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Seguin Township
5 Humphrey Drive
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Dear Mayor MacDiarmid and Councillors,

Re: Official Plan Review

Thank you for this opportunity for the Muskoka Lakes Association (MLA) to provide comments in connection with Seguin Township's Official Plan review. The MLA represents more than 2500 families within Muskoka, extending from Seguin Township in the north to Gravenhurst in the south, as well as Bracebridge and the Township of Muskoka Lakes. Our association includes residents on the three big lakes and the numerous small lakes within Muskoka. This letter outlines our comments which we hope will inform your deliberations regarding policies to be included in Seguin's new Official Plan.

Maintain an Environment First Philosophy

The MLA has championed protection of our lakes since its formation in 1894. The MLA applauds Seguin Township for being a leader in recognizing the importance of putting the environment first in decision-making. The MLA strongly supports Seguin's commitment to preserving 'the view from the canoe' by giving the environment the priority over economic or social development when making all land use and public works decisions. It is our fervent hope that Seguin's neighbour, Township of Muskoka Lakes, follows Seguin's lead by incorporating an environment first philosophy into its official plan, which we are urging them to do.

The environment is the foundation of why we come to Muskoka to visit or reside, and protecting our waters and forests will secure our future here. We must recognize our environment is changing and that we must have policies for climate change, flooding and other stressors that anticipate and proactively ensure that Seguin's new OP provides for the conditions to protect shoreline and other natural features.

This may be by new building design standards, setbacks from flood plain, permitted uses in the floodplain, stormwater runoff controls, wildfire, drought, blue green algae, or invasive species controls. It needs collective efforts at all levels of government. In doing so we also address environment first.

In the evolution of Muskoka, there are new conflicts and challenges arising from the way people want to live and build that Seguin will need to tackle in its Official Plan policies. Waterfront density, recreational carrying capacity, and climate change are addressed in Seguin's OP Discussion Papers but two – resorts (also addressing shoreline density) and carrying capacity need particular policy attention.

Enhance Commercial Resort Policies

The MLA has been commenting on commercial resort policies across Muskoka since 2017 when developers began purchasing properties zoned as commercial resorts, and using the higher density permissions on these properties to build what were in fact residential subdivisions. The MLA has argued that any dwelling unit built on a commercially zoned property should have conditions of use that ensure it will remain commercial: for example, the unit must be put in a rental pool so it is available for tourists for a majority of the year, including a majority of the summer when most tourists want to visit Muskoka.

Unfortunately, the Local Planning Appeal Tribunal has found that the commercial resort policies in the official plans of both the District of Muskoka (DOM) and the Township of Muskoka Lakes (TML) are vague and unclear, and do not prohibit these types of developments. As a result, de facto residential developments are being built in TML with far less than the minimum shoreline required for residential properties – at Legacy Cottages on Lake Rosseau, 43 three, four and five bedroom cottages are under construction on only 470' of shoreline.

The MLA strongly urges Seguin to strengthen its commercial resort policies in its Official Plan review. Attached are “Conditions of Use” that we encourage you to consider for resort condominium units. These conditions were recommended by the Minett Joint Policy Review Steering Committee (MJPRSC) which was formed by the DOM and TML to study the proposed development of 4,000 units in Minett on Lake Rosseau. The MLA’s current President, Deborah Martin-Downs, and two other MLA Directors were members of the MJPRSC.

The MJPRSC commissioned a study by the Altus Group – “Understanding the Waterfront Economy Study: An Economic Benefits Analysis 2020” – which is equally applicable to Seguin. Altus found that seasonal cottages currently dominate the waterfront economy, accounting for half to two-thirds of total economic activity, while resorts contribute between one fifth to one third of the total with year-round residences and short-term rentals accounting for the balance. Altus concluded that Muskoka has ample current resort capacity and to meet future demand very little additional resort development will be required. We attach the Executive Summary of Altus’ report.

The MLA believes that restrictions on waterfront developments are required in order to protect the environment and the high quality of life in Muskoka. Today’s commercial resort developments in Muskoka have far different community and environmental impacts than traditional resorts and these impacts extend far beyond the degradation of Muskoka’s visual landscape. Such projects put unexpected and unwanted demands on municipal services and the limited recreational carrying capacity of our lakes. It would be very poor planning to simply “adapt” existing policies designed to apply to traditional resorts to an entirely different and generally more intensive type of land use.

The MLA urges Seguin to adopt policies such as those recommended by the MJPRSC to ensure resorts remain commercial, and to prohibit residential subdivisions from being built on commercially zoned properties, as has been happening in TML. This OP review is the opportunity to lead and define the kind of shoreline development we want.

Enhance Recreational Carrying Capacity Definition

The MLA strongly supports Seguin’s recreational carrying capacity (RCC) policies that help to minimize the impact of development on the recreational amenity of waterbodies. However, the policies should be revised to appropriately address the carrying capacity of the larger lakes, such as by applying a ‘lake neighbourhood’ standard. In addition, the RCC policies should be extended to bays, rivers and connecting channels on our larger lakes. They too are experiencing significant growth in boat traffic and with it, increased safety concerns and demands for docking infrastructure.

The 2019 boat impact study commissioned by the MJPRSC (by Riverstone Environmental Solutions Inc.) has confirmed that boat traffic in Muskoka has increased significantly since 2007, as has the measured frequency of unsafe boating traffic levels. If a road has exceeded safe operating capacity, we widen it. There is no such recourse on our lakes. Seguin’s RCC policies must fully address this issue, including for the larger lakes, for it is changing the quality of experience for our members.

In a recent survey of MLA members, 58% said that their enjoyment of the lakes has changed for the worse over their time here. Further, members cited the following as impacting their enjoyment:

Noisy boats	63.47%
Too many waves	41.17%
Density of shoreline development	61.53%

In addition to measuring RCC, we might consider character capacity – at what point in shoreline development do we change:

- the aesthetics of the shoreline,
- our ability to see loons or other wildlife,
- to fish,
- to enjoy the water without excessive noise or waves,
- to boat safely, or
- our water quality by increased runoff.

Perhaps we can define those thresholds and measure by lot the contribution to protecting or degrading those conditions. Seguin could be a leader in defining a new way of shoreline preservation.

Other areas of emphasis from the Discussion Papers

We would like to make the following comments on questions asked in the Discussion Papers:

- The new OP should contain updated policies on lake system health, and updated policies to protect water quality and the environment. These should enable stringent management practices for development in waterfront areas.
- The new OP should contain enhanced policies addressing flooding hazards, in light of climate change. We also strongly recommend a policy direction to prohibit components of septic systems within the floodplain.
- The OP should enable the Township to identify and protect locally important features as well as natural shoreline vegetation through the development review process.
- Site alteration – including, but not limited to, driveways, pathways, stairways to shoreline, patios, decks, outdoor fireplaces, swimming pools, sports courts, helipads, and hot tubs - need to be regulated under site plan control. The footprint of developed area is growing resulting in clearing and blasting, and policies (and the related zoning) should provide limits to the area that is permitted to be cleared and blasted.
- Finally, all the plans in the world are only as good as their implementation. Seguin is reminded to incorporate compliance mechanisms, and ensure capacity in by-law enforcement within the Township.

Thank you for receiving our comments. As always, we will be happy to elaborate further. We look forward to participating in the next stages of the project.

Yours truly,



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c.c. Deborah Martin-Downs, President, MLA
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