

Appendix 1



MLCA Lake Plan - 2020 Survey

Survey Purpose

The purpose of this survey is to better understand key issues and concerns with regards to land use on the Muldrew Lakes. Overall, we are seeking to understand, "what is your vision for the Muldrew Lakes"? The results of this survey will be analyzed and discussed in more depth at a community workshop, and be presented in a final report by EcoVue Consulting Services. The questions in this survey address issues which can be addressed through both community stewardship (voluntary actions) and municipal land use policy.

For more background info on the lake plan and process, please see:

<https://mlc3a.wildapricot.org/sys/website/?pageId=1862374>

Anonymity

This Lake Plan Survey is not anonymous, however individual responses will be kept confidential. It will be important to demonstrate to the Town of Gravenhurst (for the purposes of any applications to amend the Official Plan or Zoning Bylaw) that the survey was completed by property owners on the Muldrew Lakes.

Instructions

It is preferred that the property owner completes the survey. If this is not possible, it is preferred that a family-member of a property owner complete the survey. Please include your full name and municipal address.

A successful lake plan results from a participatory and transparent process. Your participation is important, as it is only with the active involvement of everyone that quality of life on the lake and protection of the natural environment can be addressed properly. Please try to answer all the questions, however, all questions are optional (feel free to skip a question if necessary). If you can't answer, but you have an opinion or comment, please share it with us! If you have any questions, comments or need any help, please do not hesitate to reach out to Sarah at muldrewlakessteward@gmail.com.

If a paper copy of a survey is required, please email t.juke@g2mfg.ca.

Please respond to the survey by August 17th, 2020.

Thank you!
* Required

Contact Information

What is your name? *

2

What is your email address?*

3

What is your cottage municipal address?*

About You

4

Are you a:*

- ☐ Property owner/partial owner
- ☐ Family member of a property owner
- ☐ Owner of vacant land
- ☐ Business owner/operator on the Muldrew Lakes
- ☐ Other

5

How long have you or your family been on the Muldrew Lakes?

- ☐ Less than 1 year
- ☐ 1-5 years
- ☐ 6-10 years
- ☐ 11-20 years
- ☐ 21-30 years
- ☐ 31-50years
- ☐ 51-75 years
- ☐ Over 75 years

6

What is the nature of the use of your property on the Muldrew Lakes? (Select all that apply) *

☐ Seasonal Use or Full-Time Summer Resident

☐ Year-Round Use

☐ Principal Residence

☐ Rental Property

☐ Infrequent use

☐ Commercial Business

☐ Other

7

What is the city/town/other of your primary residence, if not the Muldrew Lakes?

--

Lake Planning - General Questions

8

The majority of properties on the Muldrew Lakes are designated "Waterfront Area" in the Gravenhurst Official Plan (GOP). One of the stated objectives in the GOP of this designation is: "to encourage and support the development of lake management plans that identify and protect unique social, cultural and ecological values of different lakes in the Town".

Do you believe that residents and stakeholders of the Muldrew Lakes should take an active role in identifying future directions for the lakes and protecting the resources that characterize the Muldrew Lakes?

☒ Yes

☐ No

9

Land use planning is a broad subject and often a complex process. It is most successful when it is participatory and transparent. For meaningful participation to occur, the overall purpose and outcomes of conducting a lake plan must be understood by participants. Do you feel that you would benefit from a portion of the upcoming workshop (or alternatively, resources on the MLCA website) being dedicated to facilitating a more general understanding of land use (and lake) planning?

☒ Yes

☐ No

As part of the Lake Planning process, a workshop will be held for those who are interested in sharing more thoughts and opinions with respect to the Muldrew Lakes. Would you be interested in participating in the workshop whether in-person or online (due to Covid-19 restrictions)?

☐ Yes

☐ No

At present, and in the context of the pandemic, what do you think is the appropriate method of conducting this workshop:

☐ Online (e.g., Zoom)

☐ In-person (with social distancing)

☐ Offering both in-person and online so as to maximize accessibility and participation of community members depending on personal circumstances

Land Use Pressures

12

In your opinion and on a scale of 1 to 9 (with 1 being the most severe), please rank the following land use pressures on the Muldrew Lakes:

Cottage Lot Development (setbacks, scale, and massing of new residences)	
Development Density (lot frontage and area)	
Recreational boating	
Unmaintained or aging septic systems	
Damage to shoreline and nearshore habitat (vegetation, wetlands, etc.)	
Invasive species	
Surface <u>runoff/non-point source pollution</u>	
Light pollution	
Noise pollution	

13

In recent years, has construction noise affected your quality of life on the Muldrew Lakes?

☐ Yes

☐ No

14

If you answered "Yes" in Question #13, please share any thoughts or opinions on construction noise below.

15

The MLCA Courtesy Code specifies that noisy activities should be avoided before 8am, however the Town of Gravenhurst Noise By-law allows construction to begin at 7am. Would you support requesting the Town to create a Muldrew-specific by-law for construction noise that is consistent with the MLCA Courtesy Code?

☐ Yes

☐ No

Would you further support the by-law to specify that construction activities not start until 9am on weekends and statutory holidays?

Q Yes

0 No

Since many of the cottages on the Muldrew Lakes were built prior to the current zoning standards, many cottages are located within the 30-metre setback from the lake. The current zoning bylaw states that a non-complying cottage can be replaced, enlarged or extended on the site, if the situation of non-compliance is not further increased (i.e., a new cottage may be built within the 30-metre setback as long as it is not any closer to the water than the old cottage).

Replacing older and smaller cottages with larger homes within the 30-metre buffer could introduce environmental impacts and a change to the character of the lake. Would you support a Muldrew-specific policy for existing non-complying structures that would limit the size of rebuilds, extensions or enlargements within the 30 metre shoreline setback?

Q Yes

0 No

The Gravenhurst Official Plan (GOP) encourages lake communities to complete individual lake management plans which address the density of development on a lake with respect to lake surface area and shoreline (i.e., the "recreational or social carrying capacity" of the lake). Would you support exploring a Muldrew-specific policy to this effect?

To read a recent article about recreational carrying capacity in Muskoka, click here: <https://www.muskokaregion.com/news-story/9115631-new-rules-for-lakes-in-muskoka-recreational-carrying-capacity-makes-waves/>

Q Yes

Q No

Would you support a Muldrew-specific policy to set limits for the size of new cottages (as well as enlargement/extensions to existing cottages) in square metres?

Q Yes

Q No

What type of boat(s) do you use on the Muldrew Lakes? (select all that apply)

- ☐ Canoe
- ☐ Sailboat or Windsurfer
- ☐ Row Boat
- ☐ Kayak
- ☐ Personal Watercraft (PWC)
- ☐ Motorboat (under 25 hp)
- ☐ Motorboat (26-100 hp)
- ☐ Motorboat (101-200 hp)
- ☐ Motorboat (over 200 hp)
- ☐ Other

I believe efforts need to be made to (select any that you agree with):

- ☐ Reduce boat (incl PWC) speeds in open water
- ☐ Reduce boat (incl PWC) speeds close to the shoreline
- ☐ Reduce boat (including PWC) speeds during bird nesting season (e.g., loons)
- ☐ Lower noise levels (motors and music)
- ☐ Reduce wash/wake from motorboats
- ☐ Encourage safer operation of boats
- ☐ Reduce the number of boats (congestion)
- ☐ Reduce engine pollution
- ☐ Reduce the number of canoeists/kayakers/sailors
- ☐ None of the above
- ☐ Other

Unlike wakeboarding, which can cause negative impacts to the shoreline environment, wake surfing creates a much higher wake with more potential to impact the shoreline, properties, or other boats and wildlife. Would you support restrictions or a ban on wake surfing activities on the Muldrew Lakes?

- ☐ Yes
- ☐ No

23

The current minimum lot size (e.g., for newly severed lots) of 0.8 hectares (1.97 acres) is:

☐ Too little

☐ Just right

☐ Too much

24

The current shoreline setback of 30 metres (98 ft) from the lake is:

☐ Too little

☐ Just right

☐ Too much

25

The current allowed shoreline lot frontage of 120 metres (394 ft) on the lake (and 150 metres or 492 ft in narrow channels) is:

☐ Too little

☐ Just right

☐ Too much

The enforcement for upkeep of waste systems (septic, holding tanks, outhouses, etc.) is:

☐ Too little

☐ Just right

☐ Too much

How old is your septic system?

☐ Less than 5 years

☐ 5-15 years

☐ 15-30 years

☐ Greater than 30 years

☐ Unknown

28

When was the last time that your septic tank was pumped out?

- ☐ Less than 5 years ago
- ☐ 6-10 years ago
- ☐ 11-20 years ago
- ☐ Unknown

29

In recent years, has boat traffic in your area of the lake:

- ☐ Increased
- ☐ Decreased
- ☐ Stayed the same

30

If you noted a change in boat traffic in Question #29, and this is a concern for you, please share any thoughts or opinions below:

31

In recent years, has the daytime noise level in your area of the lake:

☐ Increased

☐ Decreased

☐ Stayed the same

32

If you noted a change in daytime noise levels in Question #31, and this is a concern for you, please share any thoughts or opinions below:

33

In recent years, has the nighttime lighting in your area of the lake:

☐ Increased

☐ Decreased

☐ Stayed the same

If you noted a change in nighttime lighting in Question #33, and this is a concern for you, please share any thoughts or opinions below:

Lake Character

35

Do you know of any properties/cottages on the lake that would be considered historic (e.g., original, pre-WWI or pre-1920)?

36

How would you describe the visual character of the Muldrew Lakes?

37

What are the special places on the Muldrew Lakes that should be protected?

As a result of the Muldrew Lakes Lake Plan (2009), Section D17.3.1 of the Gravenhurst Official Plan (GOP) contains several policies which only apply to the Muldrew Lakes. All planning applications (e.g., Zoning By-law amendments) must conform to these policies. Section D17.3.1 describes the special character of the Muldrew Lakes and restricts development to that which is "modest" and "reasonable", "in keeping with the character of the lake".

How would you describe or define "modest" and "reasonable" in the context of the Muldrew Lakes? (e.g., A particular square footage? Number of buildings per lot? Number of bedrooms/bathrooms? A particular height? Etc. etc.)

The Gravenhurst Official Plan (GOP) permits Council to adopt design guidelines within the "Waterfront Area" designation that include architectural details and landscape elements to implement policies to conserve the character of the shoreline environment (Section D12.2).

Would you support an effort to create Muldrew-specific design guidelines for new development as well as any redevelopment of existing lands and buildings?

☐ Yes

☐ No

☐ Maybe

Which of the following activities do you regularly enjoy at the Muldrew Lakes?
(Select all that apply)

☐ Swimming

- ☐ Fishing
- ☐ Hunting
- ☐ Hiking/Walking
- ☐ Snowmobiling
- ☐ Waterskiing
- ☐ Wakeboarding
- ☐ Tubing
- ☐ Stand-up boarding
- ☐ Wake surfing
- ☐ Driving a PWC
- ☐ Canoeing
- ☐ Rowing
- ☐ Sailing
- ☐ Kayaking
- ☐ Windsurfing
- ☐ Cross-country skiing
- ☐ Snorkelling or Scuba Diving
- ☐ Snowshoeing
- ☐ Birding
- ☐ Tennis
- ☐ Stargazing
- ☐ Gardening
- ☐ Socializing
- ☐ Reading

LJ Bonfires

0 Other

41

Of the activities listed above in Question #40, please rank your top five (5) activities in order of importance (value to you), with 1 being the most important:

42

What do you value about your property and/or about our lake community that should be protected and included in the Lake Plan?

Environmental Stewardship

43

I would support efforts to protect (select all that you would support):

- ☐ The natural shoreline
- ☐ The natural beauty of the area
- ☐ Privacy and the wilderness character of the lake
- ☐ Wetlands
- ☐ The watershed (the waters that flow into/out of the Muldrew Lakes)
- ☐ Wildlife/waterfowl
- ☐ Species at Risk (e.g., threatened, endangered and species of special concern)
- ☐ Water quality
- ☐ Quietness
- ☐ Dark skies
- ☐ Other

Would you support the MLCA in acquiring land or interests in land for permanent conservation/preservation, such as through a community land trust or conservation easements?

Land trusts are non-profit, charitable organizations which save land for public benefit. Most land trusts focus on conserving biological values of land, but may also protect scenic, historical, agricultural or recreational values as well. A land trust acquires land by raising funds to purchase lands or by donation from the land owner. A conservation easement is a legal agreement, registered on title, between a landowner and a qualified organization that protects a property long into the future (typically 999 years), without giving up ownership of that property. Read more about these topics at:

<https://olta.ca/who-we-are/land-trust/>

Q Yes

Q No

Q Maybe

The Gravenhurst Official Plan (GOP) encourages the development of individual lake management plans that include detailed information/mapping of environmental features such as nesting sites and other sensitive habitat areas. Would you be interested in volunteering to help create a map of sensitive habitats on Muldrew?

Q Yes

Q No

Q Maybe

At present, do you know of any sensitive habitat or nesting areas that should be included in this mapping?

--

Last Question!

47

Do you have any other thoughts, concerns or suggestions regarding the lake plan or the future of the Muldrew Lakes?

**Thank you for sharing your thoughts and
opinions regarding the future of the
Muldrew Lakes**



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MLCA Lake Plan Survey

Survey Highlights

- 188 people responded to the survey
 - 94% of respondents were property owners or partial owners
 - 6% were family members of property owners

Lake Planning Process

- **97%** of respondents believe that residents and stakeholders on the Muldrewh Lakes **should take an active role** in protecting and identifying future directions for the lakes in the form of a lake management plan.
- **88%** of respondents feel they would **benefit from additional resources or workshops** focusing on developing a more general understanding of land use planning.
- **73%** of respondents say they **would participate** in an online or in-person workshop in the next step of the lake planning process.

Priority Issues and Vision

- **Cottage Lot Development** (setback, scale and massing), **Cottage Development Density**, and **Recreational Boating** ranked as the **top three concerns** of respondents
- **72%** of respondents report that **boat traffic is increasing**
 - In terms of recreational boating, the top three concerns were **reducing boat speeds, reducing the wash/wakes** generated by boats, and overall boating **safety**.





- Concerns regarding wash/wakes were associated with damage to personal property (e.g. docks) and shoreline habitat
- In terms of **environmental conservation**, all the listed issues were important to respondents. The top three included 1) **Water Quality**; 2) **The Natural Beauty of the Area**; and 3) **The Natural Shoreline**.
 - Several respondents listed their own issues related to environmental conservation which included:
 - **fire prevention education**;
 - **native species**; and
 - reducing the impacts of **Canada Geese and Cormorants**.
- In the open-ended question pertaining to peoples' values, most cottagers discussed valuing the **natural environment** and **privacy**, as well as the **peacefulness** and **tranquility** of the lake.
- Swimming, Hiking/Walking, Canoeing, Kayaking, Socializing, Stargazing and Reading ranked as the most popular activities among those who responded to the survey

Possible Policy Solutions and Stewardship Actions

- **80%** of respondents **would support** a Muldrewe-specific by-law to **prohibit noisy activities** before 8 a.m. on weekdays and 9 a.m. on weekends and statutory holidays
- **70%** of respondents **would support** a Muldrewe-specific by-law restricting the **size of rebuilds, extensions and or enlargements within the 30 metre setback** (for existing non-complying structures)
- **54%** of respondents **would support** Muldrewe-specific design guidelines with respect to architectural details and landscape elements to preserve the character of the shoreline environment





- An **additional 27% would consider supporting** design guidelines after further discussion
- 18% of respondents do not support Muldrewe-specific design guidelines
- **90%** of respondents **would support** exploring a Muldrewe-specific policy regarding the “**social**” or “**recreational**” **carrying capacity** of the lake.
- **73%** of respondents **would support** a Muldrewe-specific policy **limiting the size of new cottages** (as well as enlargements and extensions on existing cottages).
- **142 responses** were received with suggestions of how to define “modest” and “reasonable” development on the lake. Most responses suggested limiting square footage to something in the range **of 2,500 to 3,500 square feet** for a main building. All suggestions will be summarized and presented during future engagement for further discussion.
- **79%** of respondents **would support** restrictions or a ban on wake surfing activities
- **43 responses** were received regarding suggested areas to be included in environmental features mapping (including sensitive habitat and nesting areas). These will be reviewed in detail and **included in a map in EcoVue’s report**.
- Several suggestions were received from respondents regarding **historic properties** on the lake. This topic will be discussed further during future engagement activities.
- **147 responses** were received describing the **visual character** of the Muldrewe Lakes. These statements will be synthesized and a draft vision statement will be presented during future engagement and in EcoVue’s final report.





- **132 suggestions** of **special places which should be protected** on the Muldraw Lakes were received. These will be reviewed and presented at future engagement sessions and in EcoVue's final report.
- **58%** of respondents **would support** the MLCA in acquiring lands or interests in land for permanent conservation/preservation
 - An **additional 30%** of respondents **might be interested** in supporting the MLCA in the above after further discussion.

A huge thank you to everyone who took the time to respond to the survey.

Lake Plan Next Steps: Join the conversation!

Virtual Town Hall (Zoom) Sessions

December 14th @ 2:00 pm

and

December 15th @ 7:00 pm

Please register for one session by emailing Zoe at zmager@ecovueconsulting.com



Appendix 2



Feasibility Study

for an update of the MLCA Lake Plan

Muldrew Lakes, Town of Gravenhurst, District of Muskoka

Prepared for: The Muldrew Lakes Cottagers Association (MLCA)

EcoVue Reference No.: 19-1950

Date: June 26, 2021

A large, light-colored, stylized tree graphic is positioned on the left side of the page, extending from the bottom to the middle. It has a thick trunk and a full, rounded canopy with many small, light-colored leaves.

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1.0 Background

EcoVue Consulting Services was retained by the Muldrewe Lakes Cottagers Association (MLCA) to undertake a study to determine a recommended scope and outline of costs associated with completing an update of lake specific policies in the Gravenhurst Official Plan (GOP) and Gravenhurst Zoning Bylaw (GZBL). A MLCA Lake Plan was previously completed in 2010, which was comprehensive in nature, and resulted in several policies being implemented in the GOP and GZBL. The plan was meant to be reviewed and updated every five years.

To help determine the scope and costs associated with this potential update, EcoVue completed a community survey and Town Hall event during the summer and fall of 2020, respectively. This report presents the results of these community engagements, a summary of our research, and a set of recommendations to proceed with updating the Muldrewe-specific policies in the GOP and GZBL, within the context of Provincial and local land use policies. Finally, this report also presents some supplementary information regarding Crown Land on the Muldrewe Lakes, as well as some additional tools for addressing the priority issues land use issues identified by the community.

