



Township of Georgian Bay Official Plan

March 17, 2014

Consolidated to September 2025

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Summary of Official Plan Amendments

Amendment	By-law	Description
OPA #1	2014-74	Schedule C - Mactier - Institutional Designation to Residential Designation 35 Muskoka Road
OPA #2	Not approved	
OPA #3	2016-26	Amend s. F.5.10.4 to permit increase in GFA for 1 Island 1860.
OPA #4	2018-41	Source Protection OPA – Textural and Schedule Modifications
OPA #5	2017-95	Amend s. F.3.3.6.2 by adding F.3.3.6.2.1 to permit a sleeping cabin in the front yard of 6980 Island 1810.
OPA #6	2018-04	Schedule C - Mactier - Institutional Designation to Residential Designation 474 High Street
OPA #7	2018-28	Schedule C - Mactier - Commercial Designation to Industrial Designation 34 Curling Club Road
OPA #8	Not approved	
OPA #9	Not approved	
OPA #10	Not approved	
OPA #11	Not approved	
OPA #12	2019-33	Amend s. F.3.3.6.2 by adding F.3.3.6.2.2 to permit two sleeping cabins in the front yard of 1332 Island 1040 and to identify the maximum size of the two sleeping cabins permitted in the front yard.
OPA #13	2019-77	Amend s. F.3.3.6.2 by adding F.3.3.6.2.3 to permit a sleeping cabin in the front yard of 2 Island 1500 (Tibodeau Island).

OPA #14	2019-95	Amend s. F.3.3.6.2 by adding F.3.3.6.2.4 to permit a sleeping cabin in the front yard of 18114 Georgian Bay Shore.
OPA #15	2021-052	Amend s. F.3.3.6.2 by adding F.3.3.6.2.5 to permit a sleeping cabin in the front yard of 2 Island 2170 Georgian Bay. Amend s. F.5.10.8 a) by adding F.5.10.8 a) iv) i. to permit a dwelling width of 29 metres on 2 Island 2170 Georgian Bay.
OPA #16	Not approved	
OPA #17	2022-060	Amend s. G.1.3.2 by adding G.1.3.2 (g) to permit a reduced minimum lot area of 0.8 hectares and minimum lot frontage of 76.20 metres on lands legally described as PT 1, PLAN 35R24360; PT PCL 33507; PT LT 32, CON 5 BAXTER PT 2 3R59663; Georgian Bay, District Municipality of Muskoka.
OPA #18	2022-102	Amend s.: <ul style="list-style-type: none"> - I.5.1.1 by adding subsection (q) - I.5.1.11 by modifying the text - I.5.1.12 by modifying the text - I.5.1 by adding I.5.1.17
OPA #19	2023-009	Amend s. F.3.3.6.2 by adding F.3.3.6.2.5 to permit a sleeping cabin with an 18 metre front yard setback.
OPA #20	2023-065	Amend s. G.1.6 by adding G.1.6.1 to permit a minimum lot frontage of 53 metres for lands municipally known as 434 South Bay Road.
OPA #21	2023-082	Amend s. G.1.6 by adding G.1.6.2 to permit a minimum lot frontage of 75 metres for lands municipally known as 87 Corrievale Road.
OPA #22	2023-103	Amend s. F.5.9.7 by deleting and replacing the text related to the size of dwellings on Six Mile Lake.
OPA #23	2024-044	Amend s. I.8 by adding I.8.5 "Alternative Public Notification Methods".
OPA #24	2024-091	Amend s. E.4.1.3.2 by adding s. E.4.1.3.2.1 to permit a medium-density multiple-unit development on full municipal services at a maximum density of 53 dwelling units per gross hectare on lands legally described as

		Part of Island K in the Severn River opposite Lot 28, Concession 2, Geographic Township of Baxter, Township of Georgian Bay, District Municipality of Muskoka.
OPA #25	2025-062	Amend s. F.5.9.9 by adding s. F.5.9.9.3 being a site specific policy regarding lands municipally known as 68 Forest Lane to permit a sleeping cabin in the required shoreline or front yard setback as defined by the Township's Zoning By-law.

Section A: Introduction

A.1 Background and Analysis

A.1.1 Title and Components

A.1.1.1 This Official Plan for the Township of Georgian Bay will be referred to as the “Official Plan.” The Official Plan will consist of the text herein including Sections A to J and the attached Land Use Schedules (A – J-1).

A.1.1.2 The Appendices (1-10) do not form part of the formal Official Plan, but provide additional background information respecting the Official Plan.

A.1.2 Purpose of the Official Plan

A.1.2.1 The Township of Georgian Bay Official Plan is prepared under the *Planning Act, R.S.O., 1990 c.P.13*, as amended, of the Province of Ontario. The Official Plan has been developed with input from the community as an important tool to be used in managing growth. The Official Plan provides a policy context for land use planning. The Official Plan sets out the goals, objectives and land use policies, which will guide economic, natural heritage, and community-building decisions affecting physical change and the use of land within the Township.

A.1.2.2 Specifically, the Official Plan is intended to assist the Township in:

- a) Implementing the Township goals and objectives
- b) Promoting the wise stewardship of the Township’s significant natural and cultural heritage and *Character*;
- c) Providing for orderly growth that is environmentally and economically sustainable;
- d) Protecting the resources of the Township;
- e) Preserving the quality of life in the Township by fostering healthy, active and safe communities;

- f) Providing for predictable, open and integrated decision making; and
- g) Interpreting and applying Provincial and District of Muskoka policy within the context of the Township.

A.1.2.3 While the Township goals and objectives are the foundation for the Official Plan, the policies of the Official Plan have also been developed within the broader policy framework established for the Province. The Township of Georgian Bay Official Plan was prepared to be consistent with the Provincial Policy Statement (2005) and in conformity with the Official Plan of the District of Muskoka. Therefore, the Official Plan serves to apply and implement the strategic direction and policies of those policy documents in a manner that reflects the Township’s particular circumstances and community interests.

A.1.3 Scope and Duration

A.1.3.1 The policy within the Official Plan applies to all the land within the corporate limits of the Township of Georgian Bay.

A.1.3.2 As provided for in the Planning Act, prior to the Province carrying out or authorizing any undertaking that will directly affect the Township, the Province shall consult with and have regard to the policy of this Official Plan.

A.1.3.3 The policy direction within the Official Plan has been based on a twenty-year time frame, but the Official Plan has no specific terminal year.

A.1.3.4 The Official Plan is considered to be a “living” document, which will be continually monitored and updated to ensure that the intent of the Township goals and objectives are being addressed, community needs are being met, and the policies can be properly implemented. In addition, the policies of the Official Plan should be monitored to ensure that they are valid and realistic in light of prevailing circumstances, and that any new District of Muskoka or Provincial policies are addressed. A review of the Official Plan will be undertaken every five years, as required by the Planning Act, to evaluate whether the goals

and objectives are being achieved and to determine the effectiveness of the policies.

A.2 Use of The Plan

A.2.1 Reading the Plan

- A.2.1.1 The Official Plan represents the Township’s blueprint for sustainable growth in the Township of Georgian Bay. It reflects the Township goals and objectives and the desires of the residents of the Township, and will guide the Township in making future land use decisions and preparing a comprehensive Zoning By-law.
- A.2.1.2 Where there is a conflict between the Official Plan of the District of Muskoka and this Official Plan, the Official Plan of the District of Muskoka prevails to the extent of such conflict.
- A.2.1.3 The Waterfront Community Policies (Section F.5) shall also be read in conjunction with other policies in this Official Plan including, but not limited to, the Natural Heritage (Section D.1), Cultural Heritage and Archaeology (Section D.4), Recreational Water Quality (Section D.2.2), Areas of Use Limitation (Section D.3), Transportation (Section H), and Implementation (Section I) policies of this Official Plan. Where a conflict arises between the Waterfront Community Policies and other policies of this Official Plan, the Waterfront Community Policies shall apply, except with regards to the Resource policies of Section D in which case the more restrictive policy shall apply.
- A.2.1.4 The Provincial Policy Statement (2005) notes that municipal planning policy may go beyond the minimum Provincial standards established in specific policies, while remaining consistent with the Provincial Policy Statement, and the Official Plan for the District of Muskoka acknowledges that more detailed policy may be developed in area Official Plans. As a result Township policy may, in certain situations, be more detailed in nature or reflect particular community interests.
- A.2.1.5 Official Plan policy is implemented on a property specific basis through the Zoning By-law and other applicable municipal By-laws, as is detailed in Section I (Implementation and General

Policies) of this Official Plan. Any Zoning By-law and other applicable municipal By-law must conform to this Official Plan. Therefore, this Official Plan is the basis on which any new comprehensive Zoning By-law will be prepared.

A.2.1.6 The Sections of the Official Plan are organized as follows:

- a) Section A – Introduction – this section introduces the Official Plan, including its title and components, the legislative basis, the Provincial and District of Muskoka policy framework, the Official Plan’s general purpose and the contents of the Official Plan.
- b) Section B – Goals and Objectives – contains the overall strategic policy direction for the Township including the four primary goals and supporting objectives.
- c) Section C – Strategy for Sustainable Growth – contains policies for managing growth, settlement patterns and community building.
- d) Section D – Resources – identifies that the resources within the Township are valued and it contains policies respecting Natural Heritage, Water Resources, Cultural Heritage and Archeology, Mineral Aggregate Resources, Areas of Use Limitation, and Implementation, amongst others.
- e) Section E – Settlement Areas – recognizes the Urban Centres of MacTier and Port Severn, and the Community of Honey Harbour as a local service centre, and provides specific policies for each Settlement Area.
- f) Section F – Waterfront – recognizes the Waterfront Designation as a unique recreational resource and policies are provided which are specific to the shoreline including a definition of the extent of the policy area. Within the Waterfront Designation are the Waterfront Communities of Go Home Bay, Cognashene, Wah Wah Taysee, Honey Harbour, Palisade Bay / East Bone Island and Six Mile Lake. These Waterfront Communities have specific policies which apply in addition to the general Waterfront policies.

- g) Section G – Rural – establishes policies for appropriate rural land uses located outside of the Settlement Areas, Waterfront Communities and the Waterfront Designation.
- h) Section H – Transportation – provides policies for the hierarchy of roads and recognizes the Township’s waterways as an important part of the transportation network.
- i) Section I – Implementation and General Policies – contains planning tools to be used to implement the Township’s Official Plan.
- j) Section J – Glossary of Terms – contains definitions to be used to assist in the interpretation of the various Official Plan policies. The words that are found in the Glossary are provided in italics within the policy text.

A.2.1.7 The Land Use Schedules are organized as follows:

- a) Schedule A – Settlement Patterns
- b) Schedule B – Port Severn Land Use Designation
- c) Schedule C – MacTier Land Use Designation
- d) Schedule D – Honey Harbour Area
- e) Schedule E – Go Home Bay Coastal Waterfront Community
- f) Schedule F – Six Mile Lake Inland Waterfront Community
- g) Schedule F-1 – Six Mile Lake Inland Waterfront Community: Natural Constraints
- h) Schedule G – Cognashene Coastal Waterfront Community: Special Policy Areas

- i) Schedule G-1 – Cognashene Coastal Waterfront Community: Environmental Features
- j) Schedule H – Wah Wah Taysee Coastal Waterfront Community
- k) Schedule I – Palisade Bay/ East Bone Island Coastal Waterfront Community
- l) Schedule J – Transportation
- m) Schedule J-1 – Port Severn Honey Harbour Active Transportation Routes

A.2.1.8 The Appendices provide information which assists in the interpretation of this Official Plan but do not form a part of the Official Plan. The Appendices represent the best information available at the time and may be updated from time to time as additional information becomes available. As such the Appendices may be specifically referenced in the policies of this Official Plan. The Appendices include:

- a) Appendix 1 – Species at Risk Screening Checklist
- b) Appendix 2 – Terms of Reference for a Water Quality Impact Assessment
- c) Appendix 3 – Projected Population, Households and Employment
- d) Appendix 4 – Provincially Significant Wetlands
- e) Appendix 5 – Muskoka Heritage Areas
- f) Appendix 6 – Other Wetlands
- g) Appendix 7 – Areas of Natural and Scientific Interest
- h) Appendix 8 – Fish Habitat
- i) Appendix 9 – Colonial Bird Nesting Habitat

j) Appendix 10 – Deposits of Mineral Aggregate Resources and Licensed Mineral Aggregate Operations

A.2.2 Interpretation

- A.2.2.1 Boundaries between areas designated or illustrated on any Schedule to this Official Plan are approximate only. They are not intended to define the exact location or extent of such areas except when they coincide with roads, railroads, transmission corridors, watercourses or other easily recognizable physical features.
- A.2.2.2 The boundaries of each Settlement Area or Waterfront Community as shown on Schedules B to I have been specifically located, and primarily correspond to property boundaries or an environmentally sensitive area as identified at the time of adoption of this Official Plan. Any refinement other than a minor adjustment will require an amendment to this Official Plan.
- A.2.2.3 As more specifically detailed in this Official Plan, the boundaries and entities identified on Schedule J-1 (Active Transportation Loops) are general in nature. This Schedule is intended to act as an indicator of values, influences on, or constraints to development which may require further confirmation and evaluation, and which must be considered and read in conjunction with the applicable policies of this Official Plan. Refinements or determination of specific location, extent or final definition of such entities will be determined to the satisfaction of the Township or other authority as specified herein, and will not require amendment to this Official Plan.
- A.2.2.4 The Waterfront Designation is textually described and is not identified on a Schedule affixed hereto.
- A.2.2.5 The exact limits or boundaries of a Natural Heritage Feature and Area or site, environmentally sensitive area, habitat area, or influence areas of constraints such as flooding, steep slope, Fish Habitat, sewage lagoon or landfill sites will be confirmed, as required by the Township. Confirmation may require a site inspection by Township staff in consultation with the Ministry of Natural Resources, or other applicable authority as determined by the Township, and/or an Impact Assessment as

per Section I.2.2 (Impact Assessments) of this Official Plan. Final determination of exact limits of boundaries or areas of influence will be made by the Township, or other applicable authority as specifically noted in this Official Plan, and will not require amendment to this Official Plan.

- A.2.2.6 Where numbers or values are specified in this text, such quantities are intended as guidelines except with respect to minimum lot area unless otherwise specified by the policies of this Official Plan. Deviations from numbers or values, which are minor and restricted, may be permitted without an amendment to this Official Plan provided that the principles and intent of the Official Plan are maintained.
- A.2.2.7 Individual policies should not be read or interpreted in isolation. The intent, goals and objectives and all applicable policies must be considered together to determine conformity. Section A (Introduction), Section B (Goals and Objectives), Section C (Strategy for Sustainable Growth), Section D (Resources), Section H (Transportation), Section I (Implementation and General Policies) and Section J (Glossary of Terms) are general in nature and apply in any land use designation.
- A.2.2.8 Where lists or examples of permitted uses are provided in the Official Plan, they are intended to indicate the possible range and type of uses that are to be considered. Specific uses which are not listed, but are considered by the Township to be similar to the listed uses and to conform to the intent of the applicable land use designation and the Official Plan, may be recognized as a permitted use. Specific permitted uses shall be provided for in the Zoning Bylaw.
- A.2.2.9 Section J (Glossary of Terms) has been added to the Official Plan providing further explanation of common words and phrases. Not all words and phrases are defined in this Section, only those that were in need of an explanation.
- A.2.2.10 References to the "Township of Georgian Bay" or the "Township" in this Official Plan will mean the "Corporation of the Township of Georgian Bay".

Section B: Goals and Objectives

B.1 **Goals**

B.1.1 **Environment**

B.1.1.1 To protect, support, and enhance natural heritage and natural environmental assets.

B.1.2 **Economy**

B.1.2.1 To focus on economic prosperity, responsibly develop the economy, and build on environmental assets.

B.1.3 **Society and Culture**

B.1.3.1 To celebrate the Township’s heritage and focus on cultural and community assets.

B.1.3.2 To provide for a policy framework that recognizes the distinct and varied nature of the Township in the coastal areas, inland areas and Settlement Areas.

B.2 **Objectives**

B.2.1 **Environment**

B.2.1.1 To protect the natural rich landscape of lakes, forests and Wetlands, and safeguard the health and integrity of the water, air, sky, forests, shorelines, and natural habitats.

B.2.1.2 To recognize the UNESCO Biosphere Reserve as an important natural attribute within the Township.

B.2.1.3 To protect the health and safety of the community by restricting development in Areas of Use Limitation.

B.2.2 **Economic**

B.2.2.1 To strengthen the economy through responsible land use planning and development which builds upon, and complements, the existing economic base of the Township in a fiscally and socially sound manner.

- B.2.2.2 To recognize the Resort Commercial, service commercial, Marinas, and recreational sector as vital components of the Township’s heritage and economic base, which should be supported, preserved and enhanced, and to diversify this economic foundation with small business and light industry.
- B.2.2.3 To support and encourage the attraction and development of entrepreneurial business in harmony with a healthy environment, and to increase employment opportunities through appropriate land use planning.
- B.2.2.4 To strengthen the Township’s attraction to tourists through the use of appropriate policies related to the Township’s attributes such as the Georgian Bay Islands National Park, Trent Severn Waterway, Georgian Bay, and the UNESCO Biosphere Reserve.

B.2.3 Settlement and Growth

- B.2.3.1 To recognize and build upon the various patterns of land use in the Township by accommodating compatible land uses in the Settlement Areas, Waterfront Designation, Waterfront Communities, and Rural Designation, and sustainable, compact growth within the Urban Centres.
- B.2.3.2 To recognize the evolution of the pattern of land use within the Waterfront Designation of the Township from historical, denser development which occurred prior to the implementation of land use planning documents within the Township, to planned development, generally on larger lots.
- B.2.3.3 To enhance the role and function of the existing Urban Centres of Port Severn and MacTier and Community of Honey Harbour as the focal points for a range of businesses, services, and facilities which serve the Urban Centres, Community and the surrounding area.
- B.2.3.4 To encourage the majority of permanent growth within the Urban Centres of Port Severn and MacTier.
- B.2.3.5 To recognize and enhance the “small town” appearance and basic Character which contributes to a sense of identity for each Settlement Area.

- B.2.3.6 To protect the waterfront as a valuable resource and limit development to that which respects the basic Character and traditional mix of uses, and maintains the natural aesthetic qualities of the area.
- B.2.3.7 To support complete neighbourhoods and mixed housing for all ages in Settlement Areas to promote overall health and safety.

B.2.4 Open Spaces and Recreation

- B.2.4.1 To encourage the identification, maintenance and establishment of recreational and community facilities, parkland and trails as well as natural areas and open spaces.
- B.2.4.2 To encourage the provision of recreational opportunities that are accessible and inclusive for all ages and abilities.

B.2.5 Resources

- B.2.5.1 To protect the *Significant Natural Heritage Features and Areas* of the Township.
- B.2.5.2 To preserve the *Significant Cultural Heritage and Archeology Resources* of the Township, including historic areas, buildings and sites, landmarks and landscapes, and archaeological remains, for their cultural, historical and economic value and contribution to the community’s sense of identity.
- B.2.5.3 To protect known *Deposits of Mineral Aggregate Resources* within the Township and promote responsible resource extraction.
- B.2.5.4 To make available as much of the *Mineral Aggregate Resource* as is realistically possible.
- B.2.5.5 *Mineral Aggregate Resource* extraction shall be undertaken in a manner which minimizes social and natural heritage impacts.
- B.2.5.6 To protect Areas of Use Limitation from inappropriate development.

B.2.6 Access, Services, and Infrastructure

- B.2.6.1 To ensure that development is provided with adequate and efficient land or water access, services, and infrastructure, which can be functionally and economically sustained over time.
- B.2.6.2 To preserve and enhance the safety, function, quality and *Character* of the public road network, while ensuring security to residents by providing appropriate access to essential emergency services.
- B.2.6.3 To encourage and promote *Active Transportation* opportunities by establishing complementary routes and facilities.

Section C: Strategy for Sustainable Growth

C.1 Framework for Growth

- C.1.1 The strategy for long term sustainable growth in the Township is based on the recognition of the important role that the natural environment plays in the physical, social and economic development of the Township. For growth to be sustainable, the impacts of growth must be managed to ensure that there are no long term *Negative Impacts* to the natural environment and through the design of healthy and complete communities.
- C.1.2 Growth and development should also build upon the existing *Character* and pattern of land use in the Township by accommodating compatible land uses within the existing Urban Centres, Community and Waterfront (including the Waterfront Communities) and Rural Designations. Development within the Township needs to be managed to ensure that the *Character* of the municipality is maintained as population and employment growth occurs. Urban Centres (Port Severn and MacTier) will be the focus for permanent population and employment growth and they will continue as the focal points for a range of business, service, and facilities which serve the community and the surrounding area.
- C.1.3 The *Character* of the Urban Centres, Community, and Waterfront (including the Waterfront Communities) and Rural

designations is the essence which defines the Township and provides a sense of identity. *Character* is established over time and is rooted in the following:

- a) Physical setting and landscape characteristics;
- b) Historic built form;
- c) Cultural heritage;
- d) Extent and form of development;
- e) Density, intensity of use and height;
- f) Architecture and design;
- g) Level of services and infrastructure; and
- h) Open space, natural areas and recreational areas and facilities.

C.1.4 The *Character* of an Urban Centre, Community, Waterfront Community, or the Waterfront or Rural designations is not static, but rather evolves over time, adapting to new circumstances. As the area grows, development, which is compatible with and complements this *Character*, should be fostered.

C.2 Managing Growth

C.2.1 As outlined in Appendix 3 (Projected Population, Households and Employment), the Township of Georgian Bay is projected to have a permanent population of 3,900 people by 2031. The seasonal population is projected to be 16,900 for a total projected population of 20,800 people by 2031. Population projections are to be used as a forecasting tool to assist in managing planning policy.

C.2.2 The Township of Georgian Bay will accommodate sustainable growth by:

- a) Planning for a permanent population of 3,900 people and a seasonal population of 16,900 people by the year 2031; and
- b) Planning for total employment of 1,800 jobs by 2031.

C.2.3 Employment and the majority of permanent population growth will be directed to Port Severn and MacTier. To a lesser extent employment growth will also be directed to the Community of Honey Harbour. Population growth will be planned to occur in the following manner:

- a) Approximately 80% of all new permanent population growth will be planned to occur within Port Severn and MacTier; and
- b) Approximately 20% of projected permanent housing growth is anticipated to occur through conversion of existing seasonal units to permanent households, and limited development within the Community of Honey Harbour and the Rural Designation.

C.2.4 The majority of seasonal population growth is anticipated to be accommodated in the Waterfront and Rural Designations.

C.3 Basis and Principles of Growth

C.3.1 Growth and development within the Township will be guided by the following principles:

- a) Growth and development which builds upon and expands the existing economic base of the Township in the Urban Centres of Port Severn and MacTier and Community of Honey Harbour is desirable and will be encouraged, provided that the *Natural Heritage Features and Areas*, resources, and *Character*, which are the fundamental basis of that economy, are protected;
- b) The direction, location, scale and timing of growth in Port Severn and MacTier will be planned to ensure compact, orderly and sustainable development that minimizes the cost of municipal services and related infrastructure;

- c) The majority of permanent growth will be directed to Port Severn and MacTier where the capacity exists to best accommodate the expected population and employment growth;
- d) Rural land use and development will be permitted a manner that protects the natural environment, and encourages the wise use or management of natural resources and, resource-based recreational activities;
- e) The limited growth and development permitted in the Waterfront Designation will be planned in a manner that maintains or enhances the natural heritage qualities and natural *Character* of the Waterfront Designation;
- f) Commercial and industrial growth, which does not require municipal services and is geared primarily to the resource sector of the economy, will continue to be located in the Rural Designation where site specific characteristics are justified and where the uses are or can be made compatible with existing development in the area;
- g) Businesses, which provide employment opportunities and effectively use the skills and initiatives of existing or potential residents, will be encouraged; and
- h) Port Severn and MacTier will be planned in a manner that provides for mixed land uses that include a variety of housing types, mixed residential, employment and commercial development, and access to open spaces to meet the projected requirements of current and future residents.

C.4 Settlement Pattern

- C.4.1 The settlement pattern of the Township of Georgian Bay has long been established as low-density waterfront and rural development surrounding three small Settlement Areas. Each area possesses its own function, development form and *natural* environment. The support and continuation of this

basic development pattern will assist in preserving the *Character* of the Township and the lifestyle it offers.

- C.4.2 The Township is composed of Urban Centres (Port Severn and MacTier), a Community (Honey Harbour), the Waterfront Designation which includes the Waterfront Communities (Go Home Bay, Honey Harbour, Six Mile Lake, Cognashene, Wah Wah Taysee and Palisade Bay / East Bone Island), and the Rural Designation, each of which has been recognized as a separate land use designation.

C.5 Land Use Designations

- C.5.1 Development may be accommodated in appropriate locations within each of the land use designations, provided that it is consistent with the goals, objectives and policies of this Official Plan.
- C.5.2 The Urban Centre designation identifies Settlement Areas that function as service and community centres for surrounding Waterfront and Rural areas. The location, extent and boundaries of each Urban Centre designation are shown on Schedule A. Detailed policy respecting the Urban Centre designation is found in Section E (Settlement Areas) of this Official Plan.
- C.5.3 The Community designation identifies a Settlement Area which is not serviced by municipal water and sewage services and is the former hamlet area of Honey Harbour which generally functions as a local service centre for the immediate Rural and Waterfront areas. The location, extent and boundary of the Honey Harbour Community designation are shown on Schedule D. Detailed policy respecting the Community designation is found in Section E (Settlement Areas) of this Official Plan.
- C.5.4 Expansion of the boundaries of Port Severn, MacTier or Honey Harbour are subject to the policies of this Official Plan including Section E.3.4 (Urban Centre Expansions) for Port Severn and MacTier and E.7.5.1.9 (Community Boundary Expansions) for the Honey Harbour Community.

- C.5.5 The Waterfront Designation generally encompasses the land outside of the Settlement Areas and Rural Designation, which surrounds and relates, either physically or functionally, to substantial lakes and rivers. Section F (Waterfront) of this Official Plan specifically defines the extent of this designation and provides detailed policy respecting development within the Waterfront Designation.
- C.5.6 The Rural Designation includes the hinterland beyond the boundaries of the Settlement Areas and Waterfront designations, as well as land which is not subject to any other designation of this Official Plan. Detailed policy respecting the Rural Designation is found in Section G (Rural) of this Official Plan.

Section D: Resources

D.1 Natural Heritage

D.1.1 Basis and Principles

- D.1.1.1 For the purposes of Section D, when italicized, "*Development*" means the creation of a new lot, a change in land use, or the construction of buildings and structures, requiring approval under the Planning Act, but does not include:
- a) Activities that create or maintain infrastructure authorized under an Environmental Assessment process; or
 - b) Works subject to the Drainage Act.
- D.1.1.2 The Township is located on the shores of Georgian Bay in part of the world's largest freshwater archipelago. The unique geography and geology of this area create numerous distinct habitat types which support a variety of rare species, including plants, mammals, birds, reptiles and amphibians. The United Nations Educational, Scientific, Cultural Organization (UNESCO) designated this area as a Biosphere Reserve. The Georgian Bay Biosphere Reserve encompasses the entire portion of the Township west of Highway 400. While the Biosphere Reserve does not affect the Township's ability to regulate land use, the Township recognizes the value of the

environmental, resource, and natural areas and the biodiversity of species and therefore supports their protection.

D.1.1.3 The policies contained within this Section of the Official Plan apply to the entire Township. Due to the unique nature of the Township's Settlement and Waterfront areas, this Official Plan hosts additional specific natural heritage policies within Section E (Settlement Areas) and Section F (Waterfront). Where there is a conflict between these policies and the policies of the Settlement and Waterfront policies, the more restrictive policy shall apply.

D.1.1.4 The Natural Heritage policies of this Section apply to:

- a) *Habitat of Endangered Species and Threatened Species;*
- b) *Provincially Significant Wetlands;*
- c) *Provincially Significant Coastal Wetlands;*
- d) *Other Wetlands;*
- e) *Significant Wildlife Habitat;*
- f) *Areas of Natural and Scientific Interest (ANSI);*
- g) *Fish Habitat;*
- h) Colonial Bird Nesting Habitat;
- i) Migratory Bird Nests; and
- j) Muskoka Heritage Areas;

D.1.2 General Policies

D.1.2.1 The Natural Heritage areas within the Township are to be determined in consultation with the Ministry of Natural Resources, the District of Muskoka, other applicable agencies and/or through production of Technical Reports as provided for in Section I.2 (Technical Reports and Plans of Survey) and specifically Impact Assessments as provided for in Section I.2.2 (Impact Assessments).

- D.1.2.2 New Natural Heritage areas may be identified through the review of *Development* applications, or through other inventories or evaluations. The policies of this Official Plan shall apply to these areas.
- D.1.2.3 The use of identified Natural Heritage areas for education, interpretation, and conservation will be encouraged, where feasible, desirable and permitted. Education and recreational activities should be accommodated through these areas, provided that there will be no *Negative Impact* on the natural feature or its ecological function. To ensure that this is the case, an Impact Assessment as per Section I.2.2 (Impact Assessments) of this Official Plan shall be prepared to the satisfaction of the Township or applicable agency.
- D.1.2.4 It is a policy of the Township that the conservation of the overall natural landscape, tree cover, and vegetation shall, where appropriate, be encouraged and in some cases required in an effort to preserve the natural appearance, *Character*, and aesthetics of the area and to provide a natural buffer, particularly in the area along the shoreline. Enhancement of the natural landscape, tree cover and vegetation shall be incorporated within any development or redevelopment proposal through applicable implementation mechanisms.
- D.1.2.5 Where natural vegetation has been artificially altered in a manner which is not environmentally sound, and where feasible, regeneration of vegetation cover or buffers using native species will be encouraged and in some cases required.
- D.1.2.6 Where a natural vegetative buffer is required by this Official Plan, the removal of existing vegetation, including the ground, shrub or canopy layers, or the disruption of the natural landform or surface soils will be restricted.
- D.1.2.7 Invasive species can have a negative effect on natural heritage. Treatment of invasive species is permitted to be undertaken in accordance with Federal and Provincial policy and legislation.
- D.1.2.8 Connecting natural areas by retaining and creating linkages between natural features shall be encouraged.

D.1.2.9 Existing agricultural uses shall not be limited by the policies of Section D.1 (Natural Heritage) of this Official Plan.

D.1.3 Significant Wildlife Habitat and Habitat of Endangered Species and Threatened Species

D.1.3.1 To ensure a continued legacy of high biodiversity, the Township recognizes the importance and value of wildlife and supports the protection of *Significant Wildlife Habitat* and *Habitat of Endangered Species and Threatened Species*.

D.1.3.2 The Township hosts a broad range of *Significant Wildlife Habitats* including but not limited to winter deer yards, moose aquatic feeding areas and specialized raptor nesting habitat. Similarly, a variety of threatened and *Endangered Species* and related significant habitat are also found in the Township. The Ministry of Natural Resources indicates that the location and extent of most *Significant Wildlife Habitat and Habitat of Endangered Species and Threatened Species* are not known. Determination of the location shall be provided by the Ministry of Natural Resources and/or through an evaluation by a qualified professional.

D.1.3.3 *Significant Wildlife Habitat and Habitat of Endangered Species and Threatened Species* may be identified by the Province or other applicable authority as additional information becomes available, through the review of Planning applications or other means.

D.1.3.4 Where a property that is the subject of a Development application contains potential habitat of any Species at Risk including Threatened and Endangered Species, the Township will require completion of a "preliminary" Species at Risk screening. A "preliminary" screening will be reviewed by the Township in consultation with the Province to determine if the application may be approved, or whether further review through a "detailed" screening is required. Where a "detailed" screening is required, it shall be completed by a qualified biologist, in consultation with the Province. Appendix 1 (Species at Risk Screening Checklist) of this Official Plan provides criteria for "preliminary" and "detailed" screening reviews. Should the "detailed" screening identify the existence

of Significant Wildlife Habitat and Habitat of Endangered Species and Threatened Species an Impact Assessment, completed in accordance with Section I.2.2 (Impact Assessments) of this Official Plan, shall be required. The Impact Assessment shall be completed in consultation with the Province.

- D.1.3.5 *Development and Site Alteration* shall not be permitted in the *Significant Wildlife Habitat and Habitat of Endangered Species and Threatened Species* unless authorized under the Endangered Species Act.
- D.1.3.6 *Development and Site Alteration* may be permitted in a *Significant Wildlife Habitat* subject to the submission of an Impact Assessment as per Section I.2.2 (Impact Assessments) of this Official Plan to the satisfaction of the Township and The District of Muskoka where required, demonstrating that there will be no *Negative Impact* on the natural features or ecological function of the habitat.
- D.1.3.7 Prior to *Development or Site Alteration* occurring on lands adjacent to the *Significant Habitat of Endangered Species and Threatened Species*, or adjacent to a *Significant Wildlife Habitat*, an Impact Assessment, as per Section I.2.2 (Impact Assessments) of this Official Plan, shall be submitted to the satisfaction of the Township, as well as the Province and District of Muskoka where required, demonstrating that there will be no *Negative Impact* on the natural features or ecological function of the habitat or unless authorized under the Endangered Species Act. The extent of what constitutes *Adjacent Lands* will be confirmed by the Township who may consult with the applicable authority.
- D.1.3.8 Any required Impact Assessment shall be undertaken by a qualified professional and may be subject to review by the applicable agency or an independent peer review directed by the Township at the expense of the proponent. Additional policies related to Technical Studies are found in Section I.2 (Technical Reports).
- D.1.3.9 Appropriate planning tools will be used to protect and ensure that the integrity of identified *Significant Wildlife Habitat and Significant Habitat of Threatened and Endangered Species* is

maintained as well as to implement the recommendation of the Impact Assessment. Among other approaches, these may include:

- a) Requiring increased lot *Frontages* and areas at the time lots are being divided or through zoning requirements;
- b) Imposing building setbacks through zoning; and
- c) Specific siting of building and structures, driveways and pathways and the retention of vegetation through Site Plan Control or other agreements.

D.1.4 Wetlands

- D.1.4.1 *Wetlands* are an important natural resource and the Township recognizes the importance of *Wetlands* to assist in flood control, as habitat, and as a means to improve *Water Quality*. *Wetlands* also provide social and economic benefits. *Wetlands* that have been identified as having provincial significance are identified on Appendix 4. Muskoka Heritage Areas as identified on Appendix 5 contain some *Wetlands*, which are of Regional significance and are subject to Section D.1.9 (Muskoka Heritage Areas) of this Official Plan. Other *Wetlands* are identified on Appendix 6. All Other *Wetlands* will be reviewed as natural areas.
- D.1.4.2 The location and extent of *Provincially Significant Coastal Wetlands* and *Provincially Significant Wetlands* shall be determined by the Province. To date, twenty three *Provincially Significant Wetlands* have been identified by the Province. These are identified in Appendix 4 (Provincially Significant Wetlands) to this Official Plan, which shall be used as reference information. Specific *Wetland* boundaries shall be obtained from the Province or as verified through the submission of an Impact Assessment, as per Section I.2.2 (Impact Assessments) of this Official Plan, acceptable to the Province.
- D.1.4.3 Additional *Provincially Significant Coastal Wetlands* and *Provincially Significant Wetlands* may be identified through the evaluation procedures established by the Province using the

applicable evaluation procedure. Any newly evaluated *Wetland* shall be subject to the policies of this Official Plan.

- D.1.4.4 Regionally Significant Wetlands and their specific boundaries have been identified through the Muskoka Heritage Areas Program or under the provincial evaluation system. Information respecting the boundaries and values of these Wetlands is available for reference at the Township of Georgian Bay or the District of Muskoka. Where additional information is provided in an Impact Assessment, the refinement of the boundaries of a Regionally Significant Wetland may be considered by the District of Muskoka and the Township.

Additional *Wetlands* may be identified as being of regional significance during the *Development* process, or through municipal programs or other means. Appendix 5 (Muskoka Heritage Areas) will be updated to show any new Regionally Significant Wetland.

- D.1.4.5 *Development* and *Site Alteration* shall not be permitted in *Provincially Significant Wetlands* or *Provincially Significant Coastal Wetlands*, *Development* or *Site Alteration* shall also not be permitted in *Other Wetlands*, subject to Sections D.1.4.6 and D.1.4.7 of this Official Plan.

- D.1.4.6 *Development* and *Site Alteration* will not be permitted within the confirmed boundaries of *Other Wetlands* as determined by an Impact Assessment as per Section I.2.2 (Impact Assessments) of this Official Plan. The general boundaries of *Other Wetlands* have been identified in Appendix 6. Notwithstanding the boundaries of the *Other Wetlands* shown in Appendix 6, the location and boundaries of these *Other Wetlands* are approximate and are for reference purposes only. Any *Development* proposed within these identified *Other Wetlands* on Appendix 6 will require an Impact Assessment to determine the location of the *Wetland* and the extent of the boundary. Additional *Other Wetlands* may be identified during the *Development* process, through municipal programs or other means.

- D.1.4.7 Notwithstanding Sections D.1.4.5 and D.1.4.6, the issuance of a building permit in an *Other Wetland* for a permitted single

detached residential dwelling and / or accessory residential uses on a property which is zoned to permit Residential uses at the time of adoption of this Official Plan including development requiring Site Plan Approval shall be permitted in accordance with the Zoning Regulations applicable to the property. The issuance of a building permit where a Minor Variance is required may also be permitted where it is determined by the Township that the proposed Minor Variance would have no *Negative Impact* on the *Other Wetland*. For the purpose of this policy *Site Alteration* shall also be permitted where it is to be undertaken in conjunction with an issued building permit, an approved Site Plan Control application, or an approved Minor Variance application, or where the proposed activity is exempt under the Township's Site Alteration By-law.

- D.1.4.8 Uses which are compatible with *Wetlands* may be permitted. Conservation and educational use of *Wetlands* will be encouraged where feasible and desirable provided that an Impact Assessment submitted to the satisfaction of the Township or applicable agency concludes that there will be no *Negative Impact* on the natural features or ecological functions of the *Wetland*. Permitted accessory structures related to compatible land uses may include, but not be limited to, boardwalks, signs, trails, and benches.
- D.1.4.9 Prior to *Development* or Site Alteration occurring on lands within 120 metres of a *Provincially Significant Wetland* or *Provincially Significant Coastal Wetland*, an Impact Assessment as per Section I.2.2 (Impact Assessments) shall be submitted to the satisfaction of the Township, Ministry of Natural Resources or applicable agency demonstrating that there will be no *Negative Impact* on the natural features or ecological function of the *Wetland*. Notwithstanding any policy in this Official Plan to the contrary, the Township may consider the replacement of an existing residential building or structure of the same size and in the same location, subject to any requirements of the applicable agency. In addition, where a property contains an existing residential dwelling and is zoned to permit a Residential use at the time of adoption of this Official Plan, a requirement for a Site Plan Control approval shall not require the completion of an Impact Assessment as per Section I.2.2 of this Official Plan.

- D.1.4.10 Prior to *Development* or *Site Alteration* occurring on lands within 30 metres from Other *Wetlands*, an Impact Assessment as per Section I.2.2 (Impact Assessments) of this Official Plan may be required to be submitted to the satisfaction of the Township or applicable agency which demonstrates that there will be no *Negative Impact* on the natural features or ecological function of the *Wetland*. Lands within 30 metres of Other *Wetlands* which are zoned to permit residential uses at the time of adoption of this Official Plan, including development requiring Site Plan Approval, are not subject to this policy. Lands within 30 metres of Other *Wetlands* which are zoned to permit residential uses at the time of adoption of this Official Plan and are subject to a Minor Variance application are also not subject to this policy if it is determined by the Township that an Impact Assessment is not required. For the purposes of this policy *Site Alteration* shall also be permitted where it is to be undertaken in conjunction with an issued building permit, an approved Site Plan Control application, or an approved Minor Variance application, or where the proposed activity is exempt under the Township's Site Alteration By-law.
- D.1.4.11 Any required Impact Assessment shall be undertaken by a qualified professional within the field of study. Additional policies related to Technical Reports are found in Section I.2 (Technical Reports and Plans of Survey) of this Official Plan.
- D.1.4.12 Any newly identified *Wetlands* shall be subject to the policies of this Official Plan.

D.1.5 Areas of Natural and Scientific Interest

- D.1.5.1 *Areas of Natural and Scientific Interest (ANSI)* are areas of land and water identified by the province as having features that have life science or earth science values related to protection, scientific study or education.
- D.1.5.2 There are currently three ANSIs in the Township, being Big Chute Rocklands *ANSI*, Lost Channel Gneiss Rocklands Forests *ANSI*, and Bearshead-Buckshoof Lakes Coastal Gneiss Rocklands *ANSI*. The *ANSI*'s are generally located in Appendix 7 (*ANSI*'s). Other *ANSI*'s may be identified and additional

identification is not subject to an amendment to this Official Plan. For specific boundaries refer to the Ministry of Natural Resources or other agencies as applicable.

- D.1.5.3 Any newly identified *ANSI's* shall be subject to the policies of this Official Plan.
- D.1.5.4 Uses which are compatible with *ANSI's* may be permitted. Compatibility will be determined by the Township in consultation with the applicable agency. The Township may require a Site Evaluation Report, as per Section I.2.3 (Site Evaluation Report) of this Official Plan, in order to determine compatibility.
- D.1.5.5 Prior to *Development* and *Site Alteration* occurring within an *ANSI*, an Impact Assessment as per Section I.2.2 (Impact Assessments) of this Official Plan shall be submitted to the satisfaction of the Township in consultation with the applicable agency demonstrating that there will be no *Negative Impact* on the natural features or ecological function of the *ANSI*.
- D.1.5.6 Prior to *Development* or *Site Alteration* occurring on lands adjacent to an *ANSI*, an Impact Assessment shall be submitted to the satisfaction of the Township in consultation with the applicable agency demonstrating that there will be no *Negative Impact* on the natural features or ecological function of the *ANSI*. An Impact Assessment may be required by the Township for *Development* of lands which are beyond the adjacent lot where it is deemed appropriate in a site specific case but shall generally not be required for single unit residential dwelling *Development* beyond the adjacent lot.
- D.1.5.7 Any required Impact Assessment shall be undertaken by a qualified professional within the field of study. Additional policies related to Technical Reports are found in Section I.2 (Technical Reports and Plans of Survey) of this Official Plan.

D.1.6 Fish Habitat

- D.1.6.1 The Township recognizes the importance and value of the fisheries in the Township and supports the protection of *Fish Habitat*.

D.1.6.2 The Ministry of Natural Resources has undertaken *Fish Habitat* classification mapping which provides a general indication of the type of *Fish Habitat* that exists. These include:

- a) Critical Habitats (Type 1) – are those which have a high productive capacity, are rare, highly sensitive to *Development*, or have a critical role in sustaining fisheries (e.g., spawning and nursery areas for some species, and ground water discharge areas);
- b) Important Habitats (Type 2) – are moderately sensitive to *Development* and although important to the fish populations, are not considered critical (e.g. feeding areas and open water habitats of lakes);
- c) Marginal Areas (Type 3) – have low productive capability or are highly degraded, and do not currently contribute directly to fish productivity, such as a channelized stream that has been highly altered; and
- d) Unknown Habitat – refers to areas where no information currently exists. Until specific information is generated, these areas should be treated in the same manner as Critical Habitats (Type 1).

D.1.6.3 The location of Type 1 *Fish Habitat* is generally located throughout the Township and generally identified on Appendix 8 (Fish Habitat) of this Official Plan. Detailed mapping is available at the Township. This mapping should be used as a resource when considering new *Development*.

D.1.6.4 Prior to consideration of *Development* where there is no sufficient *Fish Habitat* information or knowledge available on which to make a decision, including but not limited to the exact location and extent of the habitat, a *Fish Habitat* Impact Assessment, prepared by a qualified professional, shall be completed to the satisfaction of the Township and may be subject to an independent peer review directed by the Township at the expense of the applicant. Additional policies related to Technical Reports are found in Section I.2 (Technical Reports and Plans of Survey).

- D.1.6.5 *Development and Site Alteration* shall not be permitted in *Fish Habitats* except in accordance with the policies and regulations of the Province and the Federal Government.
- D.1.6.6 Prior to *Development or Site Alteration* occurring on lands within 120 metres of a Type 1 or unknown *Fish Habitat*, an Impact Assessment as per Section I.2.2 (Impact Assessments) shall be submitted to the satisfaction of the Township and the applicable agency demonstrating that there will be no *Negative Impact* on the natural features or ecological function of the habitat except in accordance with Provincial and Federal policies and regulations.
- D.1.6.7 Creation of new shoreline lots that would be fronted entirely by areas mapped as Type 1 or unknown *Fish Habitat* shall generally not be permitted unless a *Fish Habitat* Impact Assessment has determined that there are adequate areas where docking and other shoreline facilities can be located. Additional detailed policies may be found in Section F (Waterfront) and Section E (Settlement Areas).
- D.1.6.8 A 15 metre setback is required from warm water *Fish Habitat* for new *Development*. A 30 metre setback is required from cold water *Fish Habitat* for new *Development*. Reduced setbacks may be considered where it has been demonstrated through the submission of an Impact Assessment as per Section I.2.2 (Impact Assessments) of this Official Plan that there will be no *Negative Impact* on the habitat. Additional detailed policies may be found in Section F (Waterfront) and Section E (Settlement Areas) and the designation specific policy shall apply.
- D.1.6.9 The discharge area of the Bayview Dam (Dam E) is a scientific walleye spawning area. *Development* which would have a *Negative Impact* on the spawning area shall be prohibited. Prior to any permitted *Development* being considered adjacent to the waterway as shown on Schedule B (Port Severn), an Impact Assessment, as per Section I.2.2 (Impact Assessments) of this Official Plan, shall be submitted to the satisfaction of the Township or applicable agency which evaluates the impact on the fishery.

D.1.7 Colonial Bird Nesting Habitat

- D.1.7.1 The coastal islands within Georgian Bay have the potential to function as Colonial Bird Nesting Habitat and the Township recognizes the importance of this habitat as *Significant Wildlife Habitat*. The Canadian Wildlife Service-Environment Canada has provided the Township with Colonial Bird Nesting census data for coastal islands on Georgian Bay located within the Township. Islands which were surveyed as a part of the Great Lakes Bi-National Decadal Colonial Waterbird Census are identified in Appendix 9 (Colonial Bird Nesting Habitat), and have the potential to function as Colonial Bird Nesting Habitat. Appendix 9 may be amended from time to time when new information becomes available either through field study conducted by a qualified biologist / ecologist (at least one site visit conducted during the colonial waterbird nesting season [i.e., mid-April through early July] establishing the presence or absence of active nesting by colonial waterbirds [e.g. nests, nesting behaviours, fledgling birds, accumulation of guano, etc.]) or updates provided to the Township from the Canadian Wildlife Service.
- D.1.7.2 Provided a coastal island identified on Appendix 9 is zoned for a residential use at the time of adoption of this Official Plan, the Township may give consideration to the approval of a Site Plan, Minor Variance, Building Permit application or Site Alteration in association with said Building Permit, to erect a residential dwelling, or an accessory structure thereto on said island without the need for an Impact Assessment as identified in Subsection D.1.3.6 and subject to the balance of the policies in this Official Plan.
- D.1.7.3 Notwithstanding Section D.1.7.2, prior to development or *Site Alteration*, the requirements of the Migratory Birds Convention Act, 1994 must be adhered to as per Section D.1.8 (Migratory Bird Nests) of this Official Plan.

D.1.8 Migratory Bird Nests

- D.1.8.1 Prior to development or *Site Alteration*, the requirements of the Migratory Birds Convention Act, 1994, are required to be adhered to including but not limited to a prohibition on the disturbance, destruction or taking of the nests or eggs of

migratory birds, unless authorized to do so by permit issued under the Migratory Birds Convention Act, 1994.

