

October 11, 2023

Planning Committee
Township of Muskoka Lakes
1 Bailey Street
Port Carling ON P0B 1J0
BY EMAIL

Dear Chair Bosomworth and Members of Planning Committee,

**Re: ZBA-26/22 (AMENDED) – BY-LAW 2022-094, (EVANS),
Island Harry, Lake Joseph, Part 6, Plan 35R-14682 and Part 1, Plan 35R-22258 (Medora),
Civic Address: Not Assigned, Roll #4-25-024-06**

The Muskoka Lakes Association (MLA) was contacted by a member approximately one year ago about a proposed Zoning By-law Amendment for the above property. We carried out some investigations and asked for notification should the application come forward again. We appreciate being able to provide comments now as the property is being considered, once again, on October 12.

1. We support planning staff's recommendations to permit reconstruction of a single storey boathouse, including that the proposed development be made subject to Site Plan Control to implement the Environmental Impact Study, prepared by Beacon Environmental dated February 22, 2023, and the Peer Review Response by Hutchinson Environmental Sciences Ltd., dated July 19, 2023. We support these measures to protect the environment, particularly fish habitat and water quality.
2. We offer the following comments to support planning staff's recommendations to deny Exemption A and Exemption D.

Harry Island is an undersized lot for development.

The applicant's agent, when employed by the Township of Muskoka Lakes, was asked in 2016 by the prior owner about building a cabin of some description on the island and advised the prior owner that Harry Island (.98 acres) was too small to support development (less than 2 acres on Lake Joseph). Section B.5.22 of the Official Plan stated, "islands less than 0.8 hectares (2 acres) shall not be developed for residential purposes and shall be limited to a picnic shelter and a dock, or existing development as of the date of adoption of this plan" (2010).

Harry Island is just 0.4 hectares (.98 acres) and the adopted, but not yet approved, new Official Plan carries forward a minimum size of 0.8 hectares or 2 acres for development. To build on Harry Island should require an Official Plan Amendment.

Muskoka Lakes requires new leaching beds to be built 100 feet from the high-water mark.

For many years, the requirement for a new leaching bed has been a distance of at least 100 feet from the high-water mark. To protect water quality of Lake Trout Lakes such as Lake Joseph, Exemption D on this undersized lot should be denied as staff recommend.

Given the recent release of the Muskoka Watershed Council's 2023 Report Card, which raises alarms about degradation of Muskoka's watersheds including more frequent algal blooms, the MLA supports a precautionary approach to development to preserve water quality.

There was no pre-existing dwelling in the two-storey boathouse.

The MLA was advised that the Township solicitor determined that no dwelling existed in the two-storey boathouse. We concur. There were no sanitary facilities, nor a kitchen. Several of our board members have personal knowledge of the property under the prior ownership. We do not believe there is any "as-of-right" entitlement to enlargement or re-development of a legal non-complying dwelling that was alleged to exist in relation to the boathouse. We support staff's recommendation to deny Exemption A.

Thank you for the opportunity to provide our comments.

Sincerely,



Susan Eplett
President

Cc: Bryce Sharpe, Manager of Planning
David Pink, Director of Development Services and Environmental Sustainability
Derrick Hammond, Chief Administrative Officer
Emily Crowder, Planner