1.1. Description of the Muldrewe Lakes

The Muldrewe Lakes are located within the municipality of the Town of Gravenhurst, in the District of Muskoka. North Muldrewe, Middle Muldrewe and South Muldrewe comprise the Muldrewe Lakes, which are long and narrow water bodies with a total surface area of 420 hectares. The Muldrewe Lakes are part of the Black-Severn River Watershed, and more specifically, the Severn River Subwatershed. Owing to their location on the Precambrian Canadian Shield, the shorelines of the lakes are predominantly naturalized and include steep rocky cliffs and mature forests dominated by coniferous trees. There are currently 395 dwellings on the lakes, one commercial trailer park and approximately 18,000 feet of Crown Land frontage. A Muskoka Heritage Site is located on South Muldrewe adjacent to Muldrewe Creek. There is one public boat launch accessed from North Muldrewe Lake Road.

1.2. Policy Context

Land use on the Muldrewe Lakes is governed by a provincially-led land use planning system. Land use planning policies affecting the Muldrewe Lakes include, at the Provincial level, the Provincial Policy Statement (PPS), and at the local level, the Official Plan of the Muskoka District Area (MDOP) and Town of Gravenhurst Official Plan (GOP) and Zoning Bylaw (GZBL). While Provincial policies provide

overarching requirements, the District and Municipal land use policies provide more specific policies which are appropriate in the local planning context. Individual lake management plans and strategies are supported and encouraged by both the District and Municipal Official Plans.

1.2.1 The Provincial Policy Statement, 2020

The shoreline properties surrounding the Muldrewe Lakes are not located within an “Urban Centre” or a “Rural Settlement Area” according to the MDOP and GOP. Therefore, for the purposes of interpreting the PPS, the Muldrewe Lakes are considered “Rural Lands”. The policies affecting Rural Lands in the PPS encourage sustainable tourism and recreation while also emphasizing the importance of conserving biodiversity and the ecological benefits provided by nature. The PPS also looks to protect the quantity and quality of water by requiring planning authorities to plan at a watershed scale, consider cumulative impacts and environmental lake capacity (where applicable), and ensure that stormwater volumes and contaminants are minimized (s. 2.2.1, PPS).

1.2.2 The Official Plan of the Muskoka District Area

The MDOP establishes a broad, upper tier (district) policy framework and all development and Municipal land use policies must conform to the policies of the MDOP. The shorelines of the Muldrewe Lakes are designated as Waterfront Area on Schedule A to the MDOP. While the MDOP must be read in its entirety and all relevant policies must be applied, Section J4 contains policies which are specific to lands designated as Waterfront Area.

Among the policies that apply to the Muldrewe Lakes, the MDOP encourages individual lake plans and lake stewardship programs as a method “to identify important values, features and individual lake character”. Additionally, these programs “can be used to monitor water quality, social carrying capacity and general lake management and lake plans may be incorporated into Area Municipal Official Plans” (s. J4.3[k], MDOP).

1.2.3 The Town of Gravenhurst Official Plan, 2016

The GOP is the lower tier (local) policy framework. The privately owned lands surrounding the Muldrewe Lakes are designated as Waterfront Area and the Crown Lands located are designated as Open Space.

As with the MDOP, the GOP must be read in its entirety when interpreting and implementing policy. However, Section D contains policies specific to the Waterfront Area designation. Among them, Section D15 contains guiding policy pertaining to individual lake management plans and lake stewardship. Lake management plans are *“encouraged as a tool to establish and improve good land stewardship practices amongst those who live in lake communities and to articulate lake specific principles and goals outlined in this Plan”*.

According to Section D15.2 and D15.3:

“Lake Management Plans and Strategies may assess issues such as:

- a) shoreline development;*
- b) lake level management;*
- c) fisheries;*
- d) vegetation retention and health;*
- e) shoreline erosion; and,*
- f) septic system maintenance and inspection and other issues important to lake communities.*

Lake Management Plans and Strategies should define specific characteristics of the lake and shoreline areas, including:

- a) natural features;*
- b) landscape character sites;*
- c) cultural and historic features;*
- d) detailed environmental features such as nesting sites and other habitat areas;*
and,
- e) density of development in relation to lake surface area, and shoreline”.*

Section D17.3 of the GOP contains the lake specific policies that were implemented as a result of the MLCA Lake Plan (2010).

1.2.4 The Town of Gravenhurst Zoning By-law

Each property located on the Muldrew Lakes is located within a specific land use zone. The Town of Gravenhurst Zoning By-law (GZBL) provides a set of general provisions, as well as a specific set of provisions for each land use zone category. An easy way to determine the zoning of a property is to refer to the [Muskoka GeoHub](#) (an online interactive mapping database). It should be noted that some of the information on the GeoHub is currently not up to date.

The privately owned properties on the Muldrew Lakes are zoned either Residential Waterfront – 6B, Residential Waterfront – 6C or Residential Waterfront – 6D. The main distinction between Residential Waterfront 6B, 6C and 6D is the required minimum lot frontage (lot width at the waterfront). Some properties also have a “Special Provision” attached to their specific zone, which means that those particular properties have site-specific provisions (e.g. reduced setbacks, lot areas) that were likely implemented through Zoning By-law Amendments.

In addition to the zone provisions, Section 5.2.4.4 of the GZBL contains Muldrew-specific provisions pertaining to shoreline storage buildings (boathouses). A more detailed review and analysis of the GZBL in the context of the potential lake plan update is presented in Section 3.0.

2.0 Review of Background Materials

This section includes a review of pertinent background materials including the MLCA Lake Plan (2010), the Community Survey conducted in the summer/fall of 2020, as well as the Community Workshop (Town Hall) conducted in the fall/winter of 2020.

2.1. MLCA Lake Plan, 2010

The 2010 MLCA Lake Plan is a comprehensive document addressing both land use and stewardship issues and includes three main sections: vision, values and actions. The vision set for the Muldrew Lakes in 2010 was as follows:

“The beauty of the natural surroundings, the view of the opposite shore not so far away, and the wildlife set our lake apart from many others, especially the larger lakes. To protect these features, we must keep in mind and respect both the delicate nature of our lake and the different wishes of others on the lake. We must understand how we can adjust our activities to minimize the harm to the

environment and annoyance to others. By learning and showing mutual respect we can all enjoy Muldrew Lakes now and in the years to come”.

The outline of values included in the report further support the vision, and the action items support attaining this vision of the Muldrew Lakes. The values listed in the document include:

- Clean water
- Aesthetic of the natural environment & preserving natural habitat and shorelines
- The night sky
- Peacefulness
- Water-based activities
- Community activities and events

The action items included in the 2010 MLCA Lake Plan include:

- Encourage leadership
- Share information
- Monitor sensitive issues
- Host Community Events
- Advocate for legal/regulatory action

The most relevant action item to EcoVue’s work is the advocacy for legal/regulatory action. The report further outlines that the community/MLCA should advocate for an updated zoning by-law, since “*the existing bylaws do not reflect the Official Plan standards – neither the general provisions nor the Muldrew Lakes specific sections...In particular, there is a perceived need to regulate boathouses, a need for a tree-cutting bylaw that would protect the area within 30 m from the shoreline*”. Additionally, the 2010 MLCA Lake Plan states that a guide should be developed for additions/renovations of non-

complying buildings. EcoVue will discuss our recommendations for the above work in the context of our research and recent community consultation in Section 3.0 (Analysis) of this report.

2.2. Community Engagement

2.2.1 Lake Plan Community Survey, 2020

A Community Survey was distributed to the lake community using the MLCA contact list (lake association members and non-members) in early summer 2020. The deadline to complete the survey was September 15, 2020 and 188 responses to the survey were collected (94% were property owners or partial owners, and 6% were family members of property owners). The survey was available online or in paper format to anyone who preferred to complete a hard copy.

The survey focused on understanding the key issues and concerns with regards to land use on the Muldrew Lakes. A detailed summary of the survey has been uploaded to the [MLCA Lake Plan webpage](#). The following is a summary of key points relevant to EcoVue's feasibility study.

2.2.1.1 LAKE PLANNING PROCESS

97% of respondents believe that residents and stakeholders should take an active role in protecting and identifying future directions for the lakes in the form of a lake management plan.

2.2.1.2 VALUES AND VISION

Survey respondents were asked to contribute ideas regarding their values related to spending time on the lakes in an open-ended question. Most participants discussed valuing the beauty of the natural environment, the modest nature of development on the lake, as well as its privacy, peacefulness and tranquility.

When asked what activities are valued on the lake, swimming, hiking/walking, canoeing, kayaking, socializing, stargazing and reading ranked as the most popular.

A subsequent question asked respondents to describe the visual character of the Muldrew Lakes. The majority of respondents contributed their thoughts and the trends that emerged included:

- A description of the natural beauty of the area (classic Muskoka – large rocks and trees)

- A description of the historic character of the lake as well as more recent changes driven by new development.

The following comments provide examples of these trends in the survey data:

“Muldrew Lake is a classic example of a small Precambrian shield lake with a mixed white pine and oak foliage. Excessive development along the peninsula road area of the lake has declined the natural beauty of that region but significant portions of the shoreline in the more eastern and far western portions of the lake have maintained a natural element. Traditionally cottages minimized light pollution over the lake but in the high-density areas, light pollution can blind boaters. Traditional cottages were small in nature and attempted to use natural foliage to camouflage the cottage whereas development in the last 20 years tends to remove more of the natural vegetation leaving the larger structure exposed”.

“Beautiful. The modification of the shoreline and increasing size of docks, dock furniture, and numbers of boats disturbs the natural beauty of the shoreline”.

“Rugged granite outcrops, classic south Muskoka vegetation, lots of plastic gear around docks, rapidly increasing density with a few areas of natural forest remaining”.

“Natural shoreline when looking down the lake with few boathouses or shoreline structures”.

“It is a beautiful lake, but has been over developed in some areas”.

“Evolving. We need to maintain natural shorelines and buffers”.

Survey respondents were also asked to suggest special places on the lake that should be protected. The majority of people listed natural areas (wetlands, undeveloped areas, Crown Lands, loon nesting habitat, forested areas, etc.) as well as Memorial Pines, Dew Drop Island, and the landings on North and South Muldrew Lakes.

2.2.1.3 PRIORITY ISSUES

1. Land Use Pressures

Survey respondents were presented with a list of 9 land use pressures common to lake communities. The three top ranking land use pressures included:

a) Lot Development (setback, scale and massing)

- When asked specifically whether the current required setback (from the water) of 30 metres is “just right”, “too little” or “too much”, 71% of respondents agreed that it is “just right”, while 25% felt that it is “too little”.
- Common themes in the open-ended questions on the survey:
 - A concern that too many variances (or amendments) are granted to the 30-metre setback.
 - Very large builds that are “*out of character*”, “*city-like*”, or “*suburban-like*.”
 - New cottages are too visible from the lake or too close to the lake (out of character). Structures should be hidden or blend-in with the natural environment.
 - Concerns regarding the impact of very large builds on the natural environment including water quality.

b) Development Density (lot frontage and area)

- When asked specifically whether the current minimum lot size of 0.8 hectares (1.97 acres) is “just right,” “too little,” or “too much,” 68% of respondents agreed that it is “just right”, while 25% felt that it is “too little.”
- When asked specifically whether the current required shoreline frontage of 120 metres (or 150 metres in narrow channels) is “just right”, “too little”, or “too much”, 68% agreed that it is “just right”, while 18% felt that it is “too little” and 14% felt that it is “too much”.

- Common themes in the open-ended questions on the survey were concerns that certain areas of the lake are becoming “over developed”, and that the lake has reached its capacity.

c) Recreational Boating

- With regards to recreational boating, 72% of respondents report that boat traffic is increasing
- Respondents’ top three concerns with regards to recreational boating include:
 - i. Boat speeds
 - ii. Boat wash/wake (related to shoreline damage to both private property and wildlife habitat)
 - iii. Overall boating safety

Therefore, in terms of land use pressures on the lakes, survey respondents are primarily concerned with lot development (variances to required setbacks as well as new builds which are often very large, visible, and “out of character”), as well as the existing number of cottages on the lake. Following these two issues is a shared concern for increasing boat traffic, the speed boats travel, and the resulting safety concerns and damage to the natural shorelines and private property from boat wash/wake.

2. Environmental Stewardship

Respondents were asked to indicate which of 10 conservation initiatives they would support which included the protection of: the natural shoreline, the natural beauty of the area, privacy and the wilderness character, wetlands, the watershed, wildlife/waterfowl, species at risk, water quality, quietness, dark skies or other. All the suggested initiatives were relatively equally supported by between approximately 128 and 173 of the respondents. The top three issues for respondents included:

1. **Water quality** (173 would support)
2. **The natural beauty of the area** (166 would support)
3. **The natural shoreline** (162 would support)

Stewardship issues contributed under “other” by survey respondents included:

1. Fire prevention education
2. Native species protection
3. Reducing impacts of Canada Geese and Cormorants

2.2.2 Community Workshop (Town Hall), 2020

A Town Hall session was designed to further engage with residents and cottagers of the Muldrew Lakes. This session was offered twice: once during the day and once during the evening in order to increase accessibility. The Town Hall sessions were delivered over Zoom due to the ongoing Covid-19 pandemic. Fifty-three (53) people participated in the virtual Town Hall sessions. A presentation was delivered using PowerPoint to provide a high-level summary of the Community Survey to attendants and allow opportunities for suggestions and discussion. The presentation went into detail regarding possible policy solutions for the main issues which arose on the survey which can be addressed through land use policy in the GOP and GZBL. During the Town Hall, participants were also polled as to whether they felt in support of the suggested policy solutions. A copy of the presentation with the poll results (an average of the two sessions) has been uploaded to the [MLCA Lake Plan webpage](#). The results of the polls will be discussed in the context of our analysis below.

3.0 Analysis

The following section of the report will evaluate the efficacy of the MDOP, GOP and GZBL at regulating land use pressures on the Muldrew Lakes in the context of the vision, values and priority concerns of residents and cottagers. Policy gaps will be identified and options to address these gaps will be presented.

3.1. Vision and Values

Overall, the values and vision (clean water, the natural environment, peacefulness) of lake residents do not appear to have changed significantly since 2010 when the previous version of the MLCA Lake Plan was published. However, there does seem to be a greater emphasis of concern from the community regarding development pressures on the lake, and in particular, concerns regarding the negative

impacts of development on the natural environment, a change in the visual character of the lake, and the negative impacts of increasing recreational boat traffic.

The Objectives of the Waterfront Area policy in the MDOP strive to protect the ecological functions and features of lakes, including tree cover and overall natural appearance. The objectives also state that a high standard of water quality should be maintained, and that the character of any new development should be reflective of, or be compatible with, existing development in the Waterfront Area. More specifically, the MDOP stipulates that *“new development should generally have a physical character similar to or compatible with existing development in terms of density, lot sizes, maximum building heights, and minimum setbacks”* (MDOP, J4.3[i]).

The overall goal of the Waterfront Area policy in the GOP is as follows:

“To ensure sustainable development practices and maintain and enhance where possible water quality, protect the ecological, natural, visual and aesthetic character of the lake and shoreline and protect the recreational, social, accessible and environmental qualities of the lakes and rivers” (GOP, D2.1).

Specific objectives to obtain this goal include (among others):

“[t]o maintain or improve the ecological, scenic or recreational character of the Town’s lakes and rivers and those lands that are visually connected to the shoreline...[and] [t]o ensure that shoreline development does not have an adverse impact on the quality of lake water and, wherever possible, to rehabilitate and naturalize shoreline areas that are currently developed”.

Thus, the guiding policies of the MDOP and GOP are supportive of the vision and values of the Muldrew Lakes community with respect to protecting the ecological, visual, and recreational values and character of the lakes in very general terms.

3.1.1 Lake-Specific Policy Option

Though the MDOP and GOP are supportive of the overall vision of the Muldrew Lakes residents and cottagers, it would be advisable to include an updated and detailed vision statement for the lake in the Muldrew-specific policy section of the GOP.

3.2. Land Use Pressures – Lot Development (setback, scale and massing)

3.2.1 Required Setback

In terms of regulating shoreline development with regards to setback from the water, Section D11.2 of the GOP requires that primary development be set back a minimum of 30 metres from the high-water mark and that site alteration and disturbance of vegetation within 20 metres of the shoreline be limited.

There are instances where a reduction to the 30 metre setback from the high-water mark may be necessary. In instances where old cottages were built prior to the current zoning requirements (existing non-complying buildings and structures), the GOP and GZBL allow these buildings to be replaced if the setback is not further reduced. Section D11.2 of the GOP provides some additional examples of where an amendment or variance might be granted to the required setback, such as where site characteristics do not allow, where sufficient lot depth on existing lots is not available, or where there are terrain or site constraints.

3.2.1.1 LAKE-SPECIFIC POLICY OPTIONS

The results of the community survey and Town Hall indicate that a majority desire strict adherence to the required 30-metre setback. While existing non-complying rights cannot be taken away, one option could be to restrict a re-build to the same location to prevent large areas within the 30-metre setback from being cleared for a larger replacement building. Some additional restrictions could be introduced for these structures in terms of scale and massing and will be discussed in section 3.2.3 of this report.

Additionally, an individual cannot be prevented from submitting an application to amend the required 30 metre setback (strict adherence to this standard cannot be enforced). However, a more specific set of Muldrew-specific objectives and criteria could be introduced to the GOP to specify where an amendment or variance to the required 30 metre setback might be considered, which conform to the values of the Muldrew Lakes community. Some examples include:

- Where the environmental impact on the site and lake would be lessened (e.g., where blasting or clear-cutting of trees could be avoided or lessened).
- Where the visual impact on the lake would be lessened

The idea of introducing a specific set of guiding policies was discussed at the Community Town Hall. When polled, 69% of participants said that they would be in support of introducing such policies, while 6% said they would not be in support. An additional 25% said they would like to learn more or have more time to consider.

3.2.2 Scale and Massing of New Builds

Scale and massing of development play a key role in determining the visual character of the shoreline. Building footprints also influence the degree of impact on the shoreline environment. The guiding policy in terms of preserving character in the GOP is as follows: *"Buildings in the Waterfront Area will be designed and constructed to blend into the natural environment and preserve the historic architectural characteristics of the area"* (s. D12.1, GOP). The Muldrew-specific section of the GOP further attempts to describe the character of the area:

"The special character of the Muldrew Lakes (North, South and Middle) as a series of long, relatively narrow channels are recognized. This contributes to a natural visual appearance when looking down the lakes, with a shoreline predominated by trees and natural vegetation and modest sized cottages with very few boathouses. The unique qualities of the Muldrew Lakes, environmental health, and water quality of the lakes is to be maintained and enhanced, while allowing for modest development and reasonable redevelopment, in keeping with the character of the lake" (s. D17.3.1, GOP).

While this is a good description of the visual character of the lakes and is similar to the description provided by survey respondents in 2020, the terms "modest" and "reasonable" are subjective and may be difficult for the Town to interpret and enforce without corresponding provisions in the GZBL. Currently, the GZBL allows for the lot coverage of principal and accessory buildings within 60 metres of the shoreline to be 13% of the total area of the property within 60 metres of the high-water mark. Assuming a minimum lot frontage of 120 metres, 13% of the area within 60 metres of the shoreline would be approximately 10,000 square feet.