D.1.9 Muskoka Heritage Areas

D.1.9.1 There are 15 Muskoka Heritage Areas/Sites found in the Township that have been identified by the District of Muskoka. These Heritage Areas/ Sites are identified on Appendix 5 to this Official Plan. The majority of these Heritage Areas / Sites have been identified in conjunction with other natural features such as *Wetlands* or Conservation Reserves. *Development* and *Site Alteration* proposed within or adjacent to a Muskoka Heritage Area is not permitted, unless an Impact Assessment is prepared and it is demonstrated to the satisfaction of the Township and The District of Muskoka that there will be no *Negative Impact* on the natural feature or its function. The Impact Assessment shall be prepared in accordance with the policies of Section I.2.2 (Impact Assessments) of this Official Plan.

D.2 Water Resources

D.2.1 Groundwater, Surface Water and Municipal Drinking Water Supply (Source Protection) (OPA #4)

D.2.1.1 Introduction

D.2.1.1.1 Groundwater and Surface Water are important resources. Groundwater and Surface Water are not only used as drinking water for many of the Township residents but they also contribute to many of the natural functions within the Township.

D.2.1.1.2 The District of Muskoka is responsible for municipal (public) drinking water supplies in the Urban Centres of Port Severn and MacTier and drinking water is supplied by two intakes: the Port Severn Intake and the MacTier intake. It is important to protect both the quality and quantity of drinking water sources in order to protect the supply of water in the Township for current and future residents, businesses and visitors.

D.2.1.1.3 In accordance with Section 40 of the *Clean Water Act*, all decisions under the *Planning Act* and *Condominium Act* must

conform to the significant threat policies as set out in the South Georgian Bay Lake Simcoe Source Protection Plan (SPP), as of July 1, 2015. The location of the MacTier intake is located outside the area under jurisdiction of the SPP, and thus is not subject to the *Clean Water Act*. In accordance with the background work completed by the District of Muskoka, the Township will apply the Source Protection policies to the MacTier intake, as well as the Port Severn intake. The Rope Subdivision intake is located within the Township of Tay, however a portion of the affected lands surrounding the intake are located within the Township of Georgian Bay.

- D.2.1.1.4 The Source Protection policies of this Official Plan intend to focus on protecting water before it enters the drinking water treatment system.
- D.2.1.1.5 The quality and quantity of Groundwater and Surface Water resources will be protected and enhanced where feasible.
- D.2.1.1.6 The Source Protection policies contained in this Section have been developed to protect both the quality of drinking water and the quantity of drinking water for existing and future residents and businesses of the Township where there is a vulnerable threat to drinking water.
- D.2.1.1.7 *Development* shall not be permitted where it would have a significant detrimental effect on Groundwater and Surface Water as determined by the Township and/or the applicable agency. A hydrogeological assessment, stormwater management report, or other Technical Report may be required to be provided to the Township in order to evaluate the effect of *Development* on Groundwater and Surface Water.
- D.2.1.1.8 Source Protection Overlays are included on Schedules 'B' and 'C' of the Official Plan. The Intake Protection Zones (IPZs) relate to water quality considerations and surround the two intake locations in the Township (Port Severn intake and MacTier intake), and lands associated with the Rope Subdivision intake located in the Township of Tay. The Source Protection Overlays include the following:
 - a) Intake Protection Zone One (IPZ-1): One (1) kilometre circle around the intake.

- b) Intake Protection Zone Two (IPZ-2): Area where water can reach the intake in a specified time.

The Source Protection Overlays may be updated without the need for an amendment to the Official Plan, if a study is undertaken by the Source Protection Authority to refine these areas.

D.2.1.1.9 Groundwater recharge, and enhanced Groundwater and Surface Water quality, will be encouraged. This may be employed through the following:

- a) Preserving natural vegetation or encouraging the restoration of vegetation with native vegetation;
- b) Minimizing the amount of site grading;
- c) Using grass swales;
- d) Minimizing paved or covered areas;
- e) Using permeable surfaces where appropriate;
- f) Securing contaminants such as fuel oil; and
- g) Through the use of innovative stormwater management measures.

D.2.1.2 Risk Management Official

D.2.1.2.1 The Risk Management Official (RMO) is an individual appointed by the Municipality under Part IV of the *Clean Water Act*. The RMO shall be responsible for determining whether uses are considered significant threats to drinking water and shall be responsible for the preparation of Risk Management Plans.

D.2.1.3 Transition

D.2.1.3.1 The transition policies of the SPP shall apply to threat activities within vulnerable areas that have been applied for under the Planning Act, Condominium Act or Building Code Act, prior to July 1, 2015.

D.2.1.4 Pre-consultation

D.2.1.4.1 Prior to filing an application under the *Planning Act*, an applicant proposing a new use within an IPZ shall pre-consult with the Planning Department and/or the RMO to determine if the proposed use would be a significant threat to drinking water. The Planning Department and the RMO should determine if the proposed use would be a significant threat to drinking water. The Planning Department and the RMO should determine which studies are required for the application and identify the scope of issues and/or technical requirements that need to be addressed before such a use is permitted.

D.2.1.5 No *Planning Act* or Change of Use Application Possible

D.2.1.5.1 No *Planning Act* Application may be made and no Building Permit or Change of Use Permit under the Ontario Building Code may be issued to establish a use that is detailed by policy RLU-1 of the SPP. The Zoning By-law shall detail these uses as set out in policy RLU-1 and provide direction for the RMO to review the use and provide written notice in accordance with the *Clean Water Act*.

D.2.1.6 Prohibited Uses

D.2.1.6.1 The following uses are prohibited in an IPZ where they would be a significant drinking water threat:

- a) waste disposal sites within the meaning of Part V of the Environmental Protection Act (excluding storage of wastes described in clauses (p), (q), (r), (s), (t), or (u) of the definition of hazardous waste (O.Reg 347) and storage of hazardous or liquid industrial waste)
- b) large (more than 10, 000 L) on-site sewage systems
- c) agricultural source material storage facilities
- d) non-agricultural source material storage facilities
- e) commercial fertilizer storage facilities

- f) pesticide storage facilities
- g) road salt storage facilities
- h) snow storage facilities
- i) fuel storage facilities
- j) Dense Non-Aqueous Phase Liquid storage facilities
- k) organic solvent storage facilities
- l) outdoor confinement or farm animal yard in IPZ-1

The RMO shall be responsible for determining when an existing or future use or activity is, or may be, a significant drinking water threat in accordance with the *Clean Water Act*; and whether the use or activity is prohibited or regulated through a risk management plan in accordance with the SPP.

D.2.1.7 Complete Application Under the *Planning Act*

D.2.1.7.1 An application submitted under the *Planning Act* within an IPZ where a proposed use or activity could be a significant threat to drinking water shall only be deemed complete under the *Planning Act* if submitted with a Section 59 Notice issued by the RMO in accordance with the *Clean Water Act, 2006*, and where applicable in accordance with the SPP. This policy shall not apply to the MacTier intake shown on Schedule C.

D.2.1.8 Definitions

D.2.1.8.1 For the purposes of this Section and the Source Protection policies contained within this Official Plan, any term not defined is subject to the definitions located in the SPP.

D.2.1.9 Stormwater Management Facilities

D.2.1.9.1 The Township shall determine if a stormwater management report is required for any *Development* application. A stormwater management report shall generally be required if development impacts District of Muskoka infrastructure, or for major *Development* including multiple Residential,

Commercial, Industrial, major recreation, and Resort Commercial use, and it may be required for minor *Development* including individual lots. The basis for this requirement shall be determined on a site by site basis. If a report is required, it shall be undertaken by a qualified professional. The recommendations of any report shall be implemented in an appropriate manner such as conditions of development.

- D.2.1.9.2 The design of new stormwater management facilities in vulnerable areas shall minimize the risk of contaminating drinking water by encouraging grading and drainage designs that reduce ponding and direct any run-off outside of vulnerable areas where it would be a significant drinking water threat.
- D.2.1.9.3 Where a *development* proposal includes stormwater management facilities in a vulnerable area, a Stormwater Management Plan shall be required as part of a complete application to avoid locating drinking water threats associated with development infrastructure; and to ensure that the design of the new facilities minimizes the risk to drinking water and directs the discharge to lands outside of vulnerable areas, where possible.
- D.2.1.9.4 Any storm water management facility should be designed to conserve the landscape and natural features as much as possible, and shall be naturalized using native species.
- D.2.1.9.5 New *development* will not be permitted within the IPZ of a municipal water intake as identified on Schedule B (Port Severn) or C (MacTier) unless the Township and District is satisfied that the proposal will not have a detrimental impact on the municipal servicing system.

D.2.1.10 Sewage Treatment Servicing

- D.2.1.10.1 Where possible, new municipal sewage services should be located outside of vulnerable areas where it would be a significant drinking water threat.

- D.2.1.10.2 Where a development proposal includes new municipal sewage services, a Master Environmental Servicing Plan shall be required as a part of a complete application.
- D.2.1.10.3 In the area where a future individual on-site sewage system would be significant drinking water threat, new *development* may be permitted only where the lot size for any proposed development is based on the most current version of Ministry of the Environment and Climate Change’s guidelines for individual-on-site servicing. Lots of record that existed prior to July 1, 2015, are exempted.
- D.2.1.10.4 Where services and capacity exists, municipalities are encouraged to consider enacting by-laws to require mandatory connection to municipal waste water system in vulnerable areas where an on-site sewage system is a significant drinking water threat.

D.2.1.11 Monitoring and Education

- D.2.1.11.1 The Township may assist the Source Protection Authority, the District of Muskoka and the Province in their endeavor to educate those engaged in applying, handling or storing of materials that could potentially lead to a significant threat to drinking water. In cooperation with the Township’s RMO, Council may undertake public education and outreach programs as required by the SPP.

D.2.2 Recreational Water Quality

- D.2.2.1 The Recreational *Water Quality* of the Township’s lakes (including Georgian Bay) and river systems contributes significantly to the areas geography, biology and cultural heritage and plays an important recreational and economic role within the Township and the District of Muskoka. Preservation and enhancement of the Township’s Recreational *Water Quality* is encouraged. The Township supports the protection and enhancement of the Recreational *Water Quality* of the Township’s lakes and rivers.
- D.2.2.2 The District of Muskoka models and monitors Recreational *Water Quality* as part of the District’s Lake System Health program. The program is a comprehensive approach of land

use policies and stewardship initiatives designed to protect the *Water Quality* and lake environment within the District of Muskoka. The District of Muskoka advises that the single most significant impact on Recreational *Water Quality* is increased levels of man-made phosphorus that enter waterbodies as a result of development. The Township supports the District of Muskoka’s water quality monitoring system and the Township shall continue to provide *Water Quality* monitoring data which is collected within the Township to the District of Muskoka and applicable agencies.

D.2.2.3 Classification

D.2.2.3.1 Parts of the Georgian Bay waterbody and lakes and rivers within the Township are classified by the District of Muskoka as having either high, moderate, or low sensitivity to phosphorus. Waterbodies which are not classified, including the remaining Georgian Bay waterbody, are deemed to be moderate unless otherwise identified by the District of Muskoka. The lake and river classification is noted below. Over Threshold waterbodies are identified by an asterisk (*) and special policies apply to these waterbodies notwithstanding their sensitivity rating.

Low Sensitivity			
Galla	Haggart	North Bay	Toronto
Moderate Sensitivity			
Adams Lake	Gibson R.	Little Hellangone	Six Mile Lake – Cedar Nook Bay*
Barron’s Lake	Gloucester Pool	Lone Lake	Six Mile – Channel (Lost Channel)
Baxter Lake*	Go Home Lake*	Lower Eagle Lake	Six Mile Main (Main Lake)
Bear Lake	Go Home R.	Lower Galla Lake	South Bay*
Brophy Lake	Gooley Lake	McCrea Lake	Stewart Lake*

Buck Lake	Gray Lake	McDonald Lake	Stuart Lake
Buckhorn Lake	Irvine Lake	McMaster Lake	Surerus Lake
Coldwater (Swan) Lake	Kenney Lake	Moon R.	Tadenac Lake
Davies Lake	Lafarce Lake	Musquash River	Tadenac Bay
Eagle Lake	Leclaric Lake	Sahanatien Lake	Twelve Mile Bay
Flatrock Lake*	Little Lake	Severn River	Twin Lakes
Gibson Lake	Little Go Home Bay	Silversands Lake	Webster Lake
High Sensitivity			
Goldstein Lake	Lunnen Lake	Myers Lake*	Six Mile Lake – Prov. Park White Lake Bay*

Over Threshold waterbodies are identified by an asterisk (*) and special policies apply to these waterbodies notwithstanding their sensitivity rating.

D.2.2.3.2 Some waterbodies classified as low, moderate, and high sensitivity may be identified by the District of Muskoka as also being “Over Threshold”. An amendment to this Official Plan is not required to identify or delist a waterbody as being “Over Threshold”. Waterbodies that have been identified as “Over Threshold” are subject to additional policies contained in this Official Plan.

D.2.2.4 Policies Affecting All Lakes

D.2.2.4.1 The transfer of Crown Lands for private development, other than for land under water, or for the development of commercial lands at the Delawana Inn, is discouraged. Should Provincial lands be transferred for private residential development, lot division is not permitted except to rectify problems with existing development. Development is subject to the policies of this Official Plan and in no case shall

development of more than one single unit dwelling be permitted.

D.2.2.4.2 Vegetation along the shoreline is critical for the protection of *Water Quality*. Preservation or restoration, where appropriate, of the shoreline buffer is required. A minimum target of 75% of the linear shoreline of a lot will be maintained in a natural state to a targeted depth of 15.0 metres back from the shoreline where new lots are being created and where vacant lots are being developed. Where a lot is currently developed and further development is proposed, these targets should be achieved to the extent feasible. Where the targets cannot be met, a net improvement over the existing situation is required or at a minimum, must conform to any specific policies within the Official Plan designations.

D.2.2.4.3 A minimum setback of 20 metres from the High Water Mark as identified in Section D.3.4.6 (High Water Mark) shall be required for all development with the exception of permitted accessory shoreline structures and marine facilities. Notwithstanding this, all development and *Site Alteration*, except for uses otherwise permitted in this Official Plan, is required to take place above the Regulatory Flood Elevation, as identified in Sections D.3.4.4 and D.3.4.5 (Regulatory Flood Elevation). Where the 20 metre setback cannot be met, then a lesser setback may be considered through a variance to the Zoning By-law and subject to Site Plan Control and where on-site phosphorus management is implemented subject to the following:

- a) Demonstration that sufficient lot depth is not available;
- b) The terrain or soil conditions on the lot require specific locations for the building and / or Individual On-Site Sewage Service;
- c) The proposal is for an addition to an existing building and the existing setback is not further reduced;
- d) The proposal is for redevelopment of an existing lot and a net improvement to the on-site phosphorus management is achieved; or

- e) The lot is located within an Urban Centre or Community and a net improvement over the existing situation is achieved.

D.2.2.4.4 A minimum 30 metre setback from the High Water Mark as identified in Section D.3.4.6 (High Water Mark), for any *Individual On-Site Sewage Service* bed is required. Notwithstanding this, where the required setback is not feasible and where an on-site phosphorus management plan as identified in Section D.2.2.5 (Site Plan Control and/or On-Site Phosphorus Management) is implemented, a reduced setback will be considered. However, all *Individual On-Site Sewage Service* beds are required to be located above the Regulatory Flood Elevation, as identified in Section D.3.4 (Regulatory Flood Elevation) of this Official Plan. The purpose of this policy is to site *Individual On-Site Sewage Service* beds in the best location for phosphorous management.

D.2.2.4.5 The policies of Section F.4 (Lake Specific Policy) and F.5 (Waterfront Communities) also apply to specific lake areas.

D.2.2.5 Site Plan Control and/or On-Site Phosphorus Management

D.2.2.5.1 Where Site Plan Control and on-site phosphorus management is required, the following will be addressed:

- a) Appropriate location of buildings, structures and sewage disposal systems;
- b) Retention or restoration of a natural vegetation buffer to prevent erosion, siltation and nutrient migration;
- c) Maintenance or establishment of native tree cover and vegetation on the lot wherever possible and as per the policies of this Official Plan including Section D.2.2.4.2 (Shoreline Vegetation Requirement);
- d) Appropriate location and construction of roads, driveways and pathways, including permeable materials, and;

- e) Implementation of stormwater management and construction mitigation techniques, including proper re-contouring, discharging of roof leaders, use of soak away pits, other measures to promote infiltration, and consideration of tertiary systems where appropriate.

D.2.2.6 Low Sensitivity Waterbodies

D.2.2.6.1 The Township may require Site Plan Control for substantial development on lots abutting low sensitive waterbodies as per Section I.5.1 (Site Plan Control) of this Official Plan. The Township shall require Site Plan Control for all commercial, industrial and institutional development.

D.2.2.7 Moderate Sensitivity Waterbodies

D.2.2.7.1 All substantial development on a lot within the Waterfront Designation (including backlots) and on shoreline lots in the Urban Centre and Community designations of moderate sensitivity shall be subject to Site Plan Control.

D.2.2.8 High Sensitivity Waterbodies

D.2.2.8.1 All substantial development on a lot within the Waterfront Designation (including backlots) and on shoreline lots in the Urban Centre and Community designations of high sensitivity shall be subject to Site Plan Control.

a) Lot Creation

- i) Unless otherwise permitted by this Official Plan, lot creation will not be permitted on high sensitivity waterbodies unless the lot is connected to municipal water and sewer services.
- ii) Lot creation may be permitted on *Individual On-site Sewage Services* where a Phase 1 and 2 Water Quality Impact Assessment as per Section D.2.2.10 (Water Quality Impact Assessment) of this Official Plan is undertaken and implemented to the satisfaction of the Township and the District of Muskoka which demonstrates that development can proceed without a *Negative Impact to Water*

Quality and which outlines the circumstances under which development should occur.

b) Development on Vacant Lots on *Individual On-Site Sewage Services*

- i) Development of a vacant lot on *Individual On-Site Sewage Services* shall only be permitted where it has been demonstrated through a Phase 2 Water Quality Impact Assessment as per the policies of Section D.2.2.10 (Water Quality Impact Assessment) of this Official Plan, that building and *Individual On-Site Sewage Service* system envelopes, together with appropriate mitigation measures, will protect *Water Quality* and where these requirements are implemented in a Site Plan Agreement. Appropriate mitigation measures include but are not limited to, detailed construction mitigation plans, shoreline setbacks and buffers.
- ii) The use of an *Individual On-Site Sewage Service* system with soils that have a demonstrated ability to effectively eliminate phosphorus will be required

c) Redevelopment on Existing Lots on *Individual On-Site Sewage Services*

- i) Redevelopment on existing lots on *Individual On-Site Sewage Services* shall only be permitted where phosphorus mitigation measures are implemented in order to prevent *Negative Impacts* on *Water Quality*, including phosphorus management measures.
- ii) Where the setback requirements cannot be met due to insufficient lot depth or the existence of terrain or soils conditions which make other locations on the lot more suitable, or where existing buffers or stormwater management practices do not satisfy the requirements outlined in this Official Plan, an overall net improvement

shall be achieved through on-site phosphorus management measures.

- iii) A net reduction of phosphorus loading to the waterbody shall be required for commercial development.

D.2.2.9 Over Threshold Waterbodies

D.2.2.9.1 Lot Creation on Over Threshold Waterbodies

D.2.2.9.1.1 Unless otherwise permitted by this Official Plan, no lot creation will be permitted on high sensitivity waterbodies identified as being Over Threshold unless the lot is connected to municipal water and sewer services. Where a waterbody is Over Threshold and is of low sensitivity or moderate sensitivity, lot creation on *Individual On-Site Sewage Service* may be permitted subject to the following:

- a) The Township passing a *Site Alteration* and Tree Cutting By-law;
- b) An Amendment to the Official Plan shall be required to implement specific development policies for the site under consideration, and;
- c) Phase 1 and 2 Water Quality Impact Assessment as per Section D.2.2.10 (Water Quality Impact Assessment) of this Official Plan that is undertaken and implemented to the satisfaction of the Township and the District of Muskoka which demonstrates that development can proceed without negatively impacting *Water Quality* and which outlines the circumstances under which development should occur.

D.2.2.9.1.2 Development on Over Threshold Waterbodies on Vacant Lots on Individual On-Site Sewage Services of Low and Moderate Sensitivity

- a) Development of a vacant lot on *Individual On-Site Sewage Services* on over threshold waterbodies shall only be permitted where it has been demonstrated through a Phase 2 Water Quality Impact Assessment as

per the policies of Section D.2.2.10 (Water Quality Impact Assessment) of this Official Plan that building and *Individual On-Site Sewage Services* system envelopes, together with appropriate mitigation measures, will protect *Water Quality* and where these requirements are implemented in a Site Plan Agreement. Appropriate mitigation measures include but are not limited to, detailed construction mitigation plans, shoreline setbacks and buffers.

- b) The use of an *Individual On-Site Sewage Service* system with soils that have a demonstrated ability to effectively eliminate phosphorus will be required.

D.2.2.9.1.3 Redevelopment on Over Threshold Waterbodies on Existing Lots on *Individual On-Site Sewage Services* of Low and Moderate Sensitivity

- a) Redevelopment on existing lots on *Individual On-Site Sewage Services* shall only be permitted where phosphorus mitigation measures are implemented in order to prevent *Negative Impacts on Water Quality*, including phosphorus management measures.
- b) Where the setback requirements cannot be met due to insufficient lot depth or the existence of terrain or soils conditions which make other locations on the lot more suitable, or where existing buffers or stormwater management practices do not satisfy the requirements outlined in this Official Plan, an overall net improvement shall be achieved through on-site phosphorus management measures.
- c) A net reduction of phosphorus loading to the waterbody shall be required for commercial development.
- d) Site Plan Agreements shall be required to implement buffers, stormwater and phosphorus management and building and *Individual On-Site Sewage Service* systems (including the leaching bed) envelopes.

D.2.2.10 Water Quality Impact Assessment

D.2.2.10.1 A Water Quality Impact Assessment shall consist of the following main elements:

Phase 1

- a) Site condition analysis to determine if the required conditions exist on-site so that development can occur in a manner that will ensure the protection of Water Quality and shall include an analysis of the site and surrounding area, soil characteristics, and vegetation cover. The Phase 1 report shall be completed to the satisfaction of the Township and the District of Muskoka before proceeding to Phase 2.

Phase 2

- a) Identification of recommended building and Individual On-Site Sewage Service system (including the leaching bed) envelope and mitigation measures, including but not limited to, detailed construction for mitigation plans, shoreline setbacks and buffers, measures for protecting natural vegetation, and stormwater management;
- b) For high sensitivity lakes, monitoring shall be required to confirm that the vegetative buffer and stormwater mitigation measures are in place until such time as construction is complete and an occupancy permit is issued and at a time approximately two years following the issuance of an occupancy permit. The monitoring shall be administered by the applicant at the expense of the applicant, to the satisfaction of the Township, and shall be addressed through a development agreement with the Township;
- c) For lakes identified as Low or Moderate Sensitivity and Over Threshold, the monitoring by the applicant respecting the vegetative buffers and stormwater management measures shall occur on an annual basis until the waterbody is no longer considered to be Over Threshold. The monitoring shall be administered by the applicant at the expense of the applicant, to the satisfaction of the Township, and shall be addressed through a development agreement with the Township;

- d) The use of an Individual On-Site Sewage Service system with soils that have a demonstrated ability to effectively eliminate phosphorus will be required, and;
- e) The recommendations of such a report and the monitoring and Individual On-Site Sewage Service system requirements are required to be implemented through a Zoning By-law Amendment and through an agreement under Section 51 of the Planning Act (Subdivision, Condominium or Consent Agreement) and a Site Plan Agreement.

D.2.2.10.2 A detailed terms of reference is contained in Appendix 2 (Terms of Reference for a Water Quality Impact Assessment) to this Official Plan. An amendment to the Plan is not required to change the Appendix.

D.2.2.11 Severn Sound Remedial Action Plan

D.2.2.11.1 Georgian Bay is a unique waterbody which is subject to the Severn Sound Remedial Action Plan. The Severn Sound Watershed Boundary is identified on Schedule A of this Official Plan. The Township shall ensure that provisions are made for the protection of the Severn Sound ecosystem in accordance with the objectives of the Remedial Action Plan including:

- a) The improvement of *Water Quality* through remedial action and the maintenance of enhanced *Water Quality* as development occurs by addressing potential development impacts such as nutrient, sediment, phosphorus, toxic and bacteria loadings;
- b) The Township shall encourage the appropriate agency to enforce remedial actions and will work to ensure that the environmental objectives of the Remedial Action Plan are met;
- c) The Township shall encourage the upgrading of deficient existing *Individual On-Site Sewage Service* systems on an individual basis, where necessary;

- d) The Township shall ensure the effective and environmentally sound management of storm water drainage; and
- e) The Township shall ensure that new developments are designed to adequately protect the environment and ecosystems of Severn Sound.

D.2.2.12 Acidic Deposition

- D.2.2.12.1 The Township will support the District of Muskoka in its efforts to reduce acidic deposition through continuation of the lake monitoring programs and supporting the research programs undertaken by various levels of government, universities and the private sector.
- D.2.2.12.2 Industries shall be required to comply with all emission control standards established by the Federal and Provincial governments.

D.2.3 Narrow Waterbodies

- D.2.3.1 Where a *Narrow Waterbody* exists, an increase in lot water *Frontage* shall be required. The following provisions shall be utilized as guidelines in directing development on *Narrow Waterbodies*:
 - a) Lakes - a lot *Frontage* of up to 120 metres (400 feet) may be imposed.
 - b) Rivers - a lot *Frontage* of up to 90 metres (300 feet) may be imposed.
- D.2.3.2 In order to determine if the lot *Frontage* should be increased, regard shall be made for the severity of the narrowness of the channel and the impact of the development on:
 - a) *Water Quality*;
 - b) Density;
 - c) Navigation and channel congestion;

d) Views; and

e) Other matters as deemed appropriate by the Township upon review of a site specific application.

D.2.3.3 *Development* shall not be permitted on a *Narrow Waterbody* where the effect of accessory structures would create a hazard to navigation, defined in the Canada Shipping Act or other applicable legislation.

D.2.3.4 In addition to increased shoreline *Frontage* or in the case of an existing lot located adjacent to a *Narrow Waterbody*, a variety of other techniques, such as building setbacks for primary buildings, limitations on the location and size of shoreline structures, retention of vegetation and appropriate and safe use of lighting will be considered in order to address issues associated with specific *Narrow Waterbodies*.

D.2.3.5 Where only a portion of a lot is located within a *Narrow Waterbody*, the requirements for a *Narrow Waterbody* will be applied to the whole property, unless the siting of development and other appropriate measures can be implemented to the satisfaction of the Township or applicable agency in order to properly address the issues associated with the development of a *Narrow Waterbody*.

D.2.4 Trent Severn Waterway

D.2.4.1 Part of the Trent Severn Waterway is located within the Township. Development within the waterway may be subject to policies or permits from Parks Canada.

D.3 Areas of Use Limitations

D.3.1 Definitions

D.3.1.1 Areas of Use Limitation are defined as lands with inherent physical or environmental hazards that make them unsuitable for many active land uses, including the placement of permanent structures.

D.3.1.2 The following lands shall be classified as Areas of Use Limitation:

- a) Lands subject to flooding;
- b) Areas with water tables within 1.5 metres (5 feet) of the surface including areas of organic swampy soils (water table in this instance does not mean High Water Mark);
- c) Areas of erosion or slope instability;
- d) *Dynamic Beach Hazard*; and
- e) Contaminated sites.

D.3.2 Basis and Principles

D.3.2.1 Areas of flooding, steep slopes and other potential areas hazardous to development have been subject to development pressures within the Township. It is a policy of this Official Plan to provide policies which direct development away from these areas, as well as other areas which would adversely affect public health and safety.

D.3.3 General Policies

D.3.3.1 Contaminated sites shall be remediated as necessary prior to any activity on the site as per the policies and requirements of the Province of Ontario.

D.3.3.2 *Development or Site Alteration* shall not be permitted within a *Dynamic Beach Hazard*.

D.3.3.3 *Erosion Hazards* potentially exist adjacent to waterbodies as well as areas of slopes. *Development and Site Alteration* is prohibited in areas where *Erosion Hazards* potentially exist unless it has been demonstrated to the satisfaction of the Township that the site and its access would be safe.

D.3.3.4 In areas of slopes of 20% or greater where *Development* is proposed, existing substantive and mature vegetation is required to be substantially retained. Where the vegetation cannot be substantially retained, a report which addresses the reasons why it cannot be retained and recommends specific

mitigation measures is required to be provided to the satisfaction of the Township or applicable agency.

- D.3.3.5 For areas of high water table described herein, only Open Space activities shall be permitted unless the constraint to development can be overcome to the satisfaction of the Township or applicable agency. No buildings or structures, nor the placing or removing of fill whether originating on site or elsewhere shall be permitted except with the approval of the Township or applicable agency and upon the submission of a Site Evaluation Report that demonstrates how the constraint can be overcome.
- D.3.3.6 The Township Zoning By-law shall establish required setbacks to an Area of Use Limitation. The Township may require a Site Evaluation Report as per Section I.2.3 (Site Evaluation Report) of this Official Plan which demonstrates that these setbacks are appropriate on a site specific basis or where development is proposed closer. Where there are policies of this Official Plan that provide for a different setback, the more stringent criteria shall apply.
- D.3.3.7 Areas of Use Limitation should be identified in appropriate zoning categories in an implementing Zoning By-law.
- D.3.3.8 Areas of Use Limitation may be subject to Site Plan Control.

D.3.4 Flood Hazards

- D.3.4.1 Lands prone to flooding are defined as those lands adjoining a river, stream or lake, which are susceptible to flooding during the regulatory flood.
- D.3.4.2 A One Zone approach will be applied for areas subject to flooding. New *Development*, *Site Alteration*, and / or issuance of a building permit for a building, structure or *Individual On-Site Sewage Service* system is not permitted except otherwise provided herein below the Regulatory Flood Elevation. Permitted uses may include passive recreational uses; and uses which, by their very nature, must locate within the *Flood Plain* such as flood and/or erosion control structures, or marine related structures such as docks, decks, and non-

habitable boathouses. Site modifications carried out or supervised by a public authority are also permitted.

D.3.4.3 Habitable buildings or additions to habitable buildings are not permitted below the Regulatory Flood Elevation. Exceptions to this requirement would include minor additions to a habitable building such as decks, which may be constructed without the need for a Technical Report. Renovations or replacement to existing buildings located in these areas may be permitted provided the structure is flood proofed to the highest practical extent to the satisfaction of the Township or applicable agency and erosion control measures have been instituted on the property. Access/egress during times of flooding should not be hindered by renovations.

D.3.4.4 The Regulatory Flood Elevation is defined as:

- a) On the Georgian Bay waterbody – 178.3 metres above Canadian Geodetic Datum (CGD), subject to the policies of D.3.4.5;
- b) On all islands on the Georgian Bay waterbody subject to wave run-up as a result of the Fetch and the mainland along the Georgian Bay waterbody subject to wave run-up as a result of the Fetch – 178.9 metres above Canadian Geodetic Datum (CGD), subject to the policies of D.3.4.5;
- c) All other waterbodies and streams – the areas shown on Schedule E of the District of Muskoka Official Plan which are identified as lands subject to flooding or as being the greater of the “100 year flood” or the Regional Flood Event.

D.3.4.5 On all islands on the Georgian Bay waterbody subject to wave run-up as a result of the *Fetch* and the mainland along the Georgian Bay waterbody subject to wave run-up as a result of the *Fetch*, development may be considered below 178.9m (CGD) where a technical analysis prepared by a qualified engineer to the satisfaction of the Township or applicable agency demonstrates that the location of development is sheltered from windward wave action. In no case on an island on Georgian Bay subject to wave run-up as a result of the

Fetch or on the mainland along Georgian Bay subject to wave run-up as a result of the *Fetch* shall development be permitted below 178.3m (CGD). Elsewhere on Georgian Bay, development may be considered below 178.3 where a technical analysis prepared by a qualified engineer to the satisfaction of the Township or applicable agency demonstrates that the location of development is appropriate. In no case shall development be permitted below 177.8m (CGD).

D.3.4.6 The Regulatory Flood Elevation is not the same as the High Water Mark. The High Water Mark is used in this Official Plan to determine lot area and setbacks to waterbodies. On Georgian Bay, the High Water Mark is a defined elevation as identified by the Township Zoning By-law. For all other waterbodies, the High Water Mark refers to the Controlled Water Mark.

D.3.4.7 On inland lakes and streams, a qualified professional shall determine where the flood elevation is located. The further delineation of additional lands prone to flooding will be encouraged and is not subject to Amendment to this Official Plan.

D.3.4.8 New lots shall not be created unless there is a satisfactory building and *Individual On-Site Sewage Service* system envelope which exists outside the Regulatory Flood Elevation and where access/egress is safely available during times of flooding.

D.3.4.9 Development as permitted herein shall be subject to:

- a) For all waterfront properties, a field verified Plan of Survey, certified by an Ontario Land Surveyor, demonstrating the location of the Regulatory Flood Elevation and High Water Mark is required prior to any lot division or issuance of a building permit for new residential dwellings, redevelopment of existing dwellings and / or new *Individual On-site Sewage Services*. The need for this requirement will be determined by The Township.

- b) A *Flood Plain* study may be required as a prerequisite to any development where the limits of the Regulatory Flood Elevation and/or *Flood Plain* are not known. The study shall be completed by a qualified professional and be prepared to the satisfaction of the Township and the Ministry of Natural Resources.
- c) A Site Evaluation Report may be required as a prerequisite to any development which is subject to a *Flood Hazard*.
- d) All lands below the Regulatory Flood Elevation and/or lands prone to flooding should be zoned in an appropriate zoning category.
- e) The expansion of legal non-conforming habitable uses below the Regulatory Flood Elevation is not permitted. Prior to consideration of a non-habitable expansion, a plan of survey is required in order to confirm that the expansion is above the Regulatory Flood Elevation.

D.4 Cultural Heritage and Archaeology

- D.4.1 Cultural heritage features may consist of buildings, structures, structural remains, archeology sites, artifacts, shipwrecks and submerged structures, cemeteries, burial grounds and other built and landscape features that are of cultural heritage significance. *Significant Cultural Heritage and Archeology Resources* are valued for the important contribution they make to our understanding of the history of a place, an event or a people.
- D.4.2 The Township shall encourage the conservation of *Significant Built Heritage Resources* and *Significant Cultural Heritage Landscapes*.
- D.4.3 Conservation may be addressed through a conservation plan, heritage impact statement, stewardship, or through the provisions of the Ontario Heritage Act. For the purposes of this policy, “conservation” or “conserve” means the identification, protection, use and/or management of *Cultural Heritage* and *Archeological Resources* in such a way that their heritage values, attributes and integrity are retained.

- D.4.4 *Development* proposed contiguous to a property which is protected under the Ontario Heritage Act may be permitted where it has been demonstrated through completion a Site Evaluation Report, as per Section I.2.3 (Site Evaluation Report) of this Official Plan, that the *Heritage Attributes* of the protected property will be *Conserved*.
- D.4.5 *Development and Site Alteration* is only permitted on lands containing *Significant Archeology Resources* or areas of archeology potential if the resource has been *Conserved* through removal and documentation, or by preservation on the site. If removal and documentation is undertaken, it shall only be done by licensed archeologists. If preservation is undertaken, *Development and Site Alteration* which maintains the heritage integrity may be permitted.
- D.4.6 The Township shall consider a range of conservation and preservation tools if significant archeology sites are to be preserved in-situ, including the use of Zoning By-laws, Site Plan Control Agreements and Conservation Easements.
- D.4.7 The Township shall apply the provisions of the Cemeteries Act and its regulations when marked and unmarked cemeteries or burial places are encountered during *Development*, assessment or excavation.
- D.4.8 The Township shall encourage comprehensive *Cultural Heritage Resource* mapping, archeological resource mapping, heritage master plans and other heritage site inventories for the municipality to identify *Significant Cultural Heritage and Archeology Resources*.
- D.4.9 The Township will require an archeology Impact Assessment by an archeologist licensed by the Province for *Development* applications where identified *Archeological Resources* exist or where the potential for such resources exist.
- D.4.10 The Township shall seek the advice of the Province regarding cultural heritage and archeology matters when appropriate.
- D.4.11 The Township, together with the District of Muskoka, may establish protocols for dialogue with representatives of First Nations interests.

D.4.12 The Township shall encourage participation and involvement in preservation and restoration efforts and foster the community's understanding and appreciation of the Township's *Significant Cultural Heritage Resources*.

D.5 Mineral Aggregate Resources

D.5.1 Basis and Principles

D.5.1.1 *Mineral Aggregate Resources* are essential non-renewable resources. They are used for basic infrastructure and many forms of construction as well as manufacturing processes. All municipalities in Ontario possessing *Mineral Aggregate Resources* share a responsibility for ensuring they are available from close to market locations and access is not impeded by inappropriate land use development. Aggregate resource extraction is an interim use and appropriate rehabilitation can return extractive sites to productive after uses compatible with surrounding land uses.

D.5.1.2 The Township contains several *Mineral Aggregate Operations* located in sand and gravel deposits which are concentrated in the north end of the Township. These deposits are mapped by the Ontario Geological Survey and further described in Aggregate Resources Inventory Paper 182. While there are no mapped primary or secondary deposits in the Township, the identified tertiary deposits are considered to have the most potential for future extraction. As such, they are identified and protected in this Official Plan.

D.5.1.3 The Township was designated under the Aggregate Resources Act in January 2007. This Provincial legislation governs the licensing of pit and quarries and regulates their operations. All pits and quarries must operate in accordance with the license issued under the authority of the Aggregate Resource Act by the Minister of Natural Resources. Before a site can be licensed under the Aggregate Resources Act it must be appropriately zoned to permit new or expanded *Mineral Aggregate Operations*.

D.5.1.4 The policies contained within this Section of the Official Plan are directed at making available as much of the *Mineral*

Aggregate Resource as is realistically possible from close to market locations. *Mineral Aggregate Operations* shall be located and designed to minimize social and environmental impacts including effects on tourism and natural heritage values. *Deposits of Mineral Aggregate* and licensed *Mineral Aggregate Operations* will be protected from incompatible land use and *Development* in order to ensure that they continue to be available for future use.

- D.5.1.5 The District of Muskoka has set out policies for Mineral Aggregate and Organic Resources. The policies provide that the establishment of a pit or quarry shall be accompanied by a report which assesses and address the potential impacts and mitigation measures. The Township of Georgian Bay through this Official Plan shall set out policies for the location and design of *Mineral Aggregate Operations* to minimize the social and economic impacts of such operations as set out in the Provincial Policy Statement, the Aggregate Resources Act and the District of Muskoka Official Plan.

D.5.2 General Policies

- D.5.2.1 Known *Deposits of Mineral Aggregate Resources* and *Mineral Aggregate Operations* licensed under the Aggregate Resources Act are shown on Appendix 10. The Appendix may be updated from time to time to reflect current license information without the requirement for an Official Plan Amendment.
- D.5.2.2 Licensed *Mineral Aggregate Operations* will be zoned to permit continued operation and protected from encroachment by incompatible land uses. Permitted uses will include accessory processing and associated facilities of a *Mineral Aggregate Operation*.
- D.5.2.3 Where *development* is proposed on or adjacent to known *Deposits of Mineral Aggregate Resources* or licensed *Mineral Aggregate Operations*, the proponent of the new use must demonstrate compatibility with existing or future *Mineral Aggregate Operations* to ensure that proposed development and activities which would preclude or hinder the establishment of new *Mineral Aggregate Operations* and access to the resource is not permitted. Generally, the minimum separation distance between Residential dwelling

units and existing or future potential pit operations shall be 1000 metres, but this may be reduced where the development proponent demonstrates compatibility through site specific study and mitigation. Development and activities which might preclude or hinder access to *Mineral Aggregate Resources* may only be permitted if:

- a) Resource use would not be feasible; or
- b) The proposed land use or development serves a greater long term public interest; or
- c) Issues of public health, public safety and natural heritage impacts are addressed.

D.5.3 New or Expanded Operations

- D.5.3.1 New or expanded *Mineral Aggregate Operations* may be permitted in the Rural Designation subject to Zoning By-law Amendment and Aggregate Resource Act licensing.
- D.5.3.2 The development of new *Mineral Aggregate Operations* or the expansion of existing *Mineral Aggregate Operations* is not permitted within the Urban Centres of Port Severn or MacTier, the Community of Honey Harbour, or the Waterfront Designation which includes the Waterfront Communities of Six Mile Lake, Honey Harbour, Cognashene, Palisade Bay / East Bone Island, Go Home Bay or Wah Wah Taysee.
- D.5.3.3 Lands must be appropriately zoned to permit new or expanded *Mineral Aggregate Operations*. New or expanded *Mineral Aggregate Operations* must be approved through a Zoning By-law Amendment process.
- D.5.3.4 Applications for Zoning By-law Amendment to permit new or expanded *Mineral Aggregate Operations* must be accompanied by complete information required under the Aggregate Resources Act and other matters as deemed appropriate by the Township prior to approving an application for a Zoning By-law Amendment.
- D.5.3.5 Prior to approving a Zoning By-law Amendment application for new or expanded *Mineral Aggregate Operations* the Township

will ensure Mineral Aggregate Operations are appropriately located and designed to minimize adverse social and natural environment impacts including consideration of the following:

- a) Protection of ground and surface water resources;
- b) Impacts on significant Natural Heritage resources;
- c) Effects on *Cultural Heritage Resources*;
- d) The need to minimize social and environmental effects including noise and dust;
- e) Screening of operations to minimize visual effects;
- f) Traffic safety and road capacity;
- g) Proposed rehabilitation; and
- h) Other relevant studies and reports as outlined in Section I.2 (Technical Reports and Surveys) of this Official Plan as determined by the Township. Where there is duplication between the requirements of the Aggregate Resources Act and this Official Plan, the more specific provisions of the Aggregate Resources Act shall apply.

D.5.3.6 The Township may require that Technical Reports submitted in support of an application for a Zoning By-law Amendment for a new or expanded *Mineral Aggregate Operation* be subject to a peer review at the expense of the proponent as per Section I.2.4.3 (Details and Qualification for a Technical Report) of this Official Plan.

D.5.3.7 Township decisions on Zoning By-law Amendment applications for new or expanded *Mineral Aggregate Operations* must be consistent with the Provincial Policy Statement and conform with this Official Plan. Both policy documents are to be read in their entirety and where resources or policies conflict there is no inferred or automatic priority. Consistency and conformity is to be achieved by reading the policies in their entirety and considering site specific circumstances, mitigation and rehabilitation opportunities in order to achieve overall consistency/conformity over the long term.

- D.5.3.8 Appropriate mitigation and conditions of approval for new or expanded *Mineral Aggregate Operations* should be incorporated in the Aggregate Resources Act site plan and/or license conditions. Where requirements are outside the jurisdiction of the Aggregate Resource Act, Municipal Agreements may be required.
- D.5.3.9 New or expanded *Mineral Aggregate Operations* shall not be located within 1000 metres of an existing Residential dwelling unit. This setback may be reduced where it is demonstrated through the submission of an Impact Assessment subject to a peer review as per Section I.2.2 (Impact Assessments) of this Official Plan that social and environmental impacts will be minimized.
- D.5.3.10 Where a new or expanded *Mineral Aggregate Operation* proposes to use a Township or District of Muskoka road as a haul route, the authority having jurisdiction may require agreements with the proponent to address upgrades that are required to accommodate the new or expanded *Mineral Aggregate Operation* on the Township or District roads, at the expense of the proponent.

D.5.4 Rehabilitation

- D.5.4.1 *Mineral Aggregate Operations* are an interim use of land. Rehabilitation should be to a compatible after use. Compatible after uses may include, but not be limited to, agriculture, natural heritage or recreation depending on the surrounding land uses and context.

D.5.5 Wayside Pits and Quarries

- D.5.5.1 *Wayside Pits and Quarries* are temporary operations used for public authority contacts under authority of Aggregate Resources Act permits. *Wayside Pits and Quarries*, including accessory portable asphalt and concrete batching plants, shall be permitted without the need for an Official Plan Amendment or Zoning By-law Amendment except that they are prohibited in the Waterfront and Community designations, in *Natural Heritage Features and Areas*, or in areas of existing

development which have been determined to be incompatible with extraction and associated activities.

D.6 Implementation

D.6.1 General

- D.6.1.1 To ensure the protection of environmentally sensitive areas such as *Wetlands* and *Natural Heritage Features and Areas*, or scenic or *Significant Cultural Heritage Resources*, amongst others, the Township may undertake measures such as Parkland Dedication, Conservation Easements or Agreements, acceptance or acquisition of land by a public authority, and private land stewardship programs. Designation in accordance with the Ontario Heritage Act may also be considered for the conservation of *Cultural Heritage Resources*.
- D.6.1.2 The Township will encourage and support private landowners and organizations in their efforts to manage property in a way that maintains or enhances natural and cultural values.
- D.6.1.3 Crown land, within *Natural Heritage Features and Areas* or sites, should be retained in public ownership. Notwithstanding that the Crown is not bound by municipal planning documents, the policies of this Official Plan should be taken into consideration when managing Crown land.
- D.6.1.4 The Township shall consult with Ministry of Natural Resources, or other applicable agency, respecting the evaluation of *Development* applications, when *Site Alteration* is proposed on or near the site of significant habitat, or when a new *Habitat of Endangered Species and Threatened Species* is made known to the Township.
- D.6.1.5 The protection of identified *Natural Heritage Features and Areas* will be implemented through the Zoning By-law, use of Holding or Interim Control By-laws, or Site Plan Control as well as powers provided under the Municipal Act, among other appropriate means.

Section E: Settlement Areas

E.1 General Basis and Principles

E.1.1 The Settlement Area policies relate to the following areas within the Township:

- a) Port Severn
- b) MacTier
- c) Honey Harbour

E.1.2 Port Severn and MacTier are considered “Urban Centres” and are to be the focus for commercial and industrial as well as permanent residential growth and the central areas for the provision of community facilities. Honey Harbour is a “Community” which serves as a local service centre.

E.1.3 Section D (Resources), as well as the other policies of this Official Plan, shall be read in conjunction with these Settlement Area policies.

E.1.4 General Policies for All Settlement Areas

E.1.4.1 General Policies

E.1.4.1.1 Limited expansion or enlargement of existing commercial facilities may be permitted subject to a Zoning By-law Amendment.

E.1.4.1.2 Such expansion or enlargements may be considered limited where the following situations arise:

- a) Upgrading of the existing facilities;
- b) Redevelopment of the existing use(s) with no significant increase in the intensity of use;
- c) Limited increase in the facilities provided (e.g. expansion of the waste disposal system or water supply);
- d) Basic Character of the operation is maintained;

- e) Suitable buffers and screening from surrounding uses are maintained or provided (where applicable);
- f) Surrounding access routes have the capacity to sustain the additional traffic; and
- g) The general intent of this Official Plan is maintained.

E.1.4.1.3 Site Plan Control shall be required for all development within the Urban Centre and Community designations as per Section I.5.1 (Site Plan Control) of this Official Plan.

E.1.4.1.4 Major recreational facilities will be zoned to reflect their use in the Township’s Zoning By-law.

E.1.4.1.5 The Township may require a stewardship manual to be provided as a condition of any multi-unit or lot development within the shoreline area of Settlement Areas. The stewardship manual shall provide information to the unit owners to assist in their understanding of how to support improved lake quality.

E.1.4.1.6 Various other policies, which are intended to guide development, may be found within the Urban Centre policies of Sections E.2 (Urban Centres), E.3 (Policies Affecting All Urban Centres) and E.4 (Land Use Policy for Urban Centres), or in the specific policies for Port Severn (E.5), MacTier (E.6) or Honey Harbour (E.7).

E.1.4.2 Marina Policies

E.1.4.2.1 Marina development or redevelopment is permitted within the Settlement Areas of the Township on commercially designated land as per the policies of this Official Plan. The storage, repair and servicing components of a Marina are encouraged to be located away from the shoreline and are permitted to locate on lots which do not have water *Frontage*.

E.1.4.2.2 Marina(s) shall be defined as a building, structure or place with road access located on a waterway which provides facilities such as docking, storage of boats and boat accessories, services, and repairs. Accessory uses to a Marina

use are permitted such as a restaurant and contractors yard. Dryland marinas are also permitted. Dryland marinas do not functionally need to be located on a waterway, however they must have an appropriate boat launch area held in private ownership.

