

**Welcome to the December 2016 issue of MLA NewsBites –**

The MLA would like to take this opportunity to wish all our members a happy holiday and all the best for 2017. The MLA is pleased to continue serving you and acting on your behalf throughout the year. As always, please do not hesitate to contact us at any time if you have any questions or concerns.

The MLA has begun work on our 2017 Yearbook and need your help! We're looking for information on some of the nooks and crannies around the lakes that may have a strange history that few know about. Maybe it's a great bay that you explore or maybe it's an island with an interesting name and a history to match. What are those special hidden gems around the lake? We'd love for you to pass it on! Please email [admin@mla.on.ca](mailto:admin@mla.on.ca) if you are willing to share!

**DISTRICT OF MUSKOKA**

**District Official Plan (OP) Update**—The District is currently undertaking a review of its Official Plan (OP). District staff, along with their consultant Meridian Planning, presented a revised draft Official Plan to District's Planning & Economic Development Committee (PED) in November. PED Committee generally believes that there is a need for the OP to be more strategic in its approach to planning policy and that the Area Municipal Official Plans should include more detailed and prescriptive policies that reflect local perspectives. There was also general agreement that the OP should allow for the establishment of flexible approaches and responses to changes in the economy and changing trends in general to stimulate economic development and renewal.

This new plan contains approximately 40 new directional policies. These new policy changes reflect the challenge of balancing the environment with economic development, urban development versus rural and shoreline concerns, climate change, sustainability of resorts, the need for more affordable housing, an ever-increasing aging population and its effects, cottage rental issues and concerns, policy enforcement and backlot development. The new OP is intended to provide general guidance and allow the area municipalities the flexibility to deal with the details and execution of these policies. Public consultant is planned for spring/summer of 2017 and final adoption and approval for fall 2017. The 76 page draft District OP can be found [here](#). The summary of the 40 directional policies can be found on pages 71 to 76. It is anticipated that the District will hold a public open house mid-January 2017; however an on-line comment form is now available to receive public input. ***The MLA is currently reviewing the directional policies and will be providing comments to the District in early 2017.***

**Airport Update and Request for MLA Member Comment** – The District of Muskoka has hired consultants from InterVISTAS to review the current airport governance model, engage the community regarding the future governance structure and provide recommendations on the best governance model for the Muskoka Airport to achieve its future objectives. InterVISTAS is a Canadian company with offices in London England, Brazil and the Netherlands; its headquarters are in Vancouver, B.C. The consultants are just beginning consultations with stakeholders. Their intent is to understand the community's issues and their aspirations for the airport which will help guide their recommendations. They stressed that the District of Muskoka has "a facility that serves its community well now and into the future." Issues that the consultants are reviewing include the usage of the airport, possibility of scheduled flights, customs and security related to scheduled flights, the governance model at the airport, airport funding and whether the District should continue to own and operate the airport. See the local news story for more details [here](#).

A previous study in 2013 of airport users showed that 48% of passengers that summer were destined for the Township of Muskoka Lakes. One of the consultants, V.P. of Route & Network Planning - Mr. Alex Welch, stated the need for input from the area cottagers to see if there is a need for scheduled service to Muskoka via Porter or

West Jet. If you would like to provide input, he encourages you to email him with your input (they keep individual emails confidential). Email input can be sent to: [alex.welch@intervistas.com](mailto:alex.welch@intervistas.com). ***The MLA encourages all our members to provide input into this important study. Feedback to District Council is expected to occur in early/mid-January 2017.***

**Update on OPP Billing Costs** - The total cost of policing for the district of Muskoka is increasing by \$940,510 next year for a total 2017 cost of \$15,955,352. This is in comparison to \$15,014,842 for 2016. District staff had estimated that the increase in policing costs would be almost \$16.5 million, which is approximately \$500,000 more than the actual bill. So this \$500,000 reduction is good news. However this will still result in an estimated tax levy increase related to OPP costing of 1.35% in 2017, 1.24% in 2018 and 0.57% in 2019. ***The MLA is naturally concerned with the steep increases related to OPP costing, but understands that the District is limited in its ability to effect major changes at the provincial level.***