Survey respondents were asked to define "modest" and "reasonable" in quantifiable terms. Most respondents suggested a maximum square footage of living space as well as a particular number of bedrooms, bathrooms, or building storeys. Most of the survey respondents who provided a suggestion

thought that the principle living space should be limited to approximately 3,000 square feet, be a maximum of 2 to 2 ½ storeys, and four bedrooms. Nearby Kahshe Lake has successfully implemented a maximum dwelling size of 375 square metres (4,036 square feet) and maximum height of 2 ½ storeys. Many respondents also discussed the importance of limiting the height of development, and specifically that all development should blend into the natural environment and that no development should be permitted above the height of the trees.

Several responses were also received that suggested planning documents ensure the flexibility to build modest main buildings with several sleeping cabins instead of the current regulations which allow for one larger main building and only one sleeping cabin. In terms of seasonal residential development, building a small main cottage and two or three sleeping cabins is thought to be more traditional and in keeping with the historical character of the lake.

3.2.2.1 LAKE-SPECIFIC POLICY OPTIONS

The results of the Community Survey and Town Hall clearly indicate that a majority wish to limit the size of shoreline dwellings, to preserve the visual character of the lakes, and to limit the environmental impact of buildings on shoreline habitat and water quality. Seventy-three percent (73%) of survey respondents were in support of limiting the size of all new builds (as well as enlargements/extensions). When discussed in greater detail at the Town Hall, 54% of participants felt that they were in support of implementing a maximum dwelling size of 3,000 square feet, 33% were in support of a maximum dwelling size of 4,000 square feet (after hearing about the Kahshe Lake example), 10% of participants felt they needed more time to consider, and 3% were not in support of implementing a maximum dwelling size.

A Muldrew-specific policy could be introduced to the GOP and GZBL to limit the gross floor area and height of the principal dwelling, and to allow up to a certain number of sleeping cabins or a total gross floor area permitted for sleeping cabins. A more detailed Muldrew-specific policy could also be added to the GOP to describe the importance of maintaining the natural environment as the dominant landscape, and require restrictions on site clearing, excavation, compaction or grade/slope alterations. Additionally, a policy could also be introduced to ensure buildings and structures do not exceed the height of the surrounding trees.

An alternative policy route (to implementing maximum gross floor areas) could be to introduce total lot coverage allowances based on a sliding scale, such that lots with a lesser frontage are permitted a greater lot coverage percentage, and lots with larger frontages a lesser lot coverage percentage. The Township of Seguin uses a sliding scale for permitted lot coverage and maximum dwelling gross floor area based on lot frontage (see Table below). A Muldrew-specific policy could specify that one principal dwelling and up to X number of accessory buildings (e.g., sheds, sleeping cabins) are permitted under the applicable lot coverage percentage. The percentages could be derived to reflect lot coverage and dwelling sizes based on what is modest and reasonable to the community.

Table 1. Excerpt from Township of Seguin Zoning By-law, Section 6, Table 6.3

Column 1	Column 2	Column 3
<i>Lot Frontage</i>	<i>Maximum Lot Coverage (%)</i>	<i>Maximum Dwelling Gross Floor Area</i>
Less than or equal to 30 m	10	1.25 times Column 2
30 m to < 60 m	8	1.25 times Column 2
61 m to 70 m	7.5	1.25 times Column 2
71 m to 80 m	7.25	1.25 times Column 2
81 m to 90 m	7	1.25 times Column 2
91 m to 100 m	6.75	1.25 times Column 2
101 m to 110 m	6.5	1.25 times Column 2
111 m to 120 m	6.25	1.25 times Column 2
121 m to 130 m	6	1.25 times Column 2
131 m to 140 m	5.75	1.25 times Column 2
141 m to 150 m	5.5	1.25 times Column 2
151 m to 160 m	5.25	1.25 times Column 2
>160 m	5	1.25 times Column 2

Finally, Section D12.2 of the GOP permits Council to adopt design guidelines within the Waterfront Area designation that include architectural details and landscape elements to implement policies to conserve the character of the shoreline environment. When asked on the survey, 54% of respondents said they would be in support of Muldrew-specific design guidelines, while 18% said they would not be in support of creating Muldrew-specific design guidelines, and 27% said that they might be in support after learning more about it.

If implemented, the design guidelines would become a requirement as part of the Muldrew-specific section of the GOP to be used in the review of all applications for amendments to the Official Plan, Zoning By-law, as well as all applications for Site Plan Approval and building permits. The guidelines could include illustrated examples of the Muldrew-specific GOP and Zoning By-law requirements suggested above (natural environment the dominant landscape, all development below the treeline, etc.). The Township of Seguin provides a good example of [Site Design Guidelines](#), which help to preserve the character and health of the shoreline environment. The guidelines include an overview of the benefits of a healthy naturalized shoreline, the existing policy in place to protect shorelines, as well as a series of best management practices to be used during development planning. Implementing a set of guidelines such as these would help to address the community's main concerns with regards to the visual impacts of shoreline development as well as the ecological impacts to shoreline health and water quality. It would also serve to address some of the other concerns listed by survey respondents such as conserving native species, discouraging geese and cormorants, and fire prevention education.

3.2.3 Scale and Massing of Non-Complying Structures (re-builds)

The current GOP policy and GZBL allow for non-complying structures to be replaced (or enlarged or extended) within the 30-metre setback if the setback is not further reduced. These re-builds would be subject to the same restrictions in terms of lot coverage as detailed above (13% of the land area within 60 metres of the highwater mark). When asked on the survey if respondents were in favour of introducing Muldrew-specific policy to limit the size of rebuilds/enlargements/extensions within the 30- metre setback, 70% were in favour. One survey respondent suggested that if tearing down or adding to an existing non-complying structure, that the original footprint and character be maintained, with any additional development going towards the back of the property.

3.2.3.1 LAKE-SPECIFIC POLICY OPTIONS

A provision currently exists in the GZBL that limits the width of structures within 30 metres of the high-water mark (to minimize environmental and visual impacts). According to our understanding and correspondence with municipal staff, it is currently not applied unless the rebuild is located within the same footprint as the old building. A Muldrewh-specific policy could be introduced to require this limitation on width no matter where the re-build is located within the 30-metre setback. This requirement to limit the width of a building could be applied in addition to limiting maximum gross floor area (as discussed in Section 3.2.2 above).

Another option to restrict the scale and massing of replacements, enlargements or extensions of existing non-complying structures is provided by the Town of Huntsville. When an existing non-complying building or structure is damaged, destroyed or demolished, a replacement structure is restricted to the original footprint, building size, height and location. If a larger new building is desired, it must meet the 30 metre setback requirement. The Huntsville Official Plan and Zoning Bylaw also permit existing non-complying buildings to be expanded or added to as long as the height is not increased, and the building complies with all other provision of the zoning bylaw.

3.3. Land Use Pressures – Development Density (lot frontage and area)

The two primary factors which drive development density are minimum lot areas and lot frontages. According to survey respondents, the majority believe that the current minimum required lot frontage and area are “just right”. However, development density ranked second in terms of land use pressures of concern among survey respondents on the Muldrewh Lakes. The open-ended questions revealed that residents and cottagers are concerned about the existing density of cottages in some areas of the lake, the lake feeling “at capacity”, concerns about “over development” and the resulting increasing recreational boat traffic.

The Provincial Policy Statement refers to protecting the environmental capacity of lakes. Traditionally in Ontario, this has been addressed through monitoring total phosphorous, since phosphorous was thought to be contributed by individual septic systems on lakes, resulting in algal growth (and blooms) and deteriorating ecosystems. However, a recent study at the University of Waterloo demonstrated that the majority (97%) of phosphorous stays within 5 metres of the septic bed and is not a primary source of phosphorous to nearby (20 m) waterbodies (Robertson et al. 2019). Additionally, septic systems

continue to improve, and total phosphorous is no longer thought to be a good indicator of lake capacity in terms of the number of dwelling units that can be sustained.

Despite the current uncertainty surrounding methods of modelling environmental lake capacity, Section D15.3 of the GOP encourages lake communities to complete lake plans to address the density of development on a lake with respect to lake surface area and shoreline (i.e., the recreational or social carrying capacity).

3.3.1 MULDREW-SPECIFIC POLICY OPTIONS

Recreational carrying capacity is a residential unit to surface area criterion that estimates the number of users that can be accommodated on the surface area of a lake while maintaining the recreational amenity of the waterbody. If imposed as a hard cap (as opposed to a guideline), once the recreational capacity of a lake is reached, no new lots (e.g., severances) are permitted. Recreational carrying capacity has been implemented in various townships in the District of Parry Sound as well as the Township of Seguin. The current model of recreational carrying capacity in Central Ontario is a ratio of 1.6 hectares of lake surface area per dwelling (Meridian Planning, 2020 & Dymont, 2017). Lake surface area is calculated by removing a 30-metre shoreline area (since Federal law restricts boat speeds to 9 km/hr in this zone).

3.3.1.1 Calculating Recreational Carrying Capacity on the Muldrewe Lakes

Current Number of Dwellings: 395

Surface Area of the Muldrewe Lakes: 420 hectares

Surface Area less 30 metre shoreline area: 258.9 hectares

Based on a lake surface area of 1.6 ha per dwelling unit and considering the 30-metre buffer that is typically used in the model, the recreational carrying capacity for the Muldrewe Lakes is **161** units. As noted above, at present there are 395 units, and this does not include potential units on vacant lots, potential severances or the potential (but unlikely) development of Crown Land. The calculation is conservative as it also does not include the recreational impact of the commercial trailer park (the Inn on the Lake), as well as day users putting boats in at the public launch.

The density of development on the Muldrew Lakes is a lake surface area to dwelling ratio of 0.65 as opposed to the 1.6 that is typically used in the model. This indicates that development on the lake exceeds the capacity provided in the model by 146% (there is less than one-half the surface area/unit that what would be ideal).

As a basis of comparison, the District of Muskoka performed rough calculations of lake surface area to dwelling ratios on 484 lakes in Muskoka. Their calculations used total lake surface area (instead of removing the 30 metre buffer), and a total property count which included built properties and vacant properties. The value calculated for the Muldrew Lakes was 0.85 hectares per dwelling. The average across all 484 lakes was 5 hectares per dwelling unit, and there were 58 lakes that had less lake surface area per dwelling unit than the Muldrew Lakes.

An opportunity exists to introduce a Muldrew-specific policy in the GOP to prohibit any further development on the lake using the above model of recreational carrying capacity. Prohibiting further development would indirectly reduce any further increases in boat traffic from additional cottages or residences. A boating impact study could be conducted to further support implementing this policy in the GOP for the Muldrew Lakes.

A rough calculation was performed to approximate the number of lots that could be created based on minimum required lot frontage. Approximately 50 new lots could be created by current owners applying for severances. This calculation only takes minimum required frontage into consideration and did not take into account any additional factors (e.g., natural heritage features, minimum required lot area, etc.). Thus, introducing a recreational carrying capacity policy for the lake could prevent as many as 50 lots from being created through severances on privately owned lands, and even more should the Crown Lands on the lake ever be permitted for cottage lot development.

Update: Municipal staff at the Town of Gravenhurst have suggested the option of introducing a policy which simply states that no new lot creation shall be permitted on the Muldrew Lakes if the majority of community members feel that the lake's capacity to sustain development has been met or exceeded. This would result in the same outcome as a recreational carrying capacity without relying on the model of 1.6 hectares per dwelling unit that was derived in Seguin Township (and *could* be less defensible at a planning tribunal in Muskoka).

3.4. Land Use Pressures – Recreational Boating

The municipality has no legal ability to limit the use of the Muldrew Lakes by boats, which is strictly Federal legislation. The municipality can only control the density of use on the shoreline. Thus, the only land use tool available to indirectly influence the volume of recreational boats using the Muldrew Lakes is the recreational carrying capacity model or a policy prohibiting the creation of any additional lots, as detailed above in Section 3.3.1.

While 73% of survey respondents noted an increase in boating traffic in recent years, respondents also noted increasing boat size and increasing size/frequency of wash/wakes in the open-ended question related to increasing boat traffic. Although limiting further development on the lake will only have an impact on the number of boats, the MLCA could consider organizing educational materials and events focusing on safe boating practices and determining priority areas for low wake zones.

3.5. Environmental Stewardship

Survey respondents highlighted water quality, natural beauty and shoreline health as priorities for environmental stewardship on the lake. The following sections will highlight aspects of environmental stewardship that can be addressed through lake-specific policies in the GOP. However, there are many additional voluntary-based initiatives that could benefit the lake environment that will not be discussed (e.g., participation in the Blue Lakes program, invasive species initiatives, continued participation in the Lake Partner Program, etc.).

3.5.1 Existing Policy

Section B2.2 (policies pertaining to the Natural Environment) of the GOP includes the objective:

“To protect and improve water quality and hydrological characteristics, functions and processes of watercourses, lakes, aquifers and wetlands that have been impacted by human activity” and “to encourage the protection of Gravenhurst’s natural attributes, such as its rural character, water quality of its lakes and rivers as well as other natural heritage features in order to ensure that the recreational and tourism uses that rely upon these attributes continue to thrive”.

Additionally, development applications are required to comply with the applicable provisions of the Muskoka Official Plan (MDOP) as it relates to Lake System Health. The MDOP provides policy guidance for development based upon recreational water quality considerations, including long-term trends in phosphorous, long-term total phosphorous concentrations, as well as blue-green algal blooms (MDOP, C2.6.3.2). At the time of this report, phosphorous trends are stable in the Muldrew Lakes; total phosphorous is not considered to be high, and there have been no confirmed blue-green algal blooms.

The MDOP also *encourages* the consideration of cumulative impacts on the District of Muskoka's environmental health and resiliency:

“Multiple environmental stressors can impact environmental, social and economic systems (i.e., climate change, invasive species, habitat fragmentation, etc.) and are often dynamic and varying. Conversely, seemingly small, cumulative impacts of development can combine with other stressors to have significant negative consequences for ecosystems and environmental resilience over time. However, it is recognized that measuring and assessing cumulative impacts of development on Muskoka's watersheds, environment, and overall quality of life is challenging”
(s. C1.6.3, MDOP).

Section D2.1 of the GOP states that the overarching policy goal of the Waterfront Area designation is “*to ensure sustainable development practices and maintain and enhance where possible water quality, protect the ecological, natural, visual and aesthetic character of the lake and shoreline and protect the recreational, social, accessible and environmental qualities of the lakes and rivers*”.

In practice, the policies which directly or indirectly protect water quality, natural beauty, and shoreline health include:

1) Stormwater Management

Section I6.22.3 of the GOP states that development within the Waterfront Area *may* require a Stormwater Management Report prior to development proceeding. Section I6.2.4 *requires* a Stormwater Management Report for residential development *in excess of 5 lots* which shall be submitted prior to Site Plan Approval. Section I6.22.6 requires that where development occurs within 300 metres of a waterbody, that all stormwater shall be treated for quality to ensure contaminants and enriching compounds such as phosphorous and nitrates are not discharged into the lake through storm runoff. In addition, Section I6.22.7 states that no development will be approved that results in post- development run-off rates that are greater than pre-development run-off rates.

2) Shoreline Buffers

- Protection of trees and vegetation within the 30-metre shoreline buffer from primary development and minimal disturbance of first 20 metres through the development application process (GOP, s. D11.2).

3) Protection of Natural Heritage Features

- e.g., wetlands, significant wildlife habitat, deer wintering areas, significant woodlands, fish habitat, the habitat of endangered and threatened species through the development application process (GOP, s. I).

4) Town of Gravenhurst Septic Re-Inspection Program

- Visual inspection of grounds and piping to prevent pollution originating from septic systems
 - Letters issued to residents where maintenance is required

5) Town of Gravenhurst Tree-cutting By-law (By-law 2014-26)

- Requires a permit to injure or destroy a tree within 60 metres of the optimal summer water level or any tree within a shoreline buffer area.

3.5.1.1 LAKE-SPECIFIC POLICY OPTIONS

A number of policies are in place which directly or indirectly protect water quality, natural beauty and shoreline health through the development process. In addition, the Gravenhurst tree cutting by-law and septic re-inspection program are in place outside of the development application process.

Stormwater management is a particularly important component of shoreline development planning which can make a significant difference to preserving water quality. However, at present, it is not an absolute requirement for all development applications with the Town of Gravenhurst. When impervious surfaces are introduced on shorelines (such as new buildings), the local hydrology of the site is altered, and water that was previously filtered through the ground and taken up by local vegetation becomes runoff. Runoff can contribute contaminants to the lake including suspended solids, nutrients (phosphorous and nitrogen), oil and grease, bacteria, pesticides/herbicides and heat (MECP, 2019). The stormwater runoff from one site may be considered insignificant, but the cumulative impacts from many lots on one lake may have significant effects on water quality.

Currently, stormwater management is reviewed during the site plan approval phase of the development application process in the Town of Gravenhurst. That said, the site plan approval stage is not a public process and the lake community is prevented from being consulted on the stormwater management aspect of development plans. Site plans also typically include surfacing of driveways, design of walkways/ramps, the location, massing and conceptual design of buildings, the location and type of lighting, landscaping and preservation of natural vegetation, etc. (i.e., aspects of the design process that greatly affect the visual character of development as well as the ecological health of shorelines).

A few opportunities exist to strengthen the lake-specific policy affecting water quality, natural beauty and preservation of shoreline habitat:

- 1) **Requiring the incorporation of lake-specific Site Design Guidelines** in the Town of Gravenhurst development review process (as discussed in Section 3.2.2 of this report). Site Design Guidelines could include recommendations for natural landscaping, stormwater and grey water management,

information regarding different types of docks and their relative impact on the shoreline and nearshore habitat, etc. Overall, this document could be distributed to proponents to effectively and clearly communicate the lake community's values and goals with respect to shoreline development.

2) **Requiring a Site Evaluation Report for all development applications.** One of the limitations of the development application process is that it typically assesses applications on a site-by-site basis, and only in terms of the proposed development's impact on significant natural heritage features on, or adjacent to the site. The lake itself is not recognized as a significant natural feature, and additionally, the cumulative impacts of development on a waterbody are not considered (e.g., cumulative impacts of habitat fragmentation). Section I6.28 of the GOP details the elements required for Site Evaluation Reports (however they are currently not a requirement for all shoreline development). These include:

- Location of building envelopes which meet setback requirements defined in Zoning By-law.
- Adequate area, depth, and suitability of soils for supporting an appropriate on-site sewage system.
- The availability of potable water supply
- The provision of appropriate access to the site
- For waterfront properties, the location of water access and all shoreline structures and pathways which limit erosion and slope instability.
- Maintenance of vegetation on slope faces
- Construction mitigation measures and stormwater management techniques that address slope stability, soil erosion, surface drainage, groundwater infiltration and water quality.
- The protection of significant wildlife habitat, significant wetlands, fisheries and other environmentally sensitive areas on or adjacent to the site
- Generally, address all the components of the development proposal and its construction which have potential for on-site or off-site impacts.