- E.1.4.2.3 Existing Marinas will be supported and recognized for their role in the provision of access and other services to water access properties.
- E.1.4.2.4 An Official Plan Amendment is required where a change in use on a site containing a Marina is proposed which has the effect of eliminating or reducing the Marina docking facilities or reducing the number of docks that serve the water access properties. This policy is not meant to prohibit changes to docking layouts not associated with a change in land use.
- E.1.4.2.5 New commercial Marinas may only be established by amendment to this Official Plan.
- E.1.4.2.6 New commercial Marinas must conform to Section E.1.4.2.9 (Major Marina Expansion) of this Official Plan in addition to the following requirements:
 - a) A vehicular traffic Impact Assessment may be required;
 - b) A boat Impact Assessment may be required as per Section I.2.5 (Boat Impact Assessment) of this Official Plan; and
 - c) The site and proposed expansion shall be subject to Site Plan Control.
- E.1.4.2.7 Limited expansion or enlargement of existing marina facilities may be permitted subject to a Zoning By-law Amendment. The proposed expansion shall have no negative impact on the existing marina function including the number of docks that serve the water access properties.
- E.1.4.2.8 Such expansion or enlargements may be considered limited where the following situations arise:
 - a) Upgrading of the existing facilities;

- b) Redevelopment of the existing use(s) with no significant increase in the intensity of use;
- c) Limited increase in the facilities provided (e.g. number of docks in a Marina; expansion of the waste disposal system or water supply);
- d) Basic *Character* of the operation is maintained;
- e) Suitable buffers and screening from surrounding uses are maintained or provided (where applicable);
- f) Surrounding access routes have the capacity to sustain the additional traffic; and
- g) The general intent of this Official Plan is maintained.

E.1.4.2.9

In order to recognize the function of existing commercial operations, major Marina expansions associated with an existing commercial use or a standalone Marina may be permitted, subject to a Zoning By-law Amendment, provided that:

- a) The site and the immediate area is suitable to accommodate the proposed expansion and the associated boat traffic;
- b) The proposed expansion is compatible with surrounding uses;
- c) The proposed expansion conforms to the policies of Section D (Resources) of this Official Plan;
- d) The proposed expansion will not have a significant *Negative Impact on a Narrow Waterbody*;
- e) The intensity of the use will not significantly increase;
- f) The proposed expansion will not have a significant negative impact on boat traffic patterns or navigation;

- g) Adequate parking, sewage disposal systems and water supply is provided;
- h) The effect of the development on natural heritage, natural hazard and cultural heritage policies of this Official Plan is addressed;
- i) The impact on any affected waterbody is addressed;
- j) The proposed expansion conforms to all other applicable policies and maintains the general intent of this Official Plan; and
- k) The proposed expansion shall have no negative impact on the existing Marina function including the number of docks that serve the water access properties.

E.2 Urban Centres

E.2.1 Definition

E.2.1.1 Areas designated as "Urban Centres" act as rural, recreational and urban service centres. Such areas provide a nucleus for community facilities and services at a higher level than expected in a Community.

E.2.1.2 The Urban Centre designation shall apply to the following areas:

- a) Port Severn
- b) MacTier

E.2.1.3 Lands Affected by the Urban Centres designation are illustrated on Schedules:

B – Port Severn Land Use Designations

C – MacTier Land Use Designations

E.2.2 Basis and Principles

- E.2.2.1 The Urban Centres shall be the focus of commercial and industrial as well as permanent residential development and intensification within the Township.
- E.2.2.2 Urban Centres may contain a variety of land uses including Residential, Commercial, business, Industrial, Institutional, recreational and Open Space to serve the residents of the community and surrounding areas.
- E.2.2.3 Urban Centres tend to exhibit individual and distinct community *Character*, which should be recognized and enhanced.
- E.2.2.4 Within the boundaries of the Urban Centres, lands designated “Restricted Rural” shall be subject to the policies of this Official Plan.

E.3 Policies Affecting All Urban Centres

E.3.1 General Policies

- E.3.1.1 Specific policies for an individual Urban Centre may vary from any General Policies in this Section, and the General Policies apply except to the extent of any conflict with the specific policies.
- E.3.1.2 Lots shall front upon roads which are owned and maintained year-round by a public authority and are in a condition appropriate for the use proposed. Lots or units may be provided with condominium road access where the road connects to a publicly year round maintained municipal road and provides for adequate emergency access, and is constructed and maintained to the satisfaction of the Township.
- E.3.1.3 Entrances shall be permitted onto a road provided a traffic hazard would not be created, or the design efficiency or intended use of such a road would not be impaired.
- E.3.1.4 Where a proposed development requires the construction of an internal road, such an internal road shall be hard surfaced.

- E.3.1.5 The size of any parcel shall be appropriate for the use proposed.
- E.3.1.6 Growth will be encouraged within Urban Centres and development within an Urban Centre shall proceed on the basis of full municipal services unless otherwise provided for in this Official Plan.
- E.3.1.7 Stormwater management and construction mitigation plans shall be required for Commercial, Industrial, and Institutional development and may be required for Residential development. Stormwater management and construction mitigation plans shall be prepared in accordance with best management practices.
- E.3.1.8 Natural vegetation is encouraged to be retained especially along the waterfront, as per Section D.2.2.4.2 (Preservation or Restoration of Shoreline Vegetation) of this Official Plan.
- E.3.1.9 Development shall be setback from the High Water Mark as per Section D.2.2.4.3 (Setback from High Water Mark) of this Official Plan.
- E.3.1.10 *Active Transportation* is encouraged within the Urban Centres as per the policies of Section H.1.6 (Active Transportation) of this Official Plan and the *Active Transportation* policies shall be reviewed when undertaking any Planning Act application.
- E.3.1.11 A variety of public open spaces that can be accessible by *Active Transportation* modes shall be promoted when reviewing Planning Act applications and/or during municipal park planning including but not limited to active parks, passive parks, trails, and trail lay-bys. Trail heads and park access points that can be accessible by *Active Transportation* modes shall be considered through any park or open space planning.
- E.3.1.12 Open space areas and parks should be developed with an interconnected *Active Transportation* system to residential neighbourhoods and consideration should be given to features that include: benches, garbage bins, bike racks, crosswalks, traffic calming measures, lighting and shade.

- E.3.1.13 The grouping and integration of Institutional uses in Urban Centres should be encouraged where the shared use of resources and facilities would benefit the uses and the community as a whole.
- E.3.1.14 Small-scale Institutional uses may be permitted in other land use designations subject to the Resource policies of Section D (Resources) of this Official Plan and provided they are compatible with the area and recognized in an implementing Zoning By-law.
- E.3.1.15 Converting land from *Employment Areas* to the Residential land use designation requires approval of an Official Plan Amendment through a *Comprehensive Review* and only after it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion. Such a review shall be integrated with planning for infrastructure and public service facilities and shall consider:
- a) A review of the population and residential growth projections which reflects projections and allocations by The District of Muskoka, considers alternative directions for growth, determines how best to accommodate this growth while protecting Provincial interests, and demonstrates need;
 - b) Opportunities to accommodate projected growth through intensification and redevelopment;
 - c) Demonstration that there is sufficient municipal sewage and water capacity;
 - d) The proposed use is compatible with adjacent uses;
 - e) The access is appropriate;
 - f) Cross-jurisdictional issues;
 - g) The land is not required for employment purposes over the long term; and

h) Other matters deemed appropriate by the Township when reviewing a site specific application.

E.3.1.16 Notwithstanding Section E.3.1.16 (Employment Area Conversion), the Township may consider the conversion of *Employment Areas* to the Residential designation outside of a *Comprehensive Review* where it is demonstrated to the satisfaction of the Township that the lands proposed to be converted is a small isolated pocket of Commercial or Industrial use(s) that has little potential for *Employment Area* development or redevelopment.

E.3.2 Water and Sewage Services

E.3.2.1 It is intended that Urban Centres will be served with both municipal water and sewer services. Development shall occur within or adjacent to existing developed areas in order to ensure orderly growth and the efficient use of municipal water and sanitary sewer services. For the purposes of this policy, adjacent may be contiguous or in proximity to and shall be determined by the Township on a site specific basis based on the size and impact of the development.

E.3.2.2 Water and Sewage Capacity Allocation Strategies have been prepared for Port Severn and MacTier.

E.3.2.3 The Township and District of Muskoka shall continue to monitor the sewer and water capacity of each Urban Centre and shall allocate services in accordance with the Sewer and Water Capacity Allocation Strategy of the applicable Urban Centre.

E.3.2.4 Conservation measures that will result in the efficient use of water and sewage facilities will be promoted and encouraged.

E.3.2.5 In accordance with the Planning Act, implementing Zoning By-laws shall prohibit the use of land unless municipal water and sanitary sewer services are available, unless otherwise provided for in this Official Plan.

E.3.2.6 Implementing Zoning By-laws will generally not permit high water users or sewage generators "as of right", rather these

uses should only be permitted by Zoning By-law Amendment and where municipal water and sewer services are available.

- E.3.2.7 Notwithstanding any other provisions of this Official Plan, servicing of development shall be subject to the requirements of the District of Muskoka, including amongst other matters, the determination of capacity of such services and the requirement for connection to such services.
- E.3.2.8 Extension of municipal water and sewer services outside of the Urban Centres boundaries identified on the servicing schedules shall not be permitted except where such works are undertaken as a municipal project in the public interest, or to remedy a health hazard or an environmental concern.
- E.3.2.9 The extension of services outside of the Urban Centre boundaries for reasons identified in Section E.3.2.8 (Extension of Services outside of Urban Centres) above, shall not confer, or be deemed to confer; further development rights for abutting properties, except for those rights which are specifically permitted by this Official Plan and further extensions from such services to surrounding properties shall not be permitted.
- E.3.2.10 The provision of municipal water and sewer services is a principal factor in establishing the phasing of development within an Urban Centre.
- E.3.2.11 The development of Port Severn and MacTier will occur in two phases, as generally illustrated on Schedules B (Port Severn) and C (MacTier).
- E.3.2.12 The Phase 1 Servicing Boundary includes existing developments that, together with intensification will meet the growth needs of the Urban Centre for the next ten years. Intensification and the controlled expansion of development within Phase 1 shall occur as servicing capacity and infrastructure permits. To ensure an orderly build out of the Phase 1 Servicing Boundary, the Township and the District of Muskoka shall be satisfied that Planning Act approvals are based on a logical extension of municipal services, an appropriate development sequence and sufficient water and sewage capacity is available.

- E.3.2.13 Expansion of development into the Phase 2 Servicing Boundary will only occur once the Phase 1 Servicing Boundary has been substantially developed and servicing capacity is available. Development in the Phase 2 Servicing Boundary will be contingent upon the availability of municipal servicing capacity.
- E.3.2.14 Within Phase 1, development shall proceed on the basis of full municipal water and sewer services. However, development of existing lots of record or limited infilling on the basis of *Individual On-Site Sewage and Water Services* is permitted where:
- a) Municipal services are not reasonably available or are not expected to be available within the foreseeable future;
 - b) No existing or immediately foreseeable problem would be compounded;
 - c) An Individual On-Site Sewage and Water Services system in accordance with Section E.3.2.12 (Phase 1 Servicing Boundary) can be accommodated on the lot, to the satisfaction of the authority having jurisdiction; and
 - d) The required setbacks for an Individual On-Site Sewage Services system from a waterbody as per the policies of this Official Plan can be accommodated.
- E.3.2.15 For purposes of this Section, infilling means lot creation that is located between two lots of a similar size and which are located on the same side of the road and are not more than 60 metres apart.
- E.3.2.16 Development on lots with *Individual On-Site Sewage and Water Services* shall be encouraged to be sited in such a manner as to allow for further division when full municipal services become available in the future.
- E.3.2.17 Substantial new development shall not be permitted on a single municipal water or sewer service. However, the

extension of partial services is only permitted to address a failed individual sewage or water system in an existing development.

E.3.2.18 Phase 2 will be serviced in the future, once Phase 1 has been substantially built out and water and sewer servicing capacity is available. Until that occurs, only the development of existing lots of record or limited infilling in accordance with the principles outlines in Section E.3.2 (Water and Sewage Services) of this Official Plan is permitted.

E.3.2.19 Servicing schedules and specific servicing policies have been developed for each Urban Centres to identify the areas in which municipal water and sewer services are required prior to development proceeding.

E.3.3 Community Design

E.3.3.1 All new development within MacTier shall be consistent with The Master Plan and Design Guidelines for MacTier dated May 2011, which may be updated from time to time.

E.3.3.2 All new development within Port Severn shall be consistent with the Master Plan and Urban Design Guidelines for Port Severn dated July 2009 which may be updated from time to time.

E.3.4 Urban Centre Expansions

E.3.4.1 An expansion to an Urban Centre boundary will only be permitted at the time of a *Comprehensive Review* and only where it has been demonstrated through an integrated approach with planning for infrastructure and public service facilities that:

- a) The expansion is required based on a review of population and growth projections which reflects projections and allocations by The District of Muskoka, considers alternative directions for growth, and determines how to best accommodate this growth while protecting Provincial interests;

- b) Sufficient opportunities for growth are not available through intensification, redevelopment, and designated growth areas to accommodate the projected needs over the identified planning horizon as identified in a growth management study;
- c) The infrastructure and public service facilities which are planned or available are suitable for the development over the long term and protect the public health and safety;
- d) There will be no *Negative impact on Natural Heritage Features and Areas*;
- e) An analysis of the costs to provide municipal services to the area of expansion and an examination of alternatives has been completed;
- f) There will be no negative impact on the surrounding rural community;
- g) The development will occur on non-hazardous lands;
- h) Development will be in a compact manner unless soil, servicing and other physical features prevent it;
- i) There will be no negative impact on the delivery of police and emergency services;
- j) Cross-jurisdictional issues have been considered; and
- k) Consideration has been given to other issues as deemed appropriate and necessary.

E.3.4.2 A boundary expansion shall only proceed by means of an amendment to this Official Plan.

E.4 Land Use Policy for Urban Centres

E.4.1 Residential

E.4.1.1 Permitted Uses and General Development Policies

- E.4.1.1.1 Within the residential designation, the predominant use of land shall be for residential dwellings. Residential development may include a broad range of dwelling structures from single detached dwelling structures to multiple unit development.
- E.4.1.1.2 Secondary uses of land may be permitted in a residential designation provided they are small-scale and compatible with the surrounding residential *Character*. Such uses may include Home Occupation, Institutional, or Open Space.
- E.4.1.1.3 Residential growth should proceed by infilling in and intensification of existing residential areas, or by controlled expansion of the built-up area.
- E.4.1.1.4 A full range of housing is generally permitted including, but not limited to, low density housing, *Affordable Housing*, and Medium Density housing subject to servicing and appropriate locational criteria.
- E.4.1.1.5 Residential intensification through redevelopment of *Brownfield Sites*, infilling, development of Residential units above Commercial units, and development of Medium Density Residential units is permitted provided that:
- a) The built form is compatible with existing and surrounding built form;
 - b) Appropriate servicing is provided;
 - c) Appropriate on-site parking is provided;
 - d) The use is located in close proximity to community facilities and public open spaces, where appropriate;
 - e) Other applicable criteria are adhered to;
 - f) Appropriate outdoor amenity space is provided on the site for the amount of residential units proposed;
 - g) The Township urban design guidelines are considered;
 - h) Adequate minimum dwelling unit areas are maintained;

- i) Other criteria as deemed appropriate by the Township upon review of a site specific application; and
- j) The requirements of the Zoning By-law are met.

E.4.1.1.6 The development of a *Secondary Dwelling Unit* within an existing detached dwelling, townhouse, semi-detached dwelling or in an ancillary structure not including Boathouses or Sleeping Cabins, is permitted subject to the following:

- a) The unit is wholly contained within the existing dwelling unit or within an existing accessory building which is not a Boathouse or Sleeping cabin;
- b) Appropriate on-site parking is provided;
- c) The site provides for appropriate sewage and water services for the existing and additional unit; and
- d) The requirements of the Zoning By-law are met.

E.4.1.1.7 The controlled expansion of Residential land use within Urban Centres should take place primarily by Plan of Subdivision or Condominium Description:

- a) Immediately contiguous to the built-up area in order to facilitate the expansion of the community in a compact manner, unless soil, servicing or other physical features prevent this; or
- b) Where it facilitates the development of an overall efficient road pattern.

E.4.1.1.8 Small scale open space areas including neighbourhood parks and trails are permitted within the Residential designation and should be developed with an interconnected *Active Transportation* system.

E.4.1.2 Low Density Development

E.4.1.2.1 Low density development shall consist of single detached dwellings and multi-unit development (maximum density of 3 dwelling units per lot for multi-unit).

- E.4.1.2.1.2 Single detached dwelling development should not exceed 20 units per gross hectare (8 units per gross acre).
- E.4.1.2.3 Multi-unit development should not exceed 33 dwelling units per gross hectare (15 units per gross acre).
- E.4.1.2.4 Residential uses shall provide adequate off-street parking, and bicycle racks. In addition, vehicular access points shall be limited in number and designed in a manner that will minimize danger to vehicular and pedestrian traffic.
- E.4.1.2.5 The clustering of low-density development in a manner that increases the efficiency of services provides larger areas of open space and maintains the density should be encouraged.

E.4.1.3 Medium Density Development

- E.4.1.3.1 Medium density development shall consist of small scale apartments, townhouses, and stacked housing structures or similar types of structures.
- E.4.1.3.2 Medium density multiple-unit development shall be developed only on full municipal services at a maximum density of 40 dwelling units per gross hectare (16 units per acre), and shall not exceed 3 storeys in height.
 - E.4.1.3.2.1 Notwithstanding Section E.4.1.3.2, a medium-density multiple-unit development on full municipal services at a maximum density of 53 dwelling units per gross hectare shall be permitted on the lands legally described as Part of Island K in the Severn River opposite Lot 28, Concession 2, Geographic Township of Baxter, Township of Georgian Bay, District Municipality of Muskoka (OPA #24).
- E.4.1.3.3 The orientation of structures for multiple unit purposes shall be considerate of adjacent Residential building types and orientation.
- E.4.1.3.4 Multiple-unit developments should be:
 - a) Encouraged to locate where direct access to a major public road is available;

- b) Located close to public open space or alternatively shall provide adequate on-site outdoor recreational facilities; and
- c) Located in close proximity to commercial facilities.

E.4.1.3.5 Multiple-unit residential uses shall provide adequate off-street parking and consideration be given to provision of bicycle racks. In addition, vehicular access points shall be limited in number and designed in a manner that will minimize danger to vehicular and pedestrian traffic.

E.4.1.4 Rental Conversion to Condominium

E.4.1.4.1 The conversion of five or more rental units within a building to condominium shall only be considered when the following is satisfied:

- a) The rental vacancy rate as reported by the Canada Mortgage and Housing Corporation (CMHC) market survey has been at or above 3 percent for the preceding two year period and,
- b) The existing market rents for the existing units are at or above the average market rent within the CMHC survey zone.

E.4.1.5 Group Homes

E.4.1.5.1 Group Homes shall be considered a permitted use in any Residential designation or Zone in the Urban Centres. A Group Home shall be defined as a dwelling unit which contains no more than six residents, in addition to staff or the receiving family, living as a single housekeeping unit under responsible supervision consistent with their requirements, and which has been licensed or approved under Provincial Statute.

E.4.2 Commercial Uses

E.4.2.1 Permitted Uses

E.4.2.1.1 The predominant use of land in the Commercial designation shall be for commerce and shall include uses such as retail

sales or service establishments, Marinas, automotive or marine sales or service establishments, business or professional offices, dining establishments, places of entertainment, Small Scale Tourist Commercial uses or Resort Commercial establishments. Large format retail development is not permitted.

- E.4.2.1.2 The Commercial designation may include Residential uses provided they are secondary and incidental to a permitted Commercial use.

E.4.2.2 Development Policies

- E.4.2.2.1 Commercial uses will be at a scale to serve the Urban Centre and its associated service area, with the exception of Resort Commercial uses.
- E.4.2.2.2 All new Commercial development shall be appropriate to the lot on which it is proposed. Specific lot provisions shall be established in an implementing Zoning By-law. Few lot provisions have been included herein due to the variety in type and location of permitted Commercial uses.
- E.4.2.2.3 Commercial uses shall provide adequate off-street parking and loading facilities and consideration be given to provision of bicycle racks. In addition, vehicle access points shall be limited in number and designed in a manner that will minimize danger to vehicular and pedestrian traffic.
- E.4.2.2.4 The buildings containing Commercial uses shall be so designed and any lighting or signs so arranged as to blend in with the desired *Character* of adjacent uses. Lighting shall be Dark Sky compliant and back lit signs are not permitted. Adequate buffering between Commercial uses and Residential, Open Space, Institutional or recreational uses shall be provided where necessary.
- E.4.2.2.5 Convenience Commercial uses shall not be permitted in the Residential land use designation except as may be provided in a Specific Policy for Urban Centres.
- E.4.2.2.6 Uses which have, or may have, a significant detrimental effect on natural heritage shall not be permitted. In addition, uses

which contribute noxious effluent, emissions or vibrations to the natural environment shall not be permitted unless mitigating measures are provided to the satisfaction of the authorized approval authorities.

- E.4.2.2.7 Development in locations with visibility from main transportation routes should occur in a manner that ensures a high-quality visual appearance and a positive community image. In this regard, landscaping shall be provided adjacent to main transportation routes. The extent of such landscaping should be determined by the nature of the use and identified through the Site Plan Control process.
- E.4.2.2.8 Outdoor storage shall be appropriately screened and/or fenced, and where possible, located to the rear of the buildings and landscaping. Vegetative buffers are required to be used, where appropriate, to mitigate conflicts between uses.
- E.4.2.2.9 The Township generally supports the development of new Commercial uses as an important part of a diverse economy.

E.4.2.3 Resort Commercial Development

- E.4.2.3.1 Resort Commercial uses are those lands designated Commercial with a shoreline focus and are intended to provide lodging and accommodation for the vacationing public and may also include complementary retail commercial, Marina commercial development, recreational uses and tourist attractions, but shall not include Tent and Trailer Parks uses.
- E.4.2.3.2 Residential development may be permitted as an integral component of a Resort Commercial development provided the Commercial *Character* and function of the development is maintained and is the primary focus of development. A substantial portion of the Commercial component relative to the proposed Residential component shall be developed in the first phase. A minimum of 50% of the Residential or accommodation units in a Resort Commercial development shall be for Commercial use.
- E.4.2.3.3 The density of a Resort Commercial development shall not exceed 40 units per gross hectare (16 units per gross acre).

- E.4.2.3.4 Integrated recreational facilities will be encouraged as an important component of any Resort Commercial development.
- E.4.2.3.5 Public use of tourist facilities, particularly recreational and docking facilities, is encouraged. Joint use agreements may be considered as part of any development of Resort Commercial properties.
- E.4.2.3.6 Resort Commercial development shall develop on full municipal services.
- E.4.2.3.7 Resort Commercial development shall be buffered from adjacent uses.
- E.4.2.3.8 A Boat Impact Assessment may be required to be submitted prior to the development of new Resort Commercial uses or expansions to existing Resort Commercial uses as per the policies of Section I.2.5 (Boat Impact Assessment).

E.4.2.4 Small Scale Tourist Commercial

- E.4.2.4.1 Small Scale Tourist Commercial uses include, but are not limited to, outfitters or small scale eco tourism development, and may contain small scale accessory accommodation uses. Small Scale Tourist Commercial uses are not considered to be Resort Commercial uses. Residential uses are not considered as a part of Small Scale Tourist Commercial Uses except for one accessory residential unit for an operator or caretaker. Small Scale Tourist Commercial uses are permitted subject to the following:
 - a) The use can be appropriately serviced;
 - b) The proposed use does not negatively impact the *Natural Heritage Features and Areas* or *Cultural Heritage Resources* of the area;
 - c) Appropriate access can be provided;
 - d) The proposed use is compatible with surrounding uses; and

e) Emergency services can be properly provided.

E.4.3 Industrial Uses

E.4.3.1 Permitted Uses

E.4.3.1.1 The primary use of land in the Industrial designation should be for limited scale uses. Such uses may include processing, light manufacturing, assembly of materials, transportation depot, building supplies, contractors' yards and warehousing.

E.4.3.1.2 The Industrial category may include Commercial and Residential uses provided these are secondary and incidental to a permitted Industrial use.

E.4.3.2 General Development Policies

E.4.3.2.1 "Wet" Industrial development, or that requiring a high level of servicing, should occur only in areas where both municipal water and sanitary sewer facilities are available and where such systems would have the capacity to service such uses. These uses are subject to the Sewage and Water Allocation Strategy of the Township.

E.4.3.2.2 Industrial uses shall be located where direct access and *Frontage* to a public, open and maintained road is available.

E.4.3.2.3 Adequate buffering between Industrial uses and Residential, Open Space or Recreational uses shall be provided by the Industrial use. The degree to which Industrial uses will be separated and the adequacy of buffer planting or screening will depend on the nature of the use.

E.4.3.2.4 Industrial uses shall provide adequate off-street parking and loading facilities. In addition, vehicular access points shall be limited in number and designed in a manner that will minimize danger to vehicular and pedestrian traffic.

E.4.3.2.5 Buildings shall be so designed and any lighting or signs or other structures so arranged as to conform to the desired *Character* of adjacent uses. Signs shall be Dark Sky compliant and back lit signs are not permitted.

E.4.3.2.6 Industrial uses shall meet the requirements of the authority having jurisdiction and where necessary, obtain approval with respect to water taking, wastewater disposal and all emissions to the atmosphere including noise and vibrations.

E.4.3.2.7 New Industrial uses shall not be permitted in areas, which have developed predominantly with residences, schools or care facilities, or in the logical path of future residential expansion. Such Industrial uses will be encouraged to locate among other Industrial uses or in areas where the adverse affects on surrounding uses will be minimized.

E.4.4 Institutional Uses

E.4.4.1 Institutional uses may be permitted within any land use designation within the Urban Centres. Notwithstanding the above, large-scale Institutional uses have been designated, and new large-scale types of Institutional uses must be established by Official Plan Amendment. Permitted uses in the Institutional designation may include but are not limited to cemeteries, libraries, arenas, community centres, nursing homes, and schools. Large-scale Institutional uses are considered to be those which are substantially out of *Character* with land uses in the surrounding area taking into consideration building area and height, building coverage of lot area, vehicular traffic and parking requirements, among others.

E.4.5 Open Space

E.4.5.1 Permitted Uses

E.4.5.1.1 In areas designated "Open Space" on Schedule B or C to this Official Plan, the predominant use of land shall be for open air recreational purposes, and such lands shall be kept open and free from all buildings and structures except for a small percentage on which buildings and structures may be erected for recreational purposes.

E.4.5.1.2 Areas designated "Open Space" which are used for golf courses are permitted to develop additional buildings or structures subject to the permitted uses and provisions of the Township's Zoning By-law.

E.4.5.1.3 Community gardens are also permitted in appropriate areas within Open Space designations that are owned by the Township. Small accessory buildings such as garden sheds are permitted within the community gardens. Any community garden plot shall be permitted through a use agreement with the Township.

E.4.5.1.4 Land which provides buffer strips between incompatible uses or which otherwise may not be designated or zoned in an implementing Zoning By-law may be considered as Open Space.

E.4.5.2 General Development Policies

E.4.5.2.1 Open Space area should be distributed throughout the community in such a way that all types of recreational areas are available within a reasonable distance of all dwellings. Also, external demands upon the recreational facilities of the Urban Centres should be recognized and satisfied.

E.4.5.2.2 Where possible, lands developed for park purposes shall be consolidated into acreage of sufficient size to facilitate the desired recreational use and parks maintenance.

E.4.5.2.3 Open Space areas should consider urban forestry strategies as well as sun safety.

E.4.5.2.4 Where any lands under private ownership are designated as Open Space, this Official Plan shall not be construed to imply that such lands will necessarily be purchased by the Municipality.

E.4.5.2.5 Some lands designated as Open Space may be used for municipal utilities provided that structural coverage of the land is minimized, dispersed, and screened in such a way so as to maintain the Open Space *Character* of the designated area.

E.4.5.2.6 In order to increase safety, major Open Space areas which are used for athletic fields or other land intensive community activities should be visible to the surrounding neighbourhood and preferably to the surrounding street network.

- E.4.5.2.7 New Open Space park uses shall be encouraged to locate in or adjacent to:
- a) Existing parks or other compatible land uses;
 - b) Areas with adequate public access;
 - c) Areas with natural amenities for shoreline recreation;
 - d) Scenic areas; and
 - e) Areas adjacent to the shoreline.
- E.4.5.2.8 The Township's Zoning By-law may establish a variety of Open Space zones to reflect the differing existing Open Space uses.

E.4.6 Restricted Rural

- E.4.6.1 Lands designated "Restricted Rural" are located within the Urban Centres and generally act as a holding category for development within Urban Centre areas within the Plan.
- E.4.6.2 Lands designated "Restricted Rural" shall be utilized primarily for uses existing as of the date of adoption of this Official Plan or for new non-obnoxious, non-intensive agricultural uses, residential infilling, space extensive recreational uses, or managed forestry uses.
- E.4.6.3 New or substantially enlarged intensive agricultural uses such as feed lots, poultry farms, hog operations, fur bearing animal farms, livestock sales centres or kennels shall not be permitted within the areas designated as Restricted Rural.
- E.4.6.4 New Commercial or Institutional uses such as Highway Commercial should not be permitted within the Restricted Rural Designation. Existing development of this nature has been permitted within the adjacent built-up community and shall not be permitted to infiltrate the Restricted Rural designation.
- E.4.6.5 One single detached dwelling and accessory uses may be permitted on an existing lot of record within the Restricted Rural designation subject to appropriate servicing being

provided on the lot, provision of year round access being available, the lot meeting the Zoning Regulations of the Township's Zoning By-law, as well as other applicable policies of this Official Plan which include but are not limited to the Natural Heritage policies (Section D.1), and Area of Use Limitation policies (Section D.3).

E.4.6.6 New or expanded *Mineral Aggregate Operations* shall not be permitted within the Restricted Rural designation.

E.4.6.7 Development Policies

E.4.6.7.1 Where new permitted agricultural or permitted Residential uses are allowed in the Restricted Rural designation, consideration shall be given to the provisions of the Agricultural Code of Practice for Ontario respecting appropriate setback of such uses from incompatible uses.

E.4.6.7.2 Non-agricultural development will be discouraged from locating on active agricultural lands or immediately adjacent to structural development related to a viable agricultural use.

E.4.6.7.3 When servicing becomes available and where appropriate in conjunction with the Township's Water and Sewage Capacity Allocation Strategy and the servicing phasing policies of the applicable Urban Centre, an amendment to this Official Plan may be considered to re-designate lands from Restricted Rural to another land use within the Urban Centre.

E.4.7 Implementation

E.4.7.1 Where a Commercial, Industrial or large scale Residential proposal requires planning approval in order to proceed, the following information may be required:

- a) A Public Service and Financial Evaluation on the effect of the proposal on the following:
 - i) Storm drainage;
 - ii) Solid waste and sewage disposal;
 - iii) Roads and road traffic;

- iv) Fire protection;
- v) Police protection;
- vi) School facilities;
- vii) Parks and recreation;
- viii) Medical and social services; and,
- ix) Municipal administration.

E.5 Specific Policy for Port Severn

E.5.1 Goal

E.5.1.1 To develop Port Severn as a sustainable, water-oriented community with physical, economic and community development directed to creating an economically and socially healthy and environmentally sound community.

E.5.2 Objectives

E.5.2.1 To encourage economic development which complements the existing community, and to provide a focus for urban development in the southern portion of the Township.

E.5.2.2 To protect the natural environment and the unique ecological functions and features of the area within an urban context.

E.5.2.3 To realize the potential for the development of high quality tourism and recreational facilities, which are, oriented to the waterfront and the Highway No. 400 corridors.

E.5.2.4 To realize the potential of the areas adjacent to the Highway No. 400 corridor for business development.

E.5.2.5 To provide and encourage opportunities for second home and permanent residential development utilizing both traditional and innovative forms of housing with varied densities.

- E.5.2.6 To encourage the efficient provision and effective use of municipal services.
- E.5.2.7 To provide natural open space and public parks with pedestrian and recreational trail access into and throughout the community, which will link the waterfront with commercial and residential areas in the community.
- E.5.2.8 To enhance and foster community *Character* and identity.

E.5.3 Basis and Principles

- E.5.3.1 Port Severn has developed as a recreational community with a variety of functions that serve the community and Township. Land uses in Port Severn consist of various Residential, recreational, Commercial and Institutional uses, which historically, have been primarily oriented to the Trent Severn Waterway and the Georgian Bay waterfront or the Highway No. 400 and District Road No. 5 corridors. A large percentage of the population and employment has been seasonal in nature.
- E.5.3.2 The expected growth in Port Severn cannot be accurately predicted based on past trends, but growth is expected to occur in a gradual and consistent manner within the servicing capability for the community. The *Character* of the community is also expected to evolve, with the percentage of single season development declining and the attraction of development based on new markets such as the retirement population and small business sector.
- E.5.3.3 With the development of municipal water and sewer services in Port Severn, new forms of Residential and Commercial development, which are sympathetic to the existing community structure and natural heritage, will be promoted.
- E.5.3.4 Port Severn is within the Severn Sound area covered by the "Severn Sound Remedial Action Plan" as shown on Schedule A of this Official Plan, and forms part of a significant natural ecosystem. The designated area of Port Severn includes: a *Provincially Significant Wetland* within a portion of shoreline area; important fisheries habitat located along segments of the shoreline; and geologically important Muskoka Heritage

Areas located within the community. These natural values need to be protected.

E.5.3.5 The shoreline of this Urban Centre is a unique area, which offers a significant land and water resource for the Township. As such, the values and features in Port Severn must be protected from the potential adverse effects of development, but at the same time, access to and from the waterfront area must provide a variety of experiences for residents and visitors. A mix of uses and active and natural open spaces in public and private ownership should be promoted which balance public demand and environmental limitations. Development should enhance and protect the values and qualities that contribute to the function and attraction of this unique resource.

E.5.3.6 It is envisioned that with the establishment of municipal services, combined with good year-round recreational attributes, good access and proximity to southern Ontario, Port Severn will attract a variety of new developments for seasonal and year-round use, particularly those related to tourism and the travelling public.

E.5.4 General Development Policies

E.5.4.1 Within the planning horizon of this Official Plan, tourist trailer parks within the Urban Centre, with the exception of the Wildwood Trailer Park located on Part of Lots 27 and 28, Concession 3, should cease to exist and are not permitted to expand. Wildwood Trailer Park is recognized as an existing Residential use that will likely continue in its present form, but in the long term may be converted to a more traditional or permanent Residential use. This shall exclude conversion to a mobile home park. Conversion of Wildwood to permanent Residential use is subject to the policies of Sections E.5.6.5.5 (Special Policy Area – Wildwood) and E.5.6.4 (Municipal Water and Sewer Services) of this Official Plan.

E.5.4.2 Islands located within the Urban Centre of Port Severn, the boundary of which is shown on Schedule "B", "Port Severn Land Use Designations", shall be designated "Open Space", unless otherwise designated Schedule "B".

E.5.5 Permitted Uses

E.5.5.1 Within the Port Severn Urban Centre, the permitted uses of land shall generally include:

- a) Residential;
- b) Home Occupations;
- c) Commercial;
- d) Institutional;
- e) Industrial;
- f) Open Space;
- g) Restricted Rural; and
- h) Special Policy Area(s)

E.5.6 Land Use Policies

E.5.6.1 Residential

E.5.6.1.1 Comprehensive lifestyle community developments, which may contain an integrated mix of Residential and Commercial uses, will be encouraged. Where appropriate, such developments should build upon the relationship of Port Severn with the shoreline and include recreational facilities and trails, as well as other community related facilities.

E.5.6.2 Commercial

E.5.6.2.1 The primary retail and service commercial centre of Port Severn is generally located along Port Severn Road, District Road No. 5, and Lone Pine Road.

E.5.6.2.2 The predominant use of land in the Commercial area shall be for retail and general commercial activities which serve the day to day needs of residents in the immediate and surrounding service area such as retail stores, offices, banks, clinics, eating establishments, Small Scale Tourist Commercial

uses, Resort Commercial uses, Marinas, and places of entertainment as well as highway commercial uses which serve the travelling public such as gas stations, motels, eating establishments or automobile or marine sales and service establishments.

E.5.6.2.3 Highway Commercial uses which provide commercial services and facilities will be encouraged to locate in the vicinity of the junction of Highway No. 400 and District Road No. 5.

E.5.6.2.4 Existing residences and minor residential infilling may be recognized within the Commercial area.

E.5.6.2.5 All Commercial areas shall be linked, where feasible, to other areas in the community and the shoreline to ensure that they are accessible to vehicular, marine and pedestrian traffic.

E.5.6.2.6 The development and redevelopment of a range of Marinas to meet the needs of all varieties of marine craft will be encouraged in Port Severn, subject to the Natural Heritage policies and the general marine policies of this Official Plan.

E.5.6.3 Open Space

E.5.6.3.1 Open Space uses may be permitted in all land use designations provided they are compatible with the area and recognized in an implementing Zoning By-law.

E.5.6.3.2 Where possible, Easements or lands along the shoreline should be retained or acquired by dedication or purchase in order to increase public access to Georgian Bay, and to protect significant natural areas.

E.5.6.3.3 Lands dedicated for parkland or natural open space purposes in accordance with the Planning Act and the policies of this Official Plan shall be encouraged to be located, where possible, along the waterfront and within identified environmental protection areas.

E.5.6.4 Municipal Water and Sewer Services

E.5.6.4.1 The Urban Centre general servicing policies as well as these policies shall apply to the servicing of sites within Port Severn.

E.5.6.4.2 Schedule "B" identifies the area for municipal water and sewer, and the phasing for those services within the Urban Centre of Port Severn.

E.5.6.5 Special Policy Areas

E.5.6.5.1 Port Severn has various Special Policy Areas which host site specific policies as outlined herein.

E.5.6.5.2 Special Policy Area – Twin Island

- a) Certain lands within Port Severn have been identified as Special Policy Areas, which, by virtue of their location and municipal servicing constraints, require special development policies.
- b) The existing *Character* of the Twin Island Special Policy Area consist primarily of low density, recreational Residential development located in a linear fashion along the Georgian Bay shoreline with access via private roads. This waterfront neighbourhood *Character* should be maintained.
- c) Due to the location and topography of these areas, the provision of municipal water and sewer services within the Special Policy Area is not currently feasible, and is not expected in the immediate future. However, such services may be provided in the future either upon request by the neighbourhood, or if required to correct an environmental or health problem.
- d) New lot creation shall not be permitted, except to separate existing Residential uses.
- e) Should municipal services be requested by the neighbourhood in the future and provided in this area or should the services be required to correct a natural heritage or health problem, further consideration could be given to neighbourhood Character and whether further lot creation would be desirable.

- f) Existing Residential uses and existing lots of record may be developed or redeveloped for residential purposes provided an approved Class IV or VI Individual On-Site Sewage Service system can be accommodated on the lot, to the satisfaction of the authority having jurisdiction.

E.5.6.5.3 Special Policy Area – Port Severn Heights

E.5.6.5.3.1 The Port Severn Heights Special Policy Area is located on Part of Lot 30, Concession 3 and 4, Geographic Township of Baxter, now in the Township of Georgian Bay, District of Muskoka. The owner of these lands has created a Comprehensive Development Plan (Wayne Simpson & Associates – November 29, 2013), which illustrates three major phases of residential uses of varied built form and tenure which are set within a context of natural open space. These lands will function as an extension of a proposed residential neighbourhood of the Port Severn Urban Centre and residential and open space uses shall be permitted in accordance with the policies of this Official Plan. Given the proximity of this property to the Port Severn Outlier natural heritage feature, the Port Severn Heights Special Policy Area is subject to the following specific polices:

- a) Schedule “B” illustrates the location and extent of the “Residential” and “Open Space” designations within the Port Severn Heights Special Policy Area. Despite any other policy in this Official Plan, the boundaries of these designations have been specifically determined. However, provided they are in conformity with the Resource policies of Section D (Resources) of this Official Plan and the required approvals are issued by the Province, minor adjustments to the Residential designation and major adjustments to increase the extent of the Open Space designation are permitted without the need to amend this Official Plan.
- b) Prior to any phase of development occurring on the lands included within the Port Severn Heights Special Policy Area, the Township and The District of Muskoka shall be satisfied that:

- i) The development complies with the natural heritage policies of this official plan;
- ii) The Province has issued required approvals;
- iii) Sufficient municipal water and sewage disposal capacity is available to service the proposed development; and
- iv) 80% of the dwelling units in the previous phase must be constructed and connected to municipal water supply and sanitary sewage disposal systems.

E.5.6.5.4 Special Policy Area – Port Severn Outlier

E.5.6.5.4.1 The Port Severn Outlier, as delineated on Schedule B, functions as hibernation habitat for a number of Species at Risk reptiles including a population of Eastern Fox snake. The Eastern Fox snake is a threatened species with regulated habitat defined under Ontario’s Endangered Species Act, 2007. Accordingly, development or *Site Alteration* occurring on or adjacent to this feature will require approval from the Province under the Endangered Species Act. In order to recognize the Species at Risk habitat potential of the Port Severn Outlier and surrounding area, the Port Severn Special Policy Area, as delineated on Schedule B, was established.

E.5.6.5.4.2 Where appropriate, requirements of approvals by the Province will be implemented by the Township through appropriate planning tools which may include, but not be limited to Site Plan Control as per the policies of Section I.5.1 (Site Plan Control) of this Official Plan.

E.5.6.5.4.3 A permit under Ontario’s Endangered Species Act, 2007 may be required for any *Site Alteration* or construction.

E.5.6.5.5 Special Policy Area – Wildwood

E.5.6.5.5.1 The Wildwood trailer park may convert to permanent Residential use subject to a Zoning By-law Amendment and approval of a Plan of Subdivision and/or Condominium and:

- a) The District of Muskoka advising the Township that it is satisfied that there is sufficient municipal servicing capacity;
- b) There is sufficient population capacity;
- c) The Zoning By-law Amendment is justified based on the policies of this Official Plan; and
- d) The Residential units are appropriate for occupancy for year-round Residential use.

E.5.6.5.6 Special Policy Area – Business

- E.5.6.5.6.1 Within the Special Policy Area – Business designation, permitted uses will include those listed in Section E.4.2.1 (Commercial Permitted Uses) and Section E.4.3.1 (Industrial Permitted Uses).
- E.5.6.5.6.2 Within the Special Policy Area – Business designation, any proposed land use as permitted in Section E.4.2.1 (Commercial Permitted Uses) must conform to the Development Policies of Section E.4.2.2 (Commercial Uses – Development Policies) and Commercial policies of E.5.6.2 (Commercial). Any proposed land use as permitted in Section E.4.3.1 (Industrial Permitted Uses) must conform to the Development Policies of Section E.4.3.2 (Industrial Uses – General Development Policies). Any proposed land use must also conform with Section E.5 (Specific Policy for Port Severn).

E.5.6.5.7 Special Policy Area – Mixed Use

- E.5.6.5.7.1 Within the Mixed Use Special Policy Area designation, permitted uses may include Residential uses as per Section E.4.1 (Residential) of this Official Plan, Commercial, Resort Commercial and Small Scale Tourist Commercial uses as per Section E.4.2 (Commercial Uses) of this Official Plan, and / or a combination of these uses as per Section E.5.6.5.7.4 (Mixed Use) of this Official Plan.
- E.5.6.5.7.2 Residential uses shall be subject to the Residential policies of Sections E.4.1 (Residential) and Section E.5.6.1 (Port Severn Residential) of this Official Plan and may be developed as

standalone Residential uses or integrated with Commercial uses as per Section E.5.6.5.7.4 (Mixed Use) of this Official Plan.

- E.5.6.5.7.3 Commercial uses shall be subject to the Development Policies of Sections E.4.2.2 (Commercial Development Policies) and E.5.6.2 (Port Severn Commercial) of this Official Plan, with Resort Commercial uses subject to Section E.4.2.3 (Resort Commercial Development) and Small Scale Tourist Commercial Uses subject to Section E.4.2.4 (Small Scale Tourist Commercial) of this Official Plan. Commercial uses may be developed as standalone Commercial uses or integrated with Residential uses as per Section E.5.6.5.7.4 (Mixed Use) of this Official Plan.
- E.5.6.5.7.4 Permitted Residential and Commercial uses may be integrated in a mixed use development subject to the following requirements:
- a) The proposed Residential and Commercial uses are compatible;
 - b) The proposed will uses shall have no adverse affect on the Character of the surrounding neighbourhood and are compatible with the surrounding neighbourhood;
 - c) The Urban Design Guidelines for Port Severn are addressed;
 - d) The development will occur on full municipal services;
 - e) Adequate Active Transportation facilities and vehicular parking are provided;
 - f) A high degree of landscaping is provided including streetscaping and buffering to adjacent uses;
 - g) Mixed use development shall not exceed 40 dwelling units per gross hectare (16 units per acre) and buildings shall not exceed 3 storeys in height; and
 - h) Any other matters that the Township deems appropriate on a site specific basis are addressed.

E.5.6.5.7.5 Notwithstanding the height requirement of Section E.5.6.5.7.4 g) (Mixed Use), buildings may be permitted over three stories in height to a maximum of four storeys subject to commercial uses being located at grade and the requirements of Section E.5.6.5.7.4 (Mixed Use), and subject to a Zoning By-law Amendment and Site Plan Approval which will demonstrate the following to the satisfaction of the Township:

- a) Appropriate building massing is provided including the consideration of stepping back the building(s) from the street and / or adjacent uses; and
- b) Appropriate provision of health and safety matters is addressed including provision of fire protection.

E.6 Specific Policy for MacTier

E.6.1 Goal

E.6.1.1 To develop MacTier as a sustainable business and service center with physical, economic and community development directed to creating an economically and socially healthy and environmentally sound community with a water-oriented and railway heritage focus.

E.6.2 Objectives

E.6.2.1 To encourage and enhance economic development, which is environmentally sound, complements the existing community and reflects the history of the area.

E.6.2.2 To provide a focus for urban development in the northern portion of the Township.

E.6.2.3 To realize the economic advantage of the community's location on a major rail and highway network.

E.6.2.4 To encourage and enhance the efficient use of municipal, social and health services.

E.6.2.5 To enhance economic activities and opportunities if the community's location and proximity to Stewart Lake, Georgian Bay and surrounding lake communities.

E.6.3 Basis and Principles

E.6.3.1 MacTier has historically developed as an industrial node because of its location on a major railroad and the establishment of associated rail yards.

E.6.3.2 Industrial and transportation business opportunities should be encouraged in MacTier because of its location on a major railway and highway systems.

E.6.3.3 A major portion of MacTier is located west of the rail yards and along District Road 11 with distinct nodes abutting Highway No. 400 and Stewart Lake.

E.6.3.4 Much of the recent economic development has been related to the community's ability to provide business, retail, and construction services to the surrounding lake communities. The economic component is recognized and will be enhanced, where possible.

E.6.3.5 The community also provides important social services (housing, recreational, institutional, medical) to MacTier and the surrounding area. These services will be enhanced to their fullest potential.

E.6.3.6 A municipal water supply and sewage disposal system supplies the majority of existing development in MacTier with the exception of the area immediately adjacent to Highway No. 400 and several other small areas. When feasible, it is expected that the water supply and sewage disposal system will be expanded to service the whole community.

E.6.4 Permitted Uses

E.6.4.1 Within the MacTier Urban Centres, the permitted uses of land shall generally include:

a) Residential;

- b) Home Occupations;
- c) Commercial;
- d) Institutional;
- e) Open Space;
- f) Industrial; and
- g) Restricted Rural.

E.6.5 Land Use Policy

- E.6.5.1 Two residential dwelling units may be permitted above each Commercial establishment.
- E.6.5.2 Residential development / units located on the ground floor, in existing Commercial structures / buildings located on Front Street shall be at the rear of the building.
- E.5.6.3 Tourist trailer parks within the Urban Centre are not permitted. Existing trailer parks should cease to exist and are not permitted to expand.