**Provincial Changes Could Force Public Election of Muskoka's District Chair** – As a local newspaper reports: “The province could force changes to the way Muskoka’s regional government operates. Muskoka district councillors, who represent each of the region’s six area municipalities, historically appoint the District of Muskoka chair following each municipal election. The process is criticized for barring public participation. But the fall budget bill would instead force direct election of all regional chairs. Proposed amendments to the Municipal Act would also force regional municipal government to review their council membership at least once every second term and the ministry could break stalemates, if councils do not reach composition decisions within two years of initial discussions. Muskoka district council has been debating its composition since April. A bid to hire a facilitator to lead the process failed in September.” The full story can be found [here](#). ***The District Chair is the head of District political body, similar to the Prime Minister being the head of Canada’s government. The District Chair has significant power in a democratic society, and in our opinion, should be a representative elected by the people.***

## **TOWN OF BRACEBRIDGE**

**Passing of new Comprehensive Zoning By-law** – On November 30<sup>th</sup>, the Town of Bracebridge passed its new Comprehensive Zoning By-law. Open houses and statutory public meetings have been held over the last year and a half to review, discuss and receive input on policies for the urban, rural and waterfront zones. Any person may appeal any portion of this zoning by-law to the Ontario Municipal Board by no later than 4:00 p.m. on December 28<sup>th</sup>, 2016. The new Zoning By-law can be found [here](#). In addition to the new Zoning By-law 2016-88, this link provides links to the interactive on-line zoning maps, red-line changes made to previous drafts and a breakdown of various zoning schedules. ***As previously stated in NewsBites, the MLA is pleased the new Zoning By-law appears to be coming in line with similar waterfront policies in other Muskoka municipalities.***

## **TOWN OF GRAVENHURST**

**Final Draft of the Town's New Official Plan (OP) Available** – The Town of Gravenhurst held its second statutory public meeting on November 22<sup>nd</sup>, 2016. The Town’s consultant, Rick Hunter of Planscape, was present and several members of the public delegated. The Official Plan Review Committee has now developed the final draft of the new Town of Gravenhurst Official Plan. It will be presented for Council's consideration at the December 20<sup>th</sup> Town Council meeting beginning at 3pm. The final version of the Official Plan can be found [here](#). ***The MLA delegated at the November 22<sup>nd</sup> public meeting and has provided Gravenhurst Council with further comments. Please see here for our latest MLA submission. The MLA will also be in attendance at the November 20<sup>th</sup> Council meeting.***

**2017 Capital Budget Approved** – On December 13<sup>th</sup>, Council unanimously approved a 2017 Capital Budget of \$5,385,555 for the Town of Gravenhurst. The Town’s press release states that 83% of this capital investment will go towards roads, storm sewers, bridges, facilities and parks. Other projects include lighting retrofits, roof

replacements, facility improvements and road reconstruction/repairs. In October 2015, Council approved a plan that would see the tax levy increase by 3% a year for the next 3 years; 2017 being year 2 of the 3 year plan. In addition, the 2017 Operating Budget will increase by a further 2% in 2017. The full press release can be found [here](#).

Deliberations on the Operating Budget begin February 15<sup>th</sup>, 2017 and continue until the proposed approval and adoption on March 7<sup>th</sup>, 2017. The full schedule can be found [here](#). ***The MLA will be attending budget meetings in the New Year and will be reporting back to our members via NewsBites.***

**New 'Welcome' Sign on Highway 11** – According to a recent press release – “You will soon notice something new along highway 11 northbound! The Town of Gravenhurst is set to unveil its new highway signage to travellers making their way into the community. The new welcome sign, approved by the Ministry of Transportation, will provide clean and clear branding of the Town’s logo and adopted colour scheme. The project is expected to be complete by December 16, and will replace the former sign erected in 2003, which featured the Segwun Steamship encompassing a multi-coloured rainbow. The new sign developed by Roberts Signs and Awnings had originally been part of the 2015 budget but was reallocated to the 2016 infrastructure budget at a cost of approximately \$24,000.” To view this new sign, see the press release found [here](#).