Requiring a lake-specific version of something similar to the above for all development applications and building permits would serve to better protect water quality, natural beauty and the ecological health of shorelines by requiring an analysis of the potential impact of the development on the site as well as the lake, instead of focusing only on potential impacts to nearby wetlands or other significant natural heritage features (as defined in the PPS and GOP). Requiring an analysis of the suitability of a site for septic, having requirements related to maintaining vegetation, construction

mitigation measures, and stormwater management as part of the development process requiring statutory public consultation would serve to better protect water quality and natural shorelines.

- 3) **Environmental mapping: Section D15.3 of the GOP encourages Lake Management Plans and Strategies** to define specific characteristics of the lake and shoreline areas including natural features, nesting sites and other habitat areas. While an Environmental Impact Study (EIS) is normally required when development is proposed within 120 metres of a Provincially Significant Wetland, within 30 metres of any other wetland, or on lands adjacent to a Muskoka Heritage Area, an EIS prepared in support of a development application could be improved with the availability of detailed local environmental mapping depicting the results of long-term monitoring. Though it would take some time to develop, a citizen science program supported by a qualified professional could monitor sensitive habitat areas and serve to better protect significant shoreline areas from encroachment or other negative impacts. A lake-specific policy in the GOP could require this local environmental database to be considered by the Town during the development application process.

3.6. Other Recommended Updates

As highlighted in the 2010 Muldrewh Lakes plan, several of the policies affecting the Muldrewh Lakes (both general and lake-specific) are currently not reflected in the GZBL. Without implementation through the GZBL (e.g., the Muldrewh-specific policy in the GOP limiting boathouse widths to 15% of the lot frontage or 10 metres, whichever the lesser), these policies cannot be enforced by the Town of Gravenhurst. It is recommended that any applications for lake-specific amendments to the GOP include a set of policies to enforce the existing lake-specific policies.

Additionally, the language pertaining to shoreline structures (e.g., boathouses and boat ports) is inconsistent in the Muldrewh-specific section of the GZBL which is resulting in some confusion in interpretation. It is recommended that this section be amended for clarity and to ensure it reflects the intent of the community with respect to shoreline structures.

4.0 Supplementary Tools & Information

The following sections provide additional information and tools related to priority land use issues raised through the survey including architectural heritage, preservation of Crown Lands, and long-term protection of natural areas. Though these topics are related to the priority issues (addressed above) as

expressed by survey respondents, the following discusses additional methods of addressing these issues outside of Muldrew-specific policy in the GOP and GZBL.

4.1. Architectural Heritage

Preserving the character of the Muldrew Lakes was expressed as important by survey respondents. In addition to the suggestions made in the previous sections for lake-specific policy governing lot development and density, the community could consider designating heritage properties. A heritage designation on one or more properties would help to conserve important examples of early (settler) cultural heritage for the benefit and enjoyment of present and future generations.

Survey respondents were asked if they were aware of any properties on the Muldrew Lakes that might be considered historic. The list of suggestions received is included as Appendix A. The following is an excerpt from the regulations governing the designation of heritage properties (O. Reg 9/06):

“A property may be designated under Section 29 of the Act if it meets one or more of the following criteria for determining whether it is of cultural heritage value or interest:

1. The property has design value or physical value because it, is a rare, unique, representative or early example of a style, type, expression, material or construction method, displays a high degree of craftsmanship or artistic merit, or demonstrates a high degree of technical or scientific achievement.

2. The property has historical value or associative value because it, has direct associations with a theme, event, belief, person, activity, organization or institution that is significant to a community, yields, or has the potential to yield, information that contributes to an understanding of a community or culture, or demonstrates or reflects the work or ideas of an architect, artist, builder, designer or theorist who is significant to a community.

3. The property has contextual value because it, is important in defining, maintaining or supporting the character of an area, is physically, functionally, visually or historically linked to its surroundings, or is a landmark”. O. Reg. 9/06, s. 1 (2).

The Ontario *Heritage Act* requires Council to have a Heritage Committee that works to identify heritage resources in a municipality. The Gravenhurst Heritage Committee is tasked with designating individual heritage properties. The Gravenhurst Municipal Heritage Committee mandate is to:

- *identify heritage resources and evaluate their condition and community value, the MHC will make recommendations to Council for new designations and updates to the Town's Municipal Register.*
- *identifying heritage resources and evaluating their condition and community value;*
- *recommending by-laws to establish processes for the conservation of heritage resources...*

Through the lake planning process, the MLCA could consider working with residents and cottagers to determine if any of the owners of the suggested properties are interested in applying for a heritage designation status.

4.2. Permanent Land Protection

Opportunities to protect important ecological habitat on the Muldrewe Lakes exist through conservation easements or donations of land to the Muskoka Land Conservancy. A conservation easement allows an individual to remain the property owner and sell their property at any time. However, a conservation easement is registered on title and protects the land in perpetuity (is passed on to the next owner). An individual can choose to place a conservation easement on a portion of their land (e.g., a wetland) without the conservation easement affecting the rest of their land (opportunities to develop other parts can be conserved). The Muskoka Conservancy surveys each of the properties under their protection at least once a year. As a registered charity, the Muskoka Conservancy offers numerous tax benefits to participants. A representative from the Muskoka Conservancy is available to provide a webinar to the lake community regarding the options for permanent protection of ecologically significant lands.

4.3. Crown Lands

A substantial portion of the shoreline of the Muldrewe Lakes is Crown Land. The totality of all Crown Lands have approximately 18,458 feet of frontage on the Muldrewe Lakes. The extent of these Crown Lands can be viewed in the [Crown Land Use Policy Atlas \(CLUPA\)](#) and discussed in the accompanying report [here](#). Participants in the workshop asked if these lands could be sold for cottage lot development

and were concerned about their conservation and protection. The short answer is 'no', since the land use report says that "*Authorization will not be granted, nor will disposition of Crown lands be considered for seasonal recreation, rural residential, or remote cottage development*". However, it should be noted that individuals may apply to amend the CLUPA to permit cottage lot development on these lands. Possession of the lands would also require the disposition of Crown Land through a Class Environmental Assessment – Resource and Stewardship and Facility Development Projects. While a CLUPA amendment and subsequent disposition is possible, the process would be extremely complex and lengthy, would require endorsement from the local municipal Council, and is unlikely to receive approval given current policy at the Ministry of Natural Resources and Forestry (MNFR) level. It should be noted however that a policy restriction placed on further lot creation, or the implementation of a recreational carrying capacity would provide an increased level of protection of these lands.

4.4. Muldrewe-specific By-laws

4.4.1 *Blasting By-law*

The MLCA could advocate for a lake-specific by-law to prohibit or regulate blasting in shoreline areas (areas within 20-30 metres of high water mark) and areas zoned Environmental Protection (EP). The intent of the by-law would be to protect and preserve the visual and natural environment by prohibiting blasting of cliffs and areas of rock in shoreline and EP areas.

4.4.2 *Fill By-law*

The MLCA could advocate for a lake-specific bylaw to prohibit or regulate the placing or dumping of fill in shoreline areas (20-30 metres of high water mark) and areas zoned Environmental Protection (EP). The intent of the by-law would be to protect and preserve water quality by prohibiting the placing or removal of fill in shoreline areas.

5.0 Summary

Overall, the main vision and values of the lake community do not appear to have changed significantly since the lake planning effort in the early 2000s. However, there does appear to be greater concern regarding the impacts of shoreline development to the visual character and ecological health of the shoreline environment. The community's priority land use concerns include the setback, scale and

massing of lot development, the density of development on the lakes, and increasing recreational boat traffic. In terms of environmental stewardship, the priority concerns are water quality, shoreline health and the natural beauty of the area. Though the GOP and MDOP generally support the vision and values of the Muldrew Lakes community, specific and enforceable policies to protect the visual and ecological character of the Muldrew Lakes appear to be deficient. The GOP and MDOP both support and encourage the development of individual lake plans to address issues such as those outlined above, and, particularly, specific policies to address the preservation of shoreline character and the density of development with respect to lake surface area.

Judging from the response to the survey and attendance at the Town Hall event, the majority of the 188 survey respondents are in favour of introducing lake specific policies to preserve the visual and ecological character and health of the shoreline and overall lake environment. Table 2 summarizes the policy options and recommendations made throughout the report. It is important to emphasize that these are suggested options and any number of these policies could be introduced, or variations thereof. The details of any lake-specific policies will be determined during Phase 2 of the project.

Table 2. Summary of Community Concerns and Recommended Policy Options

Community Concern	Recommended Action/Policy Options
Update Gravenhurst Zoning By-law	As identified in the 2010 MLCA Lake Plan, GZBL does not reflect Muldrew Lakes-specific policies in GOP (e.g., lake specific regulations for boathouses). Applications for updates should include a thorough review of all lake-specific policy and complete housekeeping tasks such as cleaning up language pertaining to shoreline structures.
Vision & Values	Updated and detailed statement regarding vision and values of community with description of lake character as well as community concerns regarding shoreline development and lake capacity.

Lot Development (setback)	1. Specific policies regarding conditions for considering amendments or variances to the required setback for new builds. 2. Policies and provisions to restrict the replacement of legal non-complying structures to original location.
Lot Development (scale & massing of new buildings)	1. Set a maximum gross floor area 2. Set maximum height of 2 ½ stories or below height of surrounding trees 3. Sliding scale to determine maximum gross floor area and lot coverage based on lot frontage 4. Site Design Guidelines
Lot Development (scale & massing of redevelopment within 30 metre setback)	1. Maximum Width Formula 2. Maximum Gross Floor Area 3. Restrict replacement of existing non-complying structures to original location/footprint/size/height of original building. 4. Restrict additions to or enlargements of existing non-complying structures to height of original building.
Development Density	1. Recreational Carrying Capacity 2. Policy prohibiting the creation of new lots (severances)
Recreational Boating	1. Recreational Carrying Capacity 2. Policy prohibiting the creation of new lots (severances)

Environmental Stewardship Priorities	1. Required Site Evaluation Report 2. Site Design Guidelines 3. Develop detailed mapping/database and accompanying lake-specific policy for GOP
Cultural Heritage	Designation of heritage properties.
Permanent Land Protection	Conservation easements and/or land donation to Muskoka Conservancy of high-quality habitat areas (e.g., wetlands or nesting areas)
Protection of Crown Lands	1. Recreational Carrying Capacity 2. Policy prohibiting the creation of new lots (severances)



6.0 Next Steps

The lake community should proceed with reviewing and considering the recommendations made in the report in time for the 2021 MLCA Annual General Meeting. If the lake community wishes to proceed with the recommendations made by EcoVue (or some variation thereof), EcoVue is available to begin drafting the policy that would be required in the applications to the Town of Gravenhurst for inclusion in the lake-specific section of the GOP and GZBL. During this second phase of the project, additional community consultation would be conducted to determine which policy options are most desirable, and to determine the details of the policies to be submitted to the Town for inclusion in the GOP and GZBL.

A set of estimated costs is detailed below. The estimate of costs includes the application fees to the Town of Gravenhurst, as well as an estimate of fees for EcoVue to draft the policy for the GOP and GZBL, complete the applications, produce a justification report, conduct a community consultation session, and meet with the Town of Gravenhurst to discuss the proposal. A boating impact study may be recommended to support a proposal for recreational carrying capacity or any policy restricting or prohibiting the creation of new lots. Additionally, there are opportunities for volunteer efforts to reduce the costs of some of the work (e.g., helping with community engagement, and a boat survey).

6.1. Estimated Costs (updated November 8, 2021 to reflect recent discussions with the MLCA)

Application for an Official Plan Amendment (OPA) with the Town of Gravenhurst: \$1,915-\$4,245 (depending on whether considered a minor or major application by the Town).

Application for a Zoning By-law Amendment (ZBA) with the Town of Gravenhurst: \$1,061-\$2,445 (depending on categorization by Town).

Estimated cost of consulting services to prepare the applications: \$8,250.00 (this includes a 25% discount for a non-profit organization).

Approximate total cost: \$11,226 – \$14,940, depending on how the Town of Gravenhurst categorizes the applications for an OPA and ZBA.

EcoVue would be pleased to support the MLCA in taking the next steps in the lake planning process and providing a detailed proposal for Phase 2 of the project. If you have any questions, please do not hesitate to contact the undersigned.



MLCA Lake Plan Update
Muldrew Lakes, District of Muskoka
June 26, 2021
Revised November 8, 2021

Respectfully Submitted,

ECOVUE CONSULTING SERVICES INC.

A handwritten signature in blue ink that reads "Sarah Bale".

Sarah Bale B.Sc. M.Sc., M.E.S. (Planning)
Planner

A handwritten signature in blue ink that reads "J. Kent Randall".

J. Kent Randall B.E.S. MCIP RPP
Principal Planner



7.0 References

Dymont, Jim (2017). Leonard Lake Recreational Carrying Capacity Study. MHBC Planning Urban Design & Landscape Architecture. Leonard Lake Plan (December 21, 2020) https://52da364c-3399-4280-999d-ecc63f86668f.filesusr.com/ugd/4ef897_770687d0ca9147499c1c11e75d6a326e.pdf

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Appendix A – List of Suggested Properties with Cultural/Historical Significance

- 1000 South Muldrew Lake Road
- Whippoorwill Cottage (1916)
- Unwin Cottage
- 3MM1 (1922)
- Boathouse on Hookery Island (1917)
- Pidgeon Cottage
- Levers Cottage
- McLaughlin Cottage
- McMillan Cottage (originally Hutt)
- Tuttle Cottage
- Muldrew Cottage (aka “Sunset Cottage”)
- Beecroft Cottage
- Stinson Main Cottage (early 1900s)
- 2MM15 (Kincaid Cottage)
- Silver Island (logging foreman’s cabins)
- Smallfield/Boyer Cottage
- 3MM2
- Rosemary Bartlett’s Cottage
- Elizabeth Robinson’s Cottage
- Boathouse/Cottage - Lalla Rookh Island
- Cragg Cottage (originally Burwash)
- Hendershot Cottage
- Smythe Cottage
- 1185 Woodland Drive
- Sweetgale Cottage (1905)

Appendix 3

Muldrew Lakes Plan Community Engagement

Question and Answer

The following questions have been generated from the comments and questions received (primarily by email, on social media and at the Lake Plan Town Hall held in July 2022 and MLCA AGM) from the community in response to the draft Lake Plan update circulated in the 2022 Dock Drop.

Questions Related to Lake Planning Process

1) Is it appropriate for a lake association to submit applications for a lake management plan to the Town that includes proposed changes to official plans or zoning bylaws ? Is it the role and responsibility of the MLCA to engage in this process?

2) Has the MLCA made an effort to consult every property owner about the proposed lake plan? Will all residents and cottagers be consulted regardless of membership status with the MLCA?

3) What is the overall process for drafting and implementing the lake plan? How is everyone's input being considered?

4) Will there be a vote on each of the proposed policies?

5) How can we ensure our voices are heard with respect to feedback to the draft proposal?

6) What experts have the MLCA consulted on the development of the draft Plan?

7) Has the MLCA considered requiring that 51% of all landowners vote in favour of the Lake Plan before submitting the applications to the Town? How will the Town know whether the MLCA has performed adequate community consultation on the Lake Plan?

Questions Related to Shoreline Development

8) Does the draft Lake Plan include a restriction on the creation of new lots (i.e., severances)?

9) Why does the draft Lake Plan not include any reference to Recreational Carrying Capacity as discussed in the Feasibility Report? The lake is at or over capacity already.

10) What is backlot development? Are the lands in the interior of the loop on Peninsula Road considered "backlots"?

- [11\) Are the boathouse and boatport provisions new?](#)
- [12\) Has the MLCA considered a market impact assessment of the proposed Plan? How will the Plan affect property values?](#)
- [13\) Why did the MLCA choose 3,500 ft² as the proposed maximum square footage for dwellings on the lake?](#)
- [14\) Why is the MLCA proposing additional building restrictions? Aren't the Town's policies and provisions enough?](#)
- [15\) Are there other ways to mitigate impacts to shoreline health other than limiting the size of building footprints?](#)
- [16\) Could the MLCA introduce a set of "Guidelines" as opposed to enacting policy through the Gravenhurst Official Plan and Zoning By-law?](#)
- [17\) Why is it important to further limit the size of buildings within the 30-metre shoreline buffer area? Why can't we build back?](#)
- [18\) What was the intent of allowing cottages within 30 metres of the lake to expand by a certain square footage instead of just allowing a universal maximum square footage based on distance from the lake?](#)
- [19\) How do I know if the proposed maximum dwelling size will affect my property?](#)
- [20\) Why is the MLCA proposing a maximum dwelling size of 3,500 square feet \(at or beyond 30 metres from the shoreline\) instead of limits relative to lot area?](#)
- [21\) We object to using descriptions such as "modest and reasonable" to describe development since they are subjective. Can you explain why this terminology is being used?](#)
- [22\) Aren't unfavourable new builds already dealt with at the community level when the Town invites public comment?](#)
- [23\) Does shoreline development really increase the risk of toxic algae blooms?](#)
- [24\) Why does the draft Plan express community concern regarding "more permanently inhabited homes"?](#)
- [25\) Why are new buildings required to be 30 metres back from the shore?](#)
- [26\) Are severances prohibited in the proposed Lake Plan?](#)
- [27\) What is a Site Evaluation Report? When is it required?](#)

Questions related to Tree Cutting, Noise and Boating

[28\) Can the Lake Plan address other concerns such as noise or light pollution? What about large and damaging boat wakes?](#)

[29\) It seems there is a lack of enforcement when it comes to tree cutting. Is there anything we can do to strengthen this through the updated Lake Plan?](#)

Questions related to the Lake Planning Process

- 1) Q: Is it appropriate for a lake association to submit applications for a lake management plan to the Town that includes proposed changes to official plans or zoning bylaws ? Is it the role and responsibility of the MLCA to engage in this process?

A: The preparation of applications to the Town proposing amendments to the Gravenhurst Official Plan and the Zoning By-Laws falls well within the objectives of MLCA. The MLCA's Constitution provides that one of the MLCA's objectives is to "[a]ct in an advocacy role with various levels of government, agencies or other appropriate bodies to safeguard the interests of Association members."

The Town also encourages lake associations to create and update the lake plans. In fact, section D3 (k) of the Gravenhurst Official Plan states that one of the objectives for the Town is to "encourage and support the development of lake management plans that identify and protect unique social, cultural and ecological values of different lakes in the Town".