E.6.6 Municipal Water and Sewage Services

- E.6.6.1 Schedule "C" identifies the Phase 1 and Phase 2 areas for municipal water service within the Urban Centre of MacTier.
- E.6.6.2 MacTier hosts various natural hazard and *Natural Heritage Features and Areas*. The policies of Section D (Resources) of this Official Plan shall apply to these areas.

E.7 Community Designation – Community of Honey Harbour

E.7.1 Definition and Context

- E.7.1.1 Honey Harbor is identified as a Community on Schedule D and encompasses the lands included in the traditional hamlet area. Central to the Community is the Core area which is a sub-designation of the Community. The lands surrounding this

Community are located in the Waterfront designation and are subject to the specific planning policies found in Section F.5.8 (Honey Harbour Waterfront Community Policies). The policies of this Section of the Official Plan are for the “Community”, and “Core” areas.

- E.7.1.2 The Community of Honey Harbour is located on the Georgian Bay shoreline, adjacent to waterways, which are sheltered from the open lake by Beausoleil Island. These waterways offer a wide variety of recreational amenities. In addition, due to the proximity of Honey Harbour to the larger open water system of Georgian Bay and the surrounding Honey Harbour Waterfront Community, these waterways function as transportation corridors and are amongst the busiest channels in Ontario.
- E.7.1.3 The Community of Honey Harbour is located in a natural setting, which is typical of Georgian Bay, and consists of small bays and narrow waterways, islands and mainland shorelines.
- E.7.1.4 Development in Honey Harbour has historically been concentrated along the shorelines, including seasonal Residential uses, Marinas, resorts and other Commercial uses. Permanent Residential development and other Commercial uses have, for the most part, located along the existing road pattern. Interior areas of the Community remain predominantly forested.
- E.7.1.5 The Community began as a resort and recreational node, which opened up the area for cottaging, tourism and business opportunities. As a result of its physical location and cultural heritage, this Community serves and significantly influences the extensive surrounding waterfront, and to a lesser extent, rural areas.
- E.7.1.6 Honey Harbour has been designated as a Community in order to recognize its historic role as a tourism, recreation, service and residential centre. It is also an access point for the Honey Harbour, Cognashene, Go Home Bay and Palisade Bay / East Bone Island Waterfront Communities, and provides associated and necessary recreational, Commercial, community and light Industrial facilities and services.

- E.7.1.7 This Community's role as a water-based, recreation and tourism oriented service centre and access point, together with its seasonal and year-round Residential function and natural setting defines the basic *Character* of Honey Harbour.
- E.7.1.8 Many properties and recreational amenities in the Community and the surrounding Honey Harbour Waterfront Community are accessible by water only and the existing Marinas in Honey Harbour are essential to the long-term provision of access to these properties and amenities.
- E.7.1.9 Municipal water supply and sewage disposal facilities have been contemplated, but at this time are not planned for Honey Harbour. Therefore, development shall proceed on the basis of *Individual On-Site Sewage and Water Services*. As a result, the Community is expected to remain at a lesser scale, function and intensity than the larger Urban Centres in Georgian Bay. Growth will continue to be limited, occurring slowly, primarily through infilling, and will be at a low density in order to ensure long-term sustainability.

E.7.2 Goal

- E.7.2.1 To recognize and enhance the Community of Honey Harbour as a water-based recreation and tourism oriented service centre and access point, as well as a year-round residential node, and to foster a four-season economy while protecting the natural heritage.

E.7.3 Objectives

- E.7.3.1 To preserve and enhance the *Character* of the Community.
- E.7.3.2 To protect the integrity of the natural heritage and landscape of Honey Harbour.
- E.7.3.3 To support and preserve the existing resorts, and recognize their contribution to the *Character* and economy of the Community.
- E.7.3.4 To accommodate shoreline development which is compatible with surrounding uses and which minimizes boating impacts.

- E.7.3.5 To provide and encourage opportunities for year round economic development.
- E.7.3.6 To enhance the Community Core Area.
- E.7.3.7 To provide shoreline open space opportunities for Community residents.

E.7.4 Permitted Uses

- E.7.4.1 Within the Community, the permitted uses of land shall be limited to the following:
 - a) Residential;
 - b) Home Occupations;
 - c) Commercial;
 - d) Light Industrial;
 - e) Institutional; and
 - f) Open Space and Recreational

E.7.5 Development Policies

E.7.5.1 General

- E.7.5.1.1 Development within the Community shall take place in the form of infilling, or a controlled and phased, in-depth expansion immediately adjacent to the built up area of the Community, in order to facilitate the growth of the Community in a defined, contiguous manner.
- E.7.5.1.2 Development shall not occur in a manner, which will result in land becoming unusable or land locked or which will reduce or limit the future potential for development.
- E.7.5.1.3 Lots should generally have a minimum area of .4 ha (1 acre) and a minimum road or water *Frontage* of 45 m (150 ft.).

- E.7.5.1.4 The principal means of servicing required for development shall be an *Individual On-Site Sewage Service* system and *Individual On-Site Water Services*, to the satisfaction of the authority having jurisdiction. Holding tanks shall not be permitted except to remedy an existing situation, and may be subject to engineering reports. Development on *Individual On-Site Water and Sewage Systems* may be subject to submission of a report from a qualified engineer demonstrating that servicing is appropriate for the site.
- E.7.5.1.5 Development of *Individual On-Site Sewage Service* systems on a shoreline lot shall be subject to the *Water Quality* requirements of Section D.2.2.4.4 (Individual On-Site Sewage Service Bed Setback from High Water Mark) of this Official Plan.
- E.7.5.1.6 Natural vegetation is encouraged to be retained especially along the shoreline, as per Section D.2.2.4.2 (Preservation or Restoration of Shoreline Vegetation) of this Official Plan.
- E.7.5.1.7 Development shall be setback from the High Water Mark as per Section D.2.2.4.3 (Setback from High Water Mark) of this Official Plan.
- E.7.5.1.8 Community type uses shall not be permitted to encroach into the Honey Harbour Waterfront Community, and in particular along Muskoka Road No.5 beyond the boundary of the Community, in order to:
- a) Maintain the Honey Harbour Community identity;
 - b) Promote business development in the core area; and
 - c) Avoid land use conflicts.
- E.7.5.1.9 An expansion to the Community boundary will only be permitted at the time of a *Comprehensive Review* through an integrated process with the planning for infrastructure and public service facilities and only where it has been demonstrated that:

- a) The anticipated growth cannot be appropriately accommodated within the Urban Centres of MacTier and Port Severn;
- b) The expansion is required based on a review of population and growth projections which reflect projections and allocations by The District of Muskoka, considers alternatives for growth, and determines how to best accommodate this growth while protecting provincial interests;
- c) The expansion is minor;
- d) The Community is substantially developed and additional area is necessary to accommodate the population forecasted within the constraints of the land base;
- e) The *Character*, focus and sense of community of the Community will be maintained, enhanced and well defined;
- f) The Honey Harbour Waterfront Community and rural areas will not be negatively affected;
- g) The land is physically suitable and generally does not include areas which consist of hazard lands, significant terrain constraints, environmentally sensitive, important natural areas or *Significant Cultural Heritage Areas*;
- h) Sustainable sewage treatment and potable water supply is available;
- i) An efficient road pattern will be maintained and established with proper access and links to any Township, Muskoka or Provincial road;
- j) The expansion will have no Negative Impact on surface Water Quality;
- k) Development will not occur in hazardous areas;
- l) The development is in a compact manner unless soil, servicing and other physical features prevents it;

- m) Cross-jurisdictional issues have been considered; and
- n) There will be no negative impact on the delivery of police and emergency services.

- E.7.5.1.10 All new development shall be consistent with The Master Plan and Design Guidelines for Honey Harbour dated May 2011, which may be updated from time to time.
- E.7.5.1.11 Design shall be undertaken in such a manner that the health and safety of the Community is considered.
- E.7.5.1.12 Development should protect the integrity of the natural environment and enhance the beauty of the Community. The policies of Section D (Resources) of this Official Plan host Natural Heritage and natural hazard policies which apply to the Community.

E.7.5.2 Core Areas

- E.7.5.2.1 The boundary of the Core Area, as generally identified on Schedule D, is intended to be flexible and should be considered in conjunction with the following policies.
- E.7.5.2.2 The Core Area contains a mix of uses and acts as the primary retail and service commercial centre of Honey Harbour, as well as a focus for community, business, institutional and recreational activities.
- E.7.5.2.3 The role and function of the Core Area shall be preserved and strengthened through infilling, intensification and the implementation of the Master Plan and Design Guidelines for Honey Harbour.
- E.7.5.2.4 Retail and service commercial uses, other than Marinas and resorts, which are beyond the scale of a home occupation, as well as institutional, public community, open space and recreational uses, should be located within the Community Core Area.
- E.7.5.2.5 Standalone Residential uses shall be discouraged. Notwithstanding this, any new Residential development shall

be designed, where feasible, to permit later conversion to Commercial uses. New accessory Residential units should be located to the rear of buildings or in upper storeys, where feasible.

- E.7.5.2.6 Conversions of existing dwellings to new Commercial uses shall be encouraged.
- E.7.5.2.7 *Active Transportation* infrastructure and facilities between docking facilities and other public open space along the shoreline and the Core Area shall be encouraged.

E.7.5.3 Residential Development Policies

- E.7.5.3.1 Low-density Residential development shall be permitted in the Community, including a single detached dwelling, or a maximum of two units in a multi-unit dwelling provided it remains in single ownership.

E.7.5.4 Commercial Development Policies

- E.7.5.4.1 Commercial uses involve the buying and selling of commodities or the supplying of services, and generally include uses such as retail sales or service establishments, automotive or marine sales or service establishments, business or professional offices, dining or entertainment establishments, Small Scale Tourist Commercial uses as per Section E.7.5.4.6 (Small Scale Tourist Commercial uses) of this Official Plan, existing Resort Commercial uses as per Section E.7.5.4.7 (Resort Commercial Policies) of this Official Plan and Marinas.
- E.7.5.4.2 New Commercial development and expansions to existing Commercial development shall be designed and landscaped to blend in with adjacent development. Any lighting should be low intensity and be Dark Sky compliant. Back lit signs are not permitted.
- E.7.5.4.3 New Commercial development shall provide adequate off-street parking, loading facilities, and *Active Transportation* infrastructure where appropriate.

- E.7.5.4.4 New Commercial development should be located where direct access and *Frontage* to a public, year round maintained road is available. Vehicular access points shall be limited in number and designed in a manner that will minimize danger to vehicular and pedestrian traffic.
- E.7.5.4.5 Expansions to Commercial buildings, structures and other facilities, other than those which extend into the water, particularly where they encourage four season use, will be encouraged, provided that the following provisions are addressed to the satisfaction of the Township:
- a) The proposed expansion is compatible with surrounding uses;
 - b) The proposed expansion will not have a significant *Negative Impact* on natural heritage;
 - c) The proposed expansion conforms to all other applicable policies of this Official Plan; and
 - d) The proposed expansion shall be subject to Site Plan Control.
- E.7.5.4.6 Small Scale Tourist Commercial uses include, but are not limited to, outfitters or small scale eco-tourism development, and may contain small scale accessory accommodation uses. Small Scale Tourist Commercial uses are not considered to be Resort Commercial uses. Residential uses are not considered as a part of Small Scale Tourist Commercial Uses except for one accessory residential unit for an operator or caretaker. Small Scale Tourist Commercial uses are permitted subject to a Zoning By-law Amendment and the following:
- a) The use can be serviced with *Individual On-Site Sewage Services* and *Individual On-Site Water Services*, excluding holding tanks;
 - b) The proposed use does not negatively impact the *Natural Heritage Features and Areas* or *Cultural Heritage Resources* of the area;
 - c) Appropriate access can be provided;

- d) The proposed use is compatible with surrounding uses; and
- e) Emergency services can be properly provided.

E.7.5.4.7 Resort Commercial Policies

- a) For the purposes of these policies, Resort Commercial uses include those, which provide roofed accommodation for the traveling or vacationing public.
- b) The continued operation, enhancement, redevelopment and expansion of existing resorts shall be encouraged.
- c) Regardless of the form of tenure, accommodation units in a Resort Commercial establishment located along the shoreline shall form an integral part of the commercial operation. Commercial use of the accommodation units, and the Resort Commercial components and facilities shall be maintained and residential use shall not be permitted. Specifically, the following criteria shall be satisfied and implemented through phasing, site and property design, as well as in the implementing Zoning By-law and municipal agreements:
 - i) All resort accommodation units shall be available for rental to the travelling or vacationing public by a central resort management operating on the site for profit; and
 - ii) The on-going services and recreational facilities that are a normal part of Resort Commercial establishments shall be available to all resort guests, and will not be specifically assigned or granted exclusive use.
- d) The retention of the Resort Commercial land base in the Township, particularly that with shoreline *Frontage* is important to the long-term health of the tourism sector. Therefore, Zoning By-law Amendments of resort commercial land with significant shoreline *Frontage* to other use categories shall generally not be supported.

- e) Resort Commercial development shall not exceed 15 accommodation units per gross hectare (6 units per gross acre).
- f) A Boat Impact Assessment may be required to be submitted as per the policies of section I.2.5 (Boat Impact Assessment).

E.7.5.4.8 Tent or Trailer Park Development Policies

- a) In the long term, Tent or Trailer parks within the Community are encouraged to convert to more permanent, Resort Commercial or Residential uses. New Tent or Trailer parks will not be permitted within the Community.
- b) Notwithstanding Policy (a) above, conversion of Tent or Trailer parks to mobile home parks shall not be permitted.

E.7.5.5 Light Industrial Development Policies

E.7.5.5.1 Light Industrial uses related to boat building or recreation, which are not obnoxious or otherwise detrimental to the Community or natural environment, and which are compatible with adjacent uses shall be permitted.

E.7.5.5.2 Light Industrial development should be designed in a manner which ensures a high quality appearance, is in keeping with the *Character* of the Community and promotes a positive Community image.

E.7.5.6 Institutional Development Policies

E.7.5.6.1 Institutional uses are uses with the primary purpose of serving the educational, health or social needs of the Community and the Honey Harbour Waterfront Community, and are permitted.

E.7.5.6.2 Institutional facilities should be located on properties which can provide a focus for the Community, are accessible by all transportation modes and have sufficient area for off-street vehicular and bicycle parking.

E.7.5.6.3 The scale and function of the use should be compatible with the abutting uses and surrounding area.

E.7.5.7 Open Space Development Policies

E.7.5.7.1 Where possible and appropriate, Open Space and recreational areas with water *Frontage* should be retained or acquired by dedication or purchase in order to increase access to the shoreline for Community residents or to protect sensitive natural areas.

E.7.5.7.2 Lands dedicated for parkland, natural Open Space purposes, and trails in accordance with the Planning Act, shall be encouraged to be located, where possible, along the shoreline and within identified environmental protection area.

Section F: Waterfront

F.1 Waterfront Designation

F.1.1 Definition

F.1.1.1 The Waterfront Designation shall be defined as those lands, extending inland 150 metres from any standing waterbody greater than 8 hectares in area or any substantive river, except as further provided herein:

- a) The various Waterfront Communities (Section F.5) and Lakes (Section F.4) may be subject to site specific policies as well as the general Waterfront policies within this Section;
- b) The Waterfront Designation and its policies shall not extend within any limit of a Settlement Area, which includes the Urban Centres of Port Severn and MacTier and the Community of Honey Harbour;
- c) Lands, which physically or functionally relate to the Waterfront area, although extending beyond 150 metres from the waterbody, shall be deemed to be within the Waterfront Designation; and

- d) Lands, which do not physically or functionally relate to the Waterfront area, although within 150 metres of the waterbody, shall be deemed not to be within the Waterfront Designation.

F.1.1.2 For the purposes of Section F.1.1.1 (Waterfront Designation Definition), when determining whether lands physically or functionally relate to the Waterfront, the following criteria shall be considered:

- a) The extent to which the lands or the existing or proposed use of the lands are associated with the Waterfront area;
- b) The existence of topographic features or other terrain constraints (e.g. *Wetlands*, hazard lands) which would limit or orient the proposed use of the land toward or away from the waterbody; and
- c) The presence of man-made features (e.g. highways, railway rights-of-way) which would orient the proposed use of the land toward or away from the waterbody.

F.1.1.3 The precise limits of the Waterfront Designation shall be defined and illustrated in an implementing Zoning By-law through appropriate zone categories.

F.1.1.4 Lands, which form the bed of any waterbody defined above, shall be considered as part of the Waterfront Designation.

F.1.2 Basis and Principles

F.1.2.1 The waterfront is a unique recreational resource and land and water asset, and as such, the limited development permitted should enhance and protect these natural heritage qualities, which contribute to the attraction of the Waterfront Designation.

F.1.2.2 The water is a valued resource and it is important to protect Recreational *Water Quality*.

F.1.2.3 The Waterfront Designation has developed traditionally with a mix of Residential, limited Resort Commercial and other Commercial uses in specific Waterfront Communities, and

Open Space uses. This *Character* is recognized and all development shall have regard to such *Character*.

- F.1.2.4 Development shall have regard to the aesthetic quality of the waterfront area.
- F.1.2.5 Development shall be compatible with existing land uses in the area.
- F.1.2.6 Development within the Waterfront Designation shall not be permitted where it would contribute to the demand for public services which are uneconomical to provide, improve, or maintain.
- F.1.2.7 Municipalities presently do not have jurisdiction over surface water usage. As a statement of policy, the Township will not permit floating dwellings or similar structures which are substantially unpowered and supported by a barge type hull or piers capable of remaining in the water year round and which are used for either Residential or Commercial purposes.
- F.1.2.8 The waterfront, which is directly connected to the Township's water resource and lands defined as the Waterfront Designation will be subject to the policies of Section D.2 (Water Resources) which provides for additional policies, among other matters.
- F.1.2.9 This section of the Official Plan provides policies respecting the following:
 - a) General Policy (F.2);
 - b) Land Use Policy (F.3)
 - c) Specific Lake Policy (F.4); and
 - d) Waterfront Communities (F.5).

F.1.3 Character

- F.1.3.1 The *Character* of the Township's waterfront varies due to its abundance of waterfront areas which include Georgian Bay, inland lakes, and various rivers and streams. The *Character* of

the waterfront varies between the Settlement Areas, the Coastal Waterfront Communities, the other Waterfront Communities, Resort Commercial areas, and the remaining lands within the Waterfront Designation. The Coastal Waterfront Communities also vary in *Character* from one another and within individual Coastal Waterfront Communities themselves. The *Character* of the Waterfront Designation is related directly to the relationship between the waterbody and the adjacent land as well as its historic and recent development patterns.

- F.1.3.2 The varied nature of the waterfront and access to the water has attracted people for centuries. Development in the Waterfront Designation shall respect the *Character* of the waterfront area and protect the recreational, social, ecological and natural characteristics of the Township’s shoreline areas. The *Character* of the Waterfront Designation will be maintained by retaining the overall low density of built form and development while generally preserving the shoreline in a natural and undeveloped appearance.

F.2 General Policy

F.2.1 Waterfront Landings & Waterfront Access Points

- F.2.1.1 Mainland Waterfront Landings provide alternative long term access for water access properties. A Mainland Waterfront Landing is defined as a mainland parking and docking facility which serves a Commercial property or four or more Residential dwellings and is considered accessory to a permitted primary Commercial or Residential use.
- F.2.1.2 An Individual Water Access Point is a primary permitted use and is defined as a mainland parking and docking facility which serves a maximum of three Residential water access dwellings and is not associated with a Commercial or Marina property, but may be associated with a Residential use.
- F.2.1.3 The establishment of new or expanded Mainland Waterfront Landings and Individual Water Access Points shall conform to Section D.1 (Natural Heritage) and Section D.3 (Areas of Use Limitation) as well as the other applicable Sections of this Official Plan.

- F.2.1.4 Public docking and landing facilities shall be subject to the applicable legislation.
- F.2.1.5 The Township may require the submission of a Site Evaluation Report and/or Impact Assessment as per Section I.2 (Technical Reports and Plans of Survey) of this Official Plan prior to the establishment of new Mainland Waterfront Landings.
- F.2.1.6 New or expanded Mainland Waterfront Landings or Individual Water Access Points shall be subject to a Zoning By-law Amendment and may be subject to Site Plan Control or other municipal agreements.
- F.2.1.7 Marinas are also subject to additional policies in the Official Plan.

F.2.2 Boat Impact Assessment

- F.2.2.1 A Boat Impact Assessment as per Section I.2.5 (Boat Impact Assessment) may be required to be submitted to the satisfaction of the Township for docking facilities which are associated with Marinas, resorts, substantial development, Commercial development requiring multiple docks, or other areas where multiple docking is proposed, where the following is proposed:
 - a) The establishment of a new Marina or extension of an existing Marina, Mainland Waterfront Landing or boat livery as defined in the Municipal Act;
 - b) The establishment or extension of a docking facility associated with a Commercial use on a *Narrow Waterbody*; or
 - c) The cumulative establishment of docking facilities which accommodate fifteen (15) or more boats.

F.2.3 Water and Sewage Servicing and Stormwater Management

- F.2.3.1 Development in the Waterfront Designation shall generally proceed by *Individual On-Site Water* and *Individual On-Site Sewage Services*.
- F.2.3.2 Development shall meet the requirements of the Township and applicable agencies with respect to *Individual On-Site Water Supply* and *Individual On-Site Sewage Services*.
- F.2.3.3 Any Residential redevelopment of an existing primary structure shall be subject to an evaluation by the Township to ensure that any existing or proposed *Individual On-Site Water* and *Individual On-site Sewage Service* is suitable for the proposed building. The Township may require the evaluation to be undertaken by a qualified engineer at the expense of the proponent.
- F.2.3.4 *Private Communal Sewage and Water* services may only be permitted for Resort Commercial development subject to the requirements of the District of Muskoka where property is subject to a registered condominium. *Private Communal Sewage and Water services provided shall be for both water and sewage services; partial services are not permitted for new development.*
- F.2.3.5 Suitable alternate *Individual On-Site Sewage Services* systems may be utilized but shall not include holding tanks (Class V systems) unless to remedy a problem or situation on an existing lot that would be unsuitable for any other type of disposal facilities.
- F.2.3.6 Setbacks from the High Water Mark, as identified in Section D.3.4.6 (High Water Mark) and Regulatory Flood Elevation as identified in Section D.3.4.4 and D.3.4.6 (Regulatory Flood Elevation), for sewage disposal systems shall be as per the policies of Section D.2.2.4.4 (*Individual On-Site Sewage Service Bed Setback from High Water Mark*) of this Official Plan or as otherwise stated within the site specific policies of the Official Plan.
- F.2.3.7 The Township may require a hydrogeological assessment to demonstrate the appropriateness of any proposed servicing solution.

- F.2.3.8 The Township may require a study which demonstrates that there is sufficient capacity for hauled sewage from *Individual On-Site Sewage Services* for multi lot or unit development or for Commercial development.
- F.2.3.9 The Township shall determine if a stormwater management report is required for any Planning Act application. A stormwater management report shall generally be required for major development including multiple Residential development or multiple lot creation, and Commercial, Industrial, major recreation, and resort uses and it may be required for minor development including individual lots. The basis for requirement shall be determined on a site by site basis. If a report is required, it shall be undertaken by a qualified professional. The recommendations of any reports may be implemented in agreements, conditions to development or other means.
- F.2.3.10 Any storm water management facility should be designed to conserve the landscape and natural features as much as possible, and shall be naturalized using native species.

F.2.4 Access

- F.2.4.1 This Official Plan may host site specific access policies. Generally the policies of this Official Plan apply but where site specific policies are provided, the more restrictive policy shall apply.
- F.2.4.2 New development shall front upon a year-round or seasonally maintained public or condominium road as per the policies of Section H (Transportation). However new development may also be accessed via water access only or via private road subject to the other policies of this Official Plan.
- F.2.4.3 Where sole access to a lot is by way of water access, the Township and District of Muskoka (where the District is the approval authority) shall be satisfied that the waterway is navigable and that adequate long-term parking and docking facilities are made available. Such facilities may be provided by any of the following as determined by the Township and District of Muskoka (where applicable):

- a) Private mainland parking; or
- b) Marine facilities with the capacity to provide the additional parking and docking facilities;
- c) Public docking facilities with the capacity to provide the additional parking and docking facilities; or
- d) Individual Water Access Points.

F.2.5 Private Docks

F.2.5.1 The Zoning By-law shall generally regulate the number, width and length of docks, in order to protect the natural shoreline quality and *Character*. Dock length requirements may be varied throughout the Township based on the location of the dock in relation to the land, *Narrow Waterbodies*, interference with navigable waterways, and provision of appropriate access.

F.3 Land Use Policy

F.3.1 Permitted Uses

- F.3.1.1 The permitted uses of land shall be limited to the following except as otherwise provided for in this Official Plan:
- a) Residential development, which shall be limited to a single detached dwelling unit, Residential Compound and accessory uses and structures including shore-related uses;
 - b) Commercial development, which shall be limited to, Marinas, existing Resort Commercial, existing standalone contractors’ yards, associated accessory uses, Small Scale Tourist Commercial uses, and tent or trailer parks which existed at the time of adoption of this Official Plan including 380 Macey Bay Road (Lakehome Landing) subject to the policies of F.3.4.4.5 (Special Policy Area – Lakehome Landing);
 - c) Home Occupations may also be permitted as per the Implementation policies of this Official Plan;

- d) Open Space uses;
- e) Mainland Waterfront Landings as an accessory use;
- f) Individual Water Access Points; and
- g) Public Uses.

F.3.2 General Requirements

F.3.2.1 Site Regulations

- F.3.2.1.1 An appropriate building setback is required as per the policies of Section D.2.2.4.3 (Setback from High Water Mark).
- F.3.2.1.2 Natural buffering and screening may be required as conditions of Planning Act applications in order to ensure that a proposed use is compatible with surrounding uses, or to ensure that the aesthetic quality of a site is maintained.
- F.3.2.1.3 Tree cover and vegetation shall be retained and/or required wherever possible to prevent erosion, siltation and possible nutrient migration.
- F.3.2.1.4 Vehicle parking facilities shall be provided in accordance with the demands of the proposed use.
- F.3.2.1.5 Where accessory uses are permitted, standards shall be established in an implementing Zoning By-law respecting the location, size, and bulk of such facilities.
- F.3.2.1.6 No dredging, filling or alteration of the shoreline of any natural watercourses or waterbody shall be permitted without the approval of the Township, Ministry of Natural Resources, and/or any other authorized approval agency.
- F.3.2.1.7 *Water Frontage* and lot area shall be defined as that *Frontage* and area which existed at the date of adoption of this Official Plan. Dredging, filling or other alteration designed to artificially increase the *Frontage* or area shall not confer additional development density based on that increased *Frontage* or area.

- F.3.2.1.8 Each lot shall have an area suitable for the erection of proposed buildings and structures and the installation of *Individual On-Site Sewage and Water Services*.
- F.3.2.1.9 Docks and Boathouses shall not be permitted where they would create a hazard to navigation defined in the *Canada Shipping Act* or other applicable legislation.
- F.3.2.1.10 Development in the form of accessory structures on shore road allowances is not permitted.
- F.3.2.1.11 Additional site regulations, which include but are not limited to setbacks to the High Water Mark as identified in Section D.3.4.6 (High Water Mark), setbacks to *Natural Heritage Features*, and retention of natural vegetation, are located within Section D (Resources) or area specifically throughout this Official Plan.

F.3.3 Waterfront Residential

F.3.3.1 Forms of Development and General Policies

- F.3.3.1.1 Residential development in the Waterfront Designation generally takes one of four forms, those being Shoreline Residential (F.3.3.2), Residential Compound (F.3.3.3), Backlot development (F.3.3.4) or Island Development (F.3.3.5).
- a) Shoreline Residential development consists of a single detached dwelling on an individual lot, situated along the shoreline in a linear fashion;
 - b) Island development consists of either Shoreline Residential or Residential Compound development on an island.
 - c) Backlot development shall be defined as the development of land within 150 metres of a waterbody that is separated from that waterbody by privately patented land, or a road, and not being a shore road allowance, having a developable area sufficient in size to accommodate development. Backlot development consists of single detached dwellings on individual lots

situated on a public road in a linear fashion which runs parallel to the shoreline.

- d) Historically, residential development on lands abutting Georgian Bay has occasionally involved more than one dwelling on a lot or island. This has resulted in the Georgian Bay coast having a special *Character*. As a result, Residential Compound development is only permitted along the Georgian Bay coastline, subject to the policies of this Official Plan. Residential Compound development consists of a group of single detached dwellings on one lot, setback from the shoreline, with the shoreline being devoted to communal open space and where land form conservation and access makes lot division for individual dwelling units undesirable.

F.3.3.1.2 New Residential land use is to be limited. For the purposes of this Section, permitted Resort Commercial development is not considered Residential development. Section F.4 (Specific Lake Policy) and Section F.5 (Waterfront Communities) may provide for site specific policies and where there is a conflict between this policy and the Specific Lake Policy or Waterfront Community Policy, the Specific Lake Policy or Waterfront Community Policy shall prevail.

F.3.3.1.3 Buildings or structures more than two (2) stories, plus a roof, in height, shall not be permitted.

F.3.3.1.4 Buildings and structures shall be setback from the High Water Mark as identified in Section D.3.4.6 (High Water Mark) and the Regulatory Flood Elevation as identified in Sections D.3.4.4 and D.3.4.5 (Regulatory Flood Elevation), as per Section D.2.2.4.3 (Setback from High Water Mark) of this Official Plan.

F.3.3.1.5 *Secondary Dwelling Units* are prohibited in the Waterfront Designation.

F.3.3.2 Shoreline Residential Development Policies

F.3.3.2.1 Lot Requirements

The following constitute minimum lot requirements except as further qualified elsewhere in the Official Plan and herein:

- a) The minimum lot area shall be 0.4 hectares;
- b) The minimum water *Frontage* shall be 60 metres; and
- c) Waterfront properties may be subject to flooding. Additional policies respecting flooding are included in Section D.3.4 (Flood Hazard).

F.3.3.3 Residential Compound Development Policies

F.3.3.3.1 General Policies

- a) Residential Compound development consists of a grouping of single detached Residential dwellings on one lot, where land form conservation and access makes lot division for single detached Residential dwellings undesirable but where development of a grouping of single detached Residential dwellings on one lot may be deemed acceptable;
- b) Residential Compound development shall be compatible with surrounding land uses;
- c) No Residential Compound development shall be permitted to the rear of any existing shoreline development;
- d) Residential Compound development shall not be located along Narrow Waterbodies except in accordance with the Frontage requirements for Narrow Waterbodies as noted in Section D.2.3 (Narrow Waterbodies);
- e) Parking areas, service areas, entrances, outdoor lighting or other potentially adverse influences shall be designed and located in such a manner to enhance the open space and/or Residential Character within a Residential Compound development and reduce adverse impact on adjacent properties;

- f) Docking facilities shall be kept to the minimum required to service the dwelling units in a Residential Compound development. Where practical, such facilities shall be clustered together in order to maintain the open space *Character* of the Waterfront;
- g) The shoreline of any Residential Compound development shall be developed for private open space purposes accessory to the single detached dwelling units within a Residential Compound development;
- h) The dwelling units shall be located in a linear fashion along the shoreline and shall each satisfy the minimum lot area and lot Frontage requirements for each individual lot in addition to any other applicable lot creation policies as required in this Official Plan and the Township's Zoning By-law. The location of each dwelling unit must be done in a manner that would permit future lot creation;
- i) Residential Compound development shall proceed under Site Plan Control;
- j) Residential Compound development is prohibited in the Go Home Bay, Six Mile Lake, Cognashene and Wah Wah Taysee Waterfront Communities;
- k) Proposed lot division of Residential Compound developments shall conform to the applicable lot creation policies of this Official Plan. Additionally, lot creation shall not be permitted if the resultant lot configuration would be of an impractical or unusual form which would not normally be considered acceptable; l) Each single detached Residential dwelling is required to be serviced by its own Individual On-Site Sewage and Water System and no system can service more than one dwelling; and
- l) All habitable buildings and Individual On-Site Sewage Service systems within a Residential Compound development shall be setback from the High Water Mark, as identified in Section D.3.4.6 (High Water Mark) and Regulatory Flood Elevation as identified in Sections

D.3.4.4 and D.3.4.5 (Regulatory Flood Elevation), as per the policies of D.2.2.4.3 and D.2.2.4.4 (Setback from High Water Mark) of this Official Plan.

F.3.3.3.2 Zoning By-law Amendment

New Residential Compound land use or the provision of additional single detached residential dwelling units within an existing Residential Compound development shall proceed by way of a Zoning By-law Amendment that will address:

- a) The policies of Sections F.3.3.3.1 (General Policies) and D (Resource) as well as other applicable policies of this Official Plan;
- b) Number of dwelling units and siting of the compound;
- c) The suitability of the site for the establishment of additional units;
- d) Impact on Water Quality;
- e) The natural features on the site to ensure that substantial natural vegetation is preserved;
- f) The provision of open space areas;
- g) Servicing & access;
- h) The ratio of lots to water Frontage;
- i) The location, number and size of docking facilities;
- j) The use, ownership and design of the waterfront areas; and
- k) Any other matter deemed appropriate by the Township.

F.3.3.4 Backlot Development Policies

F.3.3.4.1 Backlot development shall meet the following requirements:

- a) Development shall abut a year-round maintained public road;
- b) A minimum public road *Frontage* of 200 metres; and
- c) Where a public road passes through a waterfront area, there shall be only a single-tier of building lots between the shoreline and such road and not more than a single-tier of building lots shall be permitted beyond such road where such road is approximately parallel to the shoreline.

F.3.3.4.2 No Backlot development is permitted within the Honey Harbour, Wah Wah Taysee, Six Mile Lake, Cognashene or Go Home Bay Waterfront Communities.

F.3.3.5 Island Development Policies

F.3.3.5.1 The following shall have general application to all development on Islands on inland lakes and on Georgian Bay except where there is a conflict between this policy and the Specific Lake Policy (Section F.4) or Waterfront Communities Policies (Section F.5). Section F.3.3.5.2 (Island Policy for Inland Lakes) also outlines the island policy for Inland Lakes and Section F.3.3.5.3 (Island Policy for Georgian Bay) also outlines the island policy for Georgian Bay. The general application policies are as follows:

- a) The minimum lot size shall be no less than 1 hectare based on the High Water Mark as identified in Section D.3.4.6 (High Water Mark), subject to further policy contained within this Section;
- b) A plan of survey prepared by an Ontario Land Surveyor shall be submitted by the applicant in order to confirm that the applicable minimum lot size requirements specified above can be satisfied;
- c) An Individual On-Site Sewage Service system can be accommodated on-site and such system shall be setback from the High Water Mark as per Section D.2.2.4.4 (Individual On-Site Sewage Services Bed Setback from High Water Mark);

- d) Island lot cover shall maintain vegetation prior to and after development. The vegetation can only be removed to accommodate the building and Individual On-Site Sewage Service System envelopes along with construction and permanent access. Minor, selective tree removal and pruning to permit views may be permitted. Vegetation can be removed provided a landscaping plan is submitted detailing a planting program that will achieve no net loss in tree density. The other vegetation retention policies of this Official Plan shall also apply;
- e) Development shall proceed by Site Plan Approval, to ensure that the structures are set on the lot/land appropriately to fit the Character of the immediate neighbourhood;
- f) A Site Evaluation Report shall accompany any application for a Zoning By-law Amendment and support the proposed development of the lands;
- g) Residential Compounds are permitted as per the Residential Compound policies of Section F.3.3.3 (Residential Compound) of this Official Plan; and
- h) Backlot development is not permitted on Islands on Georgian Bay.

F.3.3.5.2 Island Policy for Inland Lakes

The following additional policy shall apply to all development on inland lakes:

- a) The minimum size for existing lots of record, specifically islands and lots on islands, shall be 0.8 hectares above the High Water Mark as identified in Section D.3.4.6 (High Water Mark).

F.3.3.5.3 Island Policy for Georgian Bay

The following additional policies shall apply to all development on Georgian Bay:

- a) For existing island lots of record the minimum lot size shall generally be 1 hectare, but in all circumstances be not less than 0.8 hectares provided they generally conform to all other policy contained herein; and
- b) The island size shall be no less than 1 hectare above the 177.0 C.G.D. of which 0.8 hectares of area must be above the 177.46 C.G.D. and 0.4 hectares must be above the 178.3 C.G.D. A plan of survey prepared by an Ontario Land Surveyor shall be submitted by the applicant in order to confirm that the applicable minimum lot size requirements specified above can be satisfied.

F.3.3.6 Sleeping Cabins

F.3.3.6.1 Sleeping Cabins are a permitted accessory use to an existing Residential use and remain subordinate to the main dwelling. Sleeping Cabins are not permitted to have habitable space below grade.

F.3.3.6.2 Sleeping Cabins shall not be permitted in the required shoreline or front yard setback as defined by the Township's Zoning By-law, and shall be subject to the following policies:

- a) Freestanding Sleeping Cabins shall be a maximum of one storey in height. Notwithstanding this, Sleeping Cabins may also be permitted in the loft area of a permitted accessory detached Residential garage subject to the applicable Zoning Regulations being met;
- b) No Minor Variance or Zoning By-law Amendment is permitted to establish a Sleeping Cabin above an accessory detached Residential garage;
- c) For the purposes of this policy, a property containing an accessory detached Residential garage must have frontage onto and gain direct access from a public road. Where this is not the case, a Sleeping Cabins is not permitted in the loft area of an accessory detached Residential garage; and
- d) Sleeping Cabins are not permitted in a Boathouse.

- F.3.3.6.2.1 One sleeping cabin is permitted with the front yard with a setback from the high water mark of 6.8 metres to an open deck and 10.2 metres to the building wall on the lot known as 6980 IS 1810, in the former Township of Gibson, now in the Township of Georgian Bay, District Municipality of Muskoka. (OPA #5).
- F.3.3.6.2.2 On the lot known as 1332 Island 1040 Georgian Bay, in the former Township of Baxter, now in the Township of Georgian Bay, District Municipality of Muskoka. Two sleeping cabins are permitted within the front yard. Sleeping cabin one is permitted with a setback from the high water mark of 5.8 metres to the building wall with a maximum floor area of 39.7 square metres. Sleeping cabin two is permitted with a setback from the high water mark of 8.5 metres to the building wall with a maximum floor area of 36.7 square metres)(OPA #12).
- F.3.3.6.2.3 Notwithstanding Section F.3.3.6.2, a sleeping cabin shall be permitted in the shoreline and front yard setback on the lands described as 2 Island 1500 (Part of Island 166 or Thibodeau Island), Cognashene, Former Township of Baxter, now in the Township of Georgian Bay (OPA #13).
- F.3.3.6.2.4 On the lot known as 18114 Georgian Bay, in the Geographic Township of Gibson, now in the Township of Georgian Bay, District of Muskoka, a sleeping cabin is permitted in the front yard of the subject lands, with a minimum front yard setback to the high water mark of 3.6 metres (OPA #14).
- F.3.3.6.2.5 On the lands legally described as Island 94, Georgian Bay, in the Geographic Township of Gibson, now in the Township of Georgian Bay, District Municipality of Muskoka, known municipally as 2 Island 2170, notwithstanding Section F.3.3.6.2, one (1) sleeping cabin with a maximum gross floor area of 93.0 square metres is permitted in the required front yard setback of the subject lands, with a minimum front yard setback to the high-water mark of 2.5 metres (OPA #15).

On the lands 106 PL M310 GIBSON; PT RDAL IN FRONT OF BROKEN LT 28 CON 8 GIBSON CLOSED BY LT224123 PT 5 35R18697; Georgian Bay, District Municipality of Muskoka, a

sleeping cabin with an 18 metre front yard setback shall be permitted (OPA #19).

- F.3.3.6.3 Notwithstanding Section F.3.3.6.2 (Sleeping Cabins not Permitted in Front Yard Setback), the reconstruction of existing Sleeping Cabins located within the front yard setback shall be permitted in accordance with the following criteria:
- a) The existing Sleeping Cabin shall have existed prior to the date of adoption of this Official Plan;
 - b) The new Sleeping Cabin shall not exceed the maximum total floor area provisions of the Township's Zoning By-law;
 - c) The Sleeping Cabin shall conform to all other relevant policies of this Official Plan;
 - d) Only one Sleeping Cabin shall be permitted in the front yard setback;
 - e) The conversion of Boathouses to Sleeping Cabins is prohibited; and
 - f) A Minor Variance or Zoning By-law Amendment shall not be permitted to increase the size of the Sleeping Cabin.
- F.3.3.6.4 Sleeping Cabins are required to have suitable provision for sewage and water on the site and are not permitted to have cooking facilities. Sleeping Cabins shall not function as a second Residential dwelling unit but shall be an accessory use on the lot.
- F.3.3.6.5 Sleeping Cabins, where practical, shall be screened from the lake.
- F.3.3.6.6 The Township Zoning By-law shall include regulations for the number, size and other regulations for Sleeping Cabins and shall address the following matters:
- a) The use is accessory to and the size is subordinate to the permitted Residential use;

- b) A maximum Gross Floor Area is provided; and
- c) Appropriate setbacks are provided which maintain the waterfront Character and protect the natural heritage and natural hazard elements which are characteristic of the waterfront area.

F.3.3.6.7 The development of more than one Sleeping Cabin shall address the following matters:

- a) The appropriateness and adequacy of sewage and water services; and
- b) Substantial retention of existing vegetation.

F.3.3.6.8 Where site specific conditions warrant and the policies of this Official Plan are maintained, relief from the Zoning Regulations, except as otherwise stated in this Official Plan, may be considered by the Township for Sleeping Cabins due to site development constraints. This policy does not apply to Sleeping Cabins proposed in residential garages.

F.3.3.6.9 Notwithstanding the over-arching principle of Section F.5 (Waterfront Communities) that when in conflict, the Waterfront Community Policies regarding Sleeping Cabins shall prevail over the general Sleeping Cabin policies of the Official Plan, the requirements of policies F.3.3.6.1 (Sleeping Cabins a Permitted Accessory Use) and F.3.3.6.4 (Sleeping Cabin Services) shall prevail over any section of Waterfront Community Policies that deal with similar matters.

F.3.3.7 Boathouses

F.3.3.7.1 Boathouses may form part of the *Character* of a waterfront area. Any Boathouse development is to consider the *Character* of the area in which it is proposed.

F.3.3.7.2 Boathouses are an accessory use to a permitted Residential use and shall be subordinate to the Residential use.

F.3.3.7.3 No dwelling unit or Sleeping Cabin shall be permitted within or above a Boathouse.

- F.3.3.7.4 Boathouses with flat roofs are not permitted.
- F.3.3.7.5 Boathouses shall not be permitted where they would create a hazard to navigation defined in the Canada Shipping Act or other applicable legislation.
- F.3.3.7.6 A maximum of one Boathouse per lot is permitted.
- F.3.3.7.7 The Township Zoning By-law shall regulate the size, height and area of new Boathouses and expansions to existing Boathouses as well as other Zoning Regulations unless otherwise identified in the specific Waterfront Community Policies (Section F.5). The following matters shall be regulated:
 - a) Boathouses shall not exceed one storey in height; and
 - b) Roof top patios or decks are not permitted.
- F.3.3.7.8 Where site constraints exist and it is appropriate for the development to occur, a Minor Variance may be considered by the Township.
- F.3.3.7.9 Other policies of this Official Plan may apply to Boathouses including but not limited to the policies of Section D (Resources).
- F.3.3.7.10 Specific Waterfront Community Policies (Section F.5) may host site specific regulations for Boathouses.
- F.3.3.7.11 These policies do not apply to structures in approved Marinas which host buildings which may be considered Boathouses.
- F.3.3.7.12 For the purposes of this Section, a Boathouse shall also mean a boat port.

F.3.4 Waterfront Commercial

F.3.4.1 General

- F.3.4.1.1 Waterfront Commercial consists of existing Resort Commercial, existing standalone contractors' yards, Marinas, Small Scale Tourist Commercial uses, and tent and trailer

parcs existing at the date of adoption of this Official Plan. Waterfront Commercial development is important to contribute to a diversified economy including 380 Macey Bay Road (Lakehome Landing) subject to the policies of F.3.4.4.5 (Special Policy Area – Lakehome Landing).

- F.3.4.1.2 Resort Commercial shall consist of those Waterfront Commercial uses, which provide lodging and accommodation for the vacationing public. New Resort Commercial land use is not permitted in the Waterfront Designation.
- F.3.4.1.3 A variety of forms of tenure such as time shares, leaseback, interval and condominium ownership are permitted for Resort Commercial uses.
- F.3.4.1.4 Private institutions where operations constitute traditional Waterfront Commercial type enterprises (e.g. resort, cabin establishment, retreat) shall be considered as Resort Commercial uses.
- F.3.4.1.5 Home Occupations are permitted as per the policies of this Official Plan and are not considered Waterfront Commercial.
- F.3.4.1.6 Marina(s) shall be defined as a building, structure or place with road access located on a waterway which provides facilities such as docking, storage of boats and boat accessories, services, and repairs. Accessory uses to a Marina use are permitted such as a restaurant and contractors' yards. Dryland marinas are also permitted. Dryland marinas do not functionally need to be located on a waterway, however they must have an appropriate boat launch area held in private ownership.
- F.3.4.1.7 Existing Marinas will be supported and recognized for their role in the provision of access and other services to the Waterfront Communities' water access properties. Marinas are subject to various site specific policies including the Waterfront Designation's Marina policies of Section F of this Official Plan.
- F.3.4.1.8 The storage component of new Marinas is encouraged, where the operation of the Marina is not compromised and where practical, to locate off the waterfront.

- F.3.4.1.9 New tent and trailer parks shall not be permitted in the Waterfront Designation. Any expansion or enlargement of existing tent and trailer parks is not permitted.
- F.3.4.1.10 Small Scale Tourist Commercial uses include, but are not limited to, outfitters or small scale eco-tourism development, and may include small scale accessory accommodation uses. Small Scale Tourist Commercial uses are not considered to be Resort Commercial uses. Residential uses are not considered as a part of Small Scale Tourist Commercial Uses except for one accessory residential unit for an operator or caretaker. New Small Scale Tourist Commercial may be permitted by Zoning By-law Amendment subject to the following:
- a) The use can be serviced with Individual On-Site Sewage Services and Individual On-Site Water Services, excluding holding tanks;
 - b) The proposed use does not negatively impact the Natural Heritage Features and Areas or Cultural Heritage Resources of the area;
 - c) Appropriate access can be provided;
 - d) The proposed use is compatible with surrounding uses; and
 - e) Emergency services can be properly provided.
- F.3.4.1.11 Commercial buildings or structures over three (3) storeys in height, plus a roof, shall not be permitted.
- F.3.4.1.12 New Waterfront Commercial land use may only be permitted by Official Plan Amendment and Zoning By-law Amendment unless otherwise provided for in this Official Plan.
- F.3.4.1.13 An Official Plan Amendment is required where a change in use to a site containing a Marina is proposed which has the effect of eliminating or reducing the Marina docking facilities or reducing the number of docks that serve the water access properties. This policy is not meant to prohibit changes to docking layouts not associated with a change in land use.

- F.3.4.1.14 The preservation of the existing quality Tourist Commercial land base fronting on water is essential to the long term health of the local tourism industry of the District of Muskoka. The down zoning of Resort Commercial properties with significant land holdings and *Frontage* on water will not generally be supported. In extenuating circumstances down zoning may only be considered where the impact of the loss of the commercial land base has been analyzed and it is demonstrated that it would not negatively affect the critical mass of the tourism infrastructure and land base in Georgian Bay.
- F.3.4.1.15 An Official Plan Amendment is not required for a Home Occupation use.
- F.3.4.1.16 The Waterfront Communities Policies (Section F.5) of this Official Plan may host additional Waterfront Commercial policies for specific Waterfront Communities. Reference should be made to Section F.5 (Waterfront Communities) of this Official Plan when reviewing Waterfront Commercial policies.