## **SEGUIN TOWNSHIP**

**Report from Councillor Jack Hepworth** –As opposed to passing a formal by-law, Council has chosen to develop an education/stewardship strategy regarding the maintenance and tidiness of properties. The strategy involves increasing awareness of property owners to maintain their properties in a clean and clear condition for their personal health and the benefit of adjacent residents and the environment. Councillor Hepworth gives an update on the Accessibility Project for the Rosseau Hall and details the Council’s ‘action items’ from the December 12<sup>th</sup> Council meeting. Councillor Hepworth also outlines Ontario’s new “Track my Plow” program. This new program is an online portal that allows the public to track snowplows on provincial highways in the area; thereby keeping drivers informed of weather and road conditions. For all the details, please see Councillor Hepworth’s latest report here: <http://www.jackhepworth.ca/>.

## **TOWNSHIP OF MUSKOKA LAKES (TML)**

**TML Budget Meeting Schedule** – Discussions on TML’s 2017 Budget will take place in council chambers on the following dates:

**Tuesday, January 17<sup>th</sup>, 2017** – Introduction of the Budget at 9 a.m.

**Friday, January 20<sup>th</sup>, 2017** – Public Input Meeting at 7 p.m.

**Friday, February 2<sup>nd</sup>, 2017** – Budget Deliberations at 9 a.m.

**Friday, February 17<sup>th</sup>, 2017** – Expected Adoption of the Budget at 9 a.m.

Township’s press release can be found [here](#). ***The MLA will be attending these budget meetings.***

## **Touchstone Resort has Approval from Ministry of the Environment for their new Sewage Treatment Plant** –

According to a local newspaper: “After nearly a decade of delays and ownership change, a condominium development on the shore of Lake Muskoka has begun work on a waste treatment plant for the project.” A groundbreaking ceremony was held in late November to officially announce the construction of a new waste treatment plant and new condominium units. Robert McLaughlin, the president and chief executive officer for Touchstone Resort, said “We are building three new buildings now, and they are 85 per cent sold out. As part of this initial phase we are also building the waste treatment plant, which will be the most environmentally-friendly facility in Muskoka.” The local paper states that the new treatment plant is expected to be completed by the end of March 2017. The full news story can be found [here](#). ***The MLA is pleased that the new management is moving ahead with updated treatment plant plans and looks forward to the completion of the new plant.***

**A Micro-Brewery planned for Torrance** –Greg Knight owns a previously operated automotive service station building in Torrance. In November he was before TML Council requesting a zoning by-law amendment in order to establish a micro-brewery with a 40 seat restaurant and accessory retail use within that existing building. Mr. Knight's neighbours were present stating concerns with the proposed septic treatment system and the issue of the odour of the brewery. Mr. Knight stated that the majority of the beer will be brewed at an industrial unit in Scarborough and shipped to his establishment in Torrance. Councillor Ruth Nishikawa wanted reassurance that there would be sufficient parking for the restaurant. Director of Planning David Pink said that "Although parking is deficient now, there will be a new parking area behind the building which will bring it into compliance." Councillor Phil Harding had concerns over the proposed capacity of the treatment plant and the regulations in place to ensure that it doesn't negatively affect the surrounding neighbours' properties or environment. He stated "I support the micro-brewery but I want it written into the agreement that an on-going weekly, or bi-weekly, inspection from TML occurs to protect the environment." Council unanimously passed the zoning by-law amendment to allow the micro-brewery after David Pink assured councillors he would put a scheduled monitoring requirement into the site plan agreement. ***The MLA is supportive of increased economic development but agrees strongly that the septic system needs monitoring on a consistent basis.***

**Council Composition and Ward Boundary Review Decision** - TML had proposed allocating funds (\$30,000) from the 2017 budget to hire a consultant to do a complete analysis of ward boundaries and council composition. TML received three proposals from potential consultants, with the lowest bid coming from Strategy Corp. Mayor Don Furniss thought that an analysis was long overdue whereas the majority of council felt that the current system was not 'broken' and that TML had better things to spend the taxpayers' money on. Councillor Sandy Currie said "I encourage the next council to undertake this. There's not adequate time before the 2018 election to take this one – it's only 2 years away." Councillor Ruth Nishikawa was hoping for a ward boundary review and possible change. She stated "Ward A doesn't get heard at council. We pay huge taxes but don't get equal representation." Councillor Phil Harding stated "I'd rather spend time and effort finding a cohesive way to have this council work together."

