

August 17, 2022

Sent by email

Town of Gravenhurst
3-5 Pineridge Gate
Gravenhurst, Ontario
P1P 1Z3

Attention: Adam Ager, Manager of Planning Services

Dear Mr. Ager:

Re: Application by Renaissance Leisure Group (2004) Inc. (the “Applicant”) for certain zoning by-law amendments for lands located at 1209 Muskoka Beach Rd.

In my email to you dated July 13, 2022, I inquired about dark sky lighting and whether a Lighting Plan would be required.

The Muskoka Lakes Association is of the opinion that there are dark sky lighting requirements applicable to the proposed development by virtue of the Official Plan and/or site plan agreements. The Applicant also acknowledges that a Lighting Plan will be required.

1. Official Plan

Section C7.8.3.2 o) of the Official Plan provides that:

“All lighting related to the development shall be installed to minimize impact on the night sky. More detailed specifications for lighting will be incorporated in the site plan.”

This section of the Official Plan is applicable for the following reasons:

- (a) Schedule A-1 indicates that the subject lands are located in the Northern Resort Node, thereby making such lands subject to Section C7.8.3.2, by virtue of Section C7.8.3.1. There is some suggestion that Schedule A-1 may be incorrect. We do not agree. In any event, there is no

Official Plan Amendment proposed to amend this schedule. We further note that the Town acknowledges that the subject property is in the Taboo Northern Resort Node. For example, in the Town's Notice of Complete Application and of Public Meeting, at bottom of the second page, the Town states that: "The subject property is located within the "Taboo Northern Resort Node" designation of the Town of Gravenhurst Official Plan." We agree.

- (b) Section C7.8.3.2 is comprised of additional General Development Policies applicable to the Urban Resort Commercial Area and are not inconsistent with the General Policies for such area set out in Section C7.8.1.1 (for example, height is not mentioned in Section C7.8.1.1, but is mentioned in Section C7.8.3.2 i)). There is nothing to suggest that these general policies do not apply to the subject lands (including in Section C7.8.3.1).
- (c) Section C7.8.3 specifically refers to the "Taboo Resort" and the "hotel complex", which undoubtedly refers to and includes the subject lands. For example, the first sentence of Section C7.8.3.1 states that: "The following policies shall establish the basis under which the **Taboo Resort** (emphasis added) will expand." Section C7.8.3.2 a) states, in part, that: "The minimum setbacks from the normal or controlled high water mark for the **hotel complex** (emphasis added) shall be detailed in an implementing Zoning By-law." The hotel complex refers to the hotel complex on the subject lands. There is no other hotel complex on or proposed for the Taboo Southern Resort Node or the balance of the lands comprising the Taboo Northern Resort Node.

In addition, Section C5.6 of the Urban Centre section of the Official Plan states that:

"Where new development occurs adjacent to existing development, the new development shall be designed in a manner that reflects existing built form, including such matters as height, building mass and character. Where new development proposes increased densities as encouraged by this Plan, the development shall be designed to provide either a transition between existing development and new development, where practical, **or design features that mitigate potential impacts between the new and existing development** (emphasis added)."

As noted in Section 3 of our planner's (Mr. Stephen Fahner of Northern Vision Planning Ltd.) letter to you dated June 28, 2022, in his opinion, the proposed tourist establishment building does not provide a transition from existing development, especially from the north. In addition, in Section 10 of his letter, Mr. Fahner notes that: "There has not been a Lighting Plan submitted with the proposal detailing light emanation from the property and possible impacts on the dark sky, as an example."

In our view, design features that would minimize impact would include dark sky lighting.

2. Site Plan Agreements

We note there is a site plan agreement dated February 25, 2003 which refers to 1209 Muskoka Beach Rd., being the subject lands. Our understanding is that this site plan agreement remains in effect. A copy is attached. Schedule "C", Section 8 states that:

“The Owner agrees that all surface lighting to be constructed on the site shall be positioned so as to focus light internally so as to not impact on neighbouring uses. The Owner acknowledges that a portion of the Torrance Barrens Dark Sky Preserve is located within the Town of Gravenhurst and agrees that any outdoor lighting facilities, including those in the parking and loading areas shall be sensitive to the protection of the night sky (full cut off lighting) and all lighting shall be located and designed in such a manner so as to direct and deflect the light inwards and away from the adjacent residential property.”

Further, there is a site plan amending agreement dated April 28, 2016 which, in Section 2, states that:

“The Owner acknowledges that a portion of the Torrance Barrens Dark Sky Preserve is located within the Town of Gravenhurst and agrees that any outdoor lighting facilities, including those in the parking and loading areas, shall be sensitive to the protection of the night sky (full cut off lighting) and all lighting shall be located and designed in such a manner so as to direct and deflect the light inwards and away from the adjacent properties.”

Notwithstanding the site plan agreements, we understand from neighbours that outdoor lights have been added to the existing boathouse that remain on all night. Please see the recent pictures attached.

3. Applicant’s Response

Pursuant to my email to you dated July 13, 2022, I asked a number of questions concerning the proposed development, including the following: “7. Will Dark Sky Lighting and a Lighting Plan be required?” Pursuant to her email to me dated August 5, 2022 (on which you were copied), Katy Schofield responded on behalf of Great Gulf as follows: “Yes for site plan submission”.

As such, we respectfully submit that a condition of approval include a requirement to have a Lighting Plan in the site plan agreement to address dark sky lighting issues (addressing both interior and exterior lighting).

Yours very truly,



Ken Pearce
Director, Vice-President and Secretary
Muskoka Lakes Association

cc. Melissa Halford, Director of Development Services
Stephen Fahner, Northern Vision Planning Ltd.
Anne Stanway, President, South Muskoka Lake Community Association
Susan Eplett, President, Muskoka Lakes Association
Laurie Thomson, President, Friends of Muskoka