and capacity;
- r) natural areas or landscape features to be preserved;
- s) definition of character to be preserved;
- t) light pollution;
- u) coordination with adjacent municipalities with overlapping watersheds; and
- v) Aboriginal interests; and specific policies and standards for development.

PENINSULA LAKE PLAN

Peninsula Lake is located just east of the Town of Huntsville and Municipal jurisdiction is split between the Town of Huntsville and the Township of Lake of Bays. It is located along Highway No. 60 and abuts the community of Hillside.

Over the past 100 years, there have been many changes on Peninsula Lake. People have been attracted to the area by its recreational opportunities, natural environment and social values. Once a pristine environment, untouched by human hands, the lake now has its own character that has developed based on the residential and commercial development located along its shoreline.

The Peninsula Lake community undertook a lake planning process to preserve and enhance the future of their lake and watershed. The document incorporates a Vision and a series of recommended site specific land use planning policy changes which enhance the policy direction contained in the Township Official Plan.

Vision Statement

We the members of the Peninsula Lake community, share the following vision for the future of the lake. We wish 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;*
- *Historic and cultural features, including neighbourhoods, areas and buildings.*

The vision and specific policies form the basis of the following principles:

1. The natural, social and historic character of the lake must be protected and enhanced. Opportunities to rehabilitate degraded features and areas will be sought.
2. The plan will focus on end results and balance a range of means to achieve those results such as regulation, communication and education.
3. Education and regulation will support the implementation of the plan. Implementation will favour educational processes and voluntary compliance over legislative and regulatory constraints.

While the Association has been very active in implementing stewardship initiatives, this section identifies the means to implement some of the land use policy recommendations contained within the document.

- H.89 Peninsula Lake is generally characterized by the peace and quiet and natural beauty of the lake's surroundings. This natural beauty incorporates features such as natural shoreline vegetation, the skyline or horizon, and the relatively unbuilt appearance of the shoreline together with the balance of landscape types, heritage and cultural features and economic diversity.
- H.90 In addition to Sections H.17 and H.18, regard will be given to the specific character of Peninsula Lake when reviewing development applications within the watershed.
- H.91 Extensive areas around the lake contain silty and fine soils and particular attention should be given to stormwater management practices in these areas in accordance with Sections D.46 through D.50.

- H.92 In accordance with Section H.48 a), new shoreline lots will have an increased water frontage.
- H.93 There are only three public access points on the lake. These areas should be retained in public ownership and used as a point of entry for non-residential lake owners.

PAINT LAKE (ST. MARY'S LAKE) PLAN

Paint Lake is located approximately 3 kilometres south of Dorset along District Road No. 117. The lake is accessed from Paint Lake Road which is located along the southerly limit of the lake. Paint Lake, formerly known as St. Mary's Lake, is joined to Lake of Bays by the Paint Lake (St. Mary's) Creek.

Over the past 150 years farming, logging and trading activities in the watershed were gradually replaced with resorts, camps and permanent and seasonal residential dwellings. In recent years all of the commercial and private camps disappeared and only residential uses and one municipal access point exist today.

The Paint Lake community undertook a lake planning process in 2003 with the purpose of preserving and enhancing the qualities of the community for the generations to come. The Paint Lake Plan incorporates a Vision and a series of policy statements and actions which enhance and support the policy direction contained within the Township Official Plan.

PAINT LAKE VISION STATEMENT:

Paint Lake's vision for the future is ...

" A community where pristine water quality, natural beauty, safe recreational activities, protection for wildlife and aquatic species, and peace and tranquility abound, and are sustained for present and future generations to enjoy".

This vision is based on the successful implementation of the following targets:

1. Water Quality - The water of Paint Lake should not contain contaminants in excess of the natural historic levels.
2. Fish and Wildlife - There is an abundance and range of fish and wildlife species in the Paint Lake watershed, including naturally

reproducing brook trout and it is important to maintain stability in this biodiversity.

3. Natural Shorelines and Riparian Areas - The shoreline can be described as the "ribbon of life" that supports a diverse range of fish and wildlife species. The protection and rehabilitation of the shoreline should be promoted to increase the amount of natural shoreline.
4. Natural Appearance and Vistas - The natural vista should be maintained. Buildings, structures and certain permitted uses should have a minimal impact on the natural appearance of the shoreline and the landscape.
5. Property Development - A cooperative working relationship has to be fostered between residential members of the Paint Lake community to ensure that current and new development and landscaping activity respect the environment and character of the lake, as well as maintain property values.
6. Historical, Cultural and Natural Character - The historical, cultural and natural character of the lake is to be recognized, protected and restored, where appropriate. Future residential development must complement and be compatible with the historical, cultural and natural character of the lake.
7. Social Life - A range of social and recreational activities should be promoted that are consistent with the natural character of the lake, preserves the health and ambience of the lake, and fosters a sense of community around the lake.

- H.94 Paint Lake is generally characterized by the peace and quiet, and natural beauty of the lake's surroundings resulting from its natural and extensive shoreline vegetation, the viewscape, its undeveloped ridges and the relatively un-built appearance of the shoreline, in addition to its heritage and cultural features.
- H.95 Regard shall be had to the specific character of Paint Lake when reviewing development applications.
- H.96 Conservation of the natural and social values inherent in the areas known locally as the Razorback, Tramway Creek, Bald Rock and Paint Lake Creek is encouraged.
- H.97 New aggregate/quarrying operations within the Paint Lake

Watershed that cause a negative impact when viewed from Paint Lake shall not be permitted.

- H.98 The municipally owned water access point to the lake should remain in public ownership. Any improvements of a site should consider such matters as pedestrian and traffic safety and adequate parking areas.
- H.99 The municipally owned wetland adjacent to the original public boat access point on the south shore should be retained in public ownership for conservation purposes.

MENOMINEE LAKE PLAN

Menominee Lake is a shallow lake located approximately 5 kilometres north of Baysville and accessed from District Road No. 2 (Brunel Road). A small portion of the Lake is located within the jurisdiction of the Town of Huntsville. Road access to the Lake is mainly from District Road No. 2 via South Menominee Lake, Menominee Lake and North Menominee Lake Roads. Dunn Lake and the associated tributaries flow into the lake from the west and Menominee Lake eventually drains into Lake of Bays through Menominee Creek.

Historically, the land around the Lake was used for logging, trapping, hunting and farming. Waterfront cottage development started in the late 1950's and early 1960's. Currently, the Lake is mainly used for recreational purposes. The southwesterly portion of the lake remains mainly undeveloped as a large wetland and an area of Crown Land exist in this area.

The Menominee Lake community first discussed the Lake Planning process in 2001 and soon after, the Menominee Lake Association formally decided to proceed with the Plan. The driving purpose of the Plan is to encourage everyone who enjoys the Lake to treat Menominee as a delicate and scarce resource that must be kept in balance. The Menominee Lake Plan incorporates a Vision and a series of policy statements and actions which enhance and support the Vision of the Lake as well as the general policy direction contained within the Township Official Plan.

Menominee LAKE VISION STATEMENT:

"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."

This vision is based on the successful implementation of several different policy categories while maintaining or enhancing the unique character of this Lake.

The Character of Menominee Lake is described by the following features:

- the natural landscape which should be preserved and restored
- trees which are an important component of that landscape
- the wetland areas around the lake which are important features
- the built environment which does not overwhelm the natural landscape
- buildings which fit with and blend into the natural landscape
- development or redevelopment which fits in with the natural landscape
- an atmosphere which is peaceful and relaxed.

