

February 15, 2018

**Mayor and Members of Council  
Township of Muskoka Lakes  
1 Bailey Street, PO Box 129  
Port Carling, Ontario P0B 1J0**

Dear Sir:

**Re: 2253100 Ontario Inc –The Rousseau Resorts Developments  
Site Plan Application SPA 77-17  
1050 Paignton House Road  
Wallace Bay Lake Rousseau**

The Muskoka Lakes Association (MLA) requests that council **defer** approval of this application pending changes with respect to the building setbacks from the shoreline and satisfactory resolution of the capacity of the sewage disposal system.

#### **Setback from the shoreline**

#### **Past history**

As part of their ongoing water quality testing program the Muskoka Lakes Association (MLA) has undertaken water quality testing in Wallace Bay adjacent to the subject property for over 10 years. Councillors may remember that in 2014 the MLA brought to their attention our concerns regarding poor water quality and potential presence of e coli in Wallace Bay as evidenced by our test results that summer. Our most recent testing, summer 2017 indicates that although the water quality remains poor it is not as severe as several years ago. Nevertheless water quality in Wallace Bay continues to be a concern,

#### **Official Plan Policy**

The District of Muskoka Official plan states “the natural environment, especially water is Muskoka’s key asset and it will be protected.” The townships Official plan states that excellent water quality is a goal and an economic necessity in attracting tourists and cottagers to Muskoka

#### **Lake health and vegetative buffers**

We are concerned about the effect of the proposed development on the health of the lake.

In spite of the zoning by-law requirement that buildings be setback 66 ft from the lake, the site plan provides for the units in Block 5 and Block 7 to be less than 10 feet from the shoreline.

One of the reasons for requiring a building setback from the shoreline is to provide the opportunity for building contaminants, rainwater from the roofs for example, to be filtered through the soil prior to entering and contaminating the lake .

We are aware that a by-law was approved in 1997, 21 years ago which allows buildings on blocks 5 and 7 to be a few feet from the waters edge . Since then, Muskokans and Ontario

citizens have become more aware of the damaging impact of uncontrolled and unfiltered water from building runoff on our lakes and rivers.

The townships Official plan adopted in 2010 states that “ conservation of the natural environment and retention of or restoration of vegetation particularly along the shoreline will be encouraged.”

Over the past 10 years planning policies have been strengthened to protect the shoreline , to require planting of native vegetation along the waterfront and to restrict shoreline clearing, and depletion of shoreline vegetation. **The presence of buildings within 10 ft of the shoreline restricts any provision of shoreline vegetation to filter out sediments in surface runoff.**

### **Stormwater manangement**

The Pinestone report on stormwater manangement recommends that low impact development measures be part of the treatment train approach to managing water on the site. They continue by stating that there will be a landscaping planting strategy which will provide buffering of the shoreline. There is no buffering of the shoreline given that there is virtually no distance between the development and the shoreline.

### **Flooding**

Not only are buildings this close to the water’s edge a detriment to the lakes environmental health, they are also a concern due to the health and well being of its inhabitants.

The drawings accompanying this site plan show the lake elevation to be about 226 m. The operating plan for this portion of Lake Rousseau is 226.4 m a difference of 1 and a half feet! This level was surpassed last year and a couple of other times in the last five years. That means that the dwelling units in blocks 5 and 7 are likely to be flooded at least once every five years. The effects of climate change in Muskoka are now recognized to result in greater fluctuations in weather patterns and greater potential for spring flooding. Allowing new buildings to be established so close to the water edge is irresponsible.

### **Build back better and best management practices**

All development applications including site plans are to consider matters of provincial interest eg ecological systems natural area functions, and features and climate change I am not sure this application meets that standard. And as you will be informed, referral to the OMB now renamed the local planning area tribunal can only be made based on being inconsistent with the provinces policies or failure to conform to the local townships official plan. This application as presented qualifies for an appeal

In addition this application does not appear to include a BMS (Best Management Practices) approach to shoreline water quality protection as recommended in the District’s draft official plan.

The MLA has raised concerns with the District that the township appears to be is unable to implement this approach. Your staff have said they would be challenged to implement best management practices. This is a good opportunity for the township to satisfy the fears of its citizens with respect to water quality sensitivity and show leadership..

This is an opportunity for the township to require development to be “built back better” to give meaning to their intent to protect the shoreline of the lakes, its waer quality and the character of Muskoka

**Defer** approval of this application pending changes with respect to the building setbacks from the shoreline. Tell your staff and the applicant they have to do better.

Thank you

The MLA requests notice of any additional meetings with respect to this item. Notice of the council’s committee’s decision is also requested.

Respectfully submitted,

Anne McCauley  
Muskoka Lakes Association

c. District of Muskoka