F.3.4.2 Requirements for Official Plan Amendment

- F.3.4.2.1 The following are intended as guidelines for new Waterfront Commercial land use, essentially a minimum checklist of matters, amongst others, to be reviewed in an Official Plan Amendment:
- a) Adequacy of water *Frontage* for active/passive open space (where applicable), recreational uses related to the proposed use;
 - b) Suitability of the site to support the proposed use and responsiveness to the characteristics of each site. Such matters include, but not be limited to, density of the development, intensity of use, the location of all buildings and structures, existing vegetation, adequacy of parking and docking facilities, and access;
 - c) Suitability of the site for sewage disposal facilities and water supply;

- d) Impact of the proposed development on surrounding land uses;
- e) Impact of the proposed development on any affected waterbody; and
- f) Natural heritage, natural hazard, and cultural heritage matters.

F.3.4.2.2 New Marinas must conform to Section F.3.4.2.1 (New Waterfront Commercial Land use Guidelines) and Section F.3.4.3.2 (Marina Expansion) of this Official Plan in addition to the following requirements:

- a) A vehicular traffic Impact Assessment may be required; and
- b) A boat Impact Assessment may be required as per Section I.2.5 (Boat Impact Assessment).

F.3.4.3 Expansions to an Existing Waterfront Commercial Development

F.3.4.3.1 Expansions to Waterfront Commercial uses, buildings, structures and facilities, other than those which extend into the water, particularly where they encourage four season use, will be encouraged, provided that the following provisions are addressed to the satisfaction of the Township:

- a) The proposed expansion is compatible with surrounding uses;
- b) Adequate parking, sewage and water facilities are available;
- c) The proposed expansion shall not have a significant *Negative Impact* on the natural heritage matters;
- d) The proposed expansion conforms to all other applicable policies of this Official Plan; and
- e) The site and proposed expansion shall be subject to Site Plan Control as per Section I.5.1 (Site Plan Control) of

this Official Plan. Any expansion to the land area of the Waterfront Commercial development requires a Zoning By-law Amendment.

F.3.4.3.2 In order to recognize the role of existing Waterfront Commercial operations, a marine facility expansion associated with an existing Waterfront Commercial use, or a stand-alone Marina, may be permitted, subject to a Zoning By-law Amendment provided that Section F.3.4.3.1 (Expansions to Waterfront Commercial Uses) is addressed and that:

- a) The site and the immediate area are suitable to accommodate the facility proposed and the associated boat traffic;
- b) The proposed expansion shall not have a significant negative impact on a *Narrow Waterbody*;
- c) The intensity of the use shall not significantly increase;
- d) The proposed expansion shall not have a significant negative impact on boat traffic patterns or navigation; and
- e) The proposed expansion shall have no negative impact on the existing Marina function including the number of docks that serve the water access properties.

F.3.4.3.3 Limited expansion or enlargement of existing Waterfront Commercial facilities may be permitted without Official Plan Amendment except as otherwise outlined in this Official Plan.

Such expansion or enlargements may be considered limited where the following situations arise:

- a) Redevelopment of the existing use(s) with no significant increase in the intensity of use;
- b) Minor increase in the facilities provided (e.g. number of rooms in a resort; number of boat slips in a Marina; expansion of the waste disposal system or water supply);

- c) Provision of improved recreational facilities related to the site;
- d) Basic Character of the operation is maintained;
- e) Maintain or provide suitable buffers and screening from surrounding uses (where applicable);
- f) Surrounding access routes have the capacity to sustain the additional traffic; and
- g) The general intent of this Official Plan is maintained.

F.3.4.3.4 An implementing Zoning By-law may establish the limits to the expansion of existing Commercial operations provided Section F.3.4.3.3 (Limited Expansion of Commercial Facilities) is addressed.

F.3.4.4 General Policies

F.3.4.4.1 New Waterfront Commercial land use shall only be permitted where direct access to a public road is available. Exception to such provisions may be made where such development can be accessed by water only, and where the Township has determined that the access is appropriate for the proposed use and provided direct access to a public road is available from mainland parking areas.

F.3.4.4.2 New Waterfront Commercial developments shall not be permitted on islands less than 20 hectares in area.

F.3.4.4.3 Lot coverage by buildings and structures is expected to be kept to a minimum.

F.3.4.4.4 All Waterfront Commercial development shall be subject to Site Plan Control except Home Occupation unless otherwise stated in this Official Plan.

F.3.4.4.5 Special Policy Area – Lakehome Landing (OMB Decision PL140356 – March 2017)

The Lakehome Landing development located at 380 Macey Bay Road is recognized as an existing trailer park that may

permit a maximum of 180 trailer sites within the Special Policy Area boundary shown on Schedule A and A1.

- (i) Development of the trailer park is subject to the applicable policies of this Plan and:
 - a) Site plan approval,
 - b) Approvals for any required sewage and water system by the Ministry of the Environment and Climate Change;
 - c) Any approvals, if required, from the Ministry of Natural Resources and Forestry;
 - d) Appropriate zoning, including zoning of any environmental features and applicable buffers which provide appropriate setbacks and limits the number of trailer sites to a maximum of 180;
 - e) All trailer sites are to be held in a common ownership and cannot be separately conveyed;
 - f) No land division is permitted;
 - g) Expansion of the Special Policy Area is not permitted;
 - h) Any planning approval to increase the number of permitted trailer sites is not permitted;
 - i) Revegetation of the shoreline of Georgian Bay, where feasible; is required;
 - j) Camping establishments and tent sites are not permitted; and
 - k) The trailers are permitted to a maximum of one storey.
- (ii) One dock currently services the site. Any increase in the number of docks adjacent to the Special Policy area which services the trailer park will not be permitted

without the approval of a Boat Impact Assessment by the Township.

- (iii) The sewage system for the Special Policy Area shall be an individual, autonomous disposal system that is owned, operated and managed by the owner or operator of the trailer park. It will not service any lands outside of the Special Policy Area and will service all of the trailer sites within the Special Policy Area.
- (iv) The water supply system for the Special Policy Area shall be an individual, autonomous system that is owned, operated and managed by the owner or operator of the trailer park. It will not service any lands outside of the Special Policy Area and will service all of the trailer sites within the Special Policy Area.
- (v) The sewage and water supply system shall comply with all of the policies of the Plan that apply to Individual On-Site Sewage Service and Individual On-Site Water Services.
- (vi) Although the sewage system is not an Individual On-Site Sewage Services, it shall comply with all of the policies of the Plan that apply to Individual On-Site Sewage Services.
- (vii) The implementing by-law may be structured as a holding by-law to implement the policies of this Section.

F.3.5 Open Space Land Use Policies

F.3.5.1 Open Space uses are generally permitted within the Waterfront Designation and are not separately designated. The policies contained herein are applicable to all lands which were zoned "Open Space", on the date of adoption of this Official Plan, within the Waterfront designation of this Official Plan.

F.3.5.2 On lands which are vacant and zoned Open Space on the date of the adoption of this Official Plan, the predominant use of land shall be for conservation and passive recreational purposes, and such lands shall be kept open and free from all

buildings and structures except as otherwise permitted in this Official Plan. These areas are to be zoned in a "Natural State" zone category or similar zone within the Township's Zoning By-law to restrict development and ensure that the natural character of the site is maintained.

- F.3.5.3 Existing golf courses and active recreational uses zoned for the use on the date of adoption of this Official Plan are permitted to develop additional buildings or structures subject to the permitted uses and provisions of the Township's Zoning By-law.
- F.3.5.4 The Township's Zoning By-law may establish a variety of Open Space zones to reflect the differing existing Open Space uses.
- F.3.5.5 New golf courses shall not be permitted in the Waterfront Designation.
- F.3.5.6 New Open Space park uses shall be encouraged to locate in or adjacent to:
- a) Existing parks or other compatible land uses;
 - b) Areas with adequate public access;
 - c) Areas with natural amenities for shoreline recreation;
 - d) Scenic areas; and
 - e) Areas adjacent to the shoreline.
- F.3.5.7 All undeveloped Crown Land under the jurisdiction of the Ministry of Natural Resources, as of the date of adoption of this Official Plan, shall be considered "Open Space" and shall be subject to the policies in this Section.
- F.3.5.8 Where Crown Land is to be released for the purpose of lot addition, development shall be subject to the policies applicable to the abutting patented lot.

F.3.6 Implementation Policy

F.3.6.1 Site Plan Control

F.3.6.1.1 Site Plan Control shall be required for development subject to the policies of Section I.5.1 (Site Plan Control) of this Official Plan.

F.3.6.1.2 Where the policies of this Official Plan require a Site Evaluation Report or Impact Assessment, the policies of Section I.2 (Technical Reports and Plans of Survey) of this Official Plan shall be followed.

F.4 Specific Lake Policy

F.4.1 This Section of the Official Plan should be read in conjunction with the entire Official Plan as well as the Recreational *Water Quality* policies of Section D.2.2 (Recreational Water Quality) of the Plan.

F.4.2 The waterfront *Character* of the Township has been generally described in this Official Plan however, each lake possess its own *Character* that is a result of its location, size and physical and natural attributes. The *Character* of each lake shall be assessed when considering development as per the policies of this Official Plan. Each lake also has its own *Water Quality* sensitivity as it outlined in the *Water Quality* policies of this Official Plan.

F.4.3 Specific lakes host specific policies within this Official Plan. The Lake Specific Policies shall be read in conjunction with the other policies of this Official Plan. Where there is a conflict, the most restrictive of all applicable policies of this Official Plan will apply.

F.4.4 The following lakes are subject to site specific building setbacks and/or other policies:

Baxter Lake

Little Go Home Bay

Galla Lake

Silver Sand Lake

North Bay

South Bay

Haggart Lake

Toronto Lake

F.4.5 The following policies apply to all of the above noted lakes:

- a) The minimum setback from the High Water Mark for Residential development, inclusive of sewage disposal facilities, shall be 30 metres with the exception of any existing lot that does not possess suitable depth to allow for the setback, in which case the setback shall be the largest feasible on the lot but at a minimum shall comply with the provisions of Section D.2.2.4.3 (Setback from High Water Mark). Notwithstanding this, all development, *Site Alteration*, and *Individual On-Site Sewage Service* beds are required to be located above the Regulatory Flood Elevation as identified in Sections D.3.4.4 and D.3.4.5 (Regulatory Flood Elevation);
- b) Site Plan Control shall be required for all development as per the policies of Section I.5.1 (Site Plan Control) of this Official Plan; and
- c) All new lots, where permitted and existing lots of record may be developed subject to the submission of a Site Evaluation Report outlined in Section I.2.3 (Site Evaluation Report) of this Official Plan.

F.4.6 The following lakes shall also be subject to a minimum shoreline lot *Frontage* of 120 metres:

Galla Lake; and

Toronto Lake.

F.4.7 New lot creation is not permitted on:

Baxter Lake;

Silver Sand Lake;

South Bay; or

North Bay;

unless to separate existing primary Residential uses subject to the applicable lot creation policies of this Official Plan. The lots created shall conform with the Regulations of the Zoning By-law.

F.5 Waterfront Communities

- F.5.1.1 It is recognized that there are a number of different and distinct waterfront communities along the shoreline of Georgian Bay within the Township. These communities are distinct amongst themselves and generally reflect a certain density and *Character* from their historical land use pattern to present day development patterns.
- F.5.1.2 While within the Waterfront Designation, specific Waterfront Communities host specific policies within this Official Plan. Where the setback, severance, lot *Frontage*, built form, and form of development policies outlined within the Waterfront Community Policies differ from the general policies of Section F (Waterfront) of the Official Plan, the Waterfront Community Policies shall prevail.
- F.5.1.3 Notwithstanding Section F.5.1.2 of this Official Plan, where a conflict arises between the Waterfront Community Policies and the Resource policies of Section D (Resources) of this Official Plan, the Resource policies shall apply.
- F.5.1.4 The Waterfront Communities are encouraged to participate in the development of site-specific Waterfront Community Policies that will provide site-specific development policies that:
- a) Provide development policies that will reduce adverse impacts of existing and future development on the natural heritage of the area; and

- b) Preserve and protect the Character and identity of the area through appropriate land use controls.

F.5.2 Goal

F.5.2.1 To protect and preserve the existing Character of the areas designated.

F.3 Definitions

F.5.3.1 The Waterfront Community designation recognizes existing waterfront residential communities accommodating privately owned residences and providing recreational facilities and community services.

F.5.4 Basis and Principles

F.5.4.1 Waterfront Communities have been identified in order to:

- a) Provide for logical and orderly development;
- b) Provide development policies that will reduce adverse impacts of existing or future development on the natural environment of the area; and
- c) Preserve and protect the Character and identity of these areas through appropriate land use controls.

F.5.5 Designated Area

F.5.5.1 The following Waterfront Communities have been specifically identified and are subject to specific policies as further outlined in Section F.5 (Waterfront Communities):

- a) Go Home Bay Waterfront Community shown on Schedule E;
- b) Cognashene Waterfront Community shown on Schedules G and G-1;
- c) Wah Wah Taysee Waterfront Community shown on Schedule H;

- d) Honey Harbour Waterfront Community shown on Schedule D;
- e) Palisade Bay / East Bone Island Waterfront Community shown on Schedule I.; and
- f) Six Mile Lake Community (Waterfront Community) shown on Schedules F and F-1.

F.5.6 Development Policies

F.5.6.1 The policies of Section F (Waterfront) shall generally apply to the Waterfront Communities. Where there is a conflict between the general Waterfront Policies (Section F.1, F.2 and F.3) and the Waterfront Community Policies (F.5), the Waterfront Community Policies shall apply.

F.5.6.2 The Waterfront Communities are generally divided into two distinct areas: the Coastal Communities of Go Home Bay, Cognashene, Palisade Bay / East Bone Island, Wah Wah Taysee and Honey Harbour and the Inland Community of Six Mile Lake.

The Coastal Communities are primarily water-based in *Character* and are located within the UNESCO Biosphere Reserve. They have a distinct *Character* from each other and within each Coastal Community and are distinct in *Character* from the Inland Waterfront Community. The development of new Georgian Bay coastal access roads and the extension of existing Georgian Bay coastal access roads is prohibited.

Six Mile Lake is an Inland Waterfront Community that is both water based and land based and this area hosts policies that are distinctive to this inland area.

F.5.6.3 Site Plan Control shall be required for all as per the policies of Section I.5.1 (Site Plan Control) of this Official Plan.

F.5.6.4 Lot Division

F.5.6.4.1 Where lot creation is permitted through the policies of this Official Plan, the policies of Section I.4 (Division of Land) and Sections F.3.2 and F.3.3 (General Waterfront Land Use

Policies) as well as the site specific policies of each Waterfront Community shall apply.

- F.5.6.4.2 The *Character* of the surrounding development and land use is to be considered when evaluating any application for lot division.
- F.5.6.4.3 Maintenance of existing vegetation on areas which are not required for development is encouraged.
- F.5.6.4.4 Provision of additional native vegetation where appropriate to reduce the visual impact of development is required.
- F.5.6.4.5 Any application for lot division is consistent with the Resource (Section D) policies of this Official Plan.

F.5.7 Go Home Bay Waterfront Community Policies

F.5.7.1 Vision

- F.5.7.1.1 The Go Home Bay Waterfront Community covers approximately 6,000 hectares of land, islands, and water centered by the Madawaska Club lands and community and as shown on Schedule E to this Official Plan.
- F.5.7.1.2 The Go Home Bay Waterfront Community is a community that values the remote wilderness landscape comprised of windswept and undeveloped islands, exposed granite, very low density, very low intensity of cottage development, and a long history of stewardship in preserving and protecting this unique *Cultural Heritage Landscape*.
- F.5.7.1.3 The vision for the Go Home Bay Waterfront Community is of a remote waterfront community that respects and preserves the unique features that comprise the wilderness Georgian Bay landscape by ensuring that new development and redevelopment respects the overall goals and objectives for the area. The vision for the Go Home Bay Waterfront Community also foresees very limited new lot creation, modest new waterfront development and redevelopment that protects the fundamental features of the area's unique "sense of place", protection of the natural environment, and careful

management of change and development in the area over the life of this Official Plan.

F.5.7.2 Goals and Objectives

F.5.7.2.1 The following Sections describe the general goals and objectives for the Go Home Bay Waterfront Community:

a) Natural Environment

Goal

It is a goal of this Official Plan to protect and preserve the significant *Natural Heritage Features and Areas* and ecological functions within the Go Home Bay Waterfront Community.

Objectives

- i) To ensure that the protection of significant natural heritage features and their associated ecological functions take precedence over the development of such lands;
- ii) To ensure that a thorough understanding of the natural heritage, including the values, opportunities, limits and constraints that it provides, guides land use decisions;
- iii) To minimize changes to the *Water Quality* of Georgian Bay resulting from human activity;
- iv) To ensure that new development will not have a *Negative Impact* upon the critical functions and processes of Georgian Bay and to require the use of best environmental planning practices;
- v) To prohibit the loss or fragmentation of *Wetlands, Fish Habitat, Muskoka Heritage Areas* and the habitats and ecological functions they provide; and

- vi) To encourage improvements to the natural landscape and natural heritage through rehabilitation and sensitive land stewardship.

b) Sense of Place

Goal

It is a goal of this Official Plan to protect and preserve the significant sense of place of the Go Home Bay Waterfront Community, which is defined by its unique grouping of landscape elements – the exposed shoreline and windswept granite rock, the windswept pines and trees, the largely undeveloped archipelago of islands – the isolated and wilderness setting, the historical and continuous record of low density development and low intensity of built form, and the preservation of the natural vegetation of the area. Together, these form a significant *Cultural Heritage Landscape* on Georgian Bay.

Objectives

- i) To protect the unique *Character* of the Go Home Bay Waterfront Community from inappropriate development;
- ii) To limit the density and intensity of development in the Go Home Bay Waterfront Community in order to protect the visual and aesthetic qualities of the area and to protect the natural wilderness *Character* of the area;
- iii) To protect all of the individual elements of the *Cultural Heritage Landscape* that have created a distinctive *Character* to the area that is more than the sum of its constituent elements or parts;
- iv) To protect the fundamental components of the physical landscape, such as the exposed rock shores and windswept pines, that form the physical basis for the sense of place;

- v) To prohibit landscape changes through blasting and the placing or removal of fill that would alter the landscape of the area;
- vi) To maximize tree preservation in the Go Home Bay Waterfront Community; and
- vii) To promote the retention and maintenance of natural shorelines, as well as the restoration of natural shorelines wherever possible.

c) Built Form Guidelines

Goal

It is a goal of this Official Plan to protect the *Character* of the Go Home Bay Waterfront Community as a low density, low intensity wilderness cottage area by regulating the size and height of new cottages and additions and renovations to existing cottages and sites, and providing clear guidelines respecting docks, boathouses, sheds, and other accessory buildings and structures.

Objectives

- i) To protect the low density wilderness *Character* of the area by extending appropriate development standards (minimum frontage and area) to the whole Waterfront Community;
- ii) To permit, but limit, the size of new or expanding cottages with the purpose of protecting the established *Character* of the area while providing for flexibility in design concepts for landowners;
- iii) To promote building design and development techniques that lessen the impact of the building on the landscape;
- iv) To utilize building materials that reflect naturally available materials such as wood and stone;

- v) To limit the number, length and size of docks in the shoreline area with the intention of protecting the visual *Character* of the shoreline;
- vi) To establish policies to regulate the nature and form of shoreline structures to preserve the natural shoreline *Character*; and
- vii) To establish policies with respect to the size and location of accessory structures.

d) Water Quality

Goal

It is a goal of this Official Plan to ensure that all new development and all planning approvals maintain or enhance the quality of the waters in Georgian Bay by implementing best management practices for shoreline development.

Objectives

- i) To protect the Water Quality of Georgian Bay and all the channels, bays, and coves that comprise the waters of the Go Home Bay Waterfront Community;
- ii) To require the use of best management practices for shoreline development including for the redevelopment of existing properties; and
- iii) To promote the retention and maintenance of natural shorelines and shoreline vegetation, as well as the restoration of natural shorelines wherever possible.

e) Water Access Community

Goal

It is a goal of this Official Plan to preserve the Go Home Bay Waterfront Community as a water access only

Coastal Waterfront Community in order to protect its *Character* as a wilderness landscape area.

Objectives

- i) To work with the private Marina operators to ensure that there is an adequate supply of commercial Marina boat spaces for continued access to the Go Home Bay Waterfront Community;
- ii) To encourage the Ministry of Natural Resources to consult with the local cottage association(s) (currently the Madawaska Club of Go Home Bay) and the Township of Georgian Bay with respect to the provision of any form of Crown or public road access to the area; and
- iii) To work with and encourage the Federal Government to maintain and improve the provision of navigational aids on Georgian Bay in order to provide safe and well-marked boating access to the area.

F.5.7.3 Land Use Designation and Concept

F.5.7.3.1 The land use structure and designations for the Go Home Bay Waterfront Community are set out on Schedule E of this Official Plan and are described in the following Sections:

a) Residential Area

Lands designated "Residential Area" on Schedule E of this Official Plan are intended to recognize the historical low density Waterfront Community that has developed in this area of Georgian Bay. The permitted uses within the "Residential Area" designation shall include shoreline Residential dwellings on large lots along with uses, buildings and structures that are accessory to the Residential uses;

b) Community Space Area

Lands designated "Community Space Area" on Schedule E of this Official Plan are intended to recognize the historical community facilities and lands owned and operated by the Madawaska Club of Go Home Bay. The permitted uses within the "Community Space Area" designation shall include recreational uses and facilities, community facilities, one Residential dwelling for use by a caretaker, workshop, and convenience retail commercial facilities;

c) Open Space Area

Lands designated "Open Space Area on Schedule E of this Official Plan are intended to be preserved in their natural state in order to protect the *Cultural Heritage Landscape* of the area and preserve the unique wilderness landscape of the Go Home Bay area. In the "Open Space Area" designation, the permitted uses are conservation and passive recreational uses. The Open Space designation shall apply to Crown Lands, some Madawaska Club lands, and some small private holdings. Open Space lands belonging to the Madawaska Club of Go Home Bay are for the exclusive use of Club members. Private Open Space lands are for the exclusive use of the landowner; and

d) Environmental Protection Area

Lands designated "Environmental Protection Area" on Schedule E of this Official Plan represent locally significant *Wetlands* and significant *Fish Habitat* that should be protected from development. Permitted uses may include conservation and passive recreational uses that do not require buildings and/or structures. Additional *Wetlands* and significant *Fish Habitat* may be identified in subsequent reports and identified on the Schedules without Amendment to this Official Plan.

F.5.7.3.2 New Commercial development is not permitted in Go Home Bay.

F.5.7.4 Development Policies and Implementation

The policies guiding development and how they are to be implemented are described in the following Sections:

F.5.7.4.1 Lot Creation

- a) New lot creation within the Go Home Bay Waterfront Community is expected to be very limited over the life of this Official Plan. Multiple lot creation from a single lot is not permitted. Single lot creation may be considered for Residential uses where they meet the policies of this Section and this Official Plan and where they meet the following minimum performance standards:
 - i) Minimum Lot Area – 1.4 hectares;
 - ii) Minimum Lot *Frontage* – 210 metres.
- b) Generally, there should be no deviation from these lot standards. However, there may be circumstances where smaller *Frontages* and/or areas may be appropriate. Lot area shall be defined by the Township Zoning By-law;
- c) Applications for a Zoning By-law Amendment shall be required where a *Frontage* or area is less than required by this Official Plan and the implementing Zoning By-law. Where reductions in the performance standards are approved, additional care and control of development should occur through the use of greater setbacks and the use of Site Plan Control to address shoreline buffers and the preservation and enhancement of the natural shoreline vegetation. Slightly smaller lot *Frontages* and/or areas may be considered by the Township subject to the following criteria:
 - i) Ensuring privacy from adjoining lots,
 - ii) Maintenance of vegetation as per the policies of this Official Plan,
 - iii) Preservation of sight lines and views from adjoining lots; and

- iv) Provision of additional landscaping where appropriate to reduce the visual impact of development on the severed lot.
- d) New lots must have sufficient potential for boat access without blasting or significant shoreline alteration;
- e) New lots shall conform to the natural heritage and environmental policies of this Official Plan, including Section F.5.7.4.4 (Go Home Bay – Natural Heritage);
- f) Planning decisions need to reflect the Character of the Go Home Bay Waterfront Community with a degree of flexibility in recognition of the configuration of the landscape and its physical features, in addition to the Character of the surrounding development;
- g) Generally Consents shall ensure that privacy is maintained from adjoining lots, the visual impact of the proposed development from the water or adjoining lots is reduced, vegetation is maintained to accommodate the proposed development or can be provided to reduce the visual impact of the proposed development, and
- h) All applications for new lot creation within the Go Home Bay Waterfront Community shall be supported by a Site Evaluation Report and Impact Assessment. An Impact Assessment shall assess Significant Wildlife Habitat and Muskoka Heritage Areas and those criteria outlined in I.2.2 (Impact Assessments) of this Official Plan.

F.5.7.4.2 Island Development

- a) Like much of Georgian Bay, the Go Home Bay Waterfront Community is comprised of literally hundreds of small islands and rocks. As the level of Georgian Bay rises and falls, these islands and rocks increase or decrease in size;
- b) Sufficient native vegetation should be retained or established on an island as a condition of development in order to visually screen the development from the

adjacent waterway and blend into the natural characteristics of the shoreline;

- c) New lots created on islands must meet the minimum *Frontage* and area requirements of Section F.5.7.4.1 (Go Home Bay – Lot Creation) and the lot area shall be determined as those lands above the elevation of 177.0 metres Canadian Geodetic Datum (CGD);
- d) Vacant islands of less than 1 hectare in size have generally been placed in the “Go Home Bay Open Space” designation. Islands meeting a minimum lot area requirement of 1.4 hectares, as well as those islands between 1 hectare and 1.4 hectares which have already been developed, have been placed in the “Go Home Bay Residential” designation;
- e) Development will not be permitted on an island having a lot area of less than 1 hectare above the 177.0 metre CGD elevation; and
- f) All applications for Zoning Bylaw Amendments of islands within the Go Home Bay Waterfront Community shall be supported by a Site Evaluation Report in accordance with Section I.2.3 (Site Evaluation Report) of this Official Plan. In addition to the requirements of Section I.2.3, the Site Evaluation Report shall also demonstrate that:
 - i) The island has an area of:
 - Not less than 0.4 hectares above the elevation of 178.3 metres CGD;
 - Not less than 0.8 hectares above the elevation of 177.4 metres CGD; and
 - At least 1 hectare above 177.0 metres CGD. A plan of survey prepared by an Ontario Land Surveyor shall be submitted by the applicant in order to confirm that the applicable minimum lot size requirements specified have been satisfied.

- ii) A Class IV sewage treatment system can be accommodated on the site and all parts of the system must be set back the greater of a minimum of 1 metre above the 178.3 metre elevation CGD or a minimum of 30 metres from the 178.3 metre elevation CGD. The intent of this is to provide for the greatest possible setback from the water;
- iii) Wherever possible, sewage systems shall be upgraded utilizing phosphorus-retaining soils or system;
- iv) A 20 metre setback from the 1:100 year flood elevation of 177.7 metres CGD shall be provided for all buildings and structures;
- v) A development site can be provided that is generally level and does not require blasting or the placement or removal of fill or significant alteration of the natural vegetation in any manner;
- vi) Development of main buildings and structures shall be limited to 1.5 storeys (6 metres) in height; and
- vii) Site Plan Control can be used to address the vision, and the goals and objectives of this Section and the protection of the unique sense of place of the Go Home Bay Waterfront Community and its unique *Cultural Heritage Landscape*.

F.5.7.4.3 Minor Variances

When considering a Minor Variance for development, the policies of this Official Plan shall apply as well as the following:

- a) The size of the structure in relation to the shoreline *Frontage*, the lot area, and the low density and low intensity nature of the Waterfront Community;

- b) The siting of the development to minimize impact on existing development and to provide privacy;
- c) The reduction of the visual impact of the development from the water, including but not limited to building height. Mitigation measures may be utilized to reduce impact, including but not limited to, screening through the use of existing or proposed vegetation, and screening through the use of existing structures. Use of proposed vegetation shall only be undertaken where practical taking into consideration the *Character* of the area; and
- d) The built form guidelines of the Go Home Bay Waterfront Community Policies and any design guidelines developed for the Waterfront Community.

F.5.7.4.4 Natural Heritage

- a) The natural features and ecological functions of the area, which contribute greatly to the Go Home Bay Waterfront Community's wilderness *Character*, are paramount and will be protected. The conservation of the overall natural landscape, the shoreline, tree cover, vegetation, and linkages between natural features shall be encouraged in an effort to preserve the natural appearance, *Character* and aesthetics of the area.
 - i) All *Wetlands* shall be protected and maintained in a natural state. Planning Act applications shall be prohibited within any *Wetland*. *Wetland* re-establishment will be encouraged if loss or degradation occurs;
 - ii) Water resources and vegetation abutting watercourses will be maintained in a clean and healthy condition to protect aquatic life and functions;
 - iii) New lot creation will only be considered where at least 30 metres of the shoreline of the resulting lot would not abut Type 1 *Fish Habitat* or where a fisheries Impact Assessment confirms, or the

authority having jurisdiction is satisfied that there will be no *Negative Impact* on the *Fish Habitat*;

- iv) Where Type 1 *Fish Habitat* abuts a portion of the shoreline of a lot, shoreline structures will be located outside that habitat area, unless a satisfactory fisheries habitat assessment demonstrates that there will be no *Negative Impact* on the habitat or any shoreline structure is authorized by the authority having jurisdiction;
- v) An Impact Assessment shall be completed for all new lots proposed within or partially within a Muskoka Heritage Area in order to demonstrate no *Negative Impacts* on the features and functions for which the Heritage Area has been identified; and
- vi) Site Plan Control shall be required for all development as per the policies of Section I.5.1 (Site Plan Control) of this Official Plan.

F.5.7.4.5 Built Form Guidelines and Shoreline Structures

- a) New construction and renovation shall respect the long established *Character* of development in the Go Home Bay Waterfront Community and its unique sense of place;
- b) Dwellings shall generally be limited to a maximum *Gross Floor Area* of 200 square metres and 1.5 storeys (6 metres) in height;
- c) Dwellings may be permitted to reach a maximum *Gross Floor Area* of 265 square metres, with the permission of the Committee of Adjustment through the Minor Variance process in accordance with the Goals and Objectives outlined in Section F.5.7.2 (Go Home Bay – Goals and Objectives) of this Official Plan;
- d) The policies of Section F.3.3.6 (Sleeping Cabins) shall apply when considering Sleeping Cabins within the Waterfront Community; for the purpose of this policy, the one storey height limit shall mean a maximum of 5

metres. Where a lot is in excess of 1 hectare, a maximum of 2 Sleeping Cabins shall be permitted;

- e) Boathouses shall be limited to 1 storey in height to a maximum of 5.0 metres (16.4 feet).
- f) Accessory structures, excluding docks and pump houses, shall be limited to 1 storey in height to a maximum of 4 metres and shall be located to the side or rear of the main dwelling unless it meets the minimum front yard requirements of the Zoning By-law. Where practical, they shall be visually screened from the lake;
- g) All buildings and structures should have regard for the Dark Sky policies of Section I.1.2 (Dark Sky Lighting) of this Official Plan;
- h) Docks shall be limited in number, width, and length in order to protect the natural shoreline quality and *Character*; and
- i) Blasting shall generally not be permitted above the water within 20 metres of the shoreline. Minimal blasting may occur beyond 20 metres from the shoreline provided that any work supports the goals and objectives of the Official Plan and subject to Township By-laws and that all blast rock shall be removed from the shoreline.

F.5.7.4.6 Zoning By-law

- a) It is the intent of the Township that the Go Home Bay Waterfront Community Policies will be implemented through an amendment to the Township's General Zoning By-law. The land use designations in this Section shall be implemented through an appropriate zone or zones as determined by the Township and in accordance with the policies of this Official Plan;
- b) Until such time as the Township's General Zoning By-law is revised or a Zoning By-law Amendment is enacted, the existing Zoning By-law shall remain in effect.

However, any Amendment to the existing By-law shall be in conformity with this Official Plan;

- c) Notwithstanding any designation shown on the schedule to this Official Plan, where development is not imminent and/or the specific development constraints have not been addressed, the lands may be placed in an Open Space Zone; and
- d) For lands and / or islands that are not shown on Schedule E the lands shall also be considered to be designated "Go Home Bay Open Space" and placed in an Open Space Zone. For development to occur, an Amendment to the Zoning By-law must be approved.

F.5.7.4.7 Site Alteration By-law

The Township may enact a *Site Alteration* By-law for the Go Home Bay Waterfront Community in accordance with the Municipal Act, and such By-law may include the following:

- a) The area or areas where *Site Alteration* will be permitted;
- b) The restrictions and regulations on the *Site Alteration* within the defined area(s);
- c) The requirements for obtaining a permit for *Site Alteration* within the defined area(s);
- d) The exemptions from having to obtain a permit for *Site Alteration*; and
- e) The administrative requirements of the By-law, including fees, forms, and fines.

F.5.7.4.8 Design Guidelines

- a) The Township encourages the local cottage association(s) (currently the Madawaska Club of Go Home Bay), in consultation with all the residents of the Go Home Bay Waterfront Community, to develop Design

Guidelines to address the full range of built form issues and to protect the area's unique sense of place;

- b) The Design Guidelines for new buildings or additions and renovations should promote a complementary design relationship to existing buildings in the Waterfront Community, while accommodating a diversity of architectural styles, building materials, subdued lighting, energy conservation techniques and innovative built forms;
- c) The Design Guidelines for buildings should have regard to appropriate setbacks and the protection of vegetative buffers and the unique landscape elements of the sense of place of the Go Home Bay Waterfront Community. Buildings should be massed to recognize appropriate scale and provide an appropriate building height at the waterfront and be architecturally articulated to provide visual variety and interest;
- d) The Design Guidelines should encourage buildings to orient themselves to the lake, where possible, and present their principal building facades with an appropriate design to the lake. Buildings located at major vista terminations on the lake or channels, or on view corridors on the lake, may be given special treatment through the use of massing and building articulation strategies, such as added height, special roof treatments, use of special cladding materials and lighting fixtures, and landscaping where appropriate;
- e) The intent of the Design Guidelines would be to ensure that all new buildings and structures blend in to the natural environment and preserve the historic architectural characteristics of the area; and
- f) The Township may approve the Design Guidelines where they have been developed by the local cottage association(s) (currently the Madawaska Club of Go Home Bay) and the residents of the Go Home Bay Waterfront Community. Once approved, the Design Guidelines shall be used in the consideration and approval of all development applications.

F.5.7.4.9 Site Plan Control

- a) Site Plan Control is required for all development as per the policies of Section I.5.1 (Site Plan Control) of this Official Plan.
- b) Site Plan Control approval is intended to ensure that any proposed development is designed to be compatible with adjacent development, appropriately serviced and accessed and otherwise in conformity with the goals and objectives of this Official Plan. The Policies of this Official Plan including the Site Plan Control policies of Section I.5.1 (Site Plan Control) shall apply to any Site Plan application in the Go Home Bay Waterfront Community.

F.5.7.5 Recreation Program, Community Recreational Infrastructure and Community Land Holdings

F.5.7.5.1 The Go Home Bay Waterfront Community has a well established and active Recreation Program that contributes greatly to the recreational experience of residents. The Community Recreational Infrastructure and Land Holdings are significant attributes of the Go Home Bay Waterfront Community and their use and enjoyment shall continue in the future.

F.5.8 Honey Harbour Waterfront Community Policies

F.5.8.1 Basis and Principles

F.5.8.1.1 The Community and Core area of Honey Harbour shall be subject to the Settlement Area policies of this Official Plan.

F.5.8.1.2 The Honey Harbour Waterfront Community consists of the islands, mainland shorelines and waterways which surround the Community of Honey Harbour. Natural landscapes and panoramas predominate, including a diversity of windswept rock and forested shorelines as well as sheltered and open waterways, all of which constitutes the physical setting.

- F.5.8.1.3 Land use in the Honey Harbour Waterfront Community is predominantly Residential, which for the most part, is used seasonally.
- F.5.8.1.4 New Residential development, or expansions to existing residential development, shall be limited in size in the Township's Zoning by-law in order to protect the *Character* of the area.
- F.5.8.1.5 Building design which lessens the impact on the surrounding landscape shall be encouraged.
- F.5.8.1.6 Much of this development is accessed only by water. Although Marinas are located in South Bay, and to a lesser extent in North Bay, the area is largely dependent on the Community of Honey Harbour for services and access. Together with Marinas in the Community of Honey Harbour, existing Marina facilities in the Honey Harbour Waterfront Community are essential to the long term provision of access to these properties and the area's recreational amenities.
- F.5.8.1.7 As a result of its proximity to the Community of Honey Harbour, this Waterfront Community has experienced more growth pressure and more development than other areas along the shoreline in the Township.
- F.5.8.1.8 In addition to providing recreational amenities and natural habitats, the waterways in the Honey Harbour Waterfront Community are significant, sheltered transportation corridors for boaters, and are amongst the busiest channels in Ontario, experiencing congestion during peak vacation periods. The proximity of the Honey Harbour Waterfront Community to the services and facilities of Honey Harbour, the larger open water system of Georgian Bay, and the Georgian Bay Islands National Park has also contributed to the numbers of boats in the area.
- F.5.8.1.9 Seasonal boat traffic creates congestion which is attributable to a variety of boats, including cruisers, personal watercraft and runabouts, among others, and highlights the dual function of these waterways as recreation amenities and transportation corridors. The level of boat traffic has created concerns about shoreline integrity, public safety and compromised recreational

amenities, which have resulted from factors such as large wakes and excessive speeds. Since boat traffic is partly related to land use, these policies are directed at ensuring that land use in the Honey Harbour Waterfront Community does not exacerbate the existing situation.

F.5.8.1.10 The Georgian Bay Islands National Park includes ecologically sensitive protected areas and is a prominent attraction which generates a significant volume of visitation to the area.

F.5.8.1.11 The lands affected by the provisions of Section F.5.8 (Honey Harbour Waterfront Community Policies) are generally identified on Schedule D of the Township of Georgian Bay Official Plan. The boundary is intended to be flexible and may be refined through the review of site specific development proposals.

F.5.8.2 Goal

- a) To protect the natural heritage, preserve the recreational amenities and maintain the *Character* and scenic beauty of the Honey Harbour Waterfront Community.

F.5.8.3 General Development Policies

- a) New development will be at lower densities than has historically occurred to assist in the preservation of the natural and recreational *Character* of the area. In this regard, the minimum lot area for all new lots should generally be 1 hectare and the minimum lot *Frontage* for all new lots should generally be 120 metres.
- b) Any patented (private) development on lands currently owned by the Crown should occur in accordance with the policies of this Official Plan.

F.5.8.4 Residential Policies

- a) To maintain an appropriate balance between a natural shoreline and built form, including docks and boathouses, within the Honey Harbour Waterfront Community, shoreline activity areas should be focused

within a defined area of the shoreline *Frontage* of a Residential lot and limited in extent. A maximum, wherever possible, of 25% of the shoreline *Frontage*, or up to 23 metres, whichever is lesser, may be developed for shoreline activity areas, buildings or structures, as permitted by this Official Plan, with the remainder of the shoreline being left in its natural state.

F.5.8.5 Commercial Policies

- a) Many properties in the Community of Honey Harbour and the surrounding Honey Harbour Waterfront Community are accessible by water only. Existing Marinas are essential to the long term provision of access to these properties and the economic prosperity of the area, and a Zoning By-law Amendment to permit other uses shall be discouraged.

F.5.8.6 South Bay Special Policy Area

- a) The lands affected by the provisions of this Section are identified on Schedule D (Honey Harbour Area).
- b) South Bay is a sheltered bay, located to the east of the Community of Honey Harbour, and is accessed from Georgian Bay through only one narrow channel, located adjacent to Joe's Rock. Substantial Marina and Residential development has already occurred in this area and has resulted in concern respecting boat congestion and *Water Quality* in this area.
- c) Development has been restricted in South Bay in order to address natural, social and environmental carrying capacity issues, including *Water Quality*, boat congestion and narrow channels. Therefore, the creation of new lots shall not be permitted and new commercial marine facilities may only proceed by Amendment to this Official Plan.

F.5.9 Six Mile Lake Waterfront Community Policies

F.5.9.1 Goal

F.5.9.1.1 To provide land use planning policies that protect the natural heritage and aesthetic integrity of Six Mile Lake while accommodating a limited amount of new development.

F.5.9.2 Basis

F.5.9.2.1 Six Mile Lake has a surface area of approximately 1,470 hectares, distributed in several distinct basins. The lake has a significant amount of existing low density Residential development, much of which has occurred over the past 60 years. Most development on the lake is Residential, with a mixture of seasonal and year round uses. Other uses include two private Marinas, Six Mile Lake Provincial Park and a variety of public access and launching points. Most of the backland around the lake, and a significant amount of shoreline *Frontage* is Crown land, remaining from the development of a number of crown subdivisions in the 1950's and 60's.

F.5.9.2.2 The policies in this Section are intended to deal with development trends on the lake. These policies build on planning policies at both the Township and District of Muskoka levels. The District of Muskoka Official Plan has focused on such issues as *Water Quality* and Lake Carrying Capacity. Policies related to carrying capacity, including the establishment of the *Water Quality* objectives for various parts of Six Mile Lake are provided in the *Water Quality* Section of this Official Plan (Section D.2.2).

F.5.9.3 Principles

F.5.9.3.1 The *Character* of the Six Mile Lake Waterfront Community is of a Residential community composed of distinct neighborhoods focused on the various basins of the lake. It consists of many island and mainland uses, with a variety of access needs. This *Character* shall be maintained and enhanced through careful land use planning.

- F.5.9.3.2 Recreational *Water Quality* on Six Mile Lake shall be maintained and enhanced, through appropriate land use regulations affecting both new and existing development.
- F.5.9.3.3 An emerging stewardship ethic for shorelands will include landscape naturalization and on-site retention and treatment of pollutants.
- F.5.9.3.4 The visual impact of development from the water is an important parameter in maintaining the *Character* of the lake.
- F.5.9.3.5 New development will be considered within the context of sound natural heritage planning.
- F.5.9.3.6 The redevelopment of existing properties on the lake shall conform to the policies of this Official Plan and address matters which include but are not limited to the *Natural Heritage Features and Areas*, Cultural Heritage, Areas of Use Limitation, and general Waterfront Designation policies.
- F.5.9.3.7 Residential Compound development, Backlot development, time share, Tourist Commercial, and Resort Commercial uses are inconsistent with the *Character* of the Six Mile Lake Waterfront Community and are not permitted.

F.5.9.4 Lands in Six Mile Lake Waterfront Community

- F.5.9.4.1 Permitted Uses
 - a) Legally existing uses which consist of Residential uses, existing Marinas, public access, launching areas and large areas of Crown Land are permitted, limited new single detached Residential uses are permitted as per the policies of this Official Plan;
 - b) New Commercial development shall require an amendment to the Official Plan which will follow the requirements of Section F.3.4.2 (Requirements for Official Plan Amendment) of this Official Plan;
 - c) Any patented (private) development on lands currently owned by the Crown with the exception of Six Mile Lake Provincial Park, and identified as Crown Land on

Schedule F will require an amendment to the Official Plan. Such an amendment will require confirmation by the District of Muskoka that the lake has the capacity to sustain the additional development. This requirement for an Official Plan Amendment shall not apply to situations where Crown Land is being transferred to existing developed lands for the purpose of lot additions; and

- d) The redevelopment of existing Marina operations is encouraged, provided all other applicable policies of the Georgian Bay Official Plan are satisfied. Their potential for expansion is encouraged provided the site and abutting water area has the physical capability to support the expanded use. Any such redevelopment will attempt to reduce the impact on abutting property owners through careful site planning.

F.5.9.5 Lot Requirements – New Lot Creation

F.5.9.5.1 New lot creation shall be for Residential or Open Space uses only.

F.5.9.5.2 The minimum lot area for all new lots shall be 0.8 hectares;

F.5.9.5.3 The minimum lot *Frontage* for all new lots shall be 120 metres;

F.5.9.5.4 Circumstances may occur where smaller requirements are appropriate and desirable. Variances to these standards may be considered by a Zoning By-law Amendment or application to the Committee of Adjustment provided the intent of the Official Plan is maintained. Situations in which variances may be considered include:

- a) A property with large *Frontage* and a smaller lot area; or if a large lot area exists and the *Frontage* is somewhat less than the requirement. Increased building setbacks and landscaping measures that maintain or enhance the visual integrity of the area may be required as conditions of development in such instances; and
- b) On properties where there are two existing dwellings, an application may be considered to separate the existing

dwellings, provided the lots generally have a minimum *Frontage* of 60 metres and a minimum lot area of 0.4 hectares.

F.5.9.6 Standards for Development of Existing Vacant Lots

- F.5.9.6.1 The Zoning By-law shall recognize existing vacant lots of record having 30 metres or greater *Frontage* and 0.3 hectares or greater of area as building lots.
- F.5.9.6.2 Existing vacant lots of record that have less than 30 metres of *Frontage* and 0.3 hectares in area may be considered for development subject to the processing of a Zoning By-law Amendment or variance application which establishes site specific regulations. A Site Evaluation Report may be required by the Township that confirms the suitability of the lot for development.
- F.5.9.6.3 These standards do not apply to single ownership islands, the standard for which are the Island Development policies of Section F.3.3.5 (Island Development Policies) of this Official Plan.

F.5.9.7 Size of Dwelling Units

- F.5.9.7.1 The size of a dwelling, combined with its location on a site, will have a direct effect on the environmental and visual impact of the development. As such, proposed developments should avoid overly large dwellings on the lake. Dwelling size is regulated in the Zoning By-law through a combination of restrictions on the total footprint, gross floor area (GFA), width, and height, combined with setback and landscaping considerations (OPA #22).
- F.5.9.7.2 The standards on maximum size of a dwelling may vary depending on the size of the lot on which it is located (OPA #22).
- F.5.9.7.3 Recognizing variations depending on the size of the lot, the maximum size of a dwelling must respect the aesthetic integrity of the natural heritage and Character of the Community by limiting GFA, height, width, and setback. Preservation, restoration, or proposed new native shoreline

vegetation combined with increasing setbacks from Six Mile Lake may provide an opportunity for increases in the size of dwelling (OPA #22).

- F.5.9.7.4 Variances to the established maximum size and/or width of a dwelling may be considered where the applicant provides evidence satisfactory to the Township that the dwelling will maintain and enhance the natural form of the area, the visual impact of the dwelling will not be significant, and is in accordance with all other applicable policies of this Plan including the Six Mile Lake Goals, Basis, Principles, and Environmental Policies (OPA #22).

F.5.9.8 Shoreline Structures

- F.5.9.8.1 The size and location of shoreline structures, including docks, decks, gazebos, boat ports and boathouses have a direct effect on both the natural heritage and visual impact of development on a property. The Zoning By-law shall provide standards to regulate the size and location of shoreline structures. These structures may be regulated through a combination of restrictions on the total footprint, floor area, width or height.

- F.5.9.8.2 In general, the size of shoreline structures should not exceed the following standards:

- a) A maximum width of 15% of the *Frontage* of the lot;
- b) In the case of docks, Boathouses and boat ports, a maximum projection into the water of 10 metres;
- c) Boathouses and boat ports shall be limited in width to a single slip (4.7 metres); and
- d) Boathouses, boat ports and gazebos shall not exceed one storey in height.

- F.5.9.8.3 On lots with less than 31 metres of *Frontage*, Boathouses that project into the water are not permitted.

- F.5.9.8.4 Shoreline structures shall be located in such a manner as to minimize the visual impact on neighbouring properties, and shall avoid sensitive *Natural Heritage Features and Areas*.
- F.5.9.8.5 Free standing decks (i.e. not attached to another structure) may be permitted in the front yard provided they do not exceed an area of 45 square metres.
- F.5.9.8.6 Variances to the general standards for the size and location of shoreline structures should only be considered where it is not possible to meet the requirement (e.g. increased length into the water to accommodate shallow water).

F.5.9.9 Sleeping Cabins

- F.5.9.9.1 Sleeping Cabins are subject to the general policies of Section F.3.3.6 (Sleeping Cabins) as well as these site specific policies.
- F.5.9.9.2 The size and number of Sleeping Cabins on a lot affects the intensity of use on the property. In general, on smaller lots (less than 0.3 hectares), Sleeping Cabins shall be prohibited. On larger lots, (e.g. those above 1 hectare in area), a maximum of two Sleeping Cabins may be considered.