- H.100 Menominee Lake is a medium sized lake where the shoreline topography in the south and eastern areas is relatively moderate in comparison to the steeper areas located in the northwestern part of the lake. While the majority of the lake has been developed with relatively modest sized dwellings, a large portion of the southwestern part of the lake remains undeveloped. A large wetland which is located in this area contributes to the natural character and excellent water quality of the lake. This character shall be preserved through the implementation of Section D.10 and ensure that the massing of all new residential development and redevelopment is similar to the existing residential uses on the lake. Shoreline structures shall be limited in scale and extent.
- H.101 The wetland located in the southwestern part of the lake shoreline shall be protected and where applicable remain in public ownership.
- H.102 Residential development form will be limited to shoreline and backlot development.

RAVEN LAKE PLAN

Raven Lake is located approximately 4 kilometres south of Dorset along Provincial Highway No. 35. The majority of the Lake is found within the County of Haliburton in the Township of Algonquin Highlands and a small portion of the Lake is also under the Jurisdiction of the Province of Ontario and forming part of the Frost Resource Management Centre. The remaining areas including Five Mile Bay, is located within the Township of Lake of Bays. One of the main access points along the lake is a water access point located along Highway No. 35.

Historically, prior to the construction of a dam in the late 1800's, the Lake consisted of a chain of several small lakes that generally flowed southerly direction. The Lake was used mainly for trade and logging as it has access to Lake of Bays to the northwest, Kawagama Lake and

Algonquin Park to the northeast and southeast through the Black River into St. Nora Lake and into the Trent River system located to the south. Development along the shorelines started in the early 1920's and continued into the 1930's and 40's.

The Raven Lake Cottagers' Association initiated a formal lake planning process during the summer of 2005 and the Lake Plan was completed in the spring of 2007, following an extensive consultation process with all lake residents and other stakeholders. The purpose of the Plan is to identify the values of the lake community and seek consensus on a common vision for the Lake. The "Dynamic Plan for Raven Lake" incorporates a Vision and an action plan to work towards maintaining the vision of this unique community.

RAVEN LAKE VISION STATEMENT:

The members of the Raven Lake community enjoy the peace and tranquility that the lake's natural landscape provides. To ensure that current and future generations can continue to enjoy the lifestyle offered by the lake, the Association created a vision statement that identifies the fundamental values of the lake that they cherish.

The Raven Lake Community is committed to maintaining and improving the following five fundamental characteristics of our Lake:

1. Water Quality;
2. Rich Wildlife Habitat;
3. Natural Appearance with a Natural Viewscape;
4. A Variety of Recreational Opportunities and
5. Peace and Tranquility.

- H.103 The steep topography of the shoreline of Raven Lake, together with significant amounts of vacant Crown Lands has resulted in sparse distribution of moderately sized dwellings on the lake. Due to the lack of roads in this area, over half of the existing developed properties are accessible by water only. This has resulted in a lake exhibiting a natural and remote character with excellent water quality. This character shall be preserved through the implementation of Section D.10 and ensure that the massing of all new residential development and redevelopment is similar to the existing residential uses on the lake. Shoreline structures shall be limited in scale and extent.
- H.104 New aggregate/quarrying operations within the Raven Lake Watershed that cause a negative visual impact from Raven Lake will not be permitted.
- H.105 The public water access point located along Highway No. 35 at the

west end of Five Mile Bay, should remain in public ownership. Any major redevelopment of this access point should address continued pedestrian and vehicular ingress and egress as well as the provision and location of adequate parking. The long term maintenance and improvements of this facility shall be conducted in partnership between the Province, surrounding municipalities and the Lake Association.

- H.106 The wetland adjacent to Highway No. 35 shall be protected and remain in public ownership.

Section I: Rural

Rural Designation

The rural designation encompasses the largest part of the Township's landmass. It is the hinterland outside of the communities and the waterfront area and includes the vast forested countryside characterized by a varied terrain, watercourses, ponds and wetlands. Many of the Township's important natural and environmentally sensitive areas are located within this designation.

This land presented native peoples and the first settlers with hunting and fishing opportunities, but for the most part did not support the farming activities that occurred with settlement elsewhere. Lumbering and tourism provided more viable economic activities and are still important to the Township.

The rural area supports resource management activities, such as forestry, aggregate extraction and land extensive businesses, which are important to the economy of the Township. The rural area also provides outdoor recreation opportunities for activities such as snowmobiling, skiing, hiking, nature interpretation and education, as well as more remote activities such as hunting, fishing and trapping. Settlement in the rural area remains relatively sparse today, offering residents a private and tranquil lifestyle, but fewer services than are available in the communities.

Definition

- I.1 The rural designation encompasses the hinterland beyond the boundaries of the community and waterfront designations, as well as land which is not subject to any other designation of this plan.

Function

- I.2 The rural designation acts as a resource, recreational and low-density areas for small-scale development. In addition, this area acts as a conservation area for expansive undeveloped areas and significant natural, environmentally sensitive and wildlife habitat areas.

Basis and Principles

- I.3 Development in the rural area, other than resource related industry, recreation or other uses which require a remote location, will be directed to areas where:

- a) rural development exists;
- b) public road access exists or can be expanded to accommodate the proposed development to the satisfaction of the authority having jurisdiction;
- c) public services such as police, fire, ambulance, and school busing

Location of
Growth

are available;

- d) adequate private individual water and sewage services are feasible and where site conditions are suitable over the long run for such services; and
- e) land use conflicts with rural resource operations, rural businesses, or public facilities such as waste disposal sites or waste management systems, works yards or sewage lagoons will be prevented.

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| I.4 | <ul style="list-style-type: none"> a) The following principles will apply where appropriate to growth and development within the rural designation Ensuring that lots are large enough for the land use. b) Providing access from a municipally owned and year-round maintained road or a private condominium road that connects to a public road and constructed to provide appropriate access for emergency vehicles. c) Conserving and/or restoring the natural landscape and water resources. d) Promoting and facilitating energy conservation. e) Buffering, screening and utilizing other measures to address land use compatibility; f) Ensuring sustainable and adequate water, sewage disposal, stormwater and waste disposal facilities and services. g) Protecting against natural and human hazards and wildland fires. h) Planning for barrier-free access. i) Building a healthy community. | Principles |
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Character

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| I.5 | <p>The character of the rural area lies in its physical setting and topography, the form and density of settlement, as well as the land uses, resource management and recreational activities, which have occurred over time. The shape and features of the land present physical and visual characteristics that create local identity and interest and are important elements of the rural character.</p> |
| I.6 | <p>The rural setting in the Township of Lake of Bays is predominantly a natural, forested landscape typical of the Algonquin Highlands, with a varied topography comprised of hills and valleys, rock ridges, bedrock outcroppings, as well as small, isolated areas of cleared land related to farm operations. Water resources exist in the form of streams, creeks, ponds and wetlands. The rural landscape provides an expansive and scenic open space with attractive vistas and panoramas.</p> |
| I.7 | <p>Many significant natural, environmentally sensitive and wildlife habitat areas exist within this designation.</p> |
| I.8 | <p>Development in the rural designation is characterized by very low density. Lots are generally large with development occupying a very</p> |

Settlement

small portion of the lot. Small lot frontages, areas, setbacks and coverage are not typical in the rural area. Development is generally serviced by private individual water and sewage systems and located in close proximity to existing transportation routes. Overall, the setting is natural, and the built form does not dominate the landscape.