In 2009, MLCA completed a Lake Plan, which involved applying for several lake-specific policies to be incorporated into the Gravenhurst Official Plan and lake-specific bylaws to be incorporated into the Zoning Bylaw. The Lake Plan was meant to be a "living document" which would be reviewed and updated every five years.

At the 2017 Annual General Meeting, members of the MLCA voted to initiate a review and update of the Lake Plan. Since then, the MLCA has been undertaking the process of reviewing and updating the Lake Plan for Muldrew Lakes, which included a review and update of the lake-specific policies and provisions in the Gravenhurst Official Plan and Zoning Bylaw.

As an association that represents members of the Muldrew Lakes community to the District and local municipality, it is the role of the MLCA is to ensure that the

lake-specific policy in the Gravenhurst Official Plan and Zoning By-law is up-to-date, and reflects the current interests and concerns of the community.

- 2) Q: Has the MLCA made an effort to consult every property owner about the proposed lake plan? Will all residents and cottagers be consulted regardless of membership status with the MLCA?

A: The MLCA has been working hard to gather feedback from all property owners regardless of membership status with the MLCA and has engaged in various forms of community consultation over the last two years to solicit input and feedback from the larger community. The MLCA hired a reputable planning firm, EcoVue Consulting Services, to assist with community engagement, and ensure that the proposal reflects the interests of the community, and is consistent with approaches on lakes that are similar to ours while adhering to sound planning policies.

Since the project began, the MLCA has been maintaining a section of the MLCA website that is devoted to the lake plan with all relevant documents, resources, and links to surveys, town hall events, etc.

In 2020, the Lake Plan Survey was distributed electronically. The email list that the MLCA used included all contacts that have been gathered over the years, regardless of membership status at the time. A hard copy of the survey was available to anyone who could not complete it online. The MLCA received 188 responses to the survey.

In the fall of 2020, two Town Hall meetings were held online (via Zoom) to discuss the results of the survey and next steps. More than 50 people participated in these Town Hall sessions.

From the results of the survey and Town Hall sessions, EcoVue Consulting put together a report with recommendations for an update of the lake-specific policies in the Gravenhurst Official Plan and provisions in the Zoning By-law. This report was posted on the MLCA website and presented in-person at the 2021 MLCA AGM, where a vote was passed to contract EcoVue Consulting to conduct further community engagement, draft policy and bylaw amendments, and prepare the applications to be submitted to the Town.

A first draft of the policy and by-law amendments was distributed to every cottage, in person, in the 2022 dock drop, and a Lake Plan Town Hall was held to discuss and receive community input in July 2022. At the 2022 MLCA AGM, further feedback was gathered from the community. In addition, members of the community provided feedback to the MLCA by email and the Lake Plan Committee collected feedback that was posted on various social media sites regarding the first draft of the policy and by-law amendments.

The MLCA is currently analysing the feedback it collected and is planning to distribute a revised copy of the draft policy in the fall of 2022, with further consultation planned for both the fall of 2022 and spring of 2023. Throughout this phase, the

MLCA will continue to make best efforts to gather feedback from all property owners regardless of their membership status in the MLCA.

- 3) Q: What is the overall process for drafting and implementing the lake plan?
How is everyone's input being considered?

A: The process that has been followed to date for drafting the updates to the lake-specific policy in the Official Plan and Zoning By-law is outlined in the above question (2).

Once the MLCA feels that the proposed amendments to the Official Plan and Zoning By-law reflect the majority of voices who have participated in the planning process, applications for a Zoning By-law Amendment and Official Plan Amendment will be prepared and submitted to the Town of Gravenhurst.

The Town will undergo their own process of evaluating the applications, which is the same process they would go through for any Zoning or Official Plan amendment (i.e. if an individual landowner applied for a Zoning Amendment):

1. After the Town receives the applications, the applications are evaluated for completeness to ensure that the Town has all of the application materials and supporting documentation.
2. Town planning staff then evaluate the applications based on their conformity with the District of Muskoka Official Plan and the Town of Gravenhurst Official Plan, as well as their consistency with the 2020 Provincial Policy Statement. Town planning staff prepare a report to Council to summarise their findings and overall recommendation to approve, deny or defer the applications.
3. The Town will hold a public Open House for information purposes.
4. Following the Open House, the Town will hold a Statutory Public Meeting where Council listens to comments from the general public on the applications.
5. Council then makes a decision on the applications based on a combination of the recommendation made by Town planning staff and the comments from the general public.

- 4) Q: Will there be a vote on each of the proposed policies?

A: Once the MLCA has revised the draft policies and provisions based on the feedback received in the fall of 2022, an online survey will be prepared where community members can provide comments on each of the proposed policies. The MLCA will use this feedback to fine-tune a final draft to be presented in the spring of 2023.

- 5) Q: How can we ensure our voices are heard with respect to feedback to the draft proposal?

A: The MLCA has been welcoming all feedback throughout the lake planning process (2020-present) and we continue to welcome feedback at any time via email (secretary@muldrewlakes.ca). Another great way to have your voice heard is by participating in the upcoming surveys and Town Hall events.

The Lake Plan Committee has collected and considered all comments received by email as well as at Town Halls and the AGM. It has also done its best to collect all comments posted on the community social media pages for consideration in its review. All comments received are being taken seriously and considered by the Lake Plan Committee.

- 6) Q: What experts have the MLCA consulted on the development of the draft Plan?

A: Early in the process, the MLCA membership approved the lake association to retain EcoVue Consulting Services to assist with updating the Lake Plan. EcoVue Consulting Services is a professional planning firm located in Peterborough, Ontario. The firm has extensive experience updating Official Plans and Zoning By-laws throughout a variety of Ontario municipalities , and has extensive experience, including ongoing projects, in the Muskokas.

- 7) Q: Has the MLCA considered requiring that 51% of all landowners vote in favour of the Lake Plan before submitting the applications to the Town? How will the Town know whether the MLCA has performed adequate community consultation on the Lake Plan?

A: The MLCA has considered this suggestion.

The MLCA cannot force all property owners to participate in the lake plan process – voicing one's opinion in community matters is voluntary. Further, the MLCA's Constitution provides that only Primary Members are entitled to vote at meetings of the MLCA. Therefore, MLCA cannot hold a vote of the general population of the lake.

The MLCA is committed to developing a lake plan that reflects the interests of the community. To that end, the MLCA has and will continue to ensure that every property owner has a chance to participate in the process and provide input.

It is for this reason that the MLCA Lake Plan Committee has recommended distributing a survey to solicit feedback on the proposed policies/bylaws. This survey would allow the MLCA to reach the maximum number of property owners, regardless

of membership, and would allow the MLCA to craft a Lake Plan that reflects the majority of those participating in the process.

Questions Related to Shoreline Development

- 8) Q: Does the draft Lake Plan include a restriction on the creation of new lots (i.e., severances)?

A: No. A policy prohibiting severances was considered early in the process as a response to community concern regarding “overdevelopment” of the shoreline.

However, when EcoVue Consulting Services conducted a thorough analysis of how many lots could potentially be created, it was found that approximately 6 new lots can be created under the current provisions of the Zoning By-law. Since so few new lots can be created, an amendment is not warranted and will be removed in the updated Lake Plan, which will be distributed this Fall. The analysis did not include the Crown Lands located on the Muldrew Lakes since it is very unlikely these would be developed as cottage lots in the future.

- 9) Q: Why does the draft Lake Plan not include any reference to Recreational Carrying Capacity as discussed in the Feasibility Report? The lake is at or over capacity already.

A: Recreational Carrying Capacity (RCC) is a model that calculates approximately how many cottages or houses can be built on a lake based on the total amount of lake area available for recreational boating. It uses a standard ratio of 1.62 hectares of lake surface area for each shoreline dwelling to recreate. It can be used as a guideline, or to justify a hard cap on development on a lake. The Township of Seguin uses RCC as a tool to strictly limit shoreline lot creation (severances). If the RCC calculated for a given lake has been met, then no further lot creation is permitted, and the lake is said to be at capacity.

Since the Muldrew Lakes Community expressed concern regarding “overdevelopment” of the shoreline and recreational boating traffic in the survey, RCC was explored early on in the process as a policy tool for limiting any further lot creation (severances) on the Muldrew Lakes. EcoVue Consulting Services calculated the RCC for the Muldrew Lakes using the ratio of 1.6 hectares per dwelling and determined that the RCC for the Muldrew Lakes is 161 units (cottages/dwellings). At this time, there are approximately 395 units on the lake, with a number of potential additional units which could be built on vacant lots and/or lots that could be severed.

The calculated RCC does support an argument against further lot creation on the lakes, however, when EcoVue Consulting Services analysed how many lots could be created, it was found that only approximately 6 lots can be created by severance

application (not including Crown Lands), which does not warrant any change in policy.

10) Q: What is backlot development? Are the lands in the interior of the loop on Peninsula Road considered “backlots”?

A: A “backlot” is a lot that has another developed or developable lot between it and the lake. For example, a backlot could be created behind a shoreline lot by severing off the back portion of a waterfront lot with frontage on a public road.

Backlot development is currently discouraged in the Gravenhurst Official Plan, and prohibited on Peninsula Road in the Muldrew Lakes section of the current Gravenhurst Official Plan.

The lands located in the interior of the loop on Peninsula Road would not be considered “backlots” because they are not contiguous with the shoreline lots. Some of the lands within the loop are publicly owned (by the municipality) and others are privately owned. They are currently designated and/or zoned Open Space, which prohibits residential development of any kind. These land use designations and zones would be very difficult to change, and thus, residential development in the interior area of the loop is extremely unlikely.

11)Q: Are the boathouse and boatport provisions new?

A: No. For the most part, the boathouse provisions are not new and are currently a part of the Muldrew-specific section of the Gravenhurst Official Plan. However, some of these provisions were not able to be implemented by the Town because they were not carried through into the Zoning By-law (e.g., the provision limiting the width of boathouses). The proposed update to the lake-specific provisions includes:

- Housekeeping changes (ensuring terminology is consistent);
- Applying the current rules to both boathouses and boatports (instead of just boathouses);
- Introducing a new provision in the Zoning By-law to limit the projection of boathouses and boatports to 10 metres (due to the narrow nature of the lake); and
- Carrying all the current provisions in the Official Plan through into the Zoning By-law (so they can be implemented).

12) Q: Has the MLCA considered a market impact assessment of the proposed Plan? How will the Plan affect property values?

A: Prior to the Town Hall meeting held in July 2022, the MLCA had not considered a market impact assessment for the proposed revisions to the Lake Plan. After receiving feedback from some community members regarding effects to property values, the MLCA contacted several local real estate agents who stated that they did not expect the Lake Plan to have a negative effect on market value. One agent stated that the Lake Plan policies in effect on Kahshe Lake (which has a dwelling size limit of 4,000 sq. ft. and requires all development and redevelopment to be located at least 30 metres from the shoreline) have not had a negative impact on property values.

The MLCA expects that helping to ensure the shoreline is developed in a manner that maintains the natural beauty of the lake will maintain or increase property values over the long term.

13) Q: Why did the MLCA choose 3,500 ft² as the proposed maximum square footage for dwellings on the lake?

A: The current Muldrew-specific policies in the Gravenhurst Official Plan state that only “reasonable and modest” development and redevelopment will be permitted. These terms are subjective in nature and one of the main goals of the Lake Plan update was to quantify what “reasonable and modest” is, as defined by the Muldrew Lakes community.

In the survey distributed in the summer of 2020, one of the questions asked respondents to describe and/or quantify what they believe “reasonable and modest” to be. The majority of respondents described a total square footage between 2,000 and 4,000 square feet and many respondents also described a dwelling with 3 to 5 bedrooms. At the Town Halls following the survey that were held in 2020 by Zoom, 54% of participants were in support of implementing a maximum dwelling size of 3,000 square feet.

The MLCA chose 3,500 square feet as being on the upper end of what the majority of survey respondents were in favour of, in an effort to strike a balance from the feedback received, while still allowing for flexibility. The 3,500 square feet value is also what the cottager’s association on Three-Mile Lake has proposed for their lake. In several ways, Three-Mile Lake has many similarities to Muldrew and served as a guide in formulating the proposed limit.

14) Q: Why is the MLCA proposing additional building restrictions? Aren’t the Town’s policies and provisions enough?

A: As set out in question 1, the Gravenhurst Official Plan encourages and supports the development of lake plans that identify and protect the unique social, cultural and ecological values of different lakes in the Town. These lake plans are encouraged to

articulate lake specific principals and goals, and address issues such as shoreline development.

When the Town receives an application for a Zoning By-law Amendment or Minor Variance from a property owner they are required to circulate the proposal for comments to those within 120 metres of the Subject Lands, as well as any applicable agencies (e.g., the MLCA). The MLCA has observed increasing conflict within the community over the last several years in response to planning applications on the Muldrew Lakes. Therefore, the MLCA membership voted to move forward with an update of a Lake Plan that better articulates the lake-specific principals and goals surrounding shoreline development within the Gravenhurst Official Plan and Zoning By-law. The purpose of this update is to communicate these lake-specific principals and goals to property owners and prospective developers as well as to Town staff and Council. The overall goal is to decrease the amount of conflict arising from planning applications and ensure that development on the lakes aligns with the vision of the community into the future.

The proposed updates are a result of extensive community consultation over the past two years including a survey, three Town Hall events, communications through the dock drop and website, as well as three AGMs. The Lake Plan Committee has welcomed and encouraged feedback throughout this process by any means (in person, via email, social media, etc.).

15) Q: Are there other ways to mitigate impacts to shoreline health other than limiting the size of building footprints?

A: The MLCA acknowledges the impacts that impervious surfaces (buildings, roads and parking areas) have on the shoreline environment. Some of the main impacts include the removal of natural habitat for wildlife species and alteration of local hydrology (the way water moves across and through the landscape), including impacts to water quality through storm runoff. Limiting maximum dwelling size is an important method of limiting these impacts to water quality and the shoreline environment. It is important not to think of the impacts resulting from a single property, but the cumulative impacts to the lake from the hundreds of lots surrounding the lakes.

The MLCA is working with EcoVue Consulting Services to develop a set of Shoreline Design Guidelines with the main goal of supporting community members to protect shoreline health. The intent of developing the Shoreline Guidelines is to have an information package that is accessible to anyone on the lake interested in improving the health of the shoreline on their own property. It is also being proposed that the town must consider the Shoreline Design Guidelines when evaluating development applications, including applications for Site Plan approval.

16) Q: Could the MLCA introduce a set of “Guidelines” as opposed to enacting policy through the Gravenhurst Official Plan and Zoning By-law?

A: Yes, the MLCA could introduce a set of Guidelines as a community document, but there would be no way of implementing or enforcing the document. This would lead to a lack of certainty with regards to the outcomes of the community’s vision and values as communicated through the engagement process.

17) Q: Why is it important to further limit the size of buildings within the 30-metre shoreline buffer area? Why can’t we build back?

A: The MLCA is proposing a maximum dwelling size of 3,500 square feet at or beyond 30 metres from the shoreline . The MLCA is proposing further reductions in maximum dwelling size when closer than 30 metres (for both new builds and rebuilds) for the following reasons:

- a) The community has expressed concern regarding maintaining the visual character of the shoreline as predominantly natural.
- b) The community has expressed significant concern regarding the impacts of development to shoreline health and water quality. Please see question 15 for a description of the impacts of shoreline development to the shoreline environment and water quality.

In addition, limiting development within 30 metres from the shoreline is particularly important because preserving a natural (forested or vegetated) shoreline buffer between the lake and development is essential to the survival of the lake. The natural transition between the water (aquatic) and upland (terrestrial) ecosystems has been referred to in the scientific literature as the “ribbon of life” and further development should be limited. It is for this reason that a number of lakes either prohibit redevelopment within 30 m of the lake or restrict redevelopment of preexisting cottages within 30 m to the footprint of the currently existing dwelling.

- c) The results of the 2020 survey showed that 70% of survey respondents would like to see the size of rebuilds of existing structures within the 30 metres setback restricted.
- d) Many jurisdictions restrict the size of rebuilds/renovations within the required shoreline setback based on proximity to the shoreline (including the Town of Gravenhurst). The purpose or intent of these provisions is two-fold:
 - i) to limit the visual impacts of redevelopment; and
 - ii) to limit the environmental impacts of site alteration within the shoreline setback area.

Though the Town of Gravenhurst has a current provision restricting width based on proximity to the shoreline, the proposed lake-specific provisions are thought to be better suited to the Muldrew Lakes based on the feedback received through community consultation.

18) Q: What was the intent of allowing cottages within 30 metres of the lake to expand by a certain square footage instead of just allowing a universal maximum square footage based on distance from the lake?

A: Though implementing a universal maximum square footage based on proximity to the lake would be perceived as “fair” to property owners, the intent of allowing an expansion of a particular square footage (e.g., 100 square feet) was to limit impacts to visual character as well as the natural environment. For example, imagine there are two properties on the lake with old cottages within the setback. The first is 800 square feet and the second is 2,000 square feet. Both property owners want to expand their buildings to the greatest extent possible. If both are allowed to expand to 2,500 square feet, the impacts to the shoreline on the first property will be far greater than on the second property. Limiting each property owner to a 100 square foot expansion (for example), effectively controls any environmental impacts while also preserving the visual character of the shoreline. The Lake Plan Committee is currently working on revisions to these proposed policies in response to the feedback received.

As set out in question 17 above, in addition to the impacts of shoreline development to the shoreline environment and water quality set out at question 15, limiting development within 30 metres from the shoreline is particularly important because preserving a natural (forested or vegetated) shoreline buffer between the lake and development is essential to the survival of the lake. The natural transition between the water (aquatic) and upland (terrestrial) ecosystems has been referred to in the scientific literature as the “ribbon of life” and further development should be limited. It is for this reason that a number of lakes either prohibit redevelopment within 30 m of the lake or restrict redevelopment of preexisting cottages within 30 m to the footprint of the currently existing dwelling.

19) Q: How do I know if the proposed maximum dwelling size will affect my property?

A: The proposed maximum dwelling size will affect all properties located on the lakes. However, if your building plans have already been approved by the Town, or your cottage/house is already built, it will only affect you if you wish to expand in the future. For example, if your dwelling is 4,000 square feet and is located at 30 metres or more from the shoreline, you would not be permitted to expand unless you are approved for a minor variance or zoning by-law amendment.

20) Q: Why is the MLCA proposing a maximum dwelling size of 3,500 square feet (at or beyond 30 metres from the shoreline) instead of limits relative to lot area?

A: The intent of introducing an absolute maximum on dwelling size is in response to the concern expressed by community members regarding changes to lake character as well as the environmental impacts of large shoreline structures.

Limiting the size of dwellings based on lot area only serves to limit the overall density of buildings on a lake. This method does not address the visual or environmental impacts of building to the same extent as a maximum gross floor area. Additionally, imposing a universal maximum is fair to all property owners regardless of property size.

21) Q: We object to using descriptions such as “modest and reasonable” to describe development since they are subjective. Can you explain why this terminology is being used?