F.5.9.9.3 Site Specific Policy

- a) The lands affected by policies in this Section are identified on Schedule F (Six Mile Lake Inland Waterfront Community). For greater certainty, the lands are also municipally known as 68 Forest Lane and legally described as Lot 3 on Plan M-212, Lot 22, Concession 11, formerly Baxter, Township of Georgian Bay, District Municipality of Muskoka.
- b) Notwithstanding Sections F.5.9.9.1 and F.3.3.6.2, the lands in Site Specific Policy F.5.9.9.3 are permitted a sleeping cabin in the required shoreline or front yard setback as defined by the Township's Zoning By-law (OPA #25).

F.5.9.10 Setbacks

- F.5.9.10.1 Setbacks are utilized to attenuate phosphorous loadings from storm water as well as to maintain the natural integrity of shorelines, including fish and *Wildlife Habitat*. Setbacks are also utilized to reduce or soften the visual impact of development on a lot.
- F.5.9.10.2 Vegetation within the setback should be disturbed as little as possible, and the soil mantle should not be altered. Setbacks shall be provided as per the Recreational *Water Quality* (Section D.2.2) and Area of Use Limitation (Section D.3) (where applicable) policies of the Plan.
- F.5.9.10.3 A Site Evaluation Report may be required by the Township in support of requests to reduce the setback beyond that which is established in the Zoning By-law.

F.5.9.11 Home Occupations

- F.5.9.11.1 Home Occupations are subject to the general policies of this Official Plan and may be permitted on shoreline properties as an accessory use to a permitted residential use on a site specific basis provided they do not have an adverse impact on the lake or surrounding properties. The Zoning By-law shall provide an appropriate range of uses and development standards to regulate Home Occupations. Such Home Occupations shall not include any automotive or marine related uses.

F.5.9.12 Shore Road Allowance Policies

- F.5.9.12.1 Shore Road Allowances that have no potential public use may be closed in front of existing privately owned properties provided they do not front on any *Significant Natural Heritage Features and Areas*.

F.5.9.13 Environmental Policies

- F.5.9.13.1 Natural Shorelines
- a) Natural Constraint Areas identified on Schedule F-1 have been drawn from Schedules E and G of the District of

Muskoka Official Plan. They are shown on this schedule for information purposes only. The limits of the Natural Constraint Areas may be confirmed by the Township or any other required authority. The Natural Constraint Areas noted in Schedule F-1 include Waterfowl Production and Staging Areas and Area of Natural Constraints (*Wetlands* or steep slopes).

- b) New lot creation or construction of the principle residence on an existing vacant lot in areas identified as Natural Constraint Areas on Schedule F-1 may require the submission of an Impact Assessment as per Section I.2.2 (Impact Assessments) of this Official Plan to the satisfaction of the Township. The purpose of the Impact Assessment will be to demonstrate how development can occur without adversely impacting the natural feature, and provide specific recommendations on the development standards that would be the most appropriate for the site.
- c) Development in areas identified as Natural Constraint shall be subject to Site Plan Control, which should implement the recommendations of the Impact Assessment.

F.5.9.13.3 Fisheries Habitat

- a) Schedule F-1 (Six Mile Lake – Natural Constraint Areas) identifies significant fisheries habitat on Six Mile Lake, as determined by the Ministry of Natural Resources. Type 1 habitat represents areas of significant fisheries habitat that are rare, or highly sensitive to the potential impacts of development, or limit fish productivity either directly or indirectly. Type 2 habitats are those that are moderately sensitive to the potential impacts of development and although important to fish populations, do not limit the productivity of fish, either directly or indirectly. Areas identified as “not mapped” have not been evaluated by the Ministry.
- b) Planning Act applications within or adjacent to a *Fish Habitat* are subject to the *Fish Habitat* policies of Section D.1.6 (Fish Habitat) of this Official Plan.

F.5.9.13.4 Individual On-Site Sewage Service Systems

- a) New *Individual On-Site Sewage Service* systems are encouraged to be located as far back from the shoreline as possible, and shall be located a minimum of 30 metres from the shoreline, unless it is not physically possible (due to terrain features or lot depth) to locate the *Individual On-Site Sewage Service* system at such a distance, in which case the system shall be located as far back as possible and in accordance with current legislated minimum setback requirements and the *Recreational Water Quality* (Section D.2.2) policies of this Official Plan.
- b) The Township and the Six Mile Lake Cottagers Association shall encourage shoreline owners of existing *Individual On-Site Sewage Service* tank tile field systems to upgrade to current standards if inspection suggests that those systems are not performing up to the levels achievable with new installed systems. Regular inspections of *Individual On-Site Sewage Service* systems should be provided.

F.5.9.14 Special Policy Area: King’s Bay (Hungry Creek)

F.5.9.14.1 Because of the *Narrow Waterbody*, shallow depth of water, extent of aquatic vegetation in the bay, *Water Quality*, and environmental sensitivity of the area, no new lot creation is permitted on King’s Bay (Hungry Creek) in the area shown on Schedule F (Six Mile Lake).

F.5.9.15 Special Policy Area: Long Lake

F.5.9.15.1 No new lot creation is permitted on Long Lake, in the area shown on Schedule F (Six Mile Lake) except to divide two existing dwellings.

F.5.9.16 Road Access Policies

F.5.9.16.1 The road access policies of the Transportation Section (Section H) of this Official Plan apply to development around Six Mile Lake.

- F.5.9.16.2 Recognizing that only a small percentage of cottages on Six Mile Lake are served by public year round maintained roads, consideration should be given to the public acquisition of existing Private Roads that serve as access to a large number of properties or other smaller Private Roads. This will permit improved four season access to cottager properties around the lake.
- F.5.9.16.3 Private Roads may be converted to public roads in accordance with the Township’s established policies and procedures, and provided:
- i) They are to a standard acceptable to the Township;
 - ii) The Township is prepared to accept the transfer; and
 - iii) It is in the public interest to acquire and maintain the roadway.
- F.5.9.16.4 Increasing maintenance of public roads from seasonal to year round maintenance will be dependent on such roads being at a suitable standard to sustain winter maintenance, and if it is in the public interest to extend such maintenance.
- F.5.9.16.5 New roads will require proper grades, site distances and drainage, but may not require complete clearing of a 20 metre wide right-of-way. The Township may establish specific standards for construction of new public roads. Prior to assumption, Council shall require that any road improvements required be at the cost of the affected landowners.
- F.5.9.16.6 The Township supports innovative solutions to allow construction of private roads over Crown land, as alternatives to public acquisition and development of the road allowances.
- F.5.9.16.7 New Subdivision development to be accessed by existing privately maintained roads shall generally be permitted only if the section of private road used to access the proposed Subdivision is taken over by the municipality or the subdivider provides a financial contribution for the maintenance and upgrading of the private road”.

F.5.9.17 Public Access Policies

F.5.9.17.1 Existing launching and docking areas should be protected, to guarantee long term access for water access properties.

F.5.9.18 Implementation

F.5.9.18.1 Development applications for the creation of 3 or more lots shall require the submission of a Site Evaluation Report as per Section I.2.3 (Site Evaluation Report) or Impact Assessment as per Section I.2.2 (Impact Assessments) that confirms the suitability of the property for development, and demonstrates that shoreline protection measures have been incorporated into the lot design.

F.5.9.18.2 The provisions of this Section shall be implemented primarily through appropriate standards and regulations in the Zoning By-law.

F.5.10 Cognashene Waterfront Community Policies

F.5.10.1 Vision

F.5.10.1.1 The vision for the Cognashene Waterfront Community recognizes the unique *Character* of the Cognashene area of Georgian Bay and its water based Waterfront Community of lakeshore residents. Located within the largest freshwater archipelago in North America, the distinctive landscapes, island complexes and biological features of this region provide the foundation of the community. These have been recognized in the Great Lakes Heritage Coast and UNESCO Biosphere Reserve designations. The community places a special value on the historical and cultural features of the area, from early aboriginal people to exploration, the fur trade, logging industries, and present-day recreational use. This history, combined with the water-based access, has molded a distinctive community *character* and value system. These Waterfront Community Policies seeks to protect and preserve the unique natural ecosystem and the traditions and values of the community for future generations.

F.5.10.2 Basis

- F.5.10.2.1 The Waterfront Community is located along the Eastern Coast of Georgian Bay, within the largest freshwater archipelago in North America. It consists of a large number of islands and a stretch of mainland that is for the most part sparsely populated and considered remote. Significant portions of the shoreline and much of the backlands are Crown land holdings that create a special environment and semi-wilderness experience for residents and visitors alike. Building profiles will be low, and new construction shall use natural materials so as to blend in with the natural environment. The natural heritage of the area, with its water, rock and trees also plays a strong role in shaping the *Character* of the Waterfront Community.
- F.5.10.2.2 This Waterfront Community is part of the Eastern Coast of Georgian Bay, which was designated as an UNESCO Biosphere Reserve in 2004. This designation is intended to celebrate the unique ecological resources of the area and encourage all to sustain its future with appropriate shoreline development, *Water Quality* protection, conservation, and recreational enjoyment.
- F.5.10.2.3 The Waterfront Community consists almost exclusively of seasonal residential development and it is not expected that this will change. Although the area was at one time a focus of logging activity, this has long since ceased and the Waterfront Community's primary heritage is one of a waterfront community, dating back to the late 1800's. A significant contribution to the high level appeal of the shoreline and island areas is generated by the Crown land base.
- F.5.10.2.4 Though not measurable, the water vista is undoubtedly the source of greatest emotional commitment to the Bay. This water access community treasures its timeless landscape of rocks and sparse pines on windswept islands. Members of the Group of Seven were among the first to capture the beauty and emotional power of this vista.
- F.5.10.2.5 The Waterfront Community is strongly linked to the physical landscape of the area, the historical development of the area, the built form and community functions and social events such

as the summer youth programs, annual regattas, and community church.

F.5.10.2.6 The area is located along a heavily traveled waterway and also contains portions of the Georgian Bay Islands National Park. This has contributed to significant boat traffic and mooring of large cruisers, which has resulted in concerns about environmental impacts and compromised recreational amenities for the residents.

F.5.10.2.7 The Waterfront Community contains a number of distinguishable areas that collectively contribute to the *Character* of the Waterfront Community. These include areas of significant development such as Cognashene Lake and Freddy Channel, areas with limited development that are also highly sensitive environmentally particularly in the Longuissa Bay and Musquash River area; the outer islands that due to their physical terrain and environmental importance are highly sensitive to development; and finally, some large land holdings that may have development potential without jeopardizing the *Character* of the Waterfront Community.

F.5.10.2.8 The policies for this Waterfront Community are intended to address recent development trends and pressures on the Waterfront Community. These policies build on the planning policies at both the Township and District of Muskoka levels and on the foundation contained within Township Official Plan of establishing policies tailored to meet the needs of the individual communities within the waterfront areas of the Township.

F.5.10.3 Principles

F.5.10.3.1 Protection of the natural environment, including vistas will be the cornerstone of all planning policies, and any alteration to the shoreline is discouraged.

F.5.10.3.2 The unique *Character* of this water-access Waterfront Community is strongly linked to the absence of road access and commercial developments. These characteristics of the Waterfront Community shall be maintained.

- F.5.10.3.3 *Water Quality* shall be maintained and enhanced, through appropriate land use regulations affecting both new and existing development.
- F.5.10.3.4 Human presence and structures should complement and blend with the distinctive landscape, not dominate and alter it.
- F.5.10.3.5 A high level of biodiversity will be maintained by protecting natural areas including *Wetlands, Fish Habitat, Habitat of Endangered Species and Threatened Species, Wildlife Habitat, Colonial Bird Nesting Habitat* and Muskoka Heritage Areas.
- F.5.10.3.6 Ensure the compatibility of land and water usage. Water has a special central role in the Waterfront Community. It sustains as a drinking water source. It sustains recreation through swimming, boating and fishing. It sustains the water and land-based ecological systems throughout the Waterfront Community. It is the transportation route. It is the Waterfront Community's vista, central to the beauty of the area's shoreline views.
- F.5.10.3.7 Clearly articulate the values and goals of the Waterfront Community for the benefit of present and future residents alike to help guide future decisions.
- F.5.10.3.8 Residential Compound development, Backlot development, time share, Tourist Commercial and Resort Commercial uses are inconsistent with the *Character* of the Cognashene Community and shall not be permitted.

F.5.10.4 Cognashene Waterfront Community

- F.5.10.4.1 The lands affected by the provisions of Section F.5.10 (Cognashene Waterfront Community Policies) are identified on Schedules G (Cognashene – Special Policy Areas) and G-1 (Cognashene – Environmental Features).

F.5.10.5 Permitted Uses

- F.5.10.5.1 The uses permitted within the Waterfront Community are those uses relating to water oriented recreational uses, and are restricted to:

- a) Single detached residential dwellings;
- b) Two existing contractor yards;
- c) Public and community uses;
- d) Open space; and
- e) Natural state conservation.

F.5.10.6 Recreation Program

- F.5.10.6.1 The Waterfront Community has a well-established and active recreation program that contributes greatly to the recreational experience of the residents.
- F.5.10.6.2 The community park and beach area are recognized as significant attributes of the Waterfront Community and their continuance is supported.

F.5.10.7 Access

- F.5.10.7.1 The Waterfront Community is a water-based community, and as such the waterways function as public transportation routes. Development should be designed so as not to adversely impact the access function of navigation channels as well as to protect the *Character* of the waterway.
- F.5.10.7.2 In keeping with the preservation of the water-based *Character* of the Waterfront Community, the development of public and private roads or access roads over Crown land shall be strictly prohibited.
- F.5.10.7.3 Snowmobile trails and access routes play an important role for accessibility to the Waterfront Community.

F.5.10.8 Residential Policies

- F.5.10.8.1 Lot Requirements – New Lot Creation
 - a) The minimum lot area for all new lots shall be 1 hectare.

- b) The minimum lot *Frontage* for all new lots shall be 180 metres.
- c) New lot creation will only be permitted where the water *Frontage* is deemed to be navigable. Navigability, in this context, refers to one's ability to gain convenient access to and from a proposed lot with an appropriate sized recreational watercraft and a construction watercraft during both high and low water conditions without blasting, dredging or significant shoreline alteration.
- d) In the case of a through lot that has distinct frontages that abut a navigable waterbody, the frontage requirements for each *Frontage* will comply with the Regulations of the Zoning By-law.
- e) All new lots created shall have water *Frontage*.
- f) The release of Crown land for private recreational use is discouraged and any patented (private) development on lands currently owned by the Crown shall occur in accordance with the policies of this Official Plan.
- g) Development in the form of accessory structures on shore road allowances is not permitted.

F.5.10.8.2 Standards for Development of Existing Vacant Undivided Islands

- a) An undivided island shall have an area no less than 1 hectare above the 177.0 C.G.D. of which 0.8 hectares of area must be above the 177.46 C.G.D. and 0.4 hectares must be above the 178.3 C.G.D. in order to be developed. A plan of survey prepared by an Ontario Land Surveyor shall be submitted in order to confirm that the applicable minimum lot size requirements specified above can be satisfied.

F.5.10.8.3 Standards for Development of Existing Vacant Lots on the Mainland or Subdivided Islands

- a) Existing vacant lots of record created after October 1981 can be developed.

- b) Existing vacant lots of record on the mainland or subdivided islands created prior to November 1981 which have a minimum lot area of 1.0 hectares and a minimum lot *Frontage* of 120 metres, can be developed.
- c) Existing vacant lots of record created prior to November 1981 that are below 1.0 hectare in area or 120 metres in *Frontage* but greater than 0.4 hectares in area and 60 metres of *Frontage* may be considered for development subject to the processing of a Zoning By-law Amendment or Minor Variance that establishes site specific regulations. A Site Evaluation Report will be required confirming the suitability of the lot for development.

F.5.10.8.4 Built Form

The size and number of buildings, combined with their location on a site, have a direct impact on the visual *Character* of the Waterfront Community. To protect the visual *Character* of the Waterfront Community and maintain an appropriate balance between the natural and Built Form, the size of buildings should generally be proportionate to the size of the lot on which they are located.

The application of a “sliding-scale” for building size based on lot area and lot *Frontage*, with a maximum size, will assist in ensuring that an appropriate balance between the natural and Built Form is maintained. On smaller lots, a maximum dwelling size will be used to limit Built Form. The Zoning By-law shall provide standards to regulate building sizes, building height, number of buildings, lot coverage and setbacks.

- a) The size of the dwelling unit shall not exceed the following standards:
 - i) A Gross Floor Area of 25 square metres per 1,000 square metres of lot area or 2 square metres per metre of *Frontage*, whichever is less, to a maximum Gross Floor Area of 325 square metres;

- i. The maximum permitted gross floor area of a dwelling on 2 IS 1860 shall be 449.81m². (OPA#3)
 - ii) Section F.5.10.8.4 a) i) does not apply to existing lots which are zoned Shoreline Residential in the Township's Zoning By-law at the date of adoption of this Official Plan which have a lot area of less than 5,600 square metres or a lot Frontage of less than 70 square metres. On these properties, dwelling unit shall be permitted to have a maximum Gross Floor Area of 140 square metres;
 - iii) The height shall respect the existing tree line and not exceed a maximum of 1.5 storeys;
 - iv) A maximum width of 25% of the frontage of the lot to a maximum of 25 metres. In this case frontage is determined by the frontage closer to the dwelling; and
 - v) When the front yard setback cannot be met the height of the dwelling may be reduced.
- b) A significant percentage of existing buildings and structures in the Waterfront Community are legal non-complying as they were developed prior to any planning controls existing in the Township. Expansions and additions to such buildings and structures may be limited in order to prevent further natural heritage and aesthetic impacts.
- c) Buildings and structures located within the front 90 metres on the lot abutting the water shall be limited to 5% of the lot area within the front 90 metres of the lot. For buildings and structures located further than 90 metres from the front lot line, lot coverage will be based on the total lot area.

F.5.10.8.5 Shoreline Structures

- a) Buildings, structures or works extending beyond the High Water Mark or located at the shoreline have a

direct effect on both the environmental and visual integrity of a property. To preserve the natural heritage and visual integrity of the shoreline area, shoreline structures will be restricted and the Zoning By-law shall provide standards to regulate the size and location of shoreline structures permitted. Such structures shall be designed and located in a suitable manner so as to have regard for:

- i) *Critical Fish Habitat and Wildlife Habitat;*
 - ii) Navigation;
 - iii) Privacy;
 - iv) Aesthetics;
 - v) Other shoreline and environmental policies; and
 - vi) *Water Quality*
- b) To maintain an appropriate balance between a natural shoreline and built form, shoreline structures should be focused within defined areas of the shoreline *Frontage* of a lot and limited in extent. In this regard, shoreline structures on both sides of the water's edge extending inland 10 metres will be limited to 15% of the shoreline *Frontage* or 20 metres, whichever is less.
- c) Boathouses that extend out over the water shall be prohibited.
- d) Docks shall not project further than 20 metres into the water.
- e) Boat ports shall not project further than 11 metres into the water, excluding any ramp connection to the shore.
- f) Both a boat port and a dryland Boathouse may be permitted on a property.
- g) Boat ports and dry land Boathouses shall not exceed one storey in height.

- h) Dryland Boathouses within 20 metres of the shoreline shall be limited to 30 square metres of Gross Floor Area.
- i) Free standing decks (not attached to another structure) may be permitted in the front yard provided they do not exceed an area of 40 square metres, are less than 1 metre above grade and maintain a minimum 5 metre setback from the High Water Mark.

F.5.10.8.6 Building Design

- a) The design of new buildings should blend in with the natural landscape of the area and have a complementary design relationship with existing buildings, while maintaining a diversity of architectural styles, building materials and encouraging innovative built forms.
- b) The Township will consider the implementation of appropriate building design guidelines when the necessary implementing legislation permits such. The Waterfront Community will be consulted prior to the establishment of such building design guidelines.

F.5.10.8.7 Blasting, Filling and Dredging

- a) The conservation of the overall natural landscape and waterways of the Waterfront Community will be encouraged in an effort to preserve the natural appearance, *Character* and aesthetics of the area.
- b) Development is encouraged to conform with the natural heritage as opposed to the natural heritage being altered to accommodate development.

F.5.10.8.8 Blasting

- a) Blasting above the 176.0 metres C.G.D. above sea level contour within 20 metres of the shoreline will not be permitted.

- b) Blasting below the 176.0 metres C.G.D. above sea level contour shall only be permitted to maintain existing access routes to existing developed properties and/or for projects that are clearly in the public interest such as main boating channels.
- c) Where suitable alternatives are not available, blasting more than 20 metres inland from the shoreline may be permitted but only for the purpose of lowering the profile of the dwelling unit to lessen its visual impact on the landscape. Such blasting shall not exceed five (5) cubic metres and shall be subject to:
 - i) The submission of a satisfactory Site Evaluation Report addressing such issues as potential impact on *Wildlife Habitat, Fish Habitat, Water Quality, Muskoka Heritage Areas*, adjacent properties and aesthetics and to identify any mitigating measures which must be implemented. Such reports shall also address the need for blasting, filling or dredging and why other alternatives or locations not requiring such activities are not suitable;
 - ii) The submission of a satisfactory Blasting Report indicating the extent, nature and amount of blast material, its appropriate disposition and nature of site rehabilitation; and,
 - iii) The provision of appropriate public notice and the opportunity for public participation.

F.5.10.8.9 Dredging and Filling

- a) Dredging and filling to accommodate development will be discouraged. Exceptions may be made for such purposes as:
 - i) The placement of fill for tile fields;
 - ii) Rehabilitating previously disturbed areas;
 - iii) Minimal site preparation for buildings and structures;

- iv) Maintaining existing shoreline structures and beach areas;
 - v) Maintaining existing access routes to existing developed properties; and,
 - vi) Projects that are clearly in the public interest such as main boating channels.
- b) The placing of fill below the Regulatory Flood Elevation is not permitted as per the *Flood Hazard* policies of Section D.3.4 (Flood Hazard) of this Official Plan.

F.5.10.8.10 General

- a) Prior to any blasting, dredging or filling being undertaken, the necessary approvals will be obtained from the appropriate authorities.
- b) Blasting, dredging or filling should not be permitted in areas where it would result in highly visible development that would not be in *Character* with the surrounding area.
- c) Building sites and surrounding areas shall be rehabilitated upon completion of construction.
- d) Any artificial water *Frontage* or lot area created by blasting, dredging or filling will not be used in the determination of additional development rights related to the calculation of lot *Frontage* and lot area.

F.5.10.8.11 Natural Heritage Policies

- a) The natural features and ecological functions of the area's natural environment, which include but are not limited to *Wetlands*, Colonial Bird Nesting Habitat, and *Fish Habitat*, which contribute greatly to the wilderness *Character* of the area, are paramount and will be protected.

- b) The conservation of the overall natural landscape, tree cover and vegetation shall be encouraged in an effort to preserve the natural appearance, *Character* and aesthetics of the area.
- c) Natural Shorelines
 - i) The natural shoreline is characterized by a mix of open rock outcrops and areas of vegetation. Both of these types of shoreline are important to the *Character* of the area. Property owners are encouraged to maintain their shorelines and the area between the shoreline and any buildings in their natural state to protect the visual and environmental integrity and the *Character* of the Bay.
 - ii) Vegetation within the setback area should be disturbed as little as possible, consistent with passage, safety and provision of views.
- d) Wetlands
 - i) Other *Wetlands* have been identified on Appendix 6 (Other Wetlands). The Township shall use this mapping as a screening tool when reviewing development applications involving Planning Act applications for a Plan of Subdivision, Plan of Condominium, Consent to Sever or Zoning By-law Amendment. Additional *Wetlands* may be identified through the review of specific proposals.
 - ii) Planning Act applications in or adjacent to any *Wetland* shall be subject to the Resource Policies of Section D.1.4 (Wetlands).
 - iii) Prior to *Site Alteration* occurring in close proximity to these *Wetlands*, the submission of a satisfactory Impact Assessment report may be required to demonstrate that there will be no *Negative Impacts* on the natural features or on the ecological functions of the *Wetland*.

- e) Planning Act applications within *Fish Habitat* is subject to the *Fish Habitat* policies of Section D.1.6 (Fish Habitat) of this Official Plan.
- f) Threatened and *Endangered Species* may be located in the area. The policies of Section D.1.3 (Habitat of Endangered Species and Threatened Species) of this Official Plan apply.
- g) Muskoka Heritage Areas
 - i) Muskoka Heritage Areas as identified by the District of Muskoka are illustrated on Schedule G-1 (Cognashene – Environmental Features).
 - ii) Where lot creation is proposed within an identified Muskoka Heritage Area, a satisfactory Site Evaluation Report will be required in order to ensure that development on the lots can occur in a location and in a manner which will ensure the preservation of the values for which the area has been identified.
- h) Colonial Bird Nesting Habitat
 - i) The Cognashene Waterfront Community hosts islands which were surveyed for Colonial Bird Nesting Habitat by Canada Wildlife Service – Environment Canada as a part of the Great Lakes Bi-National Decadal Colonial Waterbird Census. These islands are identified on Appendix 9 (Colonial Bird Nesting Habitat) and have the potential to function as Colonial Bird Nesting Habitat. Any development and/or building permit issuance will be subject to the Resource policies of Section D.1.7 (Colonial Bird Nesting Habitat) and D.1.8 (Migratory Bird Nests) of this Official Plan.

F.5.10.8.12 Individual On-Site Sewage Service Systems

- a) *Water Quality* is the greatest asset to the Waterfront Community and needs to be afforded the greatest priority to ensure that a high *Water Quality* standard is

preserved for the Waterfront Community. It is well recognized that human activities near the water can have a significant effect on *Water Quality*, and this includes nutrient leaching from *Individual On-Site Sewage Service* systems.

- b) New *Individual On-Site Sewage Service* systems are encouraged to be located as far back from the shoreline as possible, and shall be located a minimum of 30 metres from the High Water Mark, unless it is not physically possible to locate the *Individual On-Site Sewage Service* system at such a distance, and should be located in an area that affords vegetative cover within this setback area. Notwithstanding this, *Individual On-Site Sewage* beds shall be located outside of the Regulatory Flood Elevation as identified in Sections D.3.4.4 and D.3.4.5 (Regulatory Flood Elevation) of this Official Plan.
- c) Property owners of existing *Individual On-Site Sewage Service* systems are encouraged to upgrade existing systems to current standards.
- d) Wherever possible, new sewage systems will utilize phosphorous retaining soils or systems.
- e) Regular inspections and re-inspections of *Individual On-Site Sewage Service* systems should be undertaken.
- f) Continued support and efforts with other levels of government to research, establish and promote more appropriate sewage disposal systems for shoreline development is encouraged.
- g) Property owners should locate the *Individual On-Site Sewage Service* system first and locate the remaining structures around this critical site.

F.5.10.8.13 Night Sky

- a) The maintenance of the night sky is a priority to the community. In the review of development applications, consideration will be given to ensure that light pollution

is minimized and exterior lighting is designed so as not to be hazardous to navigation of the waterways, not to adversely impact the habitat of nocturnal animals, not to impact night viewing and to respect the privacy of others as well as the policies of Section I.1.2 (Dark Sky Lighting) of this Official Plan apply.

F.5.10.8.14 Boating

- a) Boating in the Waterfront Community is a necessity as well as a recreational pursuit and the Waterfront Community is concerned about the significant increase in boating traffic and vessels anchoring in the area. The attendant issues of boater waste disposal, vessel noise, speed, safety and wake concerns, related environmental impacts, trespass and loss of privacy need more attention by all levels of government. While the Provincial and Federal levels of government will continue to assume primary responsibility over water matters, the Township is committed to working with these other levels of government on these issues.
- b) The Township is concerned about increasing use of waterways and will work closely with senior levels of government to maintain a high level of safety and environmental protection. The Waterfront Community has available to it a by-pass channel that could serve much of the transient boater traffic traveling through the area. The Township shall encourage greater use of the outside channel to provide for a safer, more amenable use of the waterways within the Waterfront Community.
- c) Noise has been identified as a significant concern with regard to certain kinds of boat traffic, which requires cooperation with the Federal and Provincial governments in establishing and administering a regulatory framework that minimizes such noise impacts.
- d) Transient boating and its associated impacts of waste disposal, noise, trespass and natural heritage impacts are of concern to the Township and should be addressed as they are for land uses. In order to effectively control these water users, the Township will support and

participate in any planning program with senior levels of government designed to manage the ever increasing transient boat or cruising traffic through and into the Waterfront Community and will assist in whatever ways are available to ensure compliance with all boating regulations. The Township recognizes that the transient boating issue is large in scale and scope and must be properly planned and managed in conjunction with senior levels of government and adjoining jurisdictions.

F.5.10.8.15 Energy, Communication and Public Services

- a) Where energy or communication facilities are proposed, such facilities should be designed so as to avoid potential natural heritage, social, health and aesthetic impacts. In this regard, the following are encouraged:
 - i) The co-location of facilities;
 - ii) Significant setbacks from the Bay; and
 - iii) Limiting heights to that lighting devices are not necessary.
- b) Proponents of large scale energy and communication facilities shall consult with the public prior to any consideration being given to the installation of such facilities.
- c) The importance of navigational aid services, national parks, conservation reserves, and other services provided for the benefit of the general public is recognized and their continuation support.

F.5.10.8.16 Special Policy Areas

- a) Musquash Area
 - i) Schedule G identifies the boundary of the Musquash Special Policy Area.
 - ii) The Musquash area contains a number of sensitive environmental features such as *Wetlands*, old

growth hardwood forests, habitat of threatened and *endangered species* and migratory fish spawning areas.

- iii) These environmental features and the low density of development of the area contribute greatly to the *Character* of the Cognashene Waterfront Community.
- iv) Due to the environmental sensitivity of this area, the Township will take the necessary steps to protect the area from any *Negative Impacts* created as a result of development, including requiring increased lot sizes up to 200 metres of *Frontage* and 4 hectares of lot area, where the proposed lot would include an identified environmental feature.
- v) Particular attention will be given to the environmental stewardship of this area, including both ecological and resource stewardship.

b) Outer Islands Area

- i) Schedule G identifies the boundary of the Outer Islands Special Policy Area.
- ii) The Outer Islands are generally characterized by lower topographical relief and sparser vegetation than other areas within the Waterfront Community making their exposure much more prominent.
- iii) Due to the lack of vegetation and high exposure, dwellings within the Outer Islands Area will be restricted to one storey in height.

c) Minnicognashene Island

- i) Minnicognashene Island is owned by a family corporation whose objective is to maintain the island as a private recreational residential area for family members.

- ii) A comprehensive planning process for the development and preservation of the island was undertaken in 1992 that is implemented by both its members and the Township, which meets the objectives and standards set out for the Waterfront Community.
- iii) In accordance with the approved plan and zoning for the island, a total of sixteen (16) detached dwellings are permitted on the island, with the west and north-west shores to be reserved with no buildings.

F.5.10.8.17 Implementation

a) Consideration of Planning Applications

- i) In considering any planning application in the Waterfront Community, particular regard will be given to ensuring that the *Character* of the Waterfront Community is maintained, the sensitive natural heritage will not be adversely impacted, and the visual impact of the development will not be significant. In evaluating the visual impact, regard will be had for the impact on both neighbouring properties and the Bay community in general.
- ii) Development applications, including those for expansion or redevelopment of existing properties, shall address opportunities for natural heritage improvements such as improved shoreline buffering, re-naturalization of the property, upgraded sewage disposal systems.
- iii) Appropriate planning tools will be used to ensure that the integrity of the *Character* of the Waterfront Community and its environmentally sensitive areas are protected and to implement the recommendations of Site Evaluation and/or Impact Assessment reports. This, amongst other approaches, may include:

1. Increasing lot size requirements at the lot creation stage or through Zoning Regulations;
2. Requiring increased building setbacks through zoning;
3. Utilizing Site Plan Control to specifically site buildings, structures and *Individual On-Site Sewage Service* systems on a lot;
4. Requiring the retention of vegetation, where possible, in Site Plan or other agreements; and,
5. The use of new planning tools currently being considered by the province, such as a development permit system and the requirement for architectural details through Site Plan Control.

b) Site Plan Control

- i) It is recognized that given the landscape and Character of the Waterfront Community, the use of Site Plan Control is an important planning tool to ensure that the policies are satisfied. As such, in accordance with Section I.5.1 (Site Plan Control) of this Official Plan, all areas within the Waterfront Community are subject to Site Plan Control under the provisions of the Planning Act.
- ii) Lands that are subject to Site Plan Control will be primarily assessed from the water, and will be evaluated based on the proposal's compatibility with adjacent development, its maintenance of the community *Character*, and preservation of aesthetic values.
- iii) A plan of survey prepared by an Ontario Land Surveyor will accompany all significant site development plans as defined in the by-laws. This plan of survey will indicate the High Water Mark.

c) Site Alteration/Blasting By-law

- i) The Township should enact a Site Alteration By-law or Blasting By-law for the Waterfront Community in accordance with the Municipal Act to address the policies applicable to the Waterfront Community.

d) Glossary of Terms

For the purposes of Section F.5.10 (Cognashene Waterfront Community Policies), specific terms are defined as follows:

- i) **Gross Floor Area:** means the total aggregate of the area of all floors measured between the exterior of the exterior walls, and includes without limitation, the entire area of the main floor or first floor, the entire area of the second floor or any higher floor and in the case of a basement or cellar, the area where the floor to ceiling height is greater than 1.8 meters. Included in Gross Floor Area are porches, screened porches, sunrooms, and any attached structure or any area under a roof overhang where the eave projection is greater than 1.2 metres from the exterior wall. Breezeways are included in Gross Floor Area to the point at which the breezeway connects to an accessory building. In an area of a basement or cellar with exposed joists or rafters, floor to ceiling height shall be measured from the top of the floor to the bottom of the joists or rafters.
- ii) **Lot Area:** means the total horizontal area of the lot measured at the 177.4 C.G.D.

e) Conservation

- i) The use of innovative forms of tenure, ownership and interests of properties is encouraged for their long term conservation. These may include conservation easements, property acquisition by

land trusts such as the Georgian Bay Land Trust, and use of available tax incentive programs.

- ii) The Township supports programs and initiatives intended to further research and manage the conservation of the Georgian Bay coastal waters area.

F.4.10.9 Implementation

F.5.10.9.1 An Implementing Zoning By-law shall contain standards and regulations consistent with the policies contained herein for the areas described in Section F.5.5 (Waterfront Communities – Designated Area).

F.5.11 Wah Wah Taysee Waterfront Community Policies

F.5.11.1 Vision

F.5.11.1.1 The Wah Wah Taysee Waterfront Community is a community that values the remote wilderness landscape. It is comprised of windswept and undeveloped lands, exposed granite, very low density of development and has carried on a long history of stewardship in preserving and protecting this unique *Cultural Heritage Landscape*.

F.5.11.1.2 The vision for the Wah Wah Taysee Waterfront Community is of a remote waterfront community that respects and preserves the unique features that comprise the wilderness Georgian Bay landscape by ensuring that new development and redevelopment respects the overall goals and objectives for the area. The Vision for the Waterfront Community also foresees limited new lot creation, modest new cottage development and redevelopment that protects the fundamental features of the areas unique characteristics, protection of the natural heritage, and careful management of change and development in the area over the life of this Official Plan.

F.5.11.2 Goals and Objectives

F.5.11.2.1 The following Sections describe the general goals and objectives for the Wah Wah Taysee Waterfront Community.

a) Natural Environment

Goal

It is a goal of this Official Plan to protect and preserve the significant *Natural Heritage Features* such as *Wetlands*, habitat areas, excellent recreational *Water Quality*, as well as the ecological functions that occur as the result of the interrelationship between the natural features within the Wah Wah Taysee Waterfront Community.

Objectives

- i) To ensure that the protection of significant natural features and their associated ecological functions take precedence over the development of such lands.
- ii) To ensure that a thorough understanding of the natural environment, including the values, opportunities, limits and constraints that it provides, guides land use decision-making in the Township.
- iii) To protect the *Water Quality* of Georgian Bay from the adverse effects of human activity.
- iv) To ensure that new development will preserve the critical ecological functions and processes of Georgian Bay and require the use of best environmental planning practices.
- v) To prevent the loss or fragmentation of *Wetlands*, *Fish Habitat*, and the habitats and ecological functions they provide.

F.5.11.3 Character

F.5.11.3.1 Goal

- a) It is a goal of this Official Plan to protect and preserve the *Character* or sense of place of the Wah Wah Taysee Waterfront Community, which is defined by its unique grouping of landscape elements; the exposed shoreline and bare granite rock, the windswept pines and trees, and undeveloped archipelago of islands, the isolated and wilderness setting, the historical built form of low density and smaller buildings, and the preservation of the dominance of natural vegetation throughout the Wah Wah Taysee Waterfront Community.
- b) In addition, it is a goal of this Official Plan to preserve and promote the *Significant Cultural Heritage* sites within the Wah Wah Taysee Waterfront Community including the Tadenac Club lands, American Camp, O'Donnell Point, and Indian Harbour, the long history of co-operation and appreciation for the First Nations involvement in the development of the area and the significant reflection of this natural and cultural heritage by the Group of Seven.
- c) Historical development has resulted in the lots on Pennington Island being substantially smaller than the majority of lots within the rest of the Waterfront Community, resulting in a unique *Character* within the Wah Wah Taysee Waterfront Community.
- d) In recognition of the unique *Character* of Pennington Island, it is the intent of the Official Plan to recognize and maintain the smaller lot areas for the existing lots located on Pennington Island. The smaller lot areas will be implemented through the Zoning By-law by establishing an appropriate residential zone that is site specific to Pennington Island. This zoning provision shall only apply to lots that exist at the time of passing of this Official Plan Amendment. All new lots shall be in conformance with Section F.5.11.12.1 (Wah Wah Taysee – Development Policies and Implementation) and all other applicable policies.

- e) Together, these natural features and human-made buildings, structures and features form the *Character* and landscape on Georgian Bay.

F.5.11.3.2 Objectives

- a) To protect the unique *Character* of the Wah Wah Taysee Waterfront Community.
- b) To limit the density and intensity of development in the Wah Wah Taysee Waterfront Community in order to protect the visual and aesthetic qualities of the area and to protect the natural wilderness *Character* of the area.
- c) To protect all of the individual elements of the Cultural Heritage Landscape that has created a distinctive *Character* to the area that is more than the sum of its constituent elements or parts.
- d) To conserve the heritage of the area.
- e) To protect the fundamental components of the physical landscape, such as the exposed rock shores and windswept pines, that forms the physical basis for the sense of place.
- f) To enhance tree preservation in the Wah Wah Taysee Waterfront Community.
- g) To promote the retention and maintenance of natural shorelines, as well as the restoration of natural shorelines wherever possible.
- h) To promote the use of land dedication and sustainable land stewardship as a means to preserve the cultural landscape of the area.

F.5.11.4 Development Guidelines

Goal

It is a goal of this Official Plan to protect the *Character* of the Wah Wah Taysee Waterfront Community as a waterfront area by ensuring that the size and height of new cottages and additions and renovations for existing cottages, docks, boathouses, sheds, and other accessory buildings and structures do not detract from the primacy of the natural shoreline in the area.

Objectives

- a) To protect the *Character* of the Waterfront Community by developing appropriate development standards for the Waterfront Community in a manner that will ensure appropriate spatial separation between developed areas on the shoreline.
- b) To establish maximum size and height of new or expanding cottages with the purpose of protecting the established *Character* of the Waterfront Community.
- c) To limit the number, length and size of structures and buildings in the immediate shoreline area with the intention of protecting the visual *Character* of the shoreline.
- d) To establish policies to regulate the appearance of shoreline structures to preserve the natural shoreline *Character* and cultural characteristics of the Waterfront Community.

F.5.11.5 Water Quality

Goal

It is a goal of this Official Plan to ensure that all new development and all planning approvals preserve or where possible improve the quality of the water in all waterbodies by implementing best management practices for shoreline development.

Objectives

- a) To protect the *Water Quality* of Georgian Bay and all the channels, bays, and coves that comprises the waters of the Wah Wah Taysee Waterfront Community.
- b) To require the use of best management practices for shoreline development including for the redevelopment of existing properties to minimize human impact on *Water Quality*.
- c) To promote the retention and maintenance of natural shorelines, as well as the restoration of natural shorelines wherever possible.

F.5.11.6 Water Access Community

Goal

It is a goal of this Official Plan to preserve the Wah Wah Taysee Waterfront Community as a water access Coastal Waterfront Community in order to protect its *character*.

Objectives

- a) To work with the private Marina operators to ensure that there is an adequate supply of commercial Marina boat spaces for continued access to the Wah Wah Taysee Waterfront Community.
- b) To prohibit the provision of direct road access to the Wah Wah Taysee Waterfront Community. New Township roads or private rights of way shall not be permitted. Driveways over private lands providing access to one property shall be permitted.
- c) To encourage the Ministry of Natural Resources to consult with the community and the Township of Georgian Bay with respect to the provision of any form of Crown or Township road access to the Waterfront Community.

- d) To work with and encourage the Federal Government to maintain and improve the provision of navigational aids on Georgian Bay in order to provide safe and well marked boating access to the Waterfront Community.

F.5.11.7 Land Use Designations and Concepts

- F.5.11.7.1 The land use structure and designations for the Wah Wah Taysee Waterfront Community are set out on Schedule H to this Official Plan and are described in the following Sections.
- F.5.11.7.2 Commercial development is not permitted within the Wah Wah Taysee Waterfront Community.
- F.5.11.7.3 Backlot development is not permitted within the Wah Wah Taysee Waterfront Community.

F.5.11.8 Residential

- F.5.11.8.1 Lands designated “Residential” on Schedule H to this Official Plan is intended to recognize the historical low density waterfront community that has developed in this Waterfront Community. The permitted uses within the “Residential” designation shall include shoreline single detached residential dwellings on large lots along with uses, buildings and structures that are accessory to the residential uses.
- F.5.11.8.2 The existing Tadenac Club House and Caretakers Cottage are recognized as permitted uses. Expansions to the club are permitted without amendment to this Official Plan.

F.5.11.9 Open Space

- F.5.11.9.1 In addition to the General Requirements for Waterfront Open Space in Section F.3.5 (Open Space Land Use Policies) of this Official Plan, land designated “Open Space” on Schedule H to this Official Plan are intended to be preserved in their natural state in order to protect the *Cultural Heritage Landscape* of the area and preserve the unique wilderness landscape of the Wah Wah Taysee Waterfront Community. This designation recognizes open space lands owned by the Tadenac Club, Crown owned lands, and other private lands that are considered too small to develop. The permitted uses within the

“Open Space” designation shall be for conservation and passive recreational purposes for the private use and enjoyment of the land owners. New structures and residential development are not permitted in this Waterfront Community.

F.5.11.10 Tadenac Ecosystem Special Policy Area

F.5.11.10.1 The Tadenac Ecosystem Special Policy Area is an overlay designation that recognizes the environmental sensitivity and important ecosystem that has been identified in the area of the Tadenac Club and is shown on Schedule H of this Official Plan. Within the Special Policy Area, *Site Alteration* shall not be permitted unless it has been demonstrated that there will be no *Negative Impacts* on the natural features or their ecological functions. Existing buildings and structures are permitted to be reconstructed and expanded subject to Site Plan Approval supported by an Environmental Impact Assessment in accordance with the policies for underlying Residential designation.

F.5.11.10.2 Any development, proposed on a lot which is adjacent to the Special Policy Area shall only be considered after the Township has reviewed an Impact Assessment as per Section I.2.2 (Impact Assessments) of this Official Plan, and is satisfied that mitigation measures can be implemented to ensure that the development proposed will not adversely impact the ecological features or functions of the Special Policy Area and be consistent with the Provincial Policy Statement and Objectives of this Official Plan. The Township may require an Impact Assessment for development of lands which are beyond the adjacent lot where it is deemed appropriate in a site specific case but shall generally not be required for single unit development beyond the adjacent lot.

F.5.11.11 Environmental Protection

F.5.11.11.1 The “Environmental Protection” designation represents significant *Natural Heritage Features* that should be protected from development. Permitted uses may include conservation and passive recreational uses that do not require buildings and/or structures.

F.5.11.12 Development Policies and Implementation

F.5.11.12.1 Residential development may occur in two manners:

- a) On an existing lot of record where the setbacks as established in this Official Plan and the Township's Zoning By-law can be met or are appropriately varied through approval of a Minor Variance, and where appropriate sewage disposal can be provided or,
- b) On a new lot created by Consent and subject to the policies of this Official Plan. In addition to the other lot creation policies in this Official Plan, the following policies shall apply in the Wah Wah Taysee Waterfront Community. Where more restrictive policies exist within the Wah Wah Taysee Waterfront Community Policies, those policies shall prevail:

Lot Creation

- i) New lot creation within the Wah Wah Taysee Waterfront Community is expected to be very limited. New lot creation may be considered for residential or open space uses where they meet the policies of this Section and the policies of this Official Plan and where they meet the following minimum performance standards:

Minimum Lot Area – 1.2 hectares

Minimum Lot *Frontage* – 210 metres

- ii) Generally, there should be no deviation from these lot standards. However, there may be circumstances where smaller *Frontages* and/or areas may be appropriate. These circumstances include situations where abutting lands have been dedicated to a public authority or registered Trust, such as the Georgian Bay Land Trust, or where a conservation easement has been granted over otherwise developable lands in order to ensure that the land is kept in a natural state in perpetuity. Applications for a Zoning By-law

Amendment shall be required where a *Frontage* or area is less than required by this Official Plan and the implementing Zoning By-law. Where reductions in the performance standards are approved, additional care and control of development should occur through the use of greater setbacks and the use of Site Plan Control to address shoreline buffers and the naturalization of the shoreline and other built form controls.

- iii) All applications for new lot creation within the Wah Wah Taysee Waterfront Community shall be supported by a Site Evaluation Report and Impact Assessment in accordance with Section I.2 (Technical Reports and Plans of Survey) of this Official Plan.

Island Development

- i) Like much of Georgian Bay area, the Wah Wah Taysee Waterfront Community is comprised of literally hundreds of small islands and rock outcroppings. As the level of Georgian Bay rises and falls, these islands and rocks increase or decrease in size. New lots created on islands must meet the minimum *Frontage* and area requirements of Section F.5.11.12.1 b) (Wah Wah Taysee – Lot Creation) and the lot area shall be determined as those lands above the elevation of 177.0 metres Canadian Geodetic Datum (CGD).
- ii) Vacant Islands of less than 1 hectare in size have generally been placed in the “Wah Wah Taysee Open Space” designation. Despite the requirements of Section F.5.11.9 (Wah Wah Taysee – Open Space), no amendment to this Official Plan is required to consider applications to amend the Township Zoning By-law in order to permit the use and development of an island for residential purposes. All applications for Zoning By-law Amendments of Islands within the Wah Wah Taysee Waterfront Community shall be supported by a Site Evaluation Report in

accordance with Section I.2.3 (Site Evaluation Report) of this Official Plan. In addition to the requirements of Section I.2.3, the Site Evaluation Report shall also demonstrate:

1. That the island has an area of no less than:
 - hectare above the elevation of 177.0 metres Canadian Geodetic Datum (CGD), and;
 - 0.8 hectare above the elevation of 177.46 CGD, and;
 - 0.4 ha above the elevation of 178.3 CGD.
 - All elevations to be established through the submission of a plan of survey
2. A 20 metre setback from the 1:100 year flood elevation of 177.4 metres CGD shall be provided for all habitable buildings and structures.
3. Site Plan Control will be used to address the vision, and the goals and objectives and policies of this Section and the protection of the unique sense of place of the Wah Wah Taysee Waterfront Community and its unique *Cultural Heritage Landscape*.

Built Form Guidelines and Shoreline Structures

- i) New construction and renovation shall respect the long established *Character* of development in the Wah Wah Taysee Waterfront Community and its unique sense of place. The following shall form guidelines for the development of the performance standards to be included in the implementing Zoning By-law and as a basis for reviewing site plans.
- ii) Buildings will be limited in size in proportion to lot size in order to ensure that they are compatible

with the landscape and residential *Character*. The Zoning By-law will provide regulations on building size and residential *Character*.