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| I.9 | Land use in the rural designation includes single detached dwellings located on large lots and rural businesses. Rural business generally include: land extensive or small scale businesses, businesses that relate to the rural area or businesses that would not be appropriate in a community due to their character and function. Many home-based businesses are found in the rural area and include occupations such as artisans or home businesses with outdoor storage needs such as fuel wood operations or contractors. | Land Use |
| I.10 | The rural designation is also the location of resource management activities, which contribute to the local economy, and include forestry, aggregate extraction and agriculture. | |
| I.11 | Space expansive recreational uses are also located within the rural designation and include trails for snowmobiling, mountain biking, hiking, or Nordic skiing. | |
| I.12 | Large areas that are relatively remote and undeveloped exist within the rural designation and provide for conservation, resource and remote recreational activities such as hunting, trapping and fishing, or small scale eco-tourism resorts. | Remote Areas |

General Policy

Preservation of Rural Character

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| I.13 | Rural character will be preserved by ensuring that the uses permitted are appropriate, maintaining a low density of development, and through the conservation of the basic elements that contribute to the rural character in the location and design of development. | |
| I.14 | The rural character immediately adjacent to the boundaries of designated communities, particularly along road corridors, will be preserved by only permitting rural uses at rural lot standards within this fringe area. In addition, rural uses, which would create a conflict with uses, within or at the edge of the community, will not be permitted. | Fringe Area |
| I.15 | In order to preserve rural character, the following design principles should be implemented for development in the rural designation as is appropriate for the use proposed:
a) built form should not dominate the natural landscape and visual impact should be minimized; | Design Principles |

- b) rock faces, vistas and panoramas should be preserved;
- c) roads should generally follow the contours of the land and fit into the landscape. Grades should be gradual to facilitate the use of the road by emergency and delivery vehicles. Roads should be constructed and maintained to an acceptable municipal standard of construction, Provision should be made for a functional turnaround on any proposed or existing dead-ended road;
- d) disturbance for the construction of roads and other services should be kept to a minimum;
- e) disturbance on lots should be limited and minimized;
- f) lot lines should follow existing features and terrain;
- g) 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;
- h) building envelopes should be located away from prominent ridge lines and set back from rock faces or cuts to preserve skylines;
- i) buildings should be located adjacent to tree lines rather than in open fields;
- j) buildings and structures should fit into the natural landscape, be low profile and should not exceed the height of the tree canopy;
- k) the maximum amount of vegetation should be retained on a lot;
- l) vegetation should be maintained on ridge lines or adjacent to the top of rock faces or cuts;
- m) development setbacks from road corridors should be sufficient to provide a buffer between the road and the development, and to address noise and visual impact;
- n) vegetation between the primary building and the road corridor, particularly along the lot frontage, should be generally retained;
- o) where previously removed, the vegetation between the primary building and the road corridor should be restored; and
- p) native species should be used for buffers or vegetation restoration.

I.16	Rural design principles will be implemented through comprehensive and site specific zoning provisions and site plan control agreements, the development permit system or other municipal agreements.	Site Plan Control and Development Permits
	Access	
I.17	All new development will front upon and be accessible from a year round maintained and publicly owned road which is in a condition appropriate for the use proposed, and can accommodate the additional traffic.	Public Road Frontage
I.18	Private road access may be permitted for forestry and aggregate extraction operations and for internal access within a condominium.	Private Road Access

- I.19 Private road or other access may be permitted for remote tourist commercial uses, institutional accommodation and recreational facilities, provided that:
- a) public road access is not possible;
 - b) the access is appropriate for the type of use proposed;
 - c) the road is constructed and maintained to an acceptable standard for use by emergency vehicles; and
 - d) the zoning or development permit by-law indicates that public services will be limited.

Water and Sewage Servicing

- I.20 Development in the rural area will be serviced by private individual water and sewage systems, except as provided for in Section C.62 of this Plan. Bioengineered sewage disposal systems designed for phosphorus removal will be strongly encouraged.
- Private,
Individual
Systems

Land Use Policy

Permitted Uses

- I.21 The following uses may be permitted within the rural designation:
- a) single detached residential dwellings;
 - b) small scale or land extensive rural business and home-based businesses;
 - c) industrial and manufacturing uses which are small scale
 - d) tourist commercial uses;
 - e) institutional uses which are more appropriately located in a rural setting;
 - f) kennels;
 - g) hunt and fishing camps;
 - h) communication and energy infrastructure and facilities;
 - i) forestry;
 - j) aggregate extraction activities
 - k) agriculture;
 - l) open space uses including cemeteries; or
 - m) conservation uses.

- I.22 Floating residences will not be permitted in the Rural designation.

Lot Requirements

- I.23 All lots will be of sufficient size and dimension, and possess terrain suitable to accommodate the use proposed. Amongst other matters, this should include consideration of the following:
- Size & Dimension
- a) environmental concerns or development constraints such as

- steep slopes, flood prone lands and natural heritage features;
- b) provision of water supply and sewage disposal where site conditions are suitable for the long-term provision of such services;
- c) provision of access and a safe road entrance;
- d) provision of a sufficient area of level land to accommodate buildings and structures without substantial alteration of the natural landscape; and
- e) incorporating an adequate separation distance on the lot to mitigate adverse impacts such as noise, dust and odour, where applicable.

I.24	A site evaluation may be required by the Township to determine lot or site suitability, and to identify any necessary mitigation measures.	Site Evaluation
I.25	Lot sizes in the rural area will generally be greater than those in the other designations and a variety of lot sizes will be required to address rural character, the principles for rural growth and development, and the rural design principles. These matters will be addressed prior to the creation of a lot in the rural area.	Variety of Lot Sizes
I.26	Unless otherwise specified, new rural lots should be a minimum of 4 hectares (10 acres) in area with 152 metres (499 feet) of road frontage.	Minimum Lot Size
Rural Residential		
I.27	Rural residential development is comprised of single detached dwellings located on large lots which front on existing year round maintained and publicly owned roads or private condominium roads, as permitted.	Definition
I.28	In addition to the policy of Section C, outdoor storage may be permitted for a home-business on a rural residential lot, provided that it will be buffered from the roadway and there will be no negative impact on abutting properties. The home-based business may be permitted in the dwelling or an accessory building.	Home-Based Business
I.29	Rural residential development should be directed to areas where residential development exists or would be compatible, and should not be located in remote, undeveloped areas, or in close proximity to: a) primary or secondary aggregate deposits; b) aggregate operations or other resource related industries or activities; c) incompatible rural industries or businesses; d) farm operations where a land use conflict would result or which does not meet the Ministry of Agriculture, Food and Rural Affairs,	Location

Minimum Distance Separation Formulae;

- e) incompatible public uses or facilities;
- f) hazards or development constraints; or
- g) heritage areas, wetlands, significant natural area or habitat, where the policies of Section D will not be satisfied.

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| I.30 | The minimum requirements for a new rural residential lot will be 2 hectares (5 acres) in lot area with 152 metres (499 feet) of road frontage. | Lot Creation |
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Rural Business

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| I.31 | <p>Rural business includes commercial and industrial uses that are:</p> <ul style="list-style-type: none"> a) rural resource related; b) related to outdoor recreation; c) tourist commercial and cultural arts industry uses; d) space extensive and would not be appropriate in a community designation; or e) functionally related to, or serve, the rural area. | Type |
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These uses must low water and low effluent producing uses.