A: The terms “modest and reasonable” already exist in the current Official Plan policy to describe permitted development on the Muldrew Lakes. One of the main goals of updating the Lake Plan was to try to reduce the subjective nature of this policy.

The 2020 survey asked respondents to describe and if possible, quantify, what they feel is “modest and reasonable” development on the Muldrew Lakes. As a result of the feedback received on the survey and from the Town Hall events, the MLCA is proposing a cap of 3,500 square feet as representative of modest and reasonable for buildings located at or beyond the required 30 metre setback.

The terms “modest and reasonable” will still be used in the Official Plan policy because this policy document is meant to be guiding in nature. The actual provisions representing modest and reasonable development are proposed to be implemented through the Zoning By-law.

22) Q: Aren't unfavourable new builds already dealt with at the community level when the Town invites public comment?

A: It is true that the public can currently comment on applications whether they are in favour or against. However, at the end of the day, Planning Staff and Council largely base their decision on whether the application is in conformity with the intent of the Official Plan policies and corresponding Zoning By-laws. If the current Official Plan policies and Zoning By-laws do not reflect the vision and values of the Muldrew community, the lake-specific policies and bylaws should be amended so Planning Staff and Council can make decisions that reflect the interests of the community.

Official Plan policies and Zoning By-laws are meant to be revised and updated on a regular basis. The Town encourages individual lakes to implement lake-specific policy, and the only way for this to occur is for groups like lake associations to develop their own lake plan. Each lake is unique, much like each neighbourhood in a City is unique, and may require some lake-specific policies to protect unique social, cultural and environmental values.

23) Q: Does shoreline development really increase the risk of toxic algae blooms?

A: There is no one known cause of toxic algae blooms. We do know, however, that algae blooms are linked to warm water temperatures and high nutrient levels (e.g., nitrogen and phosphorus). Septic systems have come a long way in recent years and, if maintained properly, usually do not contribute significant amounts of phosphorus to adjacent water bodies. Shoreline trees and vegetation provide an overall cooling effect to lakes by creating shade. In addition, a naturalised shoreline serves to prevent erosion/siltation and slow down/infiltrate warm water (e.g., storm runoff) moving toward the lake (which has a cooling effect), while also providing a means of natural filtration (removing pollutants, and excess nutrients such as phosphorous and nitrogen). With climate change and increasing development pressures, it is wise to take a precautionary approach by setting reasonable limits to development instead of waiting until it is too late.

24) Q: Why does the draft Plan express community concern regarding “more permanently inhabited homes”?

A: Some survey respondents indicated a concern with the increasing number of permanently inhabited homes being built. It is our understanding that these respondents are not concerned about the amount of time people are spending on the lake, but about the intensity of the development that is associated with a year-round home. These builds tend to be larger (with more bedrooms, bathrooms, etc.) and survey respondents are concerned about the change in character of the lake as well as the environmental impacts to the lake and shoreline environment (especially when re-builds are closer to the shoreline than 30 metres).

The Lake Planning Committee has updated the wording in that section of the proposed policy to better reflect the concerns of the community.

25) Q: Why are new buildings required to be 30 metres back from the shore?

A: New buildings have been required to be set back at least 30 metres from the shoreline for quite some time. This is the policy in the Gravenhurst Official Plan and there is an associated provision in the Gravenhurst Zoning By-law for the building

setback as well as leaving at least the first 20 metres from the shoreline in a completely naturalised state. These policies preserve a natural (forested or vegetated) shoreline buffer, which serves many important purposes and provides a natural transition between the water (aquatic) and upland (terrestrial) ecosystems. This transition has been referred to in the scientific literature as the “ribbon of life”, and is said to be essential to the survival of the lake. For more information on the importance of naturalised shoreline buffers please see the following resource from the District of Muskoka:

<https://muskoka.civicweb.net/document/4844/#:~:text=Shoreline%20buffers%20reference%20to%20forested.from%20various%20nearby%20land%20uses.>

26)Q: Are severances prohibited in the proposed Lake Plan?

A: No, severances are not prohibited in the proposed policy. Early in the planning process, the Lake Plan Committee looked at prohibiting further lot creation due to the concerns expressed by the community about “overdevelopment” of the shoreline as well as concerns that the recreational carrying capacity of the lake have been exceeded (ie. the lake feels overly congested at peak hours and poses safety risks for boaters, swimmers, etc.). However, an analysis completed by EcoVue Consulting found that very few lots can still be created under the current zoning provisions, and it was concluded that a policy change was likely not warranted.

27)Q: What is a Site Evaluation Report? When is it required?

A: A Site Evaluation Report is a background study that is required in support of certain types of development in the Gravenhurst Official Plan. It takes a holistic view and serves to ensure that a development proceeds in a way that is responsible - both in its impacts to the natural environment and by ensuring that all policies and provisions of the municipal policy documents are being met. Revisions to the lake plan propose requiring a Site Evaluation Report for any major development on the shoreline of the Muldrew Lakes.

The requirements for a Site Evaluation Report are found in Section I6.28 of the Official Plan and include the following:

- Location of building envelopes that meet setback requirements
- Adequate area, depth and suitability of soils for supporting a septic system
- The provision of appropriate access to the site
- The location of water access and all shoreline structures and pathways which limit erosion and slope instability
- Maintenance of vegetation on slope faces
- Construction mitigation measures and stormwater management techniques that address slope stability, soil erosion, surface drainage, groundwater infiltration and water quality

- Protection of significant wildlife habitat, significant wetlands, fisheries and other environmentally sensitive areas on or adjacent to the site
- All components of the development and its construction which have potential on-site or off-site impacts.

Questions related to Tree Cutting, Noise and Boating

28)Q: Can the Lake Plan address other concerns such as noise or light pollution? What about large and damaging boat wakes?

A: The amendments the MLCA is proposing to the Gravenhurst Official Plan and Zoning By-law cannot address existing noise, light pollution or boat wakes.

The Gravenhurst Official Plan and Zoning By-law address light pollution with dark sky friendly lighting policies and provisions. These policies are triggered when new development is proposed.

The Town of Gravenhurst has a [noise by-law](#). Complaints can be submitted online and a by-law enforcement officer will follow-up. Town by-laws are distinct from the Zoning By-laws, which can only address how land is used by regulating things like the size or location of buildings.

At this time, the Lake Planning Committee is working at revising the policies and provisions in the municipal planning documents, however, the Muldrew Lakes Plan will be a larger document that addresses some of the issues that cannot be addressed through land use planning. The larger lake plan document will address stewardship issues such as maintaining septic systems, maintaining shoreline health, boating safety, low wake zones, courtesy (noise and lighting), etc.

29)Q: It seems there is a lack of enforcement when it comes to tree cutting. Is there anything we can do to strengthen this through the updated Lake Plan?

A: The Lake Plan can improve management of the shoreline buffer area by enforcing Site Plan Control for all major development on the lake. Site Plan Control is an optional tool under the *Planning Act* that municipalities can use to control certain matters on and around a site proposed for development such as: site access, walkways, lighting, landscaping, drainage, and exterior design. Site Plan Control ensures that a development proposal is well designed, fits in with surrounding uses, and minimises negative impact

A Site Plan Control application would require any property owner proposing development on their property to show that the shoreline buffer was being maintained or enhanced (with a planting plan), and this becomes a legal agreement between the

municipality and the property owner. This would therefore become a legal mechanism to limit tree cutting where properties are being developed.

In terms of tree-cutting on existing properties that are not under development, the Gravenhurst tree-cutting by-law is the only tool for enforcement. The Town recently made some changes to the application process and now requires applicants who wish to remove a tree to submit photographic evidence that a particular tree requires removal. More information on the Tree-cutting by-law can be found [here](#).

The larger Lake Plan document, which will include stewardship initiatives, can also address tree-cutting and serve as a tool for educating the community about what rules are in place, and why they are important. The MLCA will also work to improve knowledge sharing on the lake, to ensure that everyone is aware of the by-laws that are in place, and why a naturalised shoreline buffer is important to the health of the lake.

Appendix 4

MLCA Lake Plan

Summary of 2023 Survey Results

Below is a summary of the results from the survey that the MLCA Lake Plan Committee conducted in January – April 2023 to get some direction and clarity from property owners (regardless of whether they are members of the MLCA) regarding the amendments the MLCA is proposing to the Gravenhurst Official Plan and the Zoning By-law.

Many respondents who selected a specific response (e.g. ‘yes’ or ‘no’) included comments that qualified and elaborated on their answers. In addition, some respondents did not select any of the answers provided and only provided comments. All of these comments are available for review at MLCA’s website, and have been reviewed and taken into consideration by the Lake Plan Committee.

Questions 1 to 6 of the survey were questions that gathered basic information about the respondents (e.g. their name, email address, cottage address, whether they are a property owner or family member of a property owner, whether they are a member of the MLCA and, if not, whether they would like further information about MLCA).

QUESTION 7

Do you believe that the Muldrew Lakes require a set of lake-specific policies and provisions to regulate the size of dwellings? This question relates to both new dwellings on vacant lots as well as additions to or the replacement of older cottages.

SUMMARY: The majority of respondents – 131/176 (74.4%) – want the size of new dwellings on vacant lots and the size of older dwellings that are being renovated or replaced to be regulated. Only 34/176 (19.3%) stated that they did not believe Muldrew Lakes required a set of lake-specific policies and provisions to regulate the size of new dwellings and older dwellings that are being renovated or replaced.

TOTAL

- Yes – 131/176 (74.4%)
- No – 34/176 (19.3%)
- Unanswered – 3/176 (1.7%)
- Other – 8/176 (4.6%)

QUESTION 8

If you are in support of regulating the size of dwellings on the Muldrew Lakes, please select your preferred maximum gross floor from the options below.

SUMMARY: In total, 98/176 respondents (55.68%) stated that the maximum gross floor area of dwellings on the lake (including new builds and old dwellings that are being expanded or rebuilt) should be 3500 or less. In contrast, 24/176 respondents indicated that they preferred that no limit be placed on the size of cottages (13.6%).

Of the 131 respondents who indicated that they wanted the size of cottages to be regulated, 56 (42.8%) indicated that they preferred that the maximum gross floor area of dwellings on the Muldrew Lakes be limited to 3500 sq ft. As well, 27 of the 131 respondents who wanted the size of cottages to be regulated stated that they wanted to limit the gross floor area of cottages to 3000 sq ft (20.6%) and 22 stated that they wanted to limit the gross floor area of cottages to 4,000 sq ft (16.8%).

TOTAL

- 2,500 sq ft - 15/176 (8.5%)
- 3,000 sq ft - 27/176 (15.3%)
- 3,500 sq ft - 56/176 (31.8%)
- 4,000 sq ft - 22/176 (12.5%)
- 4,500 sq ft - 7/176 (4%)
- No Max - 24/176 (13.6%)
- Unanswered - 4/176 (2.3%)
- Other - 21/176 (12%)

QUESTION 9

If you believe that dwelling sizes should be regulated on the lake, do you believe that the maximum gross floor area for new builds that cannot meet the 30 metre setback requirement should be less than the maximum gross floor area you indicated in Question 8?

SUMMARY: The majority of respondents 114/176 (64.8%) indicated that they wanted the size of new builds that cannot meet the 30 metre setback to be less than the maximum gross floor area they indicated in Question 8.

Of the 176 respondents, 24 (13.6%) indicated that they did not think the maximum gross floor area of new builds within the 30 metre buffer area should be less than the maximum gross floor area for new builds at or beyond the 30 metre setback. Further, 26 respondents (14.8%) indicated that this question did not apply to them because they did not believe that new provisions should be introduced to regulate the size of dwellings on Muldrew Lakes. A common theme in the comments of these respondents was that there should be one maximum size wherever the cottage is located and that the Town of Gravenhurst has adequate bylaws to deal with this issue.

TOTAL

- Yes - 114/176 (64.8%)
- No - 24/176 (13.6%)
- N/A - 26/176 (14.8%)
- Unanswered - 1/176 (.6%)
- Other - 11/176 (6.2%)

QUESTION 10

If you selected “yes” above in Question 9 and you believe that the maximum gross floor area of new dwellings being built within the 30 metre buffer area should be less than the maximum gross floor area of new dwellings built at or beyond the 30 metre setback, please select your preference from the options below.

SUMMARY: In total, 81/176 respondents (46%) indicated that the maximum gross floor area of new dwellings being built within the 30 metre buffer should vary depending on the proximity of the dwelling to the lake (e.g. the size of the new dwellings should decrease the closer it is to the lake). This represents about 70% of the respondents who responded that they believed the maximum gross floor area of new dwellings being built within the 30 metre buffer area should be less than the maximum gross floor area of new dwellings built at or beyond the 30 metre setback.

In addition, 36/176 respondents (20.5%) felt there should be a fixed maximum gross floor area for new dwellings being built within the 30 metre buffer area that is less than the maximum gross floor area of new dwellings built at or beyond the 30 metre setback. This represents about 30% of the individuals who responded that they believed the maximum gross floor area of new dwellings being built within the 30 metre buffer area should be less than the maximum gross floor area of new dwellings built at or beyond the 30 metre setback.

Of the 176 respondents, 9 (5.1%) indicated that the sizes of dwellings within the 30 metre setback should be the same as the size of new builds beyond the 30 metre setback.

Finally, 21/176 respondents (11.9%) stated that there should not be additional regulations for new builds within the 30 metre setback area.

TOTAL

- Fixed cap - 36/176 (20.5%)
- Range - 81/176 (46%)
- N/A - no lesser permitted max within the 30 m setback - 9/176 (5.1%)
- N/A - should not be regulated - 21/176 (11.9%)
- Unanswered (blank)- 20/176 (11.4%)
- Other - 9/176 (5.1%)

QUESTION 11

Do you support refining the policy that imposes criteria for relief from the 30 metre setback requirement for new dwellings?

SUMMARY: A majority of respondents - 122/176 (69.3%) - indicated that they are in favour of imposing more specific criteria that must be met for relief to be granted from the 30 metre setback requirement.

About a quarter of respondents (47/176 (26.7%)) indicated that they were not in favour of imposing more specific criteria for relief to be granted from the 30 metre setback requirement.

TOTAL

- Yes - 122/176 (69.3%)
- No - 47/176 (26.7%)
- Unanswered - 1/176 (.6%)
- Other - 6/176 (3.4%)

QUESTION 12

Do you believe that the Muldrew Lakes require additional lake-specific provisions to regulate the extent to which existing legal non-complying dwellings within the 30 metre buffer area can be enlarged or replaced?

SUMMARY: The survey results indicate that the majority of respondents - 98/176 (55.7%) - believe the Muldrew Lakes require additional lake-specific provisions to regulate the extent to

which existing legal non-complying dwellings within the 30 metre buffer area can be enlarged or replaced. Of the 176 respondents, 71 (40.3%) did not believe that Muldrew Lakes requires additional lake-specific provisions.

TOTAL

- Yes – 98/176 (55.7%)
- No – 71/176 (40.3%)
- Other - 7/176 (4%)

QUESTION 13

There are two general approaches to permitting a percentage increase to building size: A) regulating the increase to the ground floor area (footprint) or B) regulating the increase to the gross floor area (total building size). Please choose your preferred option below.

SUMMARY

Of the 176 respondents, 48 (27.3%) indicated that they were in favour of regulating increases to the size of legal non-complying dwellings within the 30 metre setback by regulating increases to the ground floor area (footprint) and 48 (27.3%) indicated that they were in favour of regulating increases to gross floor area (total building size) of these dwellings. In addition, 27/176 respondents (15.3%) indicated that they would be content with either regulating the ground floor area or gross floor area.

In total, 47/176 respondents (26.7%) stated that they do not support the adoption of any additional provisions to regulate expansions of legal non-complying dwellings within the 30 metre buffer. Many of these individuals indicated in their comments that they did not want any additional provisions put in place to regulate the development of existing dwellings on the lake and there was concern that either option would be inequitable to individuals with small dwellings.

TOTAL

- Option A - ground floor regulation - 48/176 (27.3%)
- Option B - gross floor regulation - 48/176 (27.3%)
- Option C - either A or B - 27/176 (15.3%)
- Option D – do not support the adoption of any additional provisions to expansions of legal non-complying dwellings within the 30 m buffer - 47/176 (26.7%)

- Other - 6/176 (3.4%)

QUESTION 14

Do you prefer percentage increases to the size of legal non-complying dwellings be based on the proximity of the existing dwelling to the lake or the size of the existing dwelling?

SUMMARY: In total, 65/176 respondents (37%) said that they prefer percentage increases to the size of legal non-complying dwellings be based on the proximity of the existing dwelling to the lake and 25/176 (14.2%) said that they prefer the increase to be based on the size of the existing dwelling. In addition, 25/176 (14.2%) indicated that they would support either option.

Of the 176 respondents, 49 (27.8%) indicated that they do not support the adoption of any additional provisions to regulate expansions of legal non-complying dwellings within 30 metres of the shoreline.

TOTAL

- Option A - proximity to shoreline - 65/176 (37%)
- Option B - based on size of existing dwelling - 25/176 (14.2%)
- Option C - either A or B - 25/176 (14.2%)
- Option D - 49/176 (27.8%)
- Unanswered - 2/176 (1.1%)
- Other - 10/176 (5.7%)

QUESTION 15

Would you support replacing the width formula with a provision regulating expansions to the width of dwellings by a percentage?

SUMMARY

Half of the respondents - 88/176 (50%) - answered that they would support replacing the width formula with a provision regulating expansions in width by a percentage and 74 (42%) would not support such a provision.

TOTAL

- Yes – 88/176 (50%)

- No – 74/176 (42%)
- Unanswered - 4/176 (2.3%)
- Other - 10/176 (5.7%)

QUESTION 16

Would you support a provision to restrict the location of a replacement dwelling to the majority of the existing building footprint?

SUMMARY: Just over half of the respondents - 93/176 (53%) – indicated that they would support a provision to restrict the location of a replacement dwelling to the majority of the existing building footprint.

Of the 176 respondents, 69 (39%) indicated that they would not support such a provision. Many of the comments provided suggested that rather than requiring use of the majority of the existing footprint, the most important factor in rebuilding or enlarging legally non-complying buildings should be that the situation of non-compliance is improved (e.g. the building is further from the lake than the original building).

TOTAL

- Yes – 93/176 (53%)
- No – 69/176 (39%)
- Unanswered (blank) - 4/176 (2.3%)
- Other - 10/176 (5.7%)

QUESTION 17

Would you be in support of introducing provisions for regulating the expansion/reconstruction of legal non-complying dwellings similar to the provisions implemented in the Municipality of Trent Lakes?

SUMMARY: This was the first of two questions where models used by other lake communities to regulate the expansion/reconstruction of legally non-complying dwellings was provided to get a sense of the kind of provision that would be supported by the Muldrew Lakes community.