- iii) Only one 1 storey boathouse shall be permitted per lot and no human habitation shall be permitted. The width, length and location of boathouses shall be regulated by the Zoning By-law so as to protect the natural shoreline quality and *Character*, and to minimize the *Negative Impact* on neighbouring properties.
- iv) Accessory structures shall be limited in height and, wherever possible, shall be located to the side or rear of the main dwelling.
- v) Docks shall be limited in number, width, and length in order to protect the natural shoreline quality and *Character*.
- vi) Where no additional boat access can be obtained to an existing lot, minimal blasting required to create a channel may be permitted in accordance with the authority having jurisdiction and subject to the condition that all blast rock shall be removed from the shoreline.
- vii) New Township or private roads shall not be permitted in the Waterfront Community. Private driveways providing access to an existing single lot shall be permitted subject to satisfying the Objectives and Policies of this Official Plan.
- viii) Residential Compound developments, multi-unit residential development, Backlot development, time share, Tourist Commercial, and Resort Commercial uses are inconsistent with the Character of the Wah Wah Taysee Waterfront Community and shall not be permitted.

F.5.11.13 Zoning By-law

F.5.11.13.1 It is the intent of the Township that the Wah Wah Taysee Waterfront Community Policies will be implemented through an amendment to the Township’s General Zoning By-law. The land use designations in this Section shall be implemented through appropriate Zones as is determined by the Township and in accordance with the policies of this Official Plan.

F.5.11.13.2 Until such time as the Township’s General Zoning By-law is revised or a Zoning By-law Amendment is enacted, the existing Zoning By-law shall remain in effect. However, any Amendment to the existing By-law shall be in conformity with this Official Plan.

F.5.11.13.3 Notwithstanding any designation shown on the schedule to this Official Plan, the areas of the Wah Wah Taysee Waterfront Community where development is not imminent and/or the specific development constraints have not been addressed, the lands may be placed in an Open Space zone category. For development to occur, an Amendment to the Zoning By-law must be approved.

F.5.11.14 Site Plan Control

F.5.11.14.1 Site Plan Control shall be required as per the policies of Section I.5.1 (Site Plan Control) of this Official Plan.

F.5.11.14.2 Site Plan Control approval is intended to ensure that any proposed development is designed to be compatible with adjacent development, appropriately serviced and accessed and otherwise in conformity with the goals, objectives and policies of this Official Plan. The criteria for Site Plan Control are found in Section I.5.1 (Site Plan Control) of this Official Plan.

F.5.12 Palisade Bay / East Bone Island Waterfront Community Policies

F.5.12.1 Palisade Bay/East Bone Island

- a) Schedule I identifies the boundary of the Palisade Bay/East Bone Island Waterfront Community.

- b) Historical development has resulted in the lots within Palisade Bay being substantially smaller than the majority of lots within the rest of the Community, resulting in a unique *Character* for Palisade Bay and the immediate surrounding area.

F.5.12.2 The area identified on Schedule I as the Palisade Bay/East Bone Island Waterfront Community shall be subject to the policies of the Township of Georgian Bay Official Plan save and except for the following circumstances:

Lot Requirements – New Lot Creation

- a) The minimum lot area for all new lots shall generally be 1 hectare.
- b) The minimum lot *Frontage* for all new lots shall generally be 120 metres.

Permitted Uses

- a) The uses permitted within the Palisade Bay/East Bone Island Waterfront Community are those relating to water oriented uses, and are limited to residential purposes.

Boathouses and Boat Ports

- a) Only one single-storey dry land boathouse or floating boat port shall be permitted on lots with minimum *Frontages* greater than 120 metres. On lots less than 120 metres, one small storage shed will be allowed. The width, height, length and location of boathouse and boat ports shall be regulated by the Zoning By-law so as to protect the natural shoreline quality and *Character*. The use of the flat roofs on boat ports shall be prohibited.

Development Standards

- a) Development should be compatible with the *Character* of the surrounding area. Development that is visually obtrusive will be discouraged. The size and number of buildings, combined with their location on a site, have a

direct impact on the visual *Character* of the Special Policy Area, accordingly; and

- b) The maximum height of the main building shall be limited to 8 metres and no more than 1.5 storeys.

Alternative Energy

- a) The Green Energy Act governs *Alternative Energy* within the Province and the Township has no planning jurisdiction over *Alternative Energy* projects. As a statement of policy, the Township deems the following policies as appropriate when reviewing any application for *Alternative Energy*.
- b) Where small-scale *Alternative Energy* structures such as small wind turbines and solar collectors are proposed such facilities shall be designed to avoid potential natural heritage, social, and aesthetic impacts. The following are encouraged:
 - i) Height limitations, minimum lot size requirements, and requirements for decommissioning to ensure that such structures do not become visually obtrusive.
 - ii) Appropriate setbacks and buffering from neighbouring residential land uses, the water, and/or other sensitive features through the use of Site Plan Control.
 - iii) iSubmission of studies such as noise and vibration, shadow/flicker, and environmental impact where such investigations would be warranted by the proposal and at the request of the Township.

Blasting

- a) Blasting shall be limited to areas located within the building footprint and only for the purpose of lowering the building profile.

- b) All blast rock shall be removed from the site to a Township-approved location following the completion of blasting.
- c) Blasting to improve conditions to accommodate docks shall be prohibited.

Family Compounds

- a) Where a lot could be subdivided in accordance with the requirements of the Official Plan to provide additional dwellings units, the Zoning By-law may be amended to apply the development potential from the otherwise severable lot to the single lot subject to the following:
 - b) The maximum number of dwelling units per lot shall not exceed seven (7).
 - c) The dwelling units shall be located in a linear fashion along the shoreline with sufficient area and *Frontage* to satisfy any applicable lot creation policies.
 - d) Each dwelling unit shall be serviced by an individual private potable water supply and sanitary sewage disposal system.

Individual On-Site Sewage Service Systems

- a) *Water Quality* is the greatest asset to the Special Policy Area and needs to be afforded the greatest priority to ensure that a high *Water Quality* standard is preserved for the Palisade Bay / East Bone Island Waterfront Community. It is well recognized that human activities near the water can have a significant effect on *Water Quality*, and this includes nutrient leaching from *Individual On-Site Sewage Service* systems. In order to protect and maintain *Water Quality* the following policies shall apply:
 - i) Property owners of *existing Individual On-Site Sewage Service* systems shall be encouraged to upgrade existing systems to current standards.

- ii) Wherever possible, new and more effective sewage systems and/or phosphorous reducing systems shall be utilized for new developments.
- iii) Regular inspections and re-inspections of *Individual On-Site Sewage Service* systems are encouraged and should be undertaken within a reasonable amount of time.
- iv) Continued support and efforts with other levels of government to research, establish and promote more appropriate sewage disposal systems for shoreline development is encouraged.

Night Sky

- a) The maintenance of the night sky is a priority for this area. In the review of development applications, consideration will be given to ensure that light pollution is minimized and exterior lighting is designed so as not to be hazardous to navigation of the waterways, not to adversely impact the habitat of nocturnal animals, not to impact night viewing and to respect the privacy of others. The Dark Sky policies of Section I.1.2 (Dark Sky Lighting) also apply.

Noise

- a) It is recognized that concerns with respect to the recreational use of waterbodies may result in natural heritage concerns as they generally relate to the issue of noise. While the Provincial and Federal levels of government will continue to assume primary responsibility over water matters, the Township is committed to working with other levels of government in establishing and administering a regulatory framework that minimizes such noise impacts on the Palisade Bay East Bone Island Area.

Section G: Rural

G.1 Rural

G.1.1 Definition

G.1.1.1 The Rural Designation are those lands not directly identified as being subject to any other land use designation or policy initiative specified in this Official Plan.

G.1.2 Basis and Principles

G.1.2.1 The Rural Designation encompasses a large area of the Township. The Rural Designation is intended to recognize and preserve, where possible and practical, the natural landscape and rural characteristics of the area and permit rural resources uses while still permitting a limited range of compatible and complementary uses.

G.1.2.2 This Section of the Official Plan provides policies respecting the following policy areas:

- a) Rural;
- b) Rural Fringe; and
- c) Rural Estate

G.1.3 General Policies and Permitted Uses

G.1.3.1 Permitted uses include agricultural uses, natural heritage conservation, resource based recreational uses, limited single detached Residential development, mineral aggregate uses subject to Section D.5 (Mineral Aggregate Resources) of this Official Plan, and other rural land uses.

G.1.3.2 Residential development shall be limited to single detached dwellings, accessory uses and structures, home occupations and associated small scale home based businesses located on individual lots. Secondary accessory dwelling units are also permitted subject to the policies of Section E.4.1.1.6 (Second Accessory Dwelling Units in Urban Centres). A maximum of five (5) lots are permitted to be severed from a parcel of land

which existed on the date of adoption of this Official Plan subject to the following:

- a) The minimum lot size is 1 hectare (2.5 acres);
- b) A minimum *Frontage* of 152 metres is required on a year round municipally maintained road;
- c) The proposed use does not negatively impact the *Natural Heritage Features or Areas or Cultural Heritage Resources* of the area;
- d) The proposed lot can be serviced with *Individual On-Site Sewage Services* and *Individual On-Site Water Services*, excluding holding tanks;
- e) The lot is of sufficient size and is sufficiently level to accommodate buildings, structures and services without substantial alteration of the land; and
- f) The use, including any planned home based business, shall be compatible with the surrounding land uses.
- g) On lands legally addressed as PT 1, PLAN 35R-24360; PT PCL 33507; PT LT 32, CON 5 BAXTER PT 2 35R9663; Georgian Bay, District Municipality of Muskoka, a reduced minimum lot area of 0.8 hectares and reduced minimum lot frontage of 76.20 metres shall be permitted (OPA #17).

G.1.3.3 "Rural Estate" lands are those which have been developed by way of a Plan of Subdivision for land extensive residential use. The Urban Centres and Community designations shall be the focus of residential growth within the Township. The fragmentation of Rural areas to provide additional Residential development shall be restricted. On this basis, rural estate lots existing at the date of adoption of this Official Plan are permitted and development of new rural estate lots is prohibited.

G.1.3.4 Small Scale Tourist Commercial uses are also permitted subject to:

- a) The use can be serviced with *Individual On-Site Sewage Services* and *Individual On-Site Water Services*, excluding holding tanks;
- b) The proposed use does not negatively impact the *Natural Heritage Features and Areas* or *Cultural Heritage Resources* of the area;
- c) Appropriate access can be provided;
- d) The proposed use is compatible with surrounding uses; and
- e) Emergency services can be properly provided.

G.1.3.5 Examples of Small Scale Tourist Commercial uses include, but are not limited to, outfitters, small scale eco-tourism development, or small scale accommodation uses. Resort Commercial uses are not considered small scale for the purposes of this policy. Residential uses are not considered as a part of Small Scale Tourist Commercial Uses for the purpose of this policy except for one accessory residential unit for an operator or caretaker.

G.1.3.6 Industrial, general Commercial and Institutional uses are generally not permitted in the Rural Designation and are encouraged to locate in the Urban Centres and Community designations. Rural business may however be permitted within this designation. Rural businesses are:

- a) Rural resource related;
- b) Small scale resource based recreational; or
- c) Functionally serve or relate to the rural area.

G.1.3.7 Development of rural business or home based business is subject to:

- a) The use is small in scale;
- b) In the case of a rural related industrial use, the use is land intensive;

- c) The proposed use cannot be appropriately accommodated in an Urban Centre or Community and it does not require urban services;
- d) The proposed use is non-toxic, *Low Effluent Producing*;
- e) The use can be serviced with *Individual On-Site Sewage Services* and *Individual On-Site Water Services*, excluding holding tanks;
- f) The proposed use does not negatively impact the *Natural Heritage Features or Areas* or *Cultural Heritage Resources* of the area;
- g) Appropriate year round access can be provided; and
- h) The proposed use is compatible with surrounding uses.

G.1.3.8 Lot Creation for other permitted uses are to be limited and the lot for the proposed use is sized appropriately for the permitted use so the use can be properly serviced.

G.1.3.9 The Township may require a Site Evaluation Report to determine the site's suitability for any use which requires a Planning Act application.

G.1.3.10 Any use proposed to be established near an agricultural use shall be compatible with the agricultural use and is subject to the Agricultural Code of Practice respecting minimum distance separations.

G.1.3.11 *Significant Cultural Heritage Resources* shall be protected and *Conserved* in the Rural area in accordance with Section D.4 (Cultural Heritage and Archeology) of this Official Plan.

G.1.3.12 In areas adjacent to or in known *Deposits of Mineral Aggregate Resources* as shown on Appendix 10 of this Official Plan, development and activities which would preclude or hinder the establishment of new aggregate operations or access to the aggregate resources shall only be permitted if:

- a) Resource use would not be feasible; or

- b) The proposed land use or development serves a greater long-term public interest; and
- c) Issues of public health, public safety and natural heritage impact are addressed.

G.1.3.13 Any private waste management proposal requires an amendment to the Official Plan. Any private waste management proposal shall be subject to the policies of the District of Muskoka and shall be subject to the following:

- a) It is not permitted where there is a negative effect on natural hazard, *Natural Heritage Features and Areas*, and *Cultural Heritage Resource* areas;
- b) There is appropriate year round access;
- c) The site is located on a large parcel of land with appropriate natural or naturalized buffers;
- d) The use is compatible with the surrounding land uses; and
- e) The use meets all of the criteria of the Ministry of the Environment and other regulatory agencies as applicable.

G.1.3.14 For the purposes of this Section, waste management includes but is not limited to *Waste Disposal Sites*, and recycling facilities.

G.1.3.15 A site specific Zoning By-law Amendment is required for any permitted Commercial, resource based recreational, Small Scale Tourist Commercial, Institutional, Industrial use or waste management use. A site specific Zoning By-law Amendment may be required for a home based business. These uses may be subject to Site Plan Control.

G.1.3.16 New tent and trailer parks shall not be permitted in the Rural Designation. Any expansion or enlargement of existing tent and trailer parks is not permitted.

G.1.3.17 Site Plan Control is required for all Commercial and Industrial development and may be required for home based business and/or home occupations.

G.1.4 Rural Fringe Area

G.1.4.1 Definition

G.1.4.1.1 Lands directly abutting the Urban Centres to a distance of generally one kilometre shall be considered as the Rural Fringe Area.

G.1.4.1.2 Notwithstanding Section G.1.4.1.1 (Rural Fringe Area), lands directly abutting the boundary of the Settlement Area of MacTier south of Highway 400 shall not be considered as the Rural Fringe Area.

G.1.4.1.3 Development immediately surrounding Urban Centres should be severely restricted in order to:

- a) Create a sense of community as well as reduce the cost of providing hard or soft municipal services in the future; and
- b) Reduce potential land use conflicts that may be associated with the orderly growth and extension of existing communities into *Adjacent Lands*.

G.1.4.2 Development Policies

G.1.4.2.1 Development pressures within the Rural Fringe Area are sufficient to warrant more specific policy. It is the intention of this policy to restrict land uses in the Rural Fringe area that are permitted within, and more appropriately carried out, in Urban Centres or a Community.

G.1.4.2.2 The intention of this policy is to focus the development activities within the boundaries of the Urban Centres or Community. Specifically this policy will prohibit ribbon and strip development that reduces or competes with the function of the Urban Centres and Community Areas.

G.1.4.2.3 The policies are intended to create a sense of community as well as reduce the cost of providing hard or soft municipal services in the future.

G.1.4.2.4 The policies are also required to reduce the potential land use conflicts and protect the land that may be necessary for the orderly growth and extension of existing communities into *Adjacent Lands*.

G.1.4.3 Permitted Uses

G.1.4.3.1 Lands within the Rural Fringe Area shall be primarily used for existing uses, rural resource uses, uses that require large amounts of land and residential development on existing lots. Generally, no new Commercial, Institutional or Industrial uses will be permitted within this area that are permitted within the abutting Urban Centres boundaries. Residential severance for one lot may be permitted. Intensive animal operations will be prohibited in the Rural Fringe area.

G.1.5 Rural Estate

G.1.5.1 Permitted Uses

G.1.5.1.1 Uses permitted in Rural Estate development shall be limited to low density, low profile single detached Residential dwellings and accessory uses only.

G.1.5.2 Development Policies

G.1.5.2.1 General Development Policies

- a) Lot division is not permitted within existing rural estate developments with the exception of minor boundary adjustments where no new lots are created.
- b) When development proceeds on vacant, existing lots of record, natural features such as creeks, valleys, heights of land, *Wetlands*, and trees shall be preserved as is practical. Development should complement these features rather than alter them to fit the development.

- c) Any development on an existing lot of record is required to demonstrate appropriate access and be able to demonstrate that *Individual On-Site Sewage* and *Individual On-Site Water Services* can be accommodated.
- d) Any development on an existing lot of record shall retain the natural vegetation and topography of the lot as is practical.
- e) A Site Plan shall be submitted for all lots in a Rural Estate development and registered on title. In its consideration of a Site Plan, regard shall be had for the location of building envelopes, tile bed fields, private wells, slopes and natural vegetation that will be preserved.
- f) Buffering and screening in the form of trees, shrubs or natural vegetation shall be provided along an existing public road and along natural heritage features or areas.

G.1.6 Rural – Special Policy Areas

- G.1.6.1 Notwithstanding Section G.1.3.2, a minimum lot frontage of 53 metres shall be permitted for lands legally described as Part of Lot 30, Concession 10, Township of Georgian Bay, District of Muskoka and known municipally as 434 South Bay Road. This special policy does not constitute any deletions or modifications to the areas identified in Appendix 4 of this Official Plan (South Bay Wetland) or Appendix 6 (Other Wetlands), and all proposed development shall comply with the environmentally protected areas identified in the implementing Zoning By-law Amendment schedule (OPA #20).
- G.1.6.2 Notwithstanding Section G.1.3.2, a minimum lot frontage of 75 metres shall be permitted for lands legally described as Part of Lot 24, Concession 2, Township of Georgian Bay, District of Muskoka and known municipally as 87 Corrievale Road. This special policy does not constitute any deletions or modifications to the areas identified in Appendix 4 or Appendix 6, and all proposed development shall comply with the environmentally protected areas identified in the implementing Zoning By-law Amendment schedule (OPA #21).

Section H: Transportation

H.1 Transportation

H.1.1 General

- H.1.1.1 The transportation network shown on Schedule J and the *Active Transportation* Routes shown on Schedule J-1 is based on the need to provide a functional hierarchy of transportation routes throughout the Township. An integral form of transportation for the Township is navigable waterways and the Township supports watercraft as an important mode of transportation.
- H.1.1.2 The Township supports the Federal government in their responsibility for the maintenance of navigable waterways in the Township, and the Township also supports the Federal Ministry of Transport as far as possible to maintain safe, convenient and orderly travel through the Township of Georgian Bay.
- H.1.1.3 In a water-based Township, the waterways function as public roadways for navigation. Where possible, development should be directed away from navigation channels or designed in a manner to protect the access function of the channel as well as to preserve the *Character* of the waterway.
- H.1.1.4 The Township supports water access facilities, such as marinas, and will work with business owners, local residents, and other levels of government to ensure that water access points remain available to the residents of the Township.
- H.1.1.5 The Township's preference is for the provision of water access through privately owned and publicly accessible commercial operations as these facilities are most able to provide a full range of services at one location. However, where commercial operations are limited, the Township may consider alternative means of providing access.
- H.1.1.6 The hierarchy of roads, ranging from Provincial roads to District Roads, Township roads, Private Roads and *Active Transportation* Routes. The Township will continue to encourage and develop a safe and efficient public road

network, which has regard for natural and *Cultural Heritage Resources*, sensitive natural heritage areas and the *Character* of the area and the Township.

- H.1.1.7 Every effort should be made to preserve the *Character* and scenic amenity of a roadway, while ensuring that the function and safety of that roadway will be maintained.
- H.1.1.8 Where new roads are proposed, such roads will be located and designed to coordinate with existing roads in the area, and provide for connection with abutting parcels which have development potential. In this regard, roads should be linked, wherever possible and appropriate, and blocks of land should be provided, where necessary to facilitate future access to abutting properties.
- H.1.1.9 The establishment of new public seasonally maintained roads will be discouraged.
- H.1.1.10 Generally, the construction of roads will be in accordance with Township road related by-laws or other applicable standards or requirements. The Township may consider alternate standards in particular circumstances where the function of the road will not be negatively affected.
- H.1.1.11 Where a Planning Act application proposed new development, the roads providing access will have the capacity to accommodate the additional traffic through the provision of infrastructure that supports *Active Transportation* and multi-modal transportation options where appropriate.
- H.1.1.12 Safe and appropriate access to properties, as may be further detailed in specific policy within this Official Plan, will be provided to the satisfaction of the applicable road authority. Improvements at the expense of the proponent may be required by that road authority, in order to ensure that safe and appropriate access is provided.
- H.1.1.13 The provision of public services will be limited where development is proposed on the basis of private road or water access. Such limitations should be recognized in zoning, site plans or municipal agreements.

H.1.1.14 Development of any kind on the lands constituting any public road allowance may only be permitted after approval of the public road authority having jurisdiction.

H.1.2 Provincial Highways and District Roads

H.1.2.1 Any development adjacent to Provincial highways will be required to comply with the standards of, and obtain the necessary permits from, the Provincial Ministry of Transportation.

H.1.2.2 Where property abuts a Provincial Highway or a Muskoka District Road, all of the policies and requirements of those authorities will be satisfied. Greater lot *Frontages* or setbacks than required by this Official Plan, internal roadways or common entrances, road improvements, or road widening may be required for development abutting these roadways. In addition, Site Plan Control may be required prior to construction.

H.1.2.3 Provincial Highways are roads under the jurisdiction of the Province of Ontario, Ministry of Transportation.

H.1.2.4 District Roads are roads under the jurisdiction of the District of Muskoka.

H.1.2.5 Development may be permitted abutting or immediately adjacent to a public road where approvals have been or may be obtained from the road authority having jurisdiction. Prior to issuing a building permit on lands abutting or immediately adjacent to a Provincial Highway, a District road, or a Township road, all permits required from the relevant road authority have been obtained.

H.1.2.6 Highway 400 Special Policy Area

H.1.2.6.1 The Highway 400 corridor through the Township provides for the opportunity for scenic views of the Township for the travelling public. The Highway is also a major transportation route for many types of transportation including commercial and industrial transport. Maintaining the visual attractiveness of the highway, its main function as a transportation corridor

and encouraging establishments that serve the travelling public are important.

H.1.2.6.2 Development along the highway is to be focused within Port Severn and at other interchanges. Uses which serve the travelling public are encouraged to locate in these areas and generally include such uses as restaurants, motels/hotels, automotive gas and service stations, and limited accessory retail uses.

H.1.2.6.3 The scenic amenity of the highway shall be protected when considering any development. Retention of existing vegetation and planting of native species will be required in appropriate locations.

H.1.3 Township Roads

H.1.3.1 Where property abuts a Township road, the Township of Georgian Bay may require the dedication of land for road widening purposes. Such dedications may be requested at the time Planning Act applications, such as the following are being considered:

- a) Plan of Subdivision or Plan of Condominium;
- b) Consent (severance); or
- c) Site Plan Control.

H.1.3.2 As authorized by the Planning Act, the dedication of a widening of a Township road allowance, to a standard width of 20 metres, may be required along all or part of the abutting or immediately adjacent lot line.

H.1.3.3 The required road allowance width, set out in Section H.1.3.2 (Dedication of a Widening of a Township Road Allowance) above, may be increased, as necessary to 26 metres, in order to address matters such as additional turning lanes, curve alignments, sidewalks, bicycle lanes, utilities, road cuts and embankment slopes. Dedication of an additional area may also be required along all or part of the abutting or immediately adjacent lot line, for:

- a) Dedication of sight triangles and turning lanes primarily at the intersection of public roads to meet Township standards; and
- b) Dedication of an area necessary to construct grade improvements, separations or road alignments, where the proposed development would result in the need for such improvements due to traffic volumes or to eliminate hazards.

H.1.3.4 Road widening of the Township road allowances will generally be dedicated in equal widths from the centre line on each side of the road allowance. Exceptions to this may be considered where:

- a) Topographic constraints exist;
- b) An alternate dedication would be consistent with the previous pattern of dedication; or
- c) Cultural heritage features and natural or natural heritage features areas are preserved.

H.1.3.5 Township Roads are roads under the jurisdiction of the Township of Georgian Bay.

H.1.3.6 Original Road Allowance

H.1.3.6.1 Development and maintenance of public roads will be at the discretion of the road authority. There will be no commitment or requirement for the Township to maintain open, undeveloped road allowances. Conversely, nothing in this Section will limit the Township’s ability to open, improve or maintain any roadway as part of its capital works program.

H.1.4 Private Roads

H.1.4.1 The development of new Georgian Bay coastal access roads and the extension of existing Georgian Bay coastal access roads are prohibited within the Coastal Communities, in accordance with Section F.5.6.2 (Waterfront Community Types) of this Official Plan.

- H.1.4.2 The Six Mile Lake Waterfront Community contains area specific Road Access Policies within Section F.5.9.16 (Road Access Policies) of this Official Plan.
- H.1.4.3 The development of public or private roads or access roads over Crown land shall be strictly prohibited in the Cognashene Waterfront Community in accordance with Section F.5.10.7.2 (Roads Over Crown Land) of this Official Plan.
- H.1.4.4 The development of new Township or private roads shall not be permitted within the Wah Wah Taysee Waterfront Community in accordance with Section F.5.11.12 Built Form Guidelines and Shoreline Structures vii) of this Official Plan.

H.1.5 Railways

- H.1.5.1 The Canadian Pacific Railway passes through the Township. The Township may require that development proposed adjacent to or in close proximity to the railway right-of-way undertake noise and vibration studies in accordance with the Ministry of Environment's requirements, and shall implement appropriate measures to mitigate against any adverse effects.

H.1.6 Active Transportation

- H.1.6.1 *Active Transportation* in the Township is defined as any human-powered mode of transportation, including purposeful and recreational travel. *Active Transportation* infrastructure includes, but is not limited to, sidewalks, off-road trails, bike lanes, paved shoulders and signage. The *Active Transportation* Routes as established by the Active Transportation Action Plan are generally illustrated on Schedule J-1 (Active Transportation Routes) among other policies from the Health Unit.
- H.1.6.2 The development of a safe, regional cycling network, based primarily on the existing Township road network linking communities, tourism destinations and other amenities across the Township will be a focus of the Township's *Active Transportation* efforts.

- H.1.6.3 The creation of accessible programs and facilities inclusive of all ages and abilities that encourage walking and cycling throughout the Township will be encouraged.
- H.1.6.4 The incorporation of *Active Transportation* infrastructure that is safe and well connected will be considered when constructing new Township roads, or when undertaking road widening and road reconstruction. The provision of the Township *Active Transportation* infrastructure will be guided by the Active Transportation Action Plan and the Muskoka Active Transportation Strategy.
- H.1.6.5 When reviewing applications for substantial development in Urban Centres and Communities, including Plans of Subdivision and Condominium Descriptions, the following matters will be addressed in order to promote *Active Transportation* in the Township:
- a) Sidewalks or off-road trails shall be provided and interconnected to promote walking within the development and to surrounding areas, particularly where sidewalks exist in surrounding neighbourhoods where feasible and appropriate; and
 - b) Roads should be wide enough to safely accommodate bicycles.
- H.1.6.6 When reviewing applications for substantial development including Plans of Subdivision and Condominium Descriptions, *Active Transportation* infrastructure and facilities should be provided to public shorelines and open space areas, where feasible and appropriate.
- H.1.6.7 The Township will require, where appropriate, *Active Transportation* infrastructure and facilities, such as trails, sidewalks and bike racks, which are safe, accessible, connected to the street system and link to various uses in the community, through the Site Plan Control process.

Section I: Implementation

I.1 Use of Planning Tools and General Policies

I.1.1 General

I.1.1.1 This Section identifies the key means, which will be used by the Township to implement the policies of this Official Plan. However, the methods of implementing Township Official Plan policy as identified in this Section are not all encompassing and are not intended to limit municipal authority. These policies must be read in conjunction with the other policies of the Official Plan to ensure that the principles and intent of the Official Plan is maintained.

I.1.1.2 The intent, goal, objectives, and policies of this Official Plan will be implemented through a comprehensive Zoning By-law and Zoning By-law Amendments as well as through other municipal by-laws, lot creation, Site Plan Control, or municipal agreements. Supporting or technical information may be required to ensure that the intent, goal, objective, and policies are properly addressed and implemented.

I.1.1.3 The Official Plan may also be implemented through the development of further and more detailed planning policy such as specific Waterfront Community Policies (Section F.5) or various municipal strategies such a community strategic plan, an economic strategy, or a community design strategy.

I.1.1.4 All existing electric power facilities and the development of any new electric power facilities, including all works as defined in the Power Corporation Act, such as transmission lines, transformer stations and distributing stations, shall be permitted within all land use designations throughout the Township of Georgian Bay provided that such development satisfies the provisions of the Environmental Assessment Act, including regulations made under The Act, and any other relevant statutes.

I.1.2 Dark Sky Lighting

I.1.2.1 Preservation of the waterfront and rural *Character* shall be facilitated through the use of Dark Sky Lighting, where

appropriate and where appropriate safety concerns can be addressed.

- I.1.2.2 New and existing development is encouraged to provide exterior lighting that avoids trespass and glare on neighbouring properties, and lighting should be directed downwards rather than outwards.
- I.1.2.3 Full cut off Dark Sky compliant lighting shall be required for all new development where appropriate and where not required for safety and security reasons.
- I.1.2.4 Exterior floodlighting is not permitted.
- I.1.2.5 Exterior lighting shall not interfere with water navigation.
- I.1.2.6 The Township may require a detailed lighting plan as a part of any submission of any Planning Act application.

I.1.3 Home Occupations

- I.1.3.1 Home Occupations are generally small-scale personal service or artisan uses which are appropriate to be located within an existing Residential dwelling unit. Home Occupations may also include small contractors' operations where the business generally takes place off-site and where the administration of the business takes place in the form of a home occupation.
- I.1.3.2 Expansions to existing Residential dwelling units to permit home occupations shall generally not be permitted but may be considered where the extension is small and inclusion of the Home Occupation within the existing dwelling unit would constitute a hardship to the unit owner.
- I.1.3.3 The use shall be conducted by individuals residing in the dwelling unit.
- I.1.3.4 Where Home Occupations are a permitted use, the following policies shall also apply:
 - a) The use is required to be located within an existing Residential dwelling;

- b) The use is accessory to the Residential use;
- c) The use does not have a detrimental impact on the shoreline, Water Quality, or Natural Heritage Features and Areas as may be applicable;
- d) The use is compatible with the surrounding community;
- e) The use is buffered from adjacent uses where appropriate;
- f) Signage is to be small scale, compatible with the Character of the area, and no lighting of the sign is permitted;
- g) The use does not generate substantive traffic or parking requirements;
- h) The use provides for sufficient parking;
- i) The use has appropriate access;
- j) Outside storage is prohibited except for the storage of contractor equipment and where permitted in the implementing Zoning By-law; and
- k) The Zoning By-law shall provide an appropriate range of uses and development standards to regulate Home Occupations.

I.1.3.5 Additional site specific policies may also apply.

I.1.4 Parkland Dedication

I.1.4.1 As a condition of subdivision of land, the Township should require that land be dedicated to the municipality for park or recreational purposes as prescribed in the Planning Act (generally 5% for Residential and 2% for Commercial or Industrial development). In the case of Residential development, the Township may require one hectare of land for each 300 units proposed to be developed. The Township shall only require Parkland Dedication where there is a net increase in the potential number of Residential dwelling units on the lot or lots.

- I.1.4.2 Lands dedicated for park purposes under the Planning Act shall be acceptable as Open Space only if the topography, shape, location, and phase of the dedicated lands are considered acceptable by the Township and Planning Committees.
- I.1.4.3 The Township may reject, upon advice of Parks and/or Planning Committees, lands proposed for parks dedication under the Planning Act and will accept in lieu thereof a cash payment equal to the value as prescribed by the Planning Act. Such monies shall be placed in a fund to be used solely for purposes permitted in accordance with the Planning Act.
- I.1.4.4 Notwithstanding the policies contained herein, the Township may choose a combination of land, cash and/or the equivalent park upgrades in lieu of a cash payment.

I.1.5 Public Use

- I.1.5.1 The Township or any public authority including the District of Muskoka or any local board as defined in the Municipal Act and, Department of the Government of Canada or the Province of Ontario including any hydro generation or distribution company, and any telephone, cable, natural gas, hydro or any other utility company, and the Severn Sound Environmental Association, may use any land, erect, or use any building, structure or infrastructure for the purpose of public service or use in any land use designation subject to the Public Use Section of the Township’s Zoning By-law.

I.1.6 Sewage Disposal System Inspection

- I.1.6.1 In accordance with the Ontario Building Code, the Township shall establish inspection procedures for the evaluation of sewage disposal systems.

I.2 Technical Reports and Plans of Survey

I.2.1 General

- I.2.1.1 The use of Impact Assessments, Site Evaluations, and Technical Reports can assist the Township in ensuring that

development proposed is appropriate and is undertaken in a manner which mitigates any potential *Negative Impacts* on the environment or adjacent properties. The recommendations of these reports are most often implemented through zoning together with Site Plan Control or other agreements put in place at the time land is being developed. The following policies provide guidance in circumstances where an Impact Assessment, Site Evaluation, or other Technical Report will be required by this Official Plan.

- I.2.1.2 The Township may require that studies such as Impact Assessments, Site Evaluations, or Technical Reports, as set out in Section I.2 (Technical Reports and Plans of Survey) be undertaken as part of the Planning Act application submissions requirements. Such reports may be combined within one submission.
- I.2.1.3 Site specific policies for Reports may also be located within other Policies of this Official Plan which include but are not limited to the Waterfront Communities, Urban Centres and Community Designation.
- I.2.1.4 An on-site field verified Plan of Survey, certified by an Ontario Land Surveyor, shall be required prior to consideration of an application for new lot creation. The Township may require a Plan of Survey prior to consideration of other Planning Act applications. On a waterfront parcel, the High Water Mark, as identified in Section D.3.4.6 (High Water Mark), and the Regulatory Flood Elevation, as identified in Sections D.3.4.4 and D.3.4.5 (Regulatory Flood Elevation), is to be provided on the Plan of Survey.

I.2.2 Impact Assessments

- I.2.2.1 An Impact Assessment may be required in order to determine the impact of development on natural, environmental or cultural values, whether development is appropriate, to determine the exact boundaries of *Natural Heritage Features and Areas*, and to identify any necessary mitigation measures. Such assessments may be required to determine the impact of development on, but not limited to, the following matters:

- a) *Wetlands*;

- b) *Wildlife Habitat*;
- c) *Fish Habitat*;
- d) *Natural Heritage Features and Areas* or sites;
- e) Species at Risk evaluation;
- f) Ground or surface water resources; or
- g) Migratory and Colonial Bird Nesting Habitat.

I.2.2.2 Where an Impact Assessment is required, such Assessment shall be undertaken by a qualified professional to the satisfaction of the Township.

I.2.2.3 Consultation with Township staff should be undertaken to determine the extent of issues to be addressed within the Impact Assessment and may include some or all of the following:

- a) Site specific information such as a description of the location, slope and soil characteristics, vegetation, drainage, geology, erosion and flooding characteristics;
- b) Description of the context of the area surrounding the site, detailing surrounding land use characteristics and environment;
- c) *Natural Heritage Features and Areas*, and Areas of Use Limitation shall be identified and analysed, including flora and fauna and associated habitat;
- d) The various aspects of the proposal should be identified such as the scope of the proposal, whether all components of the proposal can be situated on the site and how sensitive the site is to an alternative structural arrangement;
- e) Potential impacts of the proposed development should be identified and recommendations on if and how development can be appropriately accommodated;

- f) A statement concerning the appropriateness of the proposed development and the appropriateness of the site for the proposed development;
- g) Where development is appropriate, specific recommendations detailing how the development can be accommodated in a reasonable and environmentally sound manner should be provided;
- h) Identification of any required or appropriate mitigation measures, which may be related to matters such as storm water management, site development, location of buildings and structures, or retention of vegetation;
- i) Confirmation or determination of the exact boundaries of a *Natural Heritage Feature or Area*;
- j) How the proposal meets the policies of this Official Plan and any other applicable policies and legislation; and
- k) The Assessment should include any other information, which the Township may deem necessary in order to make a decision.

I.2.3 Site Evaluation Report

I.2.3.1 A Site Evaluation Report may be required by the Township to confirm whether a lot is suitable for development, if development constraints can be addressed, and if so, the most appropriate manner in which development should occur. Site Evaluation Reports may be required to evaluate the suitability of a site related to, but not limited to, the following matters where applicable and appropriate:

- a) Location of building envelopes which demonstrate compliance to the Township's Zoning By-law;
- b) Ability of a lot to accommodate and sustain development, including access, drainage and servicing;
- c) Appropriate development of existing undersized lots;

- d) Lot size and configuration;
- e) Soil cover;
- f) Slopes;
- g) Location of water table;
- h) Vegetation cover as per the policies of the Plan;
- i) *Built Heritage Resources*; or
- j) *Cultural Heritage Landscapes*.

I.2.4 Other Technical Reports

I.2.4.1 Other Technical Reports may be required by the Township of Georgian Bay to ensure that the conditions for development are safe and appropriate. Such reports may be required to evaluate matters such as, but not limited to, the following:

- a) Flood or erosion prone sites;
- b) Noise;
- c) Storm water management and construction mitigation;
- d) Pesticide or chemical management;
- e) *Waste Disposal Sites* or waste management systems;
- f) Sewage facilities;
- g) Site contamination and remediation;
- h) Viability of Resort Commercial land;
- i) Financial impact;
- j) Archeology;
- k) Traffic; and

- l) Any report outlined in the Pre-Consultation Section of I.6 (Pre-Consultation and Complete Application) of this Official Plan.

I.2.4.2 The magnitude of Impact Assessment and Site Evaluation may vary. In minor situations, Township staff may be able to address the situation through site inspection or a checklist evaluation and the implementation of appropriate planning tools. More complex situations or issues will require the proponent to prepare a formal report(s), providing technical expertise or information. The report(s) are prepared at the expense of the proponent.

I.2.4.3 Where a Technical Report or more detailed and complex Impact Assessment or Site Evaluation Report is required, such a report shall be undertaken by one or more individuals whose qualifications and experience demonstrate an expertise in assessing the value or matter of concern. The report will be:

- a) Prepared independently at the direction of the Township, on behalf of, and at the expense of, the proponent, unless otherwise agreed by the Township; or
- b) Where submitted by the proponent, subject to a peer review directed by the Township, and at the expense of the proponent, unless otherwise agreed to by the Township.

I.2.4.4 Where an Impact Assessment, Site Evaluation or Technical Report is required to address a number of constraints or the potential impact of development on several natural resources and/or environmental features or functions; and where possible and appropriate, such review should be combined to allow for an integrated study.

I.2.4.5 Where Impact Assessments, Site Evaluations, or Technical Reports are likely to have an effect on basic components of the development's design, they should be undertaken as early as possible in the process of planning and designing the proposal.

I.2.4.6 Early consultation with Township staff is also encouraged to ensure the study approach and parameters are appropriate

and acceptable. Pre-consultation policies are contained in Section I.6 (Pre-consultation and Complete Application) of this Official Plan. The extent of issues to be addressed within individual Technical Reports, Impact Assessments, or Site Evaluation studies may include some or all of the following depending on the specific circumstances:

- a) Identification and analysis of *Natural Heritage Features and Areas* (i.e., evaluated *Wetlands*, *ANSIs*, etc.), other *Wetlands*, candidate *Significant Wildlife Habitats*, *Fish Habitat*, and other sensitive natural heritage areas or values which should be preserved;
- b) Description of the regional context of the site, detailing surrounding land use characteristics and environment;
- c) Detailed information, identification and analysis of the features, functions or values for which a *Natural Heritage Area* has been identified;
- d) Site specific information, such as a description of the lands, location, slope and soil characteristics, vegetation, drainage, geology, erosion and flooding characteristics;
- e) Identification of any natural or man-made development constraints or hazards to development;
- f) Identification of cultural heritage values or *Cultural Heritage Landscapes* that should be *Conserved*;
- g) A statement concerning the appropriateness of the site and the proposed development;
- h) The various aspects of the development proposal should be identified such as:
 - i) The scope of the proposal;
 - ii) Whether and in what manner all components of the proposal can be situated on the site within the zoning requirement;

- iii) Potable water supply and suitability for waste disposal systems;
 - iv) Provision of access;
 - v) Location of shoreline structures and activity areas on water front lots; and
 - vi) How sensitive the site is to alternative design options;
- i) Potential impacts of the proposed development shall be identified and recommendations respecting if and how development can be appropriately accommodated;
 - j) Where the development is appropriate, specific recommendations shall be provided detailing how the development can be accommodated or mitigated in a reasonable and environmentally sound manner;
 - k) Identification of any required or appropriate mitigation measures, which may be related to matters such as storm water management, site development, location of buildings and structures, retention of vegetation, cultural heritage values, *Cultural Heritage Landscapes*, or site contamination; and
 - l) The Technical Report should include any other information, which may be necessary in order to evaluate a specific issue or potential impact and to make a proper decision respecting the development proposal.

I.2.4.7 The Township may establish a terms of reference for Technical Reports.

I.2.5 Boat Impact Assessment

I.2.5.1 A Boat Impact Assessment, where required by this Official Plan, may consider, but not be limited to:

- a) A description of the proposal including:
 - i) Property size and location;

- ii) Physical characteristics of the land and the water interface; and
 - iii) Natural heritage influences or development constraints.
- b) A plan showing:
 - i) Location, orientation and size of existing facilities; and
 - ii) Location, orientation and size of proposed facilities.
- c) A review of the context and factors related to the boating facility that may affect the use of the water resource, such as:
 - i) Existing boat traffic and other water use;
 - ii) Size of the water system;
 - iii) Expected boat traffic (volume, frequency, and distribution);
 - iv) Access to the property, and the boating facility from the land and water;
 - v) Influences or constraints to navigation;
 - vi) Reported accidents or occurrences; and
 - vii) Any other pertinent information.
- d) An assessment of the potential impact of the proposal and identification of any mitigation measures which may be required, including:
 - i) Suitability of the location;
 - ii) Appropriate extent and type of facilities;

- iii) Appropriate location, and orientation of facilities (e.g. docking, lighting, and parking); and
- iv) Mitigation measures to reduce impact.

I.3 Municipal By-laws

I.3.1 Comprehensive Zoning By-law

I.3.1.1 The Township’s Comprehensive Zoning By-law will be updated as necessary to conform to the policies of this Official Plan. The Zoning By-law will, amongst other matters, set standards and regulations and define more precisely the uses and limits of areas to be allocated for specific land uses, as generally and specifically indicated in this Official Plan.

I.3.2 Holding By-laws

I.3.2.1 Holding by-laws are a type of Zoning By-law which are used when the ultimate use of land is known, but other matters must be addressed prior to development. Holding by-laws can be used to phase development or to ensure that servicing is available before development is commenced. To use this type of by-law, an “H” symbol is added to the zone on the zoning schedule and the text of a by-law indicates under what conditions the holding symbol or “H” will be removed.

I.3.2.2 The Township may pass a by-law which incorporates the use of the holding provision with the symbol “H” in conjunction with any zone pursuant to the provisions of the Planning Act.

I.3.2.3 The Township may consider the development of land premature pending the satisfaction of requirements and/or conditions of development which may include, but shall not be limited to the following:

- a) Provision of water and sewers and allocation of servicing capacity;
- b) Water Quality Impact Assessment for development of existing lots on lakes which are of high sensitivity or considered over threshold;

- c) Provision of a Site Evaluation Report, Impact Assessment, or other Technical Report;
- d) Phasing of development with the preceding phase being substantially completed;
- e) Provision of facilities and services such as stormwater management or roads;
- f) Provision of a record of site condition on a contaminated site; or
- g) Other similar situations.

I.3.2.4 Prior to the removal of the “H” symbol, the following may be required to be completed:

- a) Servicing capacity and availability will be confirmed by the District of Muskoka;
- b) A Site Evaluation for an existing lot on a lake where the phosphorous budget has been reached will be completed to the satisfaction of the Township and any other applicable authority and the recommendations implemented through Site Plan Control;
- c) A Site Evaluation, Impact Assessment, or Technical Report will be completed and implemented to the satisfaction of the Township and any other applicable authority;
- d) Confirmation that the preceding phase has been substantially completed, if applicable;
- e) The submission of a record of site condition which indicates that the site does not require clean-up, or has been cleaned up in accordance with a record of site condition and is suitable for development; and
- f) Any other requirements being satisfied.

- I.3.2.5 The Township may provide for other conditions for removal of the Holding provision within the implementing Zoning By-law on a site specific basis.
- I.3.2.6 Permitted uses on lands subject to a Holding provision shall be limited to those uses that existed at the time of passing of the Holding By-law.

I.3.3 Temporary Use By-laws

- I.3.3.1 The Township may pass a Temporary Use By-law to authorize the temporary use of land, buildings or structures for any purpose as set out in the By-law that might otherwise be prohibited.
- I.3.3.2 The Temporary Use By-law must describe the area affected and set an expiry date for the by-law of no more than 20 years for a garden suite and no more than 3 years for any use after the passing thereof or as otherwise prescribed under the Planning Act.
- I.3.3.3 The Township may pass subsequent by-laws granting a time extension of up to 3 years. Once the by-law has lapsed, the use must cease or otherwise the use will be viewed as contravening the Zoning By-law.
- I.3.3.4 Temporary uses should not be permitted where they would entail significant construction or investment, which would result in hardship to the owner or difficulty in reverting to a permitted use upon the termination of the temporary use provisions.
- I.3.3.5 The Township must be satisfied that the use proposed will be of a temporary nature only, and the By-law will among other matters, define more precisely the use permitted, the limits or areas for such use, and set standards and regulations for use.
- I.3.3.6 Temporary uses will only be permitted provided that there will not be a *Negative Impact* on the natural environment or the surrounding land use; the use can be properly serviced; and the use will not interfere with the desirable development of the area.

I.3.4 Interim Control By-laws

- I.3.4.1 The Township may pass an Interim Control By-law in accordance with the Planning Act, to prohibit the use of land, buildings or structures within the Township or within a defined area or areas thereof.
- I.3.4.2 The purpose of the Interim Control By-law is to prevent development or redevelopment until a review or study is undertaken in respect to land use planning policies in the municipality or in the defined area or areas as established in the by-law.
- I.3.4.3 The Interim Control By-law shall have an expiry date of no more than 1 year from the date of the passing thereof. The By-law may be amended to increase the time period up to 1 additional year.

I.3.5 Non-Conforming Uses

I.3.5.1 Land Uses Not Conforming to the Zoning By-law

- I.3.5.1.1 A land use not conforming to the Zoning By-law is a land use that legally existed on the date the Zoning By-law came into effect and one that does not conform to the permitted uses of the Zoning By-law. In general, these uses should cease to exist in the long term.
- I.3.5.1.2 In some instances, it may be necessary and practical to allow the extension or enlargement of Non-Conforming uses through the granting of a Minor Variance or by placing the use in an appropriate zone in the Implementing Zoning By-law. In such instances, Council shall have regard for the following principles:
- a) The feasibility of acquiring the property for holding, sale, lease or development by the Township for a more appropriate permitted use; and
 - b) The possibility of relocating the non-conforming use to another site.

I.3.5.2 Role of the Committee of Adjustment

I.3.5.2.1 If the property cannot be acquired or a building relocated, the Committee of Adjustment may, without an Amendment to this Plan, allow an extension or enlargement to a non-conforming use. Prior to such approval, the Committee shall consider the following:

- a) The size of the extension or enlargement in relation to the existing use;
- b) Whether the proposed extension or enlargement is compatible with the *Character* of the surrounding area;
- c) The characteristics of the existing use in relation to size, bulk, height, setbacks, noise, vibration, fumes, dust, smoke, odors, lighting and traffic generation and the degree to which any of these factors may be increased or decreased by the extension or enlargement; and,
- d) The possibilities of reducing these nuisances through buffering, building setbacks, landscaping, Site Plan Control and other means to improve the existing situation, as well as minimize the problems from extension or enlargement.