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| I.32 | Rural businesses may include uses such as sawmills, fuel wood operations, garden centers, private Nordic ski trails, agricultural operations, contractors, boat storage, commercial kennels, small manufacturing or hunt and fishing camps. | |
| I.33 | Other commercial, industrial and institutional uses should be directed to the communities, unless the use is compatible with the surrounding uses, are low-effluent producing and there are no negative impacts on the surrounding environment or cultural heritage of the area. In addition, highway commercial uses such as gas stations or vehicle sales and repair, fast food restaurants or small intense recreational establishments should be directed to the communities rather than being located on road corridors. | Uses to be Directed to Communities |
| I.34 | Tourist commercial establishments, including resort commercial establishments, and institutional accommodation or centers may be permitted within the rural designation. However, such uses will proceed by way of a zoning amendment or an amendment to the development permit system in order to address specific location as well as development and access provisions. | Tourist Commercial |
| I.35 | Large-scale uses not normally found in the rural area, other than rural resource industries, will only be permitted by amendment to this Plan, in order to address specific location, assess potential impact, and provide specific policies to guide development. | Large Scale |

I.36	Where private waste disposal sites or waste management facilities are being considered in the rural designation by amendment to this plan as required by Section E, such a use will not be located in close proximity to a heritage area, wetland, significant natural area or habitat. In addition, such a use will be situated on a large parcel and will be well separated and buffered from any public roadway and abutting uses. All other criteria of the Muskoka Official Plan will also be met.	Private Waste Disposal
	Agriculture	
	Since minimal productive agricultural land exists within the Township of Lake of Bays, the preservation of agricultural land is not of provincial concern in the Township. However, the isolated farms and small pockets of farmland, contribute to the character and landscape of the rural area. Therefore, agricultural uses in the rural area will be encouraged where they will not create a land use conflict.	
I.37	Agriculture is recognized as a traditional rural use, which contributes to the character and landscape of the rural designation. Agricultural uses including maple sugar operations, hobby farms and kennels, game farms, local food production (e.g. backyard chickens, etc.) and aqua-culture shall be permitted. Agricultural warehousing and processing operations are encouraged, provided that the any potential impacts on the neighbouring properties have been addressed.	Role and Function
I.38	New low effluent land uses and lots, and new or expanded livestock operations and manure storage facilities will comply with the Ministry of Agriculture, Food and Rural Affairs minimum distance separation formulae.	
I.39	Agricultural lots will be of sufficient size to: a) accommodate the agricultural use proposed; b) avoid negative impacts on the environment and in particular ground and surface water quality; and c) ensure compatibility with adjacent uses.	Lot Size
I.40	Adequate setbacks and buffers will be maintained on agricultural properties: a) along shorelines and watercourses to protect water quality; and b) along property lines to ensure compatibility with abutting uses.	Setbacks
I.41	Commercial fish farms in a natural or man-made pond may be permitted, provided that an impact assessment confirms that there will be no negative environmental impact, and in particular, on natural	Fish Farms & Aqua-Culture

fish habitat, fish species or on the immediate or downstream water quality. Caged aqua-culture operations located within natural watercourses or waterbodies will not be permitted.

Rural Resource Industries

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| I.42 | Aggregate extraction and forestry will be encouraged in the rural area subject to the applicable policies of Section F. Good forestry and aggregate extraction practices will generally be exempt from the issuance of a development permit, where applicable. | Aggregate &
Forestry |
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Section J: Implementation

Use of Planning Tools

The municipality has various planning tools through which the policies of this plan can be implemented. The formal planning tools available to a municipality to implement Official Plan policy are generally set out in the Planning Act. Other legislation may be used to complement the planning tools. Informal planning tools such as public information, education and promotion are also very important methods of achieving, particularly, environmental preservation objectives. The policies of this plan can also be implemented through strategies developed for Township Council, such as an open space or sewage allocation strategy.

This section identifies the key means, which will be used by the Township to implement the policies of this plan. However, the methods of implementing Township Official Plan policy as identified in this section are not all encompassing and are not intended to limit municipal authority. These policies must be read in conjunction with the other policies of the plan to ensure that the principles and intent of the plan is maintained.

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| J.1 | The intent, goal, objectives and policies of this plan will be implemented through a development permit by-law and development permits, a comprehensive zoning by-law and zoning by-law amendments as well as through other municipal by-laws, lot creation, site plan control or municipal agreements. Supporting or technical information may be required to ensure that the intent, goal, objective and policies are properly addressed and implemented. | Policy Implementation |
| J.2 | The plan may also be implemented through the development of further and more detailed planning policy such as specific lake plans or various municipal strategies such as an open space strategy, a capacity allocation strategy, or a community design strategy. | Lake Plans & Strategies |
| J.3 | Informal action initiated by the Township or the community will also assist in the implementation of this plan. Among other action, this may include the preparation of guidelines and provision of public information or programs. | Informal Action for Implementation |

Impact Assessment, Site Evaluation, and Technical Reports

The use of impact assessments, site evaluations, and technical reports can assist the municipality in ensuring that development proposed is appropriate, and is

undertaken in a manner which mitigates any potential impacts on the environment or adjacent properties. The recommendations of these reports are most often implemented through zoning together with site plan control, development permits or other agreements put in place at the time land is being developed. The following policies provide guidance in circumstances where an impact assessment, site evaluation, or technical report is required by this Plan.

- J.4 The Township may require that technical studies and other information such as impact assessments, site evaluation, or technical reports, as set out in sections J.5, J.6 and J.7, be undertaken in support of development applications. Such reports may be combined within one submission. Planning applications may not be deemed to be complete by the Township in the absence of the required technical study or other information that may be required by the Planning Act or other applicable regulations.
- J.5 An impact assessment may be required in order to determine the impact of development on natural, environmental or cultural values, whether development is appropriate and to identify any necessary mitigation measures. Such assessments may be required to determine the impact of development on values or matters such as the following:
- wetlands;
 - fish habitat;
 - wildlife habitat
 - habitat of endangered species and threatened species or species at risk;
 - natural heritage areas or sites;
 - cultural heritage resources and archaeological resources;
 - ground or surface water resources; or
 - wildland fire management
- J.6 A site evaluation report may be required by the Township to confirm whether a lot is suitable for development, if development constraints can be addressed, and if so, the most appropriate manner in which development should occur. Site evaluations may be required to evaluate the suitability of a site related to matters such as the following:
- ability of a lot to accommodate and sustain development, including access;
 - appropriate development of existing undersized lots;
 - lot size and configuration;
 - slopes;
 - narrow waterbodies;
 - access; soil characteristics and soil cover; or

Impact
Assessment

Site Evaluation

- Servicing options

J.7

Technical reports may be required by the Township to ensure that the conditions for development are safe and appropriate. Such reports may be required to evaluate matters such as the following:

Technical
Reports

- flood or erosion prone sites;
- steep slopes;
- noise and vibration;
- capacity calculations for municipal water and sewage services, private hauled sewage, solid waste;
- preliminary and detailed storm water management assessment and construction mitigation;
- geotechnical assessment;
- pesticide or chemical management;
- air quality;
- Phase 1 and 2 Water quality impact assessments, environmental review including Phase 1 Environmental Site Assessment, Phase 2 Environmental Site Assessment and Record of Site Condition and Risk Assessment;
- influence of waste disposal sites, industrial sites or waste management systems;
- land use compatibility and compliance with MOE guidelines D-1, D-6 and NPC-300;
- Minimum Distance Separation;
- influence of sewage facilities;
- site contamination by previous uses and a remediation plan;
- viability of resort commercial land;
- commercial viability for aggregate extraction;
- storage of bulk energy;
- visual impact of waterfront development and alternative energy facilities;
- transportation and traffic impacts and safe access to properties;
- heritage impact assessment for development adjacent to a protected heritage property;
- archaeological resources assessment including marine archaeology;
- boat impact (see J.15);
- blasting impact assessment;
- planning justification;
- financial impact;
- hydrogeological and terrain analysis assessment; and
- wildland fire management