The recommendations to hire Strategy Corp. and to approve the 2017 budget allocation of \$30,000 to fund the Ward Boundary and Council Composition Review process was defeated on a vote of 6 to 4. Those opposed were Councillors Sandy Currie, Allen Edwards, Phil Harding, Donelda Kruckel-Hayes, Terry Ledger and Gault McTaggart. Those in favour were Mayor Don Furniss, Jean-Ann Baranik, Linda Barrick-Spearn and Ruth Nishikawa. ***The MLA agrees that in times when residents' taxes are needed to pay for fixing crumbling infrastructure, and are being used to pay for increased OPP costs and improvements to achieve a first-rate Fire Department, that these savings can be put to better use.***

**TML Advertises for a Full-time By-law Enforcement Officer** – As a result of undertaking a comprehensive Organizational Review, TML Council voted in October to hire a full-time By-law Enforcement Officer. TML has now posted the job opportunity on-line. According to the posting: 'The By-law Enforcement /Property Standards Officer contributes to the success of the municipality by educating the public in regards to municipal by-laws; investigating and resolving complaints with respect to municipal by-laws and other legislation enforced by the municipality.' Interested candidates are invited to submit their application, including resume and cover letter that clearly outlines their qualifications and relevant experience, no later than 4:00 pm on Wednesday December 21, 2016. See the full job posting [here](#). ***The MLA is very pleased that the Township has undertaken to hire a full-time By-law Enforcement Officer, although it could be argued that more than one is needed!***

**Former TML Councillor Ron Brent seeks Reimbursement of Legal Costs** -In November former TML Councillor Ron Brent was before committee of the whole seeking reimbursement of his legal fees in conjunction with his lawsuit against Councillor Ruth Nishikawa. He stated TML staff had made a mistake in offering Councillor Ruth Nishikawa legal protection. In his delegation to committee, Mr. Brent said "TML staff are responsible for the total expense

of clearing the cloud of accusations that hung over me until Justice MacKinnon lifted it. He only approved a portion of my legal expenses (\$14,500). I am in deficit to the sum of \$9,422. I am asking that I be reimbursed for this deficit amount.” He concluded “I feel that TML staff, or whoever granted legal protection, were negligent in their duties and discriminated against me. I should have been offered the same level of protection as was offered to the councillor (Nishikawa).”

Councillor Phil Harding felt that the Judge had already awarded costs and damages. “I’m not in a position to overturn the Judge’s ruling. I’ll follow the Judge’s decision. This sets a dangerous precedent; i.e. to cover costs for an offensive action.” Councillor Sandy Currie requested that the Township’s CAO speak with the Township’s solicitor and report back to the committee in December. Committee unanimously agreed to this course of action. In a recorded vote at the December 15<sup>th</sup> Committee of the Whole meeting, council voted 7 to 3 not to reimburse Mr. Brent. Those in favour were Mayor Furniss and Councillors Allen Edwards and Gault McTaggart. This issue will be ratified at the January 2017 Council meeting. ***The MLA continues to be concerned over the division and polarization of TML Council. Council needs to be reminded of their stewardship role. We have included a link to the CAO’s report [here](#) as it contains implications for future actions by other members of council.***

**Conflict of Interest court case re Mayor Furniss vs. Councillor Nishikawa held over** – The conflict of interest case, initiated by Mayor Furniss, has been turned over to the trial co-ordinators office in Barrie in order to find a suitable time to hear this case. Mayor Furniss filed an application record at the Bracebridge court in late October, asking for a judicial opinion on whether Nishikawa deliberately breached the Municipal Conflict of Interest Act. The local news story can be found [here](#).