When provided with the example of the provisions implemented in the Municipality of Trent that regulate the expansion/reconstruction of legal non-complying dwellings, slightly more respondents were in favour (88/176, 50%) than opposed (73/176, 41.4%) to introducing this type of provision for Muldrew Lakes.

TOTAL

- Yes – 88/176 (50%)
- No – 73/176 (41.4%)
- Unanswered - 4/176 (2.3%)
- Other - 11/176 (6.3%)

QUESTION 18

Would you be in support of introducing provisions for regulating the expansion/reconstruction of legal non-complying dwellings similar to the provisions implemented in the Township of Georgian Bay?

SUMMARY: This was the second of two questions where models used by other lake communities to regulate the expansion/reconstruction of legally non-complying dwellings was provided to get a sense of the kind of provision that would be supported by the Muldrew Lakes community.

When provided with the example of the provisions implemented in the Township of Georgian Bay that regulate the expansion/reconstruction of legal non-complying dwellings, slightly more respondents were in favour (86/176, 49%) than opposed (71/176, 40.3%) to introducing this type of provision for Muldrew Lakes.

TOTAL

- Yes - 86/176 (49%)
- No - 71/176 (40.3%)
- Unanswered (blank) - 3/176 (1.7%)
- Other - 16/176 (9%)

QUESTION 19

Do you support a lake-specific provision that would allow property owners to build either one sleeping cabin up to 45.6 square metres (500 square feet) in size or two smaller sleeping cabins with a total floor space of up to 46.5 square metres (for example, 2 x 250 sq ft cabins)?

SUMMARY: The majority of respondents - 124/176 (70.5%) - are in favour of allowing property owners to build either one sleeping cabin up to 500 sq ft. or two smaller sleeping cabins with a total floor space of up to 500 sq ft.

TOTAL

- Yes - 124/176 (70.5%)
- No - 39/176 (22.2%)
- Unanswered - 2/176 (1.1%)
- Other 11/176 (6.2%)

QUESTION 20

Do you agree with the proposal that a Boating Impact Study should be required as part of any application for multiple residential development on Muldrew Lakes?

Summary: The majority of respondents - 156/176 (88.6%) – are in favour of a provision that would require a Boating Impact Study to be conducted as part of any application for multiple residential development on Muldrew Lakes.

TOTAL

- Yes - 156/176 (88.6%)
- No - 14/176 (8%)
- Other 6/176 (3.4%)

QUESTION 21

Are you in support of applying the Muldrew-specific provisions that currently exist in the Muldrew Lakes-specific zoning bylaws to both boathouses and boatports?

Summary: The majority of respondents - 127/176 (72.2%) – are in favour of applying the provision that already exists in the Muldrew Lakes-specific zoning bylaw to both boathouses and boatports.

TOTAL

- Yes - 127/176 (72.2%)
- No - 36/176 (20.5%)
- Unanswered - 4/176 (2.3%)
- Other - 9/176 (5%)

QUESTION 22

Please select your preferences for developing a Muldrew-specific provision related to the projection of boathouses and boatports.

SUMMARY: The majority of respondents - 115/176 (65.4%) – are in favour of a lake-specific provision that would limit the projection of boathouses and boatports to 10 metres.

TOTAL

- 10 metre limit - 115/176 (65.4%)
- 12 metre limit - 22/176 (12.5%)
- Do not support limiting projection - 31/176 (17.6%)
- Unanswered - 2/176 (1.1%)
- Other - 6/176 (3.4%)

QUESTION 23

Do you agree with requiring a Site Evaluation Report for any major development on the lake?

SUMMARY: The majority of respondents - 100/176 (56.8%) – are in favour of a provision requiring a Site Evaluation Report for any major development on Muldrew Lakes and 62/176 respondents (35.2%) are not in favour of such a provision.

TOTAL

- Yes - 100/176 (56.8%)
- No - 62/176 (35.2%)
- Other 14/176 (8%)

Appendix 5

MULDREW LAKES LAKE PLAN - LAND USE POLICY

PROPOSED LAKE-SPECIFIC UPDATES TO THE GRAVENHURST OFFICIAL PLAN (GOP) & ZONING BY-LAW

Introduction

The Gravenhurst Official Plan (GOP) encourages lake communities to develop lake-specific policies to ensure that the unique social, ecological and cultural attributes of the lakes in the municipality are protected. The Muldrew Lakes' Lake Plan was first completed in 2009. The Lake Plan was meant to be updated and revised every 5 years to assess the relevance and effectiveness of the plan to ensure it continues to reflect the community's vision and priorities.

The MLCA began the process of updating the Lake Plan in 2017. It engaged EcoVue Consulting Services, a land use planning firm that: (a) conducted community consultations, including a survey that was conducted in 2020 and was completed by 188 individuals (referred to below as the "2020 Survey") and two workshops attended by over 50 individuals; (b) prepared a Feasibility Report with policy recommendations based on community consultations and policy review; (c) drafted lake-specific amendments to the policies in the GOP and provisions of the Gravenhurst Zoning By-Law; and d) conducted three more rounds of community consultation and policy revisions resulting in the final draft of proposed lake-specific amendments to the GOP and Zoning By-law (presented herein).

The first draft of the lake-specific amendments was circulated in the 2022 dock drop. Further community consultation took place throughout the summer of 2022. Members of the community provided their feedback through a Lake Plan Town Hall held in July 2022, discussions at the 2022 AGM, and by email and on social media.

The second draft of lake-specific amendments was circulated in the fall of 2022 and follow-up consultation was conducted at a Town Hall session in November of 2022. Comments were also received by email, social media, by telephone, and in-person. Following this, a second community survey (referred to below as "2023 Survey") was generated to ask detailed questions pertaining to the most contentious issues to date, to ensure that the final draft reflected the majority opinion of the lake community. The third draft of lake-specific amendments was completed in the spring of 2023 following the analysis of the 2023 Survey data.

The final Town Hall was held on July 16, 2023 where the third draft was presented and members of the Muldrew Lakes Cottagers' Association (MLCA) had the opportunity to provide final comments for consideration by the Lake Plan Committee and Board of Directors. The third draft was revised to increase the maximum gross floor area for cottages located at 30 or more metres from the shoreline from 3,500 square feet to 4,000 square feet (which increased the graduated maximum gross floor areas based on setback from the shoreline). The draft lake-specific policies and provisions presented herein reflect the consideration of all community consultation to date, including the 2020 survey, the five town hall events, the 2023 survey, the emails the MLCA received, as well as all of the comments the MLCA gathered on various social media sites. For more information please see the Lake Plan website: <https://muldrewlakes.ca/>.

Background - What is an Official Plan?

An Official Plan sets out general policies for future land use within a municipality, which reflect a vision for the future (e.g., the next 25 years). Official Plans are prepared with community input, which helps to ensure that future planning and development will meet the specific needs of the community.

What are Zoning By-laws?

Zoning By-laws put the policies of the Official Plan into effect by providing specific requirements that are legally enforceable (e.g., minimum lot sizes or maximum building heights). Construction or new development that does not comply with a zoning by-law is not allowed, and the municipality will refuse to issue a building permit. To develop property in a way that does not comply with Gravenhurst’s Zoning By-law, one must apply for a rezoning or Zoning By-law Amendment (ZBA). Only ZBAs that conform to the Official Plan policies are granted.

The following table sets out the revisions and additions to the GOP and Zoning By-law that the MLCA is proposing to include in applications to the Town of Gravenhurst to amend Muldrew Lakes-specific policies/provisions in the GOP and Zoning By-Law. The proposed amendments are highlighted in yellow and are divided into the following Sections/Subsections for clarity:

- A. Lake Character & Vision
- B. Shoreline Development
 - i. Guiding Policy for Shoreline Development
 - ii. Maximum Dwelling Size for New Dwellings and Legally Non-Complying Dwellings
 - iii. Exceptions to required 30-metre shoreline setback
 - iv. Maximum Gross Floor Area: New dwellings that cannot meet the required 30-metre setback
 - v. Maximum Gross Floor Area: Existing Legal Non-Complying Structures (i.e., pre-existing dwellings that do not meet the current required 30- metre setback)
- C. Site Evaluation Report
- D. Boathouses and Boatports
- E. Sleeping Cabins
- F. Recreational Carrying Capacity and Boating Impact Studies for major development applications
- G. Commercial Property
- H. Conservation
- I. Lot Creation
- J. Housekeeping Amendments

All of the proposed GOP policies are guiding in nature and where the proposed GOP policy has a corresponding provision in the Zoning By-law, the provisions are presented together. In some cases, however, the proposed provision in the GOP does not have any corresponding proposed Zoning By-law provisions.

Please also do not hesitate to contact us at secretary@muldrewlakes.ca if you need any help understanding the proposed amendments.

A. Lake Character & Vision

The following changes are being proposed to the GOP. There are no corresponding changes to the Zoning By-law.

Issue	Proposed update to the Lake-specific Policy in the GOP	Current Lake-specific Policy in the GOP	Explanation of update
Lake Character & Vision	1. The shorelines of the Muldrew Lakes are characterized by trees, natural vegetation and modest-sized cottages with very few boathouses. The unique environmental and cultural qualities of the Muldrew Lakes shall be maintained by preserving the natural environment as the dominant landscape feature. Disturbance to natural vegetation shall be minimized to the greatest extent possible to maintain and enhance the environmental health, water quality and visual character of the lakes. 2. The special character of the Muldrew Lakes (North, South and Middle) as a series of long, relatively narrow channels is recognized. The confined nature of long and narrow waterbodies results in a perception of increased density on the shoreline and also provides less space, per dwelling, for recreational activities on the water. These factors raise compatibility issues related to the location of shoreline structures, visual impacts, noise, lighting, privacy, safety and navigation. The narrow waterbodies of the Muldrew Lakes need to be treated differently from other lands within the Waterfront Area designation in the Town of Gravenhurst to protect the natural	The special character of the Muldrew Lakes (North, South and Middle) as a series of long, relatively narrow channels are recognized. This contributes to a natural visual appearance when looking down the lakes, with a shoreline predominated by trees and natural vegetation and modest-sized cottages with very few boathouses. The unique qualities of the Muldrew Lakes, environmental health, and water quality of the lakes is to be maintained and enhanced, while allowing for modest development and reasonable redevelopment, in keeping with the character of the lake (D17.3).	The revisions separate the current policy into three distinct sections, which focus on 1) natural environment; 2) narrow waterbodies and 3) shoreline development. The proposed revisions also provide much greater detail regarding lake character by describing the unique qualities of the Muldrew Lakes. The revised policies explain why the Muldrew Lakes need to be treated differently than other (particularly larger and wider) lakes in the Town of Gravenhurst. This policy will provide guidance to individuals building on Muldrew Lakes, planners and Council when planning for and considering development on the Muldrew Lakes.

	environment, attain land use compatibility and retain community character.		
	3. Only modest development and reasonable redevelopment, in keeping with the character of the lakes, the policies of this Official Plan, and the implementing Zoning By-law shall be permitted.		

B. Shoreline Development

The proposed amendments to the GOP policies and Zoning By-law primarily respond to the concerns expressed by the Muldrew Lakes community on the 2020 Survey regarding shoreline development - specifically concerns regarding a perceived trend of new dwellings being built on the lake that are very large (e.g. 5,000-8,000 square feet) and out of character for the lake, as well as concerns about older/smaller buildings within the 30-metre setback being expanded or rebuilt into much larger dwellings close to the water. Community members are concerned that very large building footprints are negatively impacting the sensitive ecology of the shoreline environment, as well as the natural visual appearance of the lake. Further, the community has expressed concern that there have been many instances where Zoning By-Law Amendments and Minor Variance Applications have been permitted that are unjustified or do not comply with the existing GOP and Zoning By-laws. Based on the community consultation undertaken over the last several years as part of the review of the Lake Plan, it is clear that the GOP policies and Zoning By-laws do not reflect the vision and values of the majority of those who have voiced their concerns through the surveys, town hall events, emails, conversations, etc.

In addition to supporting the preservation of the character and natural beauty of the shoreline on the lakes, these amendments also respond to the concerns of the community regarding the environmental impact of shoreline development. By removing and fragmenting natural habitats, particularly within the first 30 metres of the shoreline, development contributes to four of the most important environmental issues facing the lakes in Muskoka: 1) increased incidence and severity of flooding; 2) increased erosion and siltation; 3) existing and emerging threats to water quality (e.g., hazardous algal blooms and calcium decline); and 4) existing and emerging threats to biodiversity and natural habitat. Limiting development and redevelopment helps to maintain natural vegetation, which will mitigate the risk of floods and erosion, minimise disruption to native species, support biodiversity, and help to moderate the temperature of our lakes. Warmer waters contribute to many water quality problems, including algal blooms, which are positively correlated to decreases in property values, and are a potential health threat for recreational activities.

It is primarily for the above-mentioned reasons that 73% of the 188 respondents who completed the 2020 Survey, and 74% of the 176 respondents on the 2023 Survey stated they would like to see a limit on the size of new builds as well as re-builds, add-ons, renovations, etc.

The Lake Plan update is an opportunity to address these concerns. The Official Plan policies and Zoning By-Laws for the Town of Gravenhurst are generalized for all of the lakes in its jurisdiction (whether heavily developed, large and wide open, small and narrow, or remote and undeveloped). Creating lake-specific policies and zoning by-laws that address the community’s concerns regarding lake character and environmental protection are pro-active steps, which will better protect the character, beauty and ecological health of our lakes, and should also help to reduce the number of applications for amendments and variances which are submitted to the Town, as well as the number of approvals for applications that do not conform to the vision and values of the community.

i. Guiding Policy for Shoreline Development

Proposed change to the Muldrew Lakes section of the Gravenhurst Official Plan (GOP)			
Issue	Proposed Lake-Specific Policy	Current Policy (general for all lakes)	Explanation
Shoreline Development & Protection of Visual Character and Natural Environment	To reduce environmental impact and preserve the unique character described in the Muldrew-specific policies of the Official Plan, the implementing Zoning By-law shall limit the maximum gross floor area of the principal dwelling on a lot.	Section D12.1: “Buildings in the Waterfront Area will be designed and constructed to blend into the natural environment and preserve the historic architectural characteristics of the area” (GOP, p. 61).	In order to limit the size of dwellings on the Muldrew Lakes to protect the natural environment and visual character, the GOP must be amended to include a guiding policy specific to the Muldrew Lakes. The regulations associated with this policy will be implemented through the Zoning By-law. Currently, the GOP contains some guiding policies related to preserving character, but they are general in nature and do not have any associated provisions in the Zoning By-law and are thus difficult to enforce. The general policies in Section D12.1 would continue to apply to the Muldrew Lakes in addition to the proposed lake-specific policy.

ii. Maximum Dwelling Size for New Dwellings and Legally Non-Complying Dwellings

Currently, there are no limits on dwelling size for new dwellings being built on the lake and older dwellings that are being renovated or rebuilt, other than: (a) a maximum height, (b) maximum lot coverage (which is 13% within the first 60 metres from the shoreline), (c) a width provision (“Illustration 6” in the Zoning By-law) for rebuilds of existing non-complying dwellings within their original footprint; and (d) a provision requiring that 75% of the first 20 metres from the water be maintained in a naturalized state. Due to concerns about environmental impacts and changing lake character, 73% of 188 respondents to the 2020 Survey and 74% of 176 respondents on the 2023 Survey stated that they would like to see building size regulated on the lake.

Other lakes have a maximum dwelling size enforced through Official Plan policy and Zoning By-law provisions. For example, Three Mile Lake has recently imposed a limit of 325 m² (approx. 3,500 sq. Ft) which was approved as part of the new Township of Muskoka Lakes Official Plan), Kahshe Lake has a maximum of 375 m² (approx. 4,000 sq. ft), while other lakes (e.g., the Township of Georgian Bay) have placed even smaller limits on shoreline dwellings.

We have proposed a 372 m² (4,000 sq. ft) limit as a value that represents the upper-limit of the majority opinion expressed by respondents to the 2020 Survey and 2023 Survey.

Proposed change to the Zoning By-Law			
Issue	Proposed lake-specific provision for the Gravenhurst Zoning By-law	Current (General) Provision in the Zoning By-law	Explanation of update
Regulations for lots zoned RW-6B on the Muldrew Lakes	Except for the provisions indicated below, the regulations for a RW-6B Zone on the Muldrew Lakes shall be in accordance with the requirements of Section 14.2 of this By-law: Minimum Lot Frontage: 120.0 metres (394 ft) Maximum Dwelling Size: 372 square metres gross floor area (approx. 4,000 ft²) When a proposed dwelling cannot meet the required 30-metre (98 ft) shoreline setback from the OSWL, and conforms to Section X (see below – “exceptions to shoreline setback”) of the lake-specific policies of the Gravenhurst Official Plan, the maximum gross floor area of the dwelling shall comply with the provisions in Table 1.	Section 14.4: Except for the provision indicated below, the regulations for a RW-6B Zone shall be in accordance with the requirements of Section 14.2 of this By-law: Minimum Lot Frontage: 120.0 metres (394 ft).	The proposed changes are specific to dwellings located within the RW-6B Zone and include: 1) A maximum gross dwelling size of 372 m², which is equivalent to approximately 4,000 square feet for new dwellings at or beyond 30 metres from the shoreline; and 2) Table 1 – provisions for dwellings that cannot meet the required 30 metre setback.
Regulations for lots zoned RW-6C on the Muldrew Lakes	Except for the provisions indicated below, the regulations for a RW-C Zone on the Muldrew Lakes shall be in accordance with the requirements of Section 14.2 of this By-law: Minimum Lot Frontage: 150.0 metres (492 ft)	Section 14.5: Except for the provision indicated below, the regulations for a RW-6C Zone shall be in accordance with the requirements of Section 14.2 of this By-law:	The proposed changes are specific to dwellings located within the RW-6C Zone. The changes proposed to this provision include:

	Maximum Dwelling Size: 372.0 square metres gross floor area (approx. 4,000 ft²) When a proposed dwelling cannot meet the required 30-metre (98 ft) shoreline setback from the OSWL, and conforms to Section X (see below – “exceptions to shoreline setback”) of the lake-specific policies of the Gravenhurst Official Plan, the maximum gross floor area of the of the dwelling shall comply with the provisions in Table 1.	Minimum Lot Frontage: 150.0 metres (492 ft).	1) The addition of a maximum gross dwelling size of 372 m², which is equivalent to approximately 4,000 square feet for new dwellings at 30 metres or more from the shoreline; and; 2) Table 1 – provisions for new dwellings that cannot meet the required 30 metre setback.
Regulations for lots zoned RI-8D on the Muldrew Lakes	Except for the provisions indicated below, the regulations for an RI-8D Zone on the Muldrew Lakes shall be in accordance with the requirements of Section 16.2 of this By-law. Minimum Lot Area – As existed on the date of the passing of this By-law, provided the lot and buildings are in accordance with the requirements of Section 5.7.1.1 of this By-law. Minimum Lot Frontage- As existed on the date of passing of this By-law, provided the lot and buildings are in accordance with the requirements of Section 5.7.1.1 of this By-law. Maximum Dwelling Size – 372 square metres gross floor area (approx. 4,000 ft²). When a proposed dwelling cannot meet the required 30-metre (98 ft) shoreline setback from the OSWL, and conforms to Section X (see below – “iii. exceptions to shoreline setback”) of the lake-specific policies of the Gravenhurst Official Plan, the maximum gross floor area of the of the dwelling shall comply with the provisions in Table 1.	Section 16.6: Except for the provisions indicated below, the regulations for an RI-8D Zone shall be in accordance with the requirements of Section 16.2 of this By-law. Minimum Lot Area - As existed on the date of the passing of this By-law, provided the lot and buildings are in accordance with the requirements of Section 5.7.1.1 of this By-law. Minimum Lot Frontage- As existed on the date of passing of this By-law, provided the lot and buildings are in accordance with the requirements of Section 5.7.1.1 of this By-law.	The proposed changes are specific to dwellings located within the RI-8D Zone. The changes proposed to this provision include: 1) Adding a maximum gross dwelling size of 372 m², which is equivalent to approximately 4,000 square feet for new dwellings at or beyond 30 metres from the shoreline and; 2) Table 1, which outlines provisions for new dwellings that cannot meet the required 30 metre setback

iii. Exceptions to required 30-metre shoreline setback

Proposed change to the GOP			
Issue	Proposed Lake-specific policy for the GOP	Current Policy in GOP	Explanation of Change
Exceptions to Shoreline Setback	A setback less than 30.0 metres (98 ft) may be permitted on existing lots of record in the following circumstances: a) Sufficient lot depth is not available to meet the setback requirement of 30 metres; or b) Terrain or soil constraints exist that physically do not allow for compliance with the 30-metre setback without significant or damaging site alteration (such as blasting or extensive removal of mature trees or other sensitive ecosystems), which make other locations on an existing lot more suitable. In either circumstance, a Site Evaluation Report shall be completed to demonstrate the most appropriate location for a building envelope which maximizes the setback from the lake while minimizing negative impact to the natural environment and visual impact of the dwelling. The report shall also include recommendations to preserve the remainder of the shoreline buffer area in a natural state, and wherever possible, include recommendations to achieve Environmental Net Gain, as described in the Muldrew lakes-specific policies of this Official Plan.	Where the 30-metre setback cannot be met, e.g., for redevelopment of existing properties, where site characteristics preclude meeting the setback, where sufficient lot depth is not available, or where there are terrain or site constraints, the setback shall be as large as practical, providing the existing setback is not further reduced, and a net improvement in vegetation coverage can be achieved (D11.2).	This policy provides specific criteria that must be met by applicants applying for a zoning amendment or minor variance. The 2023 Survey demonstrated that 69.3% of respondents are in favour or imposing more specific criteria in the Official Plan to determine whether relief should be granted from the 30-metre setback requirement. Although the current required setback is 30 m (98 ft), the Town receives many applications for Zoning amendments and minor variances to approve lesser setbacks. Many survey respondents voiced concern regarding these approvals for lesser setbacks. The MLCA has observed the community fighting these applications over many years. This provision will provide more guidance to applicants and the Town in an effort to limit the number of applications/approvals for a lesser setback. Additionally, the added requirement of a Site Evaluation Report will ensure that the proponent contracts a qualified professional to determine the most appropriate building location on the site, which minimizes environmental disturbance and visual impact, while maximizing the setback from the shoreline. These policies have been added to reflect the values and support the long-term vision of the lake community in maintaining a healthy natural environment as well as the natural visual character of the lake.

iv. Maximum Gross Floor Area: New dwellings that cannot meet the required 30-metre setback

Proposed change to the GOP			
Issue	Proposed Lake-specific policy for the GOP	Current Policy in GOP	Explanation of Change
Size Limit for Dwellings which cannot meet the 30-metre setback	To preserve the unique character of the Muldrew Lakes and minimize negative impact to the physical, chemical and ecological function of the shoreline buffer area, the implementing Zoning By-law shall limit maximum gross floor area of the principal dwelling based on proximity to the Optimal Summer Water Level (OSWL) for all proposed development which cannot meet the required 30-metre (98 ft) shoreline setback, and are permitted pursuant to the lake-specific policy of this Plan (see above (iii)).	No specific size limitations for dwellings are contained in the GOP. The Zoning By-law allows for a maximum lot coverage of 13% within 60 metres of the water.	There are currently no size limits for the development of new dwellings, except that the Zoning By-law allows for a specific maximum height and maximum lot coverage of 13% within 60 metres of the water. These provisions provide that the Zoning By-law (set out below) will limit the size of new builds that cannot meet the required 30-metre setback based on proximity to the shoreline (larger builds permitted with increasing distance from the lake). The purpose of these policies is to protect the shoreline environment and visual character of the lake.

Maximum Gross Floor Area: New dwellings that cannot meet the required 30-metre setback (cont'd)

Proposed change to the Zoning By-Law						
Issue	Proposed lake-specific provision for the Gravenhurst Zoning By-law			Current (General) Provision in the Zoning By-law	Explanation of update	
Maximum Dwelling Size for New Builds which cannot meet the required 30-metre shoreline setback.	When a proposed dwelling cannot meet the required 30-metre (98 ft) shoreline setback from the OSWL, and conforms to Section X (see above (iii)– “exceptions to shoreline setback”) of the lake-specific policies of the Gravenhurst Official Plan, the maximum gross floor area of the of the dwelling shall comply with the provisions in Table 1:			Section 14.2: Maximum Lot Coverage of Principal Building and Accessory Buildings: Where buildings or structures are located wholly or partially within 60 metres of the shoreline, 13.0 percent of the lot area within 60 metres of the shoreline.	To address concerns in the lake community regarding protection of the shoreline environment as well as the visual beauty and character of the lake, these provisions require a smaller gross floor area based on proximity to the shoreline. These provisions would apply to new builds that cannot meet the required 30 metre (98 ft) setback and have demonstrated conformity with the lake-specific policies of the GOP (see (iii) above). The 2023 Survey demonstrated that 64.8% of respondents would like a maximum dwelling size for new builds that cannot meet the 30-metre setback that is less than the maximum building size they indicated for new builds that can meet the 30-metre setback. Of those who desire smaller maximum building size within the setback area, 71% believe that the maximum building size should vary with proximity to the lake (smaller closer to the lake and larger as they approach the required 30 metre setback). The current provisions limiting lot coverage of the principal building to 13% within the first 60 metres from the	
	Table 1. Maximum Gross Floor Area (GFA) for new dwellings on vacant lots that cannot meet the required 30-metre shoreline setback.					
	Setback from OSWL (metres)	Max GFA (m²)	Setback from OSWL (metres)			Max GFA (m²)
	0	93 (1000 sq ft)	15			232 (2500 sq ft)
	1	102 (1100 sq ft)	16			242 (2600 sq ft)
	2	111 (1200 sq ft)	17			251 (2700 sq ft)
	3	121 (1300 sq ft)	18			260 (2800 sq ft)
	4	130 (1400 sq ft)	19			269 (2900 sq ft)
	5	139 (1500 sq ft)	20			279 (3000 sq ft)
	6	149 (1600 sq ft)	21			288 (3100 sq ft)
	7	158 (1700 sq ft)	22			297 (3200 sq ft)
	8	167 (1800 sq ft)	23			307 (3300 sq ft)
	9	177 (1900 sq ft)	24			316 (3400 sq ft)

v. **Maximum Gross Floor Area: Existing Legal Non-Complying Structures (i.e., pre-existing dwellings that do not meet the current required 30- metre setback)**

The proposed provisions limit the extent to which existing dwellings on the lake that are closer than 30 metres to the shoreline may be enlarged or replaced. This proposed policy directly addresses the concerns of the majority of the respondents to both the 2020 and 2023 Surveys regarding protection of the shoreline environment, the natural visual appearance of the lake and lake character. Similar provisions have been implemented in many jurisdictions including the Township of Douro-Dummer, the Township of Georgian Bay, the Township of Seguin and the Township of Muskoka Lakes. In fact, some municipalities have much more restrictive provisions which only allow the reconstruction of a non-complying building within the same footprint with no increases in height or floor area. Restricting redevelopment within the shoreline buffer area (within 30 metres of the shoreline) is particularly important from an environmental perspective. The scientific literature states that preserving a natural (forested or vegetated) shoreline buffer is essential to the survival of a lake. As a result, the natural transition between the water (aquatic) and upland (terrestrial) ecosystems is referred to in the literature as the “ribbon of life”¹.

Proposed change to the Muldrew Lakes section of the Gravenhurst Official Plan (GOP)			
Issue	Proposed Lake-specific Section of the GOP	Current (General) Policy in GOP (applicable to all lakes)	Explanation of update
Size Limit for Redevelopment of Existing Legal Non-Complying Dwellings	1. Where an existing legal non-complying dwelling encroaches into the required setback (30 metres or 98 ft) from the Optimal Summer Water Level (OSWL), the dwelling may only be replaced, enlarged, repaired, or renovated provided that the enlargement, repair, or renovation: a) Does not further increase a situation of non-compliance; b) Complies with all other provisions of this Plan and the implementing Zoning By-law, including the Muldrew-specific policies and provisions limiting the redevelopment of non-complying buildings and structures; and c) Will not pose a threat to public health and safety. 2. Where an existing legal non-complying dwelling is being replaced, enlarged, repaired or renovated, property owners are	A non-complying building or structure may be enlarged, repaired or renovated, provided that the enlargement, repair or renovation: a) Does not further increase a situation of non-compliance; b) Complies with all other provisions of this Plan and the implementing Zoning By-law; c) Does not increase the amount of floor area in a required yard or setback area; and d) Will not pose a threat to public health or safety (K3.6.2).	The GOP currently prohibits building any closer to the lake than the existing structure and the implementing Zoning By-law restricts the overall width of an extension/enlargement/rebuild. Although the GOP also provides that the floor area of non-complying dwellings cannot be increased, there is no implementing Zoning By-law and therefore this provision is <u>not enforced</u>. The proposed amendment provides for the Zoning By-law to have lake-specific provisions for limiting the size of rebuilds within the 30-metre shoreline setback area. The 2023 Survey demonstrated that a majority (55%) of respondents believe that the Muldrew Lakes require additional lake-specific provisions to regulate the extent to which existing legal non-complying dwellings within the 30-metre buffer

¹ Shoreline Vegetative Buffers (2003). Prepared by the District of Muskoka Planning and Economic Development Department. Retrieved from <https://muskoka.civicweb.net/document/4844/#:~:text=Shoreline%20buffers%20refer%20to%20forested,from%20various%20nearby%20land%20uses>.

	encouraged to minimize expansions of the building footprint within the regulated setback area. 3. To protect the ecological function of the land and adjacent water, any development that occurs within the regulated shoreline setback area (the first 30 metres from the water) shall strive to improve vegetative cover on the site (as per Section D11.2) and achieve Environmental Net Gain (as defined below). <i>Environmental Net Gain (ENG)</i> is an approach to ensure that (re)development leaves the natural environment in a measurably improved state compared to prior conditions. ENG includes any actions that can be made on a property to improve the natural environment (namely the shoreline and lake) as a result of the development plan. This includes properties where the existing development no longer meets the legal standards of the municipality (e.g., legally non-complying buildings and structures). This policy does not replace or remove the requirement of the GOP for applications associated with the redevelopment of legally non-complying structures to increase vegetative cover within the buffer area. Examples of Environmental Net Gain Opportunities: • Choosing a permeable driveway surface and installing stormwater detention measures (e.g., rain garden, rain barrels, infiltration pits, etc.) • Restoring an area of mowed lawn with a “no-mow” area planted with native shoreline species • Updated waste water treatment system away from the lake • Replacing a hard surface path with a curved, <1.5-metre wide permeable path • Native plants added to increase the vegetated shoreline buffer covering >75% of the property frontage • Adding native vegetation to an area where any existing concrete retaining walls are deteriorating • Replacing an old dock with a floating dock • Maintaining aquatic vegetation and fallen trees for wildlife habitat	area can be enlarged or replaced. Though a majority expressed this opinion, the Lake Plan committee decided there was not enough support to introduce an <u>additional</u> provision such as those currently implemented in many other jurisdictions including Trent Lakes and the Township of Georgian Bay (e.g., a provision that allows an existing non-complying dwelling to increase by a certain percentage), and instead, have proposed the same model for limiting the size of extensions/rebuilds of non-complying structures as is proposed for new builds (smaller maximum size with increasing proximity to the lake). The purpose of this policy is to protect the vital function of the shoreline buffer area as well as the natural visual character of the lake.
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Proposed change to the Zoning By-Law

Issue	Proposed Lake-specific Amendment to Section 5.7.2.1 of the Zoning By-law	Current Provision for all lakes (Section 5.7.2.1) of the Zoning By-law	Explanation of update																																
Size Limit for the Redevelopment of Existing Legal Non-Complying Dwellings	In addition to the provisions outlined in Section 5.7.2.1 of this Zoning By-law, the following shall apply on the Muldrew Lakes: a) The provision limiting width (Illustration ‘6’) shall apply within the required setback area regardless of whether the setback of the replacement dwelling improves the situation of non-compliance as compared to the existing non-complying dwelling; and b) The gross floor area (GFA) of the dwelling shall comply with the provisions outlined in Table 2 (below). <table border="1" data-bbox="499 646 1311 1430"> <tr> <th data-bbox="499 760 647 889">Setback from OSWL (metres)</th><th data-bbox="655 760 814 889">Max GFA (m²)</th><th data-bbox="822 760 956 889">Setback from OSWL (metres)</th><th data-bbox="964 760 1311 889">Max GFA (m²)</th></tr> <tr> <td data-bbox="499 894 647 959">0</td><td data-bbox="655 894 814 959">93 (1000 sq ft)</td><td data-bbox="822 894 956 959">15</td><td data-bbox="964 894 1311 959">232 (2500 sq ft)</td></tr> <tr> <td data-bbox="499 964 647 1029">1</td><td data-bbox="655 964 814 1029">102 (1100 sq ft)</td><td data-bbox="822 964 956 1029">16</td><td data-bbox="964 964 1311 1029">242 (2600 sq ft)</td></tr> <tr> <td data-bbox="499 1034 647 1099">2</td><td data-bbox="655 1034 814 1099">111 (1200 sq ft)</td><td data-bbox="822 1034 956 1099">17</td><td data-bbox="964 1034 1311 1099">251 (2700 sq ft)</td></tr> <tr> <td data-bbox="499 1104 647 1169">3</td><td data-bbox="655 1104 814 1169">121 (1300 sq ft)</td><td data-bbox="822 1104 956 1169">18</td><td data-bbox="964 1104 1311 1169">260 (2800 sq ft)</td></tr> <tr> <td data-bbox="499 1174 647 1239">4</td><td data-bbox="655 1174 814 1239">130 (1400 sq ft)</td><td data-bbox="822 1174 956 1239">19</td><td data-bbox="964 1174 1311 1239">269 (2900 sq ft)</td></tr> <tr> <td data-bbox="499 1243 647 1308">5</td><td data-bbox="655 1243 814 1308">139 (1500 sq ft)</td><td data-bbox="822 1243 956 1308">20</td><td data-bbox="964 1243 1311 1308">279 (3000 sq ft)</td></tr> <tr> <td data-bbox="499 1313 647 1378">6</td><td data-bbox="655 1313 814 1378">149 (1600 sq ft)</td><td data-bbox="822 1313 956 1378">21</td><td data-bbox="964 1313 1311 1378">288 (3100 sq ft)</td></tr> </table>	Setback from OSWL (metres)	Max GFA (m ²)	Setback from OSWL (metres)	Max GFA (m ²)	0	93 (1000 sq ft)	15	232 (2500 sq ft)	1	102 (1100 sq ft)	16	242 (2600 sq ft)	2	111 (1200 sq ft)	17	251 (2700 sq ft)	3	121 (1300 sq ft)	18	260 (2800 sq ft)	4	130 (1400 sq ft)	19	269 (2900 sq ft)	5	139 (1500 sq ft)	20	279 (3000 sq ft)	6	149 (1600 sq ft)	21	288 (3100 sq ft)	5.7.2.1 iii): Where an existing legal dwelling encroaches into the required setback from the Optimal Summer Water Level, the dwelling may only be replaced, enlarged or extended provided: a) The situation of non-compliance with the setback from the Optimal Summer Water Level is not further increased; b) The height of the dwelling located within 10.0 metres of the Optimal Summer Water Level does not exceed the maximum height of the existing dwelling that is located within 10.0 metres of the Optimal Summer Water Level; c) The width of the dwelling at any point does not exceed a dimension equal to 5.0 metres + (0.7 metres multiplied by the distance of the dwelling in metres from the Optimal Summer Water Level at that point) (for convenience, this formula is illustrated in graphical and tabular format as Illustration “6” to this By-law); and, d) All other provisions of the By-law are complied with.	The general provisions in the Gravenhurst Zoning By-law limit the size of rebuilds with a maximum width formula. They also prohibit a rebuild or extension from being built closer to the lake than the original location. However, the lake community has expressed that these provisions, as implemented by the Town of Gravenhurst, are proving ineffective in preserving the character and ecological health of the shoreline environment. The proposed changes to Section 5.7.2.1 ensure that the width formula applies to any rebuild located in any area of the required shoreline setback area. Currently, the width formula is only enforced by the Town if a rebuild is located within the same footprint as the existing non-complying building. This means that if a rebuild is moved back but is still within 30 metres of the water, the Town is currently not imposing the width formula. The 2023 Survey proposed replacing the Town’s width formula with a permitted percentage increase but only 50% of respondents were in support. The Lake Plan Committee has decided against introducing a new width provision (%) and instead to recommend an amendment to ensure the current width provision is enforced as originally intended. Table 2 proposes size limits for the reconstruction of old cottages within the regulated shoreline setback area. These size limits are based on proximity to the shoreline (as preferred by the majority of survey
Setback from OSWL (metres)	Max GFA (m ²)	Setback from OSWL (metres)	Max GFA (m ²)																																
0	93 (1000 sq ft)	15	232 (2500 sq ft)																																
1	102 (1100 sq ft)	16	242 (2600 sq ft)																																
2	111 (1200 sq ft)	17	251 (2700 sq ft)																																
3	121 (1300 sq ft)	18	260 (2800 sq ft)																																
4	130 (1400 sq ft)	19	269 (2900 sq ft)																																
5	139 (1500 sq ft)	20	279 (3000 sq ft)																																
6	149 (1600 sq ft)	21	288 (3100 sq ft)																																

	7	158 (1700 sq ft)	22	297 (3200 sq ft)		respondents). Table 2, Columns 2 & 4 outline the total gross floor area of a building that would be permitted based on proximity to the shoreline. Footnote (2), Table 2, ensures that the limits on GFA do