J.8	Where lot creation is proposed on lakes identified in Appendix A as being lake trout lakes at capacity pursuant to Section D.124 (d) and the site specific soils investigation identified in D.124 (d) is satisfactory to the Township, the following requirements shall be implemented through a by-law amendment and in Section 51(26) Planning Act agreements and/or Development Permit agreements registered on title in perpetuity: a) A 30 metre minimum undisturbed shoreline buffer and soil mantle, with the exception of a pervious pathway; b) 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); c) Location of the tile-bed, in accordance with the recommendations of the site specific soils investigation; d) Require that, if additional fill material is needed for the construction of the tile bed, that it consists of silt-free, fine to medium grained non-calcareous soils (sediments) showing the presence of aluminum and iron; and e) Securities in order to ensure that the requirements of the agreements and Development Permit are implemented; f) Monitoring will be reported to the Township of Lake of Bays and the Ministry of Environment and will be undertaken in accordance with provincial monitoring requirements as set out in Appendix A; g) Other requirements, in accordance with the Official Plan.	Use
J.9	Impact assessments, site evaluation and technical reports will be completed in accordance with the requirements of, and implemented to the satisfaction of, the Township or other authority having jurisdiction, and where specifically noted in policy, the District Municipality of Muskoka.	Use
J.10	The magnitude of impact assessment and site evaluation may vary. In minor situations, municipal staff may be able to address the situation through site inspection or a checklist evaluation and the implementation of appropriate planning tools. More complex situations or issues will require the preparation of a formal report, providing technical expertise or information and which is prepared at the expense of the proponent.	Magnitude
J.11	Where a technical report or more detailed and complex impact assessment or site evaluation report is required, such a report shall be undertaken by one or more individuals whose qualifications and experience demonstrate an expertise in assessing the value or matter of concern. The report will be: a) prepared independently at the direction of the Township, on behalf of, and at the expense of, the proponent, unless otherwise	Multiple Values or Constraints

	agreed by the Township; or	
	b) where submitted by the proponent, subject to a peer review directed by the Township, and at the expense of the proponent, unless otherwise agreed to by the Township.	
J.12	Where an impact assessment, site evaluation or technical report is required to address a number of constraints or the potential impact of development on several natural resources or habitat; and where possible and appropriate, such review should be combined to allow for an integrated study.	
J.13	Where impact assessments, site evaluations, or technical reports are likely to have an effect on basic components of the development's design, they should be undertaken as early as possible in the process of planning and designing the proposal.	Timing
J.14	Early consultation with Township staff is required to ensure the study approach and parameters are appropriate and acceptable. The extent of issues to be addressed within individual technical reports, impact assessment, or site evaluation studies may include some or all of the following depending on the specific circumstances: a) site specific information, such as a description of the lands, location, slope and soil characteristics, vegetation, drainage, geology, erosion and flooding characteristics; b) description of the regional context of the site, detailing surrounding land use characteristics and environment; c) identification and analysis of wetlands, wildlife and fish habitat, and other environmentally sensitive areas or values which should be preserved; d) detailed information, identification and analysis of the features, functions or values for which a natural heritage area has been identified; e) identification of any natural or man made development constraints or hazards to development; f) identification of natural or cultural resources or scenic features which should be preserved; g) the various aspects of the proposal should be identified such as: • the scope of the proposal; • whether and in what manner all components of the proposal can be situated on the site within the zoning or development permit requirement; • potable water supply and suitability for waste disposal systems; • provision of access; • location of shoreline structures and activity areas on water front lots; and • how sensitive the site is to an alternative structural	Pre-Consultation & Matters to be Addressed

arrangement;

- h) a statement concerning the appropriateness of the site and the proposed development;
- i) an explanation of how the identified features, functions and values of an area or site will be preserved and confirmation that the whole area or site will remain ecologically viable;
- j) potential impacts of the proposed development should be identified and recommendations respecting if and how development can be appropriately accommodated;
- k) where the development is appropriate, specific recommendations should be provided detailing how the development can be accommodated or mitigated in a reasonable and environmentally sound manner;
- l) identification of any required or appropriate mitigation measures, which may be related to matters such as storm water management, site development, location of buildings and structures, or retention of vegetation; and
- m) the report should include any other information, which may be necessary in order to evaluate a specific issue or potential impact and to make a proper decision respecting the development proposal.

J.15 The Township may establish individual requirements or terms of reference for technical reports.

J.16 A boat impact assessment will consider:

Boat Impact
Assessment

- a) a description of the proposal including:
 - property size and location;
 - environmental influences or development constraints;
 - physical characteristics of the land and the water interface;
- b) a plan showing:
 - location, orientation and size of existing facilities;
 - location, orientation and size of proposed facilities;
- c) a review of the context and factors related to the boating facility that may affect the use of the water resource, such as:
 - existing boat traffic and other water use;
 - size of the water system;
 - expected boat traffic (volume, frequency and distribution);
 - access to the property, and the boating facility from the land and water;
 - influences or constraints to navigation;
 - reported accidents or occurrences;
 - any other pertinent information;

- d) an assessment of the potential impact of the proposal and identification of any mitigation measures which may be required, including:
- suitability of the location;
 - appropriate extent and type of facilities;
 - appropriate location, and orientation of facilities (e.g. docking, lighting, parking);
 - mitigation measures to reduce impact.

J.17	Impact assessments, site evaluations, or technical studies generally will not be required for undertakings that satisfy the Environmental Assessment Act or Section 6 of the Planning Act. Where land use approvals involve potential approvals under other provincial legislation, the approvals under the affected legislation may be integrated, provided the intent and requirements of all affected Acts are met.	Environmental Assessment Act
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Municipal By-laws

The Township's comprehensive zoning and development permit by-laws provide the primary method of ensuring that the policy of the Official Plan has effect. Once the policy of this plan is implemented in the comprehensive zoning and development permit by-law, reference to the Official Plan may not be necessary in the case of straightforward building permit applications. However, consultation with the Township is advised in all cases.

Comprehensive Zoning By-law

- J.18 The Township's Comprehensive Zoning By-law will be updated as necessary to conform to the policies of this plan. Such by-law will, amongst other matters, set standards and regulations and define more precisely the uses and limits of areas to be allocated for specific land uses, as generally and specifically indicated in this plan.
- J.19 Zoning may be implemented to identify areas with limited services, to protect cultural heritage resources, and to protect natural heritage features.

Development Permit By-law

The development permit system is a planning tool in Ontario that allows for the replacement and combining of the zoning amendment, minor variance and site plan approval processes, as well as the regulation of vegetation removal and site alteration, as well as other types of development.

The Township's objectives in utilizing this system are essentially related to

better implementation of the policies of this Official Plan, especially as they relate to preservation of waterfront character, including ecological and social values. This system also offers opportunities to streamline the planning approvals processes and clearly establish rules and criteria for development within the by-law.