### **BALA FALLS UPDATE –**

**Committee of the Whole Meeting** - Swift River Energy Ltd. (SREL) was before TML committee of the whole in November where committee recommended to council the following 3 items:

1. That the lease agreement between the Township and SREL would be amended to exempt the lands used by SREL from any township by-laws that would restrict their ability to use the premises for the uses set out in the lease.  
By-laws to be EXEMPTED include the following:
  - (1) Tree Preservation By-law,
  - (2) Heritage Preservation By-law
  - (3) Heritage Conservation District By-law
  - (4) Noise By-law
  - (5) Site Alteration By-law
  - (6) Enacting no parking restrictions on the north side of Bala Falls Road between Purk’s Place / CP Rail lands and District Road 169, and
  - (7) Exempting the Premises from the payment of all taxes, including local improvement rates, assessments and other charges, rates, duties, licence fees or levies of every nature whatsoever during the term of this Lease and all extensions thereof.
2. That a Heritage Conservation Easement be entered into between TML and SREL.
3. A public open house is held in Bala to review proposed site plan for the hydro plant.

The Architectural Conservancy of Ontario /Muskoka Branch commented: “We are pleased that Margaret Burgess Park will not be disturbed. However we want it recorded that we do not support the use of Portage Landing for the hydro project. We were horrified to see the devastation to this property one year ago- as it is part of the Heritage Conservation District which we worked long and hard to have established.”

Councillor Sandy Currie stated he was not in favour of allowing SREL's settling tanks to be stored on township property. Councillor Phil Harding agreed saying the lease clearly states that would not be allowed. SREL's representative Frank Belerique agreed that SREL would most likely use the Shield parking lot to store their settling tanks.

Committee voted 7 to 1 in favour of all 3 items with only Councillor Sandy Currie opposed.

See detailed site plan, elevation drawings and a report from SREL's consultant Stevens Burgess Architects Ltd., entitled: "***Heritage Compliance for the Rehabilitation of Portage Landing Heritage Site***" starting on page 76 [here](#).

**Swift River Energy Ltd. (SREL) holds an Open House in Bala** – SREL hosted an Open House in Bala on December 8<sup>th</sup> from 4:30 to 7:30 p.m. to allow the public to view the proposed plans for Portage Landing on the Moon River site. TML has leased SREL Portage Landing to be used as part of the staging process for the construction of the proposed Bala Falls hydroelectric plant. The public inspected plans to restore Portage Landing after the plant has been built. TML Mayor Don Furniss and several councillors, Stevens Burgess Architects and representatives from SREL were present to answer questions. Two local news stories were filed about the Open House [here](#) and [here](#).

### **Port Carling Nursing Station/Health Hub Clarification**

***The MLA has received requests from our members for more information regarding the Nursing Station/Health Hub in Port Carling. Please see the information we received from the Health Hub's Meagin Gilchrist, RN. We hope this clears up any misconceptions of how seasonal cottagers must register with the Health Hub prior to receiving an appointment. Please note that the Health Hub will only be accepting 500 patients and they currently have 435 patients registered.***

"As I know you are aware, there are many discrepancies between what was promised to the community and what is being offered to the Community through the Port Carling Muskoka Community Health Hub. The Port Carling Muskoka Community Health Hub is not a walk-in clinic. It houses 1 Nurse Practitioner; there are no 'private Doctors'. The staff at the Port Carling Health Hub is employed by Cottage Country Family Health Team and are funded through the Ministry of Health and Long Term Care.

With that being said, the primary Role of the Nurse Practitioner is to enrol and provide Primary Care to those individuals that DO NOT have a primary Care provider. If residents have a provider somewhere else, we ask that they please try to contact them for an appointment prior to contacting the HUB.

Unfortunately, there has been a large demand for patients to enrol and that has taken away from the Nurse Practitioner's availability and ability to see cottagers and other seasonal residents at this time. Cottagers are welcome to call for an appointment but may be directed to use the walk-in clinic in Bracebridge due to the limited availability of appointments at this time."