I.3.5.3 Role of the Implementing Zoning By-law

I.3.5.3.1 Existing uses which do not conform with the policies of this Official Plan may be zoned in the Implementing Zoning By-law in accordance with their present use, provided that:

- a) The zoning will not permit any change of use or performance standard that may negatively impact adjoining uses;
- b) The uses do not constitute a danger to surrounding land uses, humans or animals by virtue of their hazardous nature; and
- c) The uses do not interfere with the appropriate development of the surrounding lands.

I.3.6 Non-Complying Uses

- I.3.6.1 A non-complying building, structure or lot does not comply with the regulations and performance standards of the Implementing Zoning By-law.
- I.3.6.2 A non-complying building or structure may be enlarged, repaired or renovated based on the regulations of the Implementing Zoning By-law. The Implementing Zoning By-law shall contain specific regulations regarding the enlargement, repair or renovation of non-complying structures and/or non-complying lots. Performance standards for the enlargement, repair or renovation of non-complying structures in the Waterfront Designation shall be contained within the Zoning By-law and may contain standards respecting maximum width of the addition, maximum size of the dwelling or structure, maximum height, and other relevant standards.

I.3.7 Existing Lots

- I.3.7.1 Existing lots of record, exclusive of all islands, which existed as of the date of approval of this Official Plan, and which do not meet the lot or site provisions of this Official Plan may be recognized as building lots in the Zoning By-law, provided that:
- a) The lot is suitable and of sufficient size to accommodate the use proposed and the necessary water and sewage disposal services;
 - b) The lot is in general *Character* with the surrounding lots;
 - c) The policies of Section D (Resources) of the Official Plan are addressed; and
 - d) Other specific policies of the Official Plan respecting the development of an existing lot are satisfied.
- I.3.7.2 The Township may require the preparation of a Site Evaluation Report to ensure that these matters can be properly addressed and that the lot is suitable for the use proposed.

I.3.7.3 The adherence to coverage provisions, careful siting of development and maintenance or restoration of vegetation on existing undersized lots, particularly in the waterfront and rural areas, will be required and implemented through conditions of approval through municipal agreements and Site Plan Control to ensure the intent and policies of the plan are satisfied.

I.3.8 Density Increases

I.3.8.1 The Township may, where appropriate, consider increasing the height and density of development in the return for provision of such facilities, services or matters as are set out in the by-law as permitted under Section 37 of the Planning Act.

I.3.9 Site Alteration By-law

I.3.9.1 The Township may enact a *Site Alteration* By-law in accordance with the Municipal Act, and such By-law may include the following:

- a) The area or areas where *Site Alteration* will be permitted;
- b) The restrictions and regulations on the *Site Alteration* within the defined area(s);
- c) The requirements for obtaining a permit for *Site Alteration* within the defined area(s);
- d) The exemptions from having to obtain a permit for *Site Alteration*; and
- e) The administrative requirements of the By-law, including fees, forms, and fines.

I.4 Division of Land

I.4.1 Lot Creation

I.4.1.1 Lot or unit creations may proceed by the following methods:

- a) Consent;

- b) Registered Plan of Subdivision and the lifting of Part Lot Control within a registered Plan of Subdivision; or
- c) Registered Plan of Condominium.

I.4.1.2 Lots and condominium units shall comply with policies of this Official Plan and the Zoning By-law.

I.4.1.3 Where alternative access is available, access to new lots or condominium units may be restricted by registering a 0.3 metre reserve along the *Frontage*.

I.4.2 Consent

I.4.2.1 In determining the appropriateness of creating a new lot, the following matters shall be considered:

- a) The land use to be proposed;
- b) The proposed lots and lands to be retained have appropriate size and *Frontage* for the proposed and existing uses, and comply with the Regulations of the Zoning By-law;
- c) Compatibility with other surrounding land uses, lots, and *character* of the area;
- d) Environmental and natural heritage considerations;
- e) Appropriate and safe road and/or water access to the lot;
- f) If access is to a District of Muskoka road, the District's access policies;
- g) Will not inhibit or limit the potential for future planned development in the area;
- h) Provision of water and sewage service in accordance with the policies of the Official Plan;

- i) For lots proposed on the waterfront, there shall be sufficient *Frontage* on each lot to ensure that there is an appropriate dock area, and waterfront amenity area, both of which are outside of sensitive *Fish Habitat, Wetlands, Species at Risk Habitat, Significant Wildlife Habitat, Areas of Natural and Scientific Interest, Muskoka Heritage Areas* and Colonial Bird Nesting Habitat, or it shall be demonstrated that there would be no *Negative Impact* to any of these *Natural Heritage Features or Areas* as provided for in the policies of this Official Plan, where applicable;
- j) Will conform with the water access policies of Section F.2.4.3 (Water Access);
- k) For development on *Narrow Waterbodies*, will conform with the *Narrow Waterbody* policies of Section D.2.3; and
- l) Additional policies which may be provided in site specific Waterfront Communities, Urban Areas, or Communities.

I.4.2.2 Consent may also be permitted for technical or legal reasons such as a boundary adjustment, lot additions, easements, right-of ways, validation of titles, or other similar purposes that do not result in the creation of a new lot.

I.4.2.3 Where uses legally exist on the lands subject to severance or subdivision application that do not comply with the lot *Frontage*, area or other requirements of this Official Plan and the District of Muskoka Official Plan but otherwise would comply with the remaining provisions of this Official Plan and the District of Muskoka Official Plan, an exception to the stated requirements may be considered.

I.4.2.4 Exceptions to the minimum lot *Frontage* and lot area requirements as detailed in this Official Plan may be considered where more than one primary, substantive, structurally sound buildings legally exist and the severed and retained lots would subdivide the existing uses and would meet the *Character* policies of this Official Plan and be in compliance with the policies of this Official Plan and the District of Muskoka Official Plan. For the purposes of a

Residential consent, the primary building(s) shall mean the Residential dwelling unit(s) and the Consent would subdivide the existing uses. When considering a Residential consent under these policies, the Committee of Adjustment shall ensure that any potential redevelopment as permitted by the policies of this Official Plan and the Township's Zoning By-law on the severed or retained lots would also meet the *Character* policies of this Official Plan. Should consideration of the potential redevelopment fail to meet the *Character* policies of this Official Plan, the Committee of Adjustment may still consider granting the severance; however, the severed and/or retained lot(s) shall be zoned in a manner that new development and substantive redevelopment is prohibited.

I.4.3 Plans of Subdivision and Condominium

I.4.3.1 The creation of lots or condominium units through a Plan of Subdivision or Condominium shall be required in order to facilitate the proper and orderly development of the area while minimizing negative impacts on the Township's finances.

I.4.3.2 A registered Plan of Subdivision or Condominium may be required where:

- a) More than 5 lots, inclusive of the retained lot, will be created;
- b) Municipal water and sewer services or an extension thereof are required;
- c) Detailed implementations mechanisms including but not limited to municipal agreements are required;
- d) The creation of a roadway, an extension of a roadway, or a connection between roadways is required; or
- e) The property to be subdivided is a large tract of land and requires a Plan of Subdivision or Condominium to establish an appropriate lot and road layout.

I.4.3.3 Plans of Subdivision and Condominium shall be designed to minimize impacts on the transportation system, the *Natural Heritage Features and Areas*, or *Adjacent Land* uses.

I.4.3.4 Plans of Subdivision and Condominium shall be integrated with *Adjacent Lands*, subdivisions, trails and roads.

I.5 Agreements

I.5.1 Site Plan Control

I.5.1.1 Site Plan Control will be implemented as detailed within the policies of this Official Plan to:

- a) Ensure that the massing, location, and exterior design of development is of high quality and compatible with adjacent uses and the *Natural Heritage Features and Areas*;
- b) Promote compatibility, maintain *Character* and preserve aesthetic values of the surrounding area;
- c) Ensure maintenance or restoration of vegetation or natural vegetative buffers, or provision of landscaping;
- d) Address exterior design elements of buildings including, but not limited to, *character, scale, appearance, massing, design features, roof pitch, materials, and screening of rooftop mechanical and electrical equipment*;
- e) Provide for safe, efficient and appropriate movement of vehicular, vessel and pedestrian access;
- f) Ensure the conveyance of road widening and easements required by the Township or a public utility;
- g) Ensure that facilities are designed for persons with disabilities;
- h) Ensure proper grading, storm water management, sewage disposal including the proper disposal of grey water, where applicable and construction mitigations measures are provided and shown on the plans;
- i) Ensure storage facilities, loading facilities, garbage disposal areas, parking areas and driveways are

provided in an appropriate manner so as not to impede traffic flow, endanger pedestrians and to facilitate a positive visual effect;

- j) Ensure the appropriate use of lighting, walls, fences, hedges, trees, shrubs or other ground cover or facilities for the landscaping of areas to enhance land use compatibility and facilitate a safe and visually pleasing environment;
- k) Achieve an aesthetically pleasing environment through the implementation of Urban Design Guidelines;
- l) Ensure the safe storage of hazardous materials or equipment where applicable;
- m) Address matters related to on-site phosphorus management as outlined in Section D.2.2.5 (Site Plan Control and / or On-Site Phosphorus Management) of this Official Plan;
- n) Implement recommendations of a Water Quality Impact Assessment along with monitoring and *Individual On-site Sewage Service* system requirements, as outlined in Section D.2.2.10 (Water Quality Impact Assessment) of this Official Plan;
- o) Implement buffers, stormwater and phosphorus management, and building and *Individual On-Site Sewage Service* system envelopes; and
- p) Other issues as permitted under the Planning Act.
- q) Address matters of Section I.2 (Technical Reports and Surveys) as determined by the Township (OPA #18).

I.5.1.2 In accordance with the provisions of the Planning Act, the total area within the corporate limits of the Township of Georgian Bay is described as a Site Plan Control area, and is designated as such in a Site Plan Control By-law adopted by the Township.

I.5.1.3

The Site Plan Control By-law may exempt the following uses from the requirement to obtain Site Plan Approval:

- a) Single detached residential development not adjacent to the shoreline except where the policies of this Official Plan provide for otherwise such as required to implement the *Natural Heritage Features and Areas*, or urban design policies of the Official Plan;
- b) Minor Residential development including but not limited to:
 - i) Decks;
 - ii) Docks;
 - iii) Sheds; and
 - iv) Sleeping Cabins with less than 20 square metres (200 square feet) of *Gross Floor Area*;
- c) An agricultural use, except where the property is adjacent to a *Wetland* or waterbody;
- d) A *Mineral Aggregate Operation* licensed under the *Aggregate Resources Act*; and
- e) Minor renovations and extensions.

I.5.1.4

Where Site Plan Control is required for on-site phosphorus management, the policies of Section D.2.2.5 (Site Plan Control and / or On-Site Phosphorus Management) shall apply to the following:

- a) Substantial development on lots abutting Low Sensitivity Waterbodies, as required by the Township, as per Section D.2.2.6 (Low Sensitivity Waterbodies) of this Official Plan;
- b) Commercial, Industrial and Institutional uses on Low Sensitivity Waterbodies, as per Section D.2.2.6 (Low Sensitivity Waterbodies) of this Official Plan;

- c) Substantial development in the Waterfront Designation (including backlots) and on shoreline lots in the Settlement Areas, for Moderate Sensitivity Waterbodies, as per Section D.2.2.7 (Moderate Sensitivity Waterbodies) of this Official Plan; and
- d) All substantial development in the Waterfront Designation (including backlots) and on shoreline lots in the Settlement Areas for High Sensitivity Waterbodies, as per Section D.2.2.8 (High Sensitivity Waterbodies) of this Official Plan.

I.5.1.5 Where Site Plan Control is required to implement the recommendations, requirements or monitoring of a Water Quality Impact Assessment, the policies of Section D.2.2.10 (Water Quality Impact Assessment) shall apply to the following:

- a) Lot creation on *Individual On-site Sewage Services* on High Sensitivity Waterbodies, as per Section D.2.2.8.1 a) ii) (High Sensitivity Waterbodies – Lot Creation);
- b) Development of a vacant lot on *Individual On-Site Sewage Services* on High Sensitivity Waterbodies, as per Section D.2.2.8.1 b) ii) (High Sensitivity Waterbodies – Development on Vacant Lots);
- c) Lot Creation on *Individual On-Site Sewage Services* on Low or Moderate Sensitivity Over Threshold Waterbodies, as per Section D.2.2.9.1.1 c) (Lot Creation on Over Threshold Waterbodies); and
- d) Development of a vacant lot on *Individual On-Site Sewage Services* on Low or Moderate Sensitivity Over Threshold Waterbodies, as per Section D.2.2.9.1.2 a) (Development on Over Threshold Waterbodies of Low or Moderate Sensitivity).

I.5.1.6 Site Plan Control shall be required to implement buffers, stormwater and phosphorus management and building and *Individual On-Site Sewage Service* system (including the leaching bed) envelopes for redevelopment on *Individual On-Site Sewage Services* on Low and Moderate Sensitivity Over

Threshold waterbodies, as per Policy D.2.2.9.1.3 d) (Redevelopment on Over Threshold Low and Moderate Sensitivity Waterbodies) of this Official Plan.

- I.5.1.7 In exercising Site Plan Control, consideration shall be given to minimizing the potential impact of the application of road salt within vulnerable areas and where possible, should:
- a) Minimize the amount of impervious surface area requiring the application of salt during winter;
 - b) Design site grading and drainage to reduce ponding;
 - c) Direct run-off outside of vulnerable areas or to storm sewers; and,
 - d) Provide for quality control measures to limit migration of sodium chlorides in storm run-off.
- 1.5.1.8 At the discretion of the Township, Site Plan Control may be required to implement requirements of Provincial Approvals for development or *Site Alteration* in association with Species at Risk screening, as per Sections D.1.3 (Habitat of Endangered Species and Threatened Species) and E.5.6.5.4 (Special Policy Area – Port Severn Outlier) of this Official Plan.
- I.5.1.9 An application for Site Plan Approval shall provide drawings showing a plan and elevations which depict the following:
- a) The location of all buildings and structures to be erected;
 - b) The location of all facilities and works to be provided;
 - c) The location of all facilities and works for road widening, access ramps, driveways, parking, curbs, directional signs, loading spaces, surface materials, facilities for accessibility for persons with disabilities, walkways and pedestrian access, lighting, fire routes, and garbage storage;
 - d) Easements and grading;

- e) Landscaping; and
- f) Location of docking facilities and boat access points (where applicable).

I.5.1.10 The following additional plans and drawings are required for all lands subject to Site Plan Control which are 25 dwelling units or greater:

- a) Massing and conceptual design;
- b) Relationship of the proposed buildings to adjacent buildings, streets and exterior areas to which the public has access;
- c) Exterior design of the building including without limitation the *Character*, scale, appearance, design features and sustainable design; and
- d) The sustainable design elements on any adjoining highway under a municipality's jurisdiction, including without limitation, trees, shrubs, hedges, plantings and other ground cover, permeable paving materials, street furniture, curb ramps, waste and recycling containers, and bicycle facilities.

I.5.1.11 Notwithstanding the policies of this Section, additional drawings, plans, and studies may be required to be submitted pursuant to Section 41 of the Planning Act (OPA #18).

I.5.1.12 Within the Site Plan Control area, and where reasonable and related to the application, drawings, plans, and studies required under this Section shall be required for all development except as listed in Section I.5.1.3 (Exemptions from Site Plan Control) (OPA #18).

I.5.1.13 Where a property abuts a District of Muskoka Road, or is in an area where municipal services are or will be provided, the Township of Georgian Bay will not approve a Site Plan Agreement until the District of Muskoka Engineer or his designate, has been advised of the proposal and afforded a reasonable opportunity to require the owner of the land to

enter into an agreement with the District of Muskoka respecting these matters.

- I.5.1.14 The Township may require the entering into of a Site Plan Control Agreement as a condition of development of the lands. Such agreements shall be required prior to the issuance of a building permit and shall be registered on the title to the lands.
- I.5.1.15 Site Plan Agreements entered into prior to the date of adoption of this Official Plan will remain valid and binding.
- I.5.1.16 The policies of the Plan may host additional, site specific criteria for Site Plan Control. This includes but is not limited to development adjacent to a recreational water body as outlined in Section D.2.2 (Recreational Water Quality). Where additional policies are outlined, this criteria also applies to a Site Plan Control application.
- I.5.1.17 Pursuant to Section 41(3.4) of the Planning Act, applicants may be required to provide any other information or material including plans, drawings, and studies or any other additional information deemed necessary by the Township (OPA #18).

I.5.2 Municipal Agreements

- I.5.2.1 The Township may require a proponent to enter into municipal agreements as may be required in this Official Plan and in accordance with the Planning Act, Municipal Act or any other relevant statute.
- I.5.2.2 All municipal agreements will conform to this Official Plan and will be used to implement the policies of this Official Plan.

I.6 Pre-Consultation and Complete Application

I.6.1 Pre-Consultation

- I.6.1.1 Prior to the submission of an application for Official Plan Amendment, a Zoning By-law Amendment, and/or an application for Subdivision or Plan of Condominium approval, the person or public body requesting the amendment or approval shall pre-consult with the Township. Pre-consultation

may also be required prior to the submission of an application to the Committee of Adjustment.

I.6.2 Complete Application

I.6.2.1 For a Planning Act application to be considered complete under the Planning Act, the Township may require that the following information or material be submitted at the time of application:

- a) Planning Justification Report;
- b) Site Evaluation Report;
- c) Environmental Impact Study;
- d) Impact Assessment;
- e) Master Servicing Study/Servicing Options Report;
- f) Traffic Impact Study;
- g) D4 Landfill Study;
- h) Settlement Capability Study;
- i) Agricultural Assessment/MDS calculation;
- j) *Affordable Housing* Report;
- k) Fisheries Impact Study;
- l) Marina Impact Study;
- m) Boat Impact Assessment;
- n) Environmental Site Assessment;
- o) Wave Uprush Study;
- p) Hydrogeological Study/Hydrology Study;
- q) Stormwater Management Report;

- r) Growth Management Report;
- s) Wellhead Protection – Risk Assessment Report;
- t) Spray Analysis – Golf Courses;
- u) Flooding, Erosion, Slope Stability Reports;
- v) Noise and Vibration Impact Analysis;
- w) Odor, Dust and Nuisance Impact Analysis;
- x) Geotechnical/Soils Stability Report;
- y) Wind Study;
- z) Archeology Study;
- aa) Cultural Heritage Report;
- bb) Scoped Water Budget;
- cc) Parking Report/Analysis;
- dd) Shadow Analysis;
- ee) Tree Preservation Plan;
- ff) Urban Design Report;
- gg) Lighting Plan with photometric analysis;
- hh) Streetscape Study;
- ii) Phosphorus Management Plan; or
- jj) On-site field verified Plan of Survey certified by an Ontario Land Surveyor.

I.6.2.2 In addition, the Township may require additional studies or plans which are necessary to address site specific or exceptional circumstances.

- I.6.2.3 The need for any or all of these studies shall be determined by the Township following Pre-Consultation between the Township staff and the applicant.
- I.6.2.4 Digital Plans as applicable including Draft Plans, Condominium Plans, Consent Plans, Site Plans and/or plans which visually depict the application or as required under the Planning Act may be required at the time of Pre-Consultation.
- I.6.2.5 The cost associated with all the required studies shall be the sole responsibility of the applicant. Costs incurred for the Township to peer review the studies, as required, shall also be the responsibility of the applicant.

I.7 Community Development

I.7.1 Community Improvement Policy

I.7.1.1 Definition and Identification

- I.7.1.1.1 *Community Improvement* means the planning or re-planning, design or re-design, re-subdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation, improvement of energy efficiency, or any of them, of a *Community Improvement Project Area*, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, building, structures, works, improvements or facilities, or spaces therefore as may be appropriate or necessary. *Community Improvement* also includes the provision of *Affordable Housing*.
- I.7.1.1.2 *Community Improvement Project Areas* are designated by by-law in compliance with the provisions of the Planning Act and are intended to identify areas in which *Community Improvement Plans* may be undertaken.
- I.7.1.1.3 Urban Centres of Port Severn and MacTier and the Community of Honey Harbour as identified in Schedule A, herein shall be designated as *Community Improvement Project Areas*.

I.7.1.1.4 *Community Improvement Plans* prepared in Port Severn, MacTier and Honey Harbour shall be consistent with the Master Plan and Design Guidelines that have been prepared for each of the three Settlement Areas.

I.7.1.2 Criteria for Designing Community Improvement Project Areas

I.7.1.2.1 *Community Improvement Project Areas* may be designated by by-law based on one or more of the following criteria:

- a) The area contains areas of incompatible land uses, which may prejudice the functional or economic role of the area;
- b) The area has been identified as being deficient in terms of the level of municipal services (either soft or hard), because it no longer meets current development standards, is characterized as inefficient from a service delivery perspective or for a desired use, has inappropriate uses in a particular area or exhibits signs of aging;
- c) The area has been identified as being deficient or in need of enhancement in terms of neighbourhood and/or community parkland, recreational or community facilities (i.e. athletic fields, community centres, arenas, libraries, senior citizen facilities, etc.);
- d) The area contains man-made hazards such as level railway crossings and poor street and intersection design, or flood control issues which should be eliminated in order to ensure a greater degree of public safety;
- e) The area has been identified as one where the buildings are approaching the end of their functional life and should either be rehabilitated and restored for sequential uses in keeping with the nature of the area or demolished so as to allow for redevelopment of the site for a use more compatible with adjacent uses;

- f) The area contains vacant and underutilized lands, buildings or structures which could be developed or redeveloped in a manner which reinforces the functional role of the area, provides opportunities for energy conservation and, at the same time provides for the enhancement of the municipal tax base;
- g) The area has commercial uses, which require upgrading, streetscape improvement and or improved off-street parking and loading facilities to aid the area’s economic viability;
- h) The area has buildings of cultural significance;
- i) The area has an inadequate mix of housing;
- j) The area has vistas and visual amenities such as waterfront which would benefit from protection and enhancement and which provide opportunities for tourism, leisure, and recreation;
- k) The area has transportation deficiencies, including inaccessible or deteriorated sidewalks, walkways, bike paths/lanes, and trails;
- l) The area has soil or water contamination because of chemicals or other pollutants; or
- m)The area has opportunities for improvements to increase energy efficiency, reduce water demand and overall sustainability.

I.7.1.3 Site and Locational Policies

I.7.1.3.1 An amendment to this Official Plan will be required to designate additional areas as *Community Improvement Policy Areas* but not to re-delineate the boundaries of an existing *Community Improvement Plan Area*.

I.7.1.3.2 The Township may by by-law designate lands in the Township as “*Community Improvement Project Area*” and shall undertake the preparation of a *Community Improvement Plan* for such area. *Community Improvement Plans* may provide

direction, guidelines, and a strategy for any or all of the following:

- a) The basis for selection of the *Community Improvement Project Area*;
- b) The boundary of the area, the land use designations, and the intent of the Official Plan;
- c) The nature of existing land uses, the physical condition of the buildings and structures and the socioeconomic fabric of the community setting;
- d) The existing level of services and the nature of improvements proposed to the municipal infrastructure, that is, roads, water supply, storm sewers, public utilities, and other community and recreational facilities;
- e) The identification of properties proposed for acquisition and/or rehabilitation;
- f) The estimated costs, means of financing, and the staging and administration of the project;
- g) The provision for a range of financial assistance and incentive programs in the form of tax relief, loans, grants, development charges, and application fees to eligible parties or for eligible projects;
- h) The allocation of public funds such as grants, loans, tax assistance or other financial instruments for the physical rehabilitation, redevelopment or improvement of lands and building, to registered owners, assessed owners, tenants and assignees of lands or buildings;
- i) The permission of sufficient flexibility, as circumstances warrant, where projects and costing revisions are necessary;
- j) The phasing improvements and the means of implementation in order to permit a logical sequence of events to occur without creating unnecessary hardship for area residents and or businesses;

- k) The provision of involvement of citizens, property owners, tenants, public bodies and agencies, and other interested parties during the preparation of a *Community Improvement Plan*;
- l) The potential for stimulating private sector investment and an improved municipal assessment base; and
- m) The potential for public/private partnerships, joint ventures, and cost-sharing arrangements.

I.7.1.3.3 Priority shall be given to those improvements relating to municipal services, public roads, street lighting, storm drainage, sidewalks, streetscape, and community and recreational facilities.

I.7.1.4 Implementation of Community Improvement

I.7.1.4.1 When a By-law has been passed to designate lands as a *Community Improvement Area*, the Township may implement the *Community Improvement Policies* in the following manner:

- a) Identify specific *Community Improvement* projects and prepare *Community Improvement Plans*;
- b) Participate in programs with senior levels of government;
- c) Acquire or rehabilitate land if necessary to implement adopted *Community Improvement Plans*;
- d) Encourage the orderly development of lands as a logical and progressive extension of development;
- e) Encourage the private sector to utilize available government programs and subsidies;
- f) Encourage rehabilitation of existing buildings and structures, which may adapt to an alternative, sequential use, compatible with surrounding community and the intent of the Official Plan;

- g) Review and possibly enact specific Regulations in the Comprehensive Zoning By-law which provides for a range of appropriate uses according to permitted standards, and encourages an efficient and integrated land use pattern;
- h) Review and where appropriate, apply to the Ontario Heritage Act, to recognize, designate, and protect heritage buildings and districts;
- i) Enforce the Municipality’s Property Standards By-law;
- j) Co-operate with and support constructive activities and programs undertaken by special interest groups within the designated *Community Improvement Project Area*; and
- k) Co-operate with and support local activities and programs undertaken by local service organization, particularly those which provide for improvements to recreational and community facilities where identified deficiencies exist.

I.7.1.4.2 In order to ensure the proper coordination and development of public works, notification of proposed improvements shall be provided to the appropriate public agency and any required approvals secured prior to affected works proceeding.

I.8 Policies on Public Notice

I.8.1 Official Plan Amendments

I.8.1.1 Where the Township is updating the municipal wide Official Plan, the Township shall ensure that at least one public meeting is held for the purpose of giving the public an opportunity to make representations in respect of the current proposed Official Plan. In addition, the Township shall ensure that at least one open house is held for the purpose of giving the public an opportunity to review and ask questions about the information and material made available. The open house shall be held no sooner than seven (7) days before the public meeting.

- I.8.1.2 An open house required under this Official Plan is a public session and may be in an informal setting and a quorum of Council shall not be required to attend such a meeting. Adequate information and material, including a copy of the proposed plan, shall be made available during the open house and public meeting and in the manner prescribed under the Planning Act.
- I.8.1.3 Where the Township is considering an Amendment to the Official Plan which is not a municipal wide Official Plan review, the Township shall ensure that at least one public meeting is held to provide the public an opportunity to make representation on the proposed Amendment. Adequate information and material, including a copy of the proposed Amendment shall be made available to the public in the manner prescribed under the Planning Act.
- I.8.1.4 That notwithstanding the minimum notice requirements set out in the Planning Act, a public meeting for a proposed Official Plan Amendment shall be held not sooner than thirty (30) days after the requirements for the giving of notice have been complied with, except as may be further provided within this Official Plan.
- I.8.1.5 Where it is found necessary or appropriate to make a technical amendment to an Official Plan Amendment under the applicable provisions the Planning Act, such as correcting clerical, grammatical or typographical errors or the numbering of provisions, the Township may forego the notice for public meeting required, pursuant to the Planning Act.
- I.8.1.6 Where the Township proposes to convene a subsequent public meeting(s) to hear additional comments on a planning application, such meetings shall be held not sooner than five (5) days after the first public meeting.
- I.8.1.7 The District of Muskoka Planning Department shall be provided notice of a public meeting in respect of all proposed Official Plan Amendments in similar fashion as provided in this Section, in order to afford the District of Muskoka the opportunity to review conformity of the proposed amendment to the Official Plan of the Muskoka Planning Area and, where it

considers it appropriate, to advise the Township on conformity issues.

- I.8.1.8 In the course of the preparation of a comprehensive Official Plan policy amendment, the Township shall ensure that the District of Muskoka and all public bodies are consulted on the preparation of the amendment and given opportunity to review all supporting information and materials in similar fashion as provided in this Section.
- I.8.1.9 The Township shall endeavour to post all notices and appropriate information as feasible on the Township's Website. Where notices or information cannot be posted on the Township Website because it is beyond the control of the Township or related to electronic issues, computers and or capacity of such system it shall not be deemed to be in conflict with this policy.

I.8.2 Zoning By-laws and Amendments

- I.8.2.1 Where the Township is updating the comprehensive municipal wide Zoning By-law, the Township shall ensure that at least one public meeting is held for the purpose of giving the public an opportunity to make representations in respect of the proposed By-law. In addition, the Township shall ensure that at least one open house is held for the purpose of giving the public an opportunity to review and ask questions about the information and material made available. The open house shall be held no sooner than seven (7) days before the public meeting.
- I.8.2.2 An open house required under this Official Plan is a public session and may be in an informal setting and a quorum of Council shall not be required to attend such a meeting. Adequate information and material, including a copy of the proposed municipal wide Zoning By-law, shall be made available during the open house and public meeting and in the manner prescribed under the Planning Act.
- I.8.2.3 Where the Township is considering an Amendment to the Zoning By-law which is not a municipal wide, the Township shall ensure that at least one public meeting is held to provide the public an opportunity to make representation on the

proposed By-law Amendment. Adequate information and material shall be made available to the public in the manner prescribed under the Planning Act.

- I.8.2.4 That notwithstanding the minimum notice requirements set out in the Planning Act, a public meeting for a proposed Zoning By-law Amendment shall be held not sooner than thirty (30) days after the requirements for the giving of notice have been complied with, except as may be further provided herein.
- I.8.2.5 Where it is found necessary to make a technical amendment to a by-law under the applicable provisions of the Planning Act, such as correcting clerical, grammatical or typographical errors or the numbering provisions, the Township may forego the notice for public meeting required, pursuant to the Planning Act.
- I.8.2.6 Where the Township proposes to convene a subsequent public meeting(s) to hear additional comments on a planning application, such meetings shall be held not sooner than five (5) days after the convening of the first Public Meeting.
- I.8.2.7 The District of Muskoka Planning Department shall be provided notice of a public meeting in respect of all proposed Zoning By-laws Amendments in similar fashion as provided in this Section, in order to afford the District of Muskoka the opportunity to review conformity of the proposed by-law to the Official Plan of the Muskoka Planning Area and, where it considers it appropriate, to advise the local the Township on conformity issues.
- I.8.2.8 The Township shall endeavor to post all notices and appropriate information as feasible on the Township's Website. Where notices or information cannot be posted on the Township's Website because it is beyond the control of the Township or related to electronic issues, computers and or capacity of such system it shall not be deemed to be in conflict with this policy.

I.8.3 Minor Variances and Consents

- I.8.3.1 The Township may provide by resolution that the setting of a public meeting date and the giving of notice thereof may be

delegated to a committee of Council or appointed official for applications for Minor Variance and Consent.

I.8.3.2 The District of Muskoka Planning Department shall be provided notice of the meeting of Council or delegated body in respect of all applications for Consents in similar fashion as provided in this Section, in order to afford the District of Muskoka the opportunity to review conformity to the Official Plan of the Muskoka Planning Area and, where it considers it appropriate, to advise the local the Township on conformity issues.

I.8.3.3 The Township shall endeavor to post all notices and appropriate information as feasible on the Township's Website. Where notices or information cannot be posted on the Township's Website because it is beyond the control of the Township or related to electronic issues, computers and or capacity of such system it shall not be deemed to be in conflict with this policy.

I.8.3.4 That notwithstanding the minimum notice requirements set out in the Planning Act, a public meeting for a proposed Minor Variance or Consent shall be held not sooner than twenty (20) days after the requirements for the giving of notice have been complied with, except as may be further provided herein.

I.8.4 Public Notification Circulation

I.8.4.1 Notwithstanding the minimum circulation distances set out in the Planning Act or any associated regulations, all applications for Official Plan Amendment, Zoning Bylaw Amendment, Minor Variance, or Consent shall be circulated to property owners within the following distance of the subject lands:

- a) 120 metres where the subject lands are within an Urban Centre or Community designation;
- b) 500 metres where the subject lands are within a Rural designation;
- c) 500 metres where the subject lands are located within the Waterfront Designation of an inland waterbody; and

d) 800 metres where the subject lands are located within the Waterfront Designation along the Georgian Bay shoreline.

I.8.4.2 Notwithstanding I.8.4.1 d), where there are less than 5 properties under different ownership within 800 metres of the subject lands, circulation shall be provided to the 5 nearest properties under different ownership.

I.8.4.3 Where the application falls within the boundary of a Waterfront Community, the application will also be circulated to the applicable community association located within the subject area.

I.8.5 Alternative Public Notification Methods

I.8.5.1 The Township shall use a variety of communication methods to seek input on planning matters and to provide information to the public in accordance with the Planning Act and its associated regulations. As further provided for in the Planning Act, and where the Township deems print media to be inadequate or unavailable to provide reasonable public notice, the Township may utilize alternatives to publishing notices in a print newspaper, including any or all of the following methods:

- a) Township website or internet engagement platforms;
- b) Notice posted at one or more Township operated buildings or facilities that are accessible to the public;
- c) Electronically circulated news media; and/or
- d) Electronic mail (OPA #23).

I.9 Service Limitations

I.9.1 Municipalities within the District of Muskoka make available or provide a wide variety of hard and soft services to property owners such as but not necessarily inclusive of sanitary sewer, storm, potable water, and road maintenance, amongst others. Although municipalities attempt to provide the highest level of services to all residents, it is recognized that the delivery of services outside of Urban Centres or the Community of Honey

Harbour may not generally be provided on the same level, if at all, as within such designations.

I.9.2

Municipalities generally attempt to provide the optimum level of such services within approved financial constraints. When considering the provision of such services, the Township will have regard to the long-term maintenance implications and costs associated therewith. This policy shall be implemented through the utilization of various by-laws or other mechanisms as authorized by statute, regulations made thereto, or other general authority.

Section J: Glossary of Terms

Where words are in *italics* within the Official Plan, the following definitions shall apply:

Active Transportation – Means any form of human powered, non-motorized transportation such as walking, cycling, and in-line skating. Active Transportation can have a recreational component and can also involve the non-motorized travel between everyday destinations such as school, work, shopping and other daily needs.

Adjacent Lands – Means:

- a) Those lands contiguous to a specific Natural Heritage Feature or Area where it is likely that development or Site Alteration would have a Negative Impact on the feature or area. The extent of the adjacent lands may be recommended by the Province or District of Muskoka or based on municipal approaches which achieve the same objectives; and
- b) Those lands contiguous to a Protected Heritage Property or as otherwise defined in the municipal Official Plan.

Affordable Housing – Means:

- a) In the case of ownership housing, the least expensive of:
 - i) Housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or
 - ii) Housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in Muskoka;
- b) In the case of rental housing, the least expensive of:
 - i) A unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or

- ii) A unit for which the rent is at or below the average market rent of a unit in Muskoka.

For the purpose of determining affordable in the Township, waterfront properties shall be excluded from the calculations above.

Alternative Energy System – Means sources of energy or energy conversion processes that significantly reduce the amount of harmful emissions to the environment (air, earth and water) when compared to conventional energy systems.

Archaeological Resources – Means artifacts, archaeological sites and marine archaeological sites. The identification and evaluation of such resources are based upon archaeological fieldwork undertaken in accordance with the Ontario Heritage Act.

Area of Natural and Scientific Interest (ANSI) – Means areas of land and water containing natural landscapes or features that have been identified as having life science or earth science values related to protection, scientific study, or education.

Brownfield Sites – Means undeveloped or previously developed properties that may be contaminated. They are usually, but not exclusively, former industrial or commercial properties that may be underutilized, derelict or vacant.

Built heritage resources – Means one or more significant buildings, structures, monuments, installations or remains associated with architectural, cultural, social, political, economic or military history and identified as being important to a community. These resources may be identified through designation or heritage conservation easement under the Ontario Heritage Act, or listed by local, provincial or federal jurisdictions.

Character – Means the collection of built, cultural and natural heritage attributes that define a given area. Such attributes can be historical in nature, can have evolved over time, or can be based on modern built form and land use patterns. Character is not static, but rather evolves over time, adapting to new circumstances and/or new planning policies.

Community Improvement – Means the planning or re-planning, design or redesign, re-subdivision, clearance, development or redevelopment, construction, reconstruction and rehabilitation, improvement or energy

efficiency, or any of them, of a *Community Improvement Project Area*, and the provision of such residential, commercial, industrial, public, recreational, institutional, religious, charitable or other uses, buildings, structures, works, improvements or facilities, or spaces therefore, as may be appropriate or necessary.

Community Improvement Plan – Means a plan for the *Community Improvement of a Community Improvement Project Area*.

Community Improvement Project Area – Means a municipality or an area within a municipality, the *Community Improvement* of which in the opinion of the Township is desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason.

Comprehensive Review – Means an Official Plan review which is initiated by a planning authority, or an Official Plan Amendment which is initiated or adopted by a planning authority.

Conserved – Means the identification, protection, use and/or management of *Cultural Heritage and Archaeological Resources* in such a way that their heritage values, attributes and integrity are retained. This may be addressed through a conservation plan or heritage impact assessment.

Cultural Heritage Landscape – Means a defined geographical area of heritage significance which has been modified by human activities and is valued by a community. There are three (3) types of cultural landscapes; designed, evolved and associative. It involves a grouping(s) of individual heritage features such as structures, spaces, archaeological sites and natural elements, which together form a significant type of heritage form, distinctive from that of its constituent elements or parts. Examples may include, but are not limited to, *heritage conservation districts* designated under the Ontario Heritage Act; and villages, parks, gardens, battlefields, main streets and neighbourhoods, cemeteries, trailways and industrial complexes of cultural heritage value.

Cultural Heritage Resources – Means *Archaeological Resources*, areas of archaeological potential, *Built Heritage Resources*, *Cultural Heritage Landscapes*, and *Protected Heritage Properties*.

Deposits of Mineral Aggregate Resources – Means an area of identified *mineral aggregate resources*, as delineated in Aggregate Resource Inventory Papers or comprehensive studies prepared using evaluation procedures

established by the Province for surficial and bedrock resources, as amended from time to time, that has a sufficient quantity and quality to warrant present or future extraction.

Dynamic Beach Hazard – Means areas of inherently unstable accumulations of shoreline sediments along the Great Lakes - St. Lawrence River System and large inland lakes, as identified by provincial standards, as amended from time to time. The dynamic beach hazard limit consists of the *Flooding Hazard* limit plus a dynamic beach allowance.

Employment Area – Means areas located in the Urban Centres that are designated Commercial or Industrial.

Endangered Species – Means a species that is listed or categorized as an “Endangered or Threatened Species” on the Ontario Ministry of Natural Resources official species at risk list, as updated and amended from time to time.

Erosion Hazard – Means the loss of land, due to human or natural processes, that poses a threat to life and property. The erosion hazard limit is determined using the 100 year erosion rate (the average annual rate of recession extended over a hundred year time span), an allowance for slope stability, and an erosion allowance.

Fetch – Means the maximum open water distance over which waves can build up.

Fish Habitat – As defined in the Fisheries Act, C.F-14, means spawning grounds and nursery, rearing, food supply, and migration areas on which fish depend directly or indirectly in order to carry out their life processes.

Flooding Hazard - Means the inundation, under the conditions specified below, of areas adjacent to a shoreline or a river or stream system and not ordinarily covered by water:

- a) Along the shorelines of the Great Lakes – St. Lawrence River System and large inland lakes, the flooding hazard limit is based on the one hundred year flood level plus an allowance for wave uprush and other water-related hazards.
- b) Along river, stream and small inland lake systems, the flooding hazard limit is the greater of:

- i) The flood resulting from the rainfall actually experienced during a major storm such as the Hurricane Hazel storm (1954) or the Timmins storm (1961); transposed over a specific watershed and combined with the local conditions, where evidence suggests that the storm event could have potentially occurred over watersheds in the general area;
- ii) The hundred year flood; and
- iii) A flood which is greater than 1. or 2. which was actually experienced in a particular watershed or portion thereof as a result of ice jams and which has been approved as the standard for that specific area by the Minister of Natural Resources;
- iv) Except where the use of the one hundred year flood or the actually experienced event has been approved by the Minister of Natural Resources as the standard for a specific watershed (where the past history of flooding supports the lowering of the standard).

Flood Plain – For river stream, and small inland lake systems, means the area, usually low lands adjoining a watercourse, which has been or may be subject to *Flooding Hazards*.

Floodway – For river, stream and small inland lake systems, means the portion of the *Flood Plain* where development and *Site Alteration* would cause a danger to public health and safety or property damage.

Where the one zone concept is applied, the *Floodway* is the entire contiguous *Flood Plain*.

Where the two zone concept is applied, the *Floodway* is the contiguous inner portion of the *Flood Plain*, representing that area required for the safe passage of flood flow and/or that area where flood depths and/or velocities are considered to be such that they pose a potential threat to life and/or property damage. Where the two zone concept applies, the outer portion of the *Flood Plain* is called the flood fringe.

Frontage – Means as defined by the Township’s Zoning By-law unless otherwise defined in this Official Plan.

Heritage attributes – Means the principal features, characteristics, context and appearance that contribute to the cultural heritage significance of a *Protected Heritage Property*.

Gross Floor Area – Means as defined by the Township’s Zoning By-law unless otherwise defined in this Official Plan.

Individual On-Site Sewage Services – Means individual, autonomous sewage disposal systems within the meaning of s.8.1.2, O.Reg. 403/97, under the Building Code Act, 1992 that are owned, operated and managed by the owner of the property upon which the system is located.

Individual On-Site Water Services – Means individual, autonomous water supply systems that are owned, operated and managed by the owner of the property upon which the system is located.

Low Effluent Producing Uses – Means a use which is not a high water user, does not require a water supply for the processing of a product, and does not generate large quantities of liquid effluent.

Mineral Aggregate Operation – Means:

- a) Lands under license or permit, other than for Wayside Pits or Quarries, issued in accordance with the Aggregate Resources Act, or successors thereto; and
- b) Associated facilities used in extraction, transport, beneficiation, processing or recycling of mineral aggregate and derived products such as asphalt and concrete, or the production of secondary related products.

Mineral Aggregate Resources – Means gravel, sand, clay, earth, shale, stone, limestone, dolostone, sandstone, marble, granite, rock or other material prescribed under the Aggregate Resources Act suitable for construction, industrial, manufacturing and maintenance purposes but does not include metallic ores, asbestos, graphite, kyanite, mica, nepheline syenite, salt, talc, wollastonite, mine tailings or other material prescribed under the Mining Act.

Narrow Waterbody – Means:

- a) A waterbody on a lake which has a minimum distance of less than 150 metres from shoreline to shoreline,
- b) A waterbody on a river which has a minimum distance from shoreline to shoreline of less than 30 metres.

Natural Heritage Features and Areas – Means features and areas, including significant *Wetlands, Provincially Significant Coastal Wetlands, Fish Habitat, Habitat of Endangered Species and Threatened Species* and significant *Areas of Natural and Scientific Interest*, which are important for their environmental and social values as a legacy of the natural landscapes of an area.

Negative Impacts – Means:

- a) Degradation to the quality and quantity of water, sensitive surface water features and sensitive ground water features, and their related hydrologic functions, due to single, multiple or successive development or Site Alteration activities;
- b) In regard to Fish Habitat, the harmful alteration, disruption or destruction of Fish Habitat, except where, in conjunction with the appropriate authorities, it has been authorized under the Fisheries Act; and
- c) In regard to other natural heritage features, functions and areas, degradation that threatens the health and integrity of the natural features or ecological functions for which an area is identified due to single, multiple or successive development or Site Alteration activities.

Private Communal Sewage Services – Means one sewage works system within the meaning of Section 1 of the Ontario Water Resources Act that serves more than one legally conveyable lot or unit and is not owned by a municipality.

Private Communal Water Services – Means a non-municipal drinking-water system within the meaning of Section 2 of the Safe Drinking Water Act, 2002 that serves more than one legally conveyable lot or unit.

Protected Heritage Property – Means real property designated under Parts IV, V or VI of the Ontario Heritage Act; heritage conservation easement property under Parts II or IV of the Ontario Heritage Act; and property that is the subject of a covenant or agreement between the owner of a property and a conservation body or level of government, registered on title and executed with the primary purpose of preserving, conserving and maintaining a cultural heritage feature or resource, or preventing its destruction, demolition or loss.

Provincial ANSI – Means an *ANSI* identified as Provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province as amended from time to time.

Provincially Significant Coastal Wetlands – Means a coastal *Wetland* identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time.

Provincially Significant Wetland – Means a *Wetland* identified as provincially significant by the Ontario Ministry of Natural Resources using evaluation procedures established by the Province, as amended from time to time.

Secondary Dwelling Unit – Means a secondary residential unit in an existing residential detached dwelling, townhouse dwelling or semi-detached dwelling, which is clearly accessory or subordinate to the main dwelling unit.

Significant – Means as defined by the Provincial Policy Statement.

Significant Cultural Heritage and Archaeology Resources – Means resources that are valued for the important contribution they make to our understanding of the history of a place, an event, or a people. Criteria for determining significance for identified *Cultural Heritage Resources* are recommended by the Province, but municipal approaches that achieve or exceed the same objective may also be used. While some significant resources may already be identified and inventoried by official sources, the significance of others can only be determined after evaluation.

Habitat of Endangered Species and Threatened Species – Means with respect to a species listed on the Species at Risk in Ontario List as an endangered or threatened species for which a regulation made under clause 55(1)(a) of the Endangered Species act, 2007 is in force, the area prescribed by that regulation as the habitat of the species; or with respect to any other

species listed on the Species at Risk in Ontario List as an endangered or threatened species, an area on which the species depends, directly or indirectly, to carry on its life processes, including life processes such as reproduction, rearing, hibernation, migration or feeding, as approved by the Ontario Ministry of Natural Resources and places in the areas described herein, whichever is applicable, that are used by members of the species as dens, nests, hibernacula or other residences.

Significant Wildlife Habitat – Means areas identified by the Province, planning authority and/or as identified through an Environmental Impact Study/Environmental Assessment as an ecologically important wildlife habitat as defined in the Ontario Ministry of Natural Resources Significant Wildlife Habitat Technical Guide and as updated and amended from time to time, based on features, functions, representation or amount and contributing to the quality and diversity of an identifiable geographic area or Natural Heritage System. Significant Wildlife Habitat is divided into four broad categories: seasonal concentration areas; rare vegetation communities or specialized habitats for wildlife; habitats of species of conservation concern, excluding the habitats of endangered and threatened species; and animal movement corridors.

Site Alteration – Means activities, such as fill, grading and excavation that would change the landform and natural vegetative characteristics of a site.

Waste Disposal Sites – Means land areas adjacent to former and existing waste disposal sites where adverse environmental effects may be evident as a result of waste disposal operations. This is generally the area within 500 metres of the perimeter of the waste disposal site but may vary according to the physical characteristics of the land or type of waste disposal operation.

Water Quality and Quantity – Is measured by indicators such as minimum base flow, depth to water table, aquifer pressure, oxygen levels, suspended solids, temperature, bacteria, nutrients and hazardous contaminants, and hydrologic regime.

Wayside Pit or Quarry – Means a temporary pit or quarry opened and used by or for a public authority solely for the purpose of a particular project or contract of road construction and not located on the road right of way.

Wetlands – Means lands identified in Appendix 4 (Provincially Significant Wetlands), Appendix 5 (Muskoka Heritage Areas) or Appendix 6 (Other Wetlands) that are seasonally or permanently covered by shallow water, as well as lands where the water table is close to or at the surface. In either

case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic plants or water tolerant plants. The four major types of wetlands are swamps, marshes, bogs and fens.

Periodically inundated lands or wetlands located on lands actively used for agricultural purposes are not considered to be wetlands for the purposes of this definition.

Wildlife Habitat – Means areas where plants, animals and other organisms live, and find adequate amounts of food, water, shelter and space needed to sustain their populations. Specific wildlife habitats of concern may include areas where species concentrate at a vulnerable point in their annual or life cycle; and areas which are important to migratory or non-migratory species.