- J.20 The Township of Lake of Bays may describe one or more designations or areas as potential development permit areas.
- J.21 The following areas are described as proposed development permit areas and will be designated as such by a Development Permit By-law passed by Council pursuant to the provisions of the Planning Act and associated regulations:
- a) the Waterfront designation;
 - b) the Community designation; and
 - c) the Rural designation.
- J.22 The Development Permit approval framework combines development permits, site plan control and site alteration into one permitting system. Development permits differ from traditional land use regulations by allowing discretionary uses, conditional approvals and variations to specified provisions within the by-law. This allows staff and Council with the flexibility to review development proposals and provide approvals without further site specific amendments to the Development permit By-law.
- The development permit process is intended to streamline the approach to the review and approval of development; however, the approach does not remove the importance of pre-consultation. The development permit system applies to all development within the Waterfront, Community and Rural land use designations in the Township's Official Plan.
- J.23 Except for those classes of development for which the Development Permit By-law specifies that no development permit is required, a development permit will be required prior to undertaking any development and/or prior to undertaking site alteration or vegetation removal within defined areas, with the exception of any site alteration or vegetation removal within the Rural designation.
- J.24 As may be provided in the Development Permit By-law, a development permit may be issued to permit, as a discretionary use, any use not specifically listed as a permitted use in the Development Permit By-law, provided that the proposed use is similar to and compatible with the listed permitted uses, would have no negative impact on adjoining properties, and would maintain the intent, principles and policies of this Plan.

- J.25 In addition, the Development Permit By-law may provide that a development permit may be issued to permit, as a discretionary use, an extension to a legal non-conforming use or a change in use of a legal non-conforming use, provided that the proposal is desirable in order to avoid hardship, that it would have no negative impact on adjoining properties, and that it would maintain the intent, principles and policies of this Plan.
- J.26 The Development Permit By-law may allow certain specified variations to the standards specified in the development Permit By-law. Such variations may be permitted only if they have satisfied the policies pertaining to the applicable policies of the Plan or are in accordance with Section J.28 below.
- J.27 As may be provided in the Development Permit By-law, a development permit may be issued which varies a development standard by an amount as may be specified in the Development Permit By-law, provided that the variation in the standard would result in the appropriate development or use of the land and is minor. In this regard minor means that the proposed building or structure would have no detrimental impact on adjoining properties, and would maintain the intent, principles and policies of this Plan. In particular, consideration shall be given to the implementation of the design principles outlined in Sections G.24, H.18, and I.18.
- J.28 Any proposal for a use which is not listed as a permitted or discretionary use in the Development Permit By-law or which exceeds the limit of variation permitted in the Development Permit By-law will require an amendment to the Development Permit By-law.
- J.29 Council may delegate to staff the approval or issuance of development permits. Limits on and criteria for such delegation will be established in the Development Permit By-law or other municipal by-laws.

Holding By-laws

Holding by-laws are a type of zoning by-law which are used when the ultimate use of land is known, but other matters must be addressed prior to development. Holding by-laws can be used to phase development or ensure that servicing is available before development is commenced. To use this type of by-law, an "H" symbol is added to the zone on the zoning schedule and the text of a by-law indicates under what conditions the holding symbol or "H" will be removed.

- J.30 Township Council may pass a by-law which incorporates the use of the holding provision with the symbol "H" in conjunction with any zone of a zoning by-law pursuant to the provisions of the Planning Act.

"H" Symbol

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| J.31 | <p>The holding by-law may be used where the ultimate use of land is known, but where other matters such as the following must be satisfied prior to development proceeding:</p> <ul style="list-style-type: none"> i) provision of water and sewers and allocation of servicing capacity; ii) site evaluation for development of existing lots on sensitive lakes identified by the District of Muskoka Lakes System Health Program; iii) provision of a site evaluation, impact assessment, or technical report; iv) phasing of development with the preceding phase being substantially completed; v) provision of facilities and services such as storm water management or roads; vi) provision of a record of site condition on a contaminated site; or vii) other similar situations. | <p>Use of a Holding
By-law</p> |
| J.32 | <p>Prior to the removal of the “H” symbol, the following will be completed:</p> <ul style="list-style-type: none"> a) servicing capacity and availability will be confirmed by the District of Muskoka; b) a site evaluation, impact assessment, or technical report will be completed and implemented to the satisfaction of the Township and any other applicable authority; c) confirmation that the preceding phase has been substantially completed; d) the submission of a record of site condition which indicates that the site does not require clean-up, or has been cleaned up in accordance with a record of site condition and is suitable for development; or any other requirements being satisfied. | <p>Removal of “H”
Symbol</p> |

Temporary Use By-laws

Temporary use by-laws permit the municipality to recognize or permit a particular use for only a certain period of time. This type of by-law is often used to permit garden suites (see Section C).

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| J.33 | <p>Limited temporary uses which may not strictly conform with specific land use policy and should not exist in the long term, may be permitted where it is deemed appropriate and desirable by the Township to allow such uses on a time limited basis.</p> | <p>Type of Use</p> |
| J.34 | <p>Temporary uses should not be permitted where they would entail significant construction or investment, which would result in hardship to the owner or difficulty in reverting to a permitted use upon the termination of the temporary use provisions.</p> | |
| J.35 | <p>The Township must be satisfied that the use proposed will be of a</p> | |

temporary nature only, and the by-law will among other matters, define more precisely the use permitted, the limits or areas for such use, and set standards and regulations for such use.

J.36	Temporary uses will only be permitted provided that there will not be a negative impact on the natural environment or the surrounding land uses; the use can be properly serviced; and the use will not interfere with the desirable development of the area.	Conditions
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J.37	The temporary use of land, buildings or structures may be authorized by the passage of a by-law by Council pursuant to the Planning Act, for a temporary period of not more than 10 years in the case of a garden suite, and not more than 3 years for any other use.	Time Period
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J.38	A by-law to extend the temporary use may be passed by Council for additional periods of not more than 3 years each.	Extension
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Non-Conforming Uses

J.39	Any land use legally existing prior to the approval of this plan which does not conform to the permitted uses of this plan, should cease to exist in the long term. However, in extenuating circumstances, it may be desirable to permit the extension or enlargement of the non-conforming use in order to prevent undue hardship.	Cease to Exist
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J.40	Certain uses of land that existed at the date of approval of this plan may be deemed to conform to the intent of this plan for the purpose of a zoning or Development Permit by-law. Such uses may be approved specifically for their existing use, provided that the approval will not permit any change of use or regulation that: a) will aggravate the existing situation; b) is detrimental to the abutting uses; c) will result in incompatibility; d) will not be in reasonable proportion to the existing use and the land on which it is located; or e) will interfere with the desirable development of adjacent areas.	Zoning for an Existing Use
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Non-Complying Buildings , Structures and Lots

J.41	A non-complying building, structure or lot is where the building, structure or lot does not comply with the site regulations and performance standards of the implementing land use By-law.
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J.42	A non-complying building or structure may be enlarged, repaired or renovated provided that the enlargement, repair or renovation: i) does not further increase the extent of non-compliance unless otherwise granted by a zoning amendment, minor variance or the issuance of a Development Permit;
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- ii) complies with all other applicable provisions of this Plan and the implementing land use Zoning or Development Permit By-laws;
- iii) does not substantially increase the amount of floor area in a required yard or setback area;
- iv) will not pose a threat to public health or safety; and
- v) provided water quality is not further impaired and an overall net improvement to water quality is achieved.

J.43 The implementing Zoning and Development Permit By-law shall contain specific provisions regarding the enlargement, repair or renovation of non-complying structures. Performance standards for the enlargement, repair or renovation of non-complying structures shall be contained within the By-laws and may contain standards respecting maximum width of the addition, maximum size of the dwelling or structure, maximum height, and other relevant standards.

Existing Lots

J.44 Lots which existed as of the date of approval of this plan, and which do not meet the minimum lot frontage and area requirements of this plan may be recognized in the Development Permit By-law or in the Comprehensive Zoning By-law, provided that:

- a) the lot is suitable and of sufficient size to accommodate the use proposed and the necessary water and sewage disposal services;
- b) the lot is in general character with the surrounding lots;
- c) the environmental, water quality and development constraints policies of the plan can be addressed; and
- d) any other specific policies of the plan respecting the development of an existing lot are satisfied.

Undersized
Existing Lots

The Township may require the preparation of a site evaluation to ensure that these matters can be properly addressed and that the lot is suitable for the use proposed.

J.45 The adherence to coverage provisions, careful siting of development and maintenance or restoration of vegetation on existing undersized lots, particularly in the waterfront and rural areas, will be required and implemented through the Development Permit By-laws, conditions of approval for the development permits, or through zoning and site plan control to ensure the intent and policies of the plan are satisfied.

Coverage &
Vegetation

Division of Land

The division of land whether proposed through the consent (severance) process, a plan of subdivision, or a condominium description must satisfy the policies of this plan. Proposals to divide land must also satisfy the criteria set out in the Planning Act for the division of land. Design issues are also important. Conditions of approval can be applied to the creation of a new lot or unit in a condominium

description, including the execution of a municipal agreement.

Vacant land condominiums allow for vacant land to be considered as a unit and the remainder of the land to be held as a common element. Generally, the same requirements that apply to a freehold lot will apply to a vacant land unit in a vacant land condominium.

Most lots created within the Township have been created through the consent process and often only a few lots are proposed at one time. Generally, the plan of subdivision process is used where more comprehensive development is proposed, a public road is required, or to ensure that the full potential of the property will be considered.

The lifting of part lot control can also be used to further divide land, which is within a registered plan of subdivision. This process which is often used to divide freehold townhouse or semi-detached residential units, to create industrial lots, or to realign lot lines, is not commonly applied within the Township.

Creation of Lots, Units or Interests in Land

J.46	Lot or unit creation may proceed by the following methods and subject to the other policies of this plan: • consent (severance); • registered plan of subdivision; • condominium description; or • lifting of part lot control.	Methods
J.47	New lots, condominium units or interests in land will be compatible with the other legally existing land uses, lots or units in the vicinity, and the character of the area.	Compatibility
J.48	The size, shape, dimension, and orientation of any lot, condominium vacant land unit or interest in land will be appropriate to: a) the use proposed; b) the character of the area or specific site; c) the configuration and orientation of abutting parcels or buildings or structures; d) environmental and terrain considerations; and e) the water and sewage services and access proposed.	Configuration
J.49	The configuration of any lot or vacant land condominium unit will take into account the lot pattern in the area and abutting properties so that it will not result in conflicts.	
J.50	A vacant land unit in a condominium description will satisfy any applicable requirements of this plan for a lot.	

J.51	Exceptions to minimum lot size requirements may be considered by the Township where more than one primary, free standing, substantive and structurally sound dwelling legally exists, and subject to the general intent and policies of the plan being satisfied, provided that the water and/or road frontage meets or exceeds the existing lot of record standards found within the implementing By-laws. .	Two Existing Primary Buildings
J.52	Where abutting lots have previously existed as conveyable parcels and have inadvertently merged in title under applicable sections of the Planning Act, the re-creation of the original lots will generally be discouraged, but may be considered provided that: a) the parcels have inadvertently merged; b) the property has not been purchased as one parcel; c) evidence is produced which indicates that the lots were previously registered separately; d) the minimum lot requirements cannot be achieved through other methods; e) the re-creation of the parcel would not be in conflict with the environmental policies of the plan particularly that respecting water quality; f) the proposed lots can properly accommodate development; g) there is safe and adequate access to the proposed lots; and h) the proposed lots and uses are compatible with the surrounding lots and uses.	Re-creation of Lots
J.53	Interests in, or parcels of land may only be created where they conform and comply with the Development Permit By-law and Zoning By-law.	Zoning and Development Permits
J.54	The creation of landlocked parcels of land will not be permitted and the creation of new lots shall not effectively isolate or land lock another parcel.	Land Locked Parcels
J.55	Access to new lots or vacant land units may be limited by the imposition of a 0.3 metre reserve along the lot frontage, where another means of access is proposed.	Reserves along Frontage
Plans of Subdivision & Condominium Descriptions		
J.56	Subdivision of land will proceed by registered plan of subdivision or condominium description where it is necessary for the proper and orderly development of the land, area, and the municipality.	
J.57	A plan of subdivision or condominium description should be used for the division of land where: a) more than 4 lots including the retained parcel would result; b) numerous or comprehensive easements or rights of way are	

- required;
- c) comprehensive municipal agreements are required;
- d) a public or private condominium road, an extension to a public or private condominium road, or a connection between existing roads is required;
- e) the provision of municipal water and sewer services is required;
- f) a hydrogeological assessment is required with respect to the provision of private water and sewage disposal systems;
- g) studies to determine the impact of the development on the environment or the community are required; or
- h) the property is a large tract of land and there is a need for an appropriate lot layout, which does not impair the potential for future development of the property.

J.58	Plans of subdivision or condominium descriptions shall be designed to be compatible with the natural landscape, to use natural storm water management where possible, to connect existing public or private condominium roadways, to facilitate future access to abutting properties, and to avoid roads longer than 330 metres (1083 feet) with dead ends.	Design
J.59	A plan of subdivision, or a portion of a plan of subdivision, may be deemed not to be a plan of subdivision in accordance with the Planning Act, provided that: a) the plan has not been developed; b) development of the plan would have a negative impact on the environment, landscape, or community; c) the merging of parcels of land would be facilitated; or d) it is in the public interest.	Deeming

Agreements

Development Permits and Site Plan Control

Site plan control is a planning tool which is implemented immediately preceding development and deals with specific site design matters such as building and structure location, parking, driveways, lighting, vegetation retention and landscaping, easements, grading and storm water management. This tool is particularly useful in ensuring that as development occurs the environment is protected, aesthetic values are preserved and development is compatible with the surrounding area. A site plan showing items such as the location of buildings, structures, facilities, and vegetation forms part of an agreement with the municipality that can be registered on the title of the property.

J.60	Development permits and site plan control will be implemented as detailed within the policies of this plan, to:	Use of Development Permits and Site
	a) direct the proper placement, massing and conceptual design of	

	buildings, structures and facilities on individual sites within required development standards; b) promote compatibility, maintain character, and preserve aesthetic values; c) address environmental and landscape conservation; d) provide for safe, efficient and appropriate movement of vehicular, vessel and pedestrian access and associated facilities; e) ensure maintenance or restoration of vegetation or natural vegetative buffers, or provision of landscaping; f) ensure proper grading, storm water management and construction mitigation measures are provided; g) ensure the conveyance of any required easement or road widening; and h) Address measures for healthy communities.	Plan control
J.61	Any area not subject to the system is described as a proposed site plan control area, and will be designated as such in a site plan control by-law passed by the Council.	Development Permits and Site Plan Control Area
J.62	The Development Permit By-law and the site plan control by-law may exempt the following uses from the requirement to obtain a development permit or from site plan control; a) low density residential except where it is adjacent to a shoreline, or is required to implement the environment, constraint, or design policies of the plan; b) an agricultural use, except where the property is adjacent to a wetland or waterbody; or c) minor renovations and extensions.	
J.63	Within the development permit area and the site plan control area, and where reasonable and related to the application, drawings showing the plan, elevations and cross-section views of buildings to be erected may be required for residential buildings containing less than 25 dwelling units where development constitutes: a) multiple residential development; b) detached residential development on environmentally sensitive terrain or in flood prone or other hazard areas; or c) single detached residential development in the waterfront designation.	Drawings
J.64	Where a property abuts a Muskoka Road, or is in an area where municipal services are or will be provided, the Township of Lake of Bays will not approve a development permit or a site plan agreement until the District Engineer or his designate, has been advised of the proposal and afforded a reasonable opportunity to require the owner of the land to enter into an agreement with the District Municipality of Muskoka respecting these matters.	District Agreement

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| J.65 | Site plan agreements entered into prior to the date of adoption of this plan will remain valid and binding. | Existing
Agreements |
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Municipal Agreements

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| J.66 | The Township may require a proponent to enter into municipal agreements as may be required in this plan and in accordance with the Planning Act, Municipal Act or any other relevant statute. | |
| J.67 | All municipal agreements will conform to this plan and will be used to implement the policies of this plan. | |

Community Development

Community Improvement Policy

Community improvement policies enable a community and the municipality to jointly enhance an area of the community, usually a main street area. This planning tool is not mandatory, rather it may be used where the community and the municipality feels that it will be desirable to redevelop and improve a particular area in order to better position themselves to realize economic opportunity and build their community.

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| J.68 | Community improvement encompasses all those activities, both public and private, which plan, rehabilitate, redesign and redevelop the existing physical environment within a community improvement project area, as further defined by and within the context of the Planning Act. | Definition |
| J.69 | <p>Community improvement project areas may be designated by by-law and a community improvement plan prepared, based on consideration of the following:</p> <ul style="list-style-type: none"> a) the community improvement project area is located within the boundaries of a designated community of this plan; b) the area has been identified as one where the uses may be incompatible or buildings are approaching the end of their functional life, or have deteriorated, and should either be rehabilitated or restored for sequential uses in keeping with the nature of the area or demolished so as to allow for redevelopment of the site for a use more compatible with the area; c) the area contains vacant and under used lands, buildings or structures which could be developed or redeveloped in a manner which reinforces the functional role of the area or provides for the enhancement of the municipal tax base; d) the area has been identified as being deficient in terms of the level of municipal services, because it no longer meets current development standards, is characterized as inefficient from a | Criteria for
Project Areas |

- service delivery perspective, or exhibits signs of aging;
- e) the area has been identified as being deficient or in need of enhancement in terms of neighbourhood and/or community parkland, recreational, or community facilities;
- f) the area contains man-made hazards such as poor street and intersection design, barriers dividing the community, or flood control issues which should be eliminated; and
- g) the area has business uses, which require upgrading, streetscape improvements and/or improved off-street parking and loading facilities to aid the area's economic viability.

J.70	The Council may, by by-law, designate lands in the Township as a "Community Improvement Project Area" and will prepare a plan for that project area. The following matters should be considered in the preparation of a community improvement project plan:	Community Improvement Project Plans
	a) the basis for selection of the project area; b) the boundary of the area; c) the land use designations and intent of the Official Plan; d) the nature of existing land uses, the physical condition of the buildings and structures; e) the existing level of services and the nature of improvements proposed to municipal infrastructure, such as roads, water supply, sanitary and storm sewers, public utilities, and other community and recreational facilities; f) the identification of properties proposed for acquisition and/or rehabilitation; g) the phasing of improvements to permit a logical sequence of events to occur without creating unnecessary hardship for area residents and/or businesses; and h) the estimated costs, means of financing, and the potential for stimulating private sector investment and an improved municipal tax base.	

Community Standards

J.71	Council may pass a by-law establishing minimum standards of property maintenance and occupancy, which among other matters may address the following:	By-law for Property Standard
	a) garbage disposal; b) pest prevention; c) structural maintenance of buildings; d) safety of building; e) cleanliness of buildings; f) keeping lands free from rubbish, debris, abandoned, or used vehicles, trailers, boats, mechanical equipment or material; g) maintaining fences, swimming pools, accessory buildings, and signs; and	

h) occupancy standards.

J.72 All property within the Township will be subject to any minimum maintenance and occupancy by-law.

J.73 Transient traders should be regulated through zoning and development permit by-laws and licensed under the Municipal Act.

Transient Traders

Notice Requirements

The timing and manner of the giving of notice of public meetings to consider comprehensive or site specific official plan policy or zoning and development permit by-law provisions is generally set out in the Planning Act and its regulations. Since most of the Township's population is part-time in nature, a mailed notice is generally the most appropriate option for providing notice of public meetings and is usually the option used. However, in the case of a comprehensive or complex document, this sometimes is not feasible.

J.74 Notice of public meetings to consider planning policy, zoning, development permits or other provisions will follow the provisions of the Planning Act and associated regulations. In addition, the method and timing of the giving of notice will be appropriate in the circumstances, in order to secure public input.

Public Meeting
Notice

J.75 In consideration of the seasonal nature of the Township population and unless otherwise determined by the Township, notice of site specific applications will be given by first class mail and posting on the property, particularly in the waterfront or rural areas.

Notice by Mail

J.76 Time beyond that specified in the Planning act may be required, as determined by the Township, in order to obtain public input respecting comprehensive documentation or complicated applications.

Time Period

J.77 Where more than one public meeting is convened pursuant to the Planning Act, for an official plan, development permit by-law, zoning by-law or amendments to such documents, the second and subsequent meetings shall be held no sooner than 10 days after the requirements for the giving of notice have been complied with.

J.78 Where it is found necessary to make a technical revision to the Official Plan, Development Permit By-law or Zoning By-law that would not change the effect of the plan or by-law, such as correcting clerical, grammatical or typographical errors, or the reformatting or renumbering of the document, these minor changes may occur without the need of an amendment to this plan.

Technical
Amendments

Municipal Road Allowances

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| J.79 | Development of any kind or the removal of any vegetation on a Township road allowance will not be permitted without the approval of the Township. | Use of Road Allowances |
| J.80 | The occupation of a road allowance may be authorized for an abutting land owner, where the Township does not have an immediate use for that road allowance or portion thereof and such occupation would not interfere with municipal or public use of the road allowance. | |

Original Shoreline Road Allowances

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| J.81 | Original shoreline road allowances may be closed, and the portion of the road allowance above the normal high water mark conveyed to the abutting owners provided that: <ul style="list-style-type: none"> a) it has no present or potential use as a public waterfront area, harbour or beach, or for a trail, a portage, public access to the water, public travel, or any other municipal purpose; b) it does not include or affect a significant sensitive environmental or natural area or heritage area which should be retained by the municipality for protection; and c) it does not contain significant historical or cultural features, which should be retained on the site. | Closure & Conveyance |
| J.82 | Subject to Section J.81 above, conveyance of shoreline road allowances should be permitted in order to correct existing building encroachments. | |

Road Allowances Leading to Water

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| J.83 | Road allowances leading to water should not be closed and conveyed to abutting owners, and will not be conveyed to abutting owners where they would represent existing public land providing access to a waterbody, unless a comparable or better parcel located in the vicinity is provided in exchange, and such an exchange would be advantageous to the Township and in the public interest. | Closure & Conveyance |
| J.84 | Where an existing building encroaches on a road allowance leading to water, an agreement may be granted for an amount of time to be specified by the Township, and no further encroachment or enlargement should be permitted. | |

Monitoring

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| J.85 | The Township will monitor the effect of this plan on an annual basis through an inventory of development activity such as lot creation, building permit activity and land use changes, as well as through review of social, economic and environmental trends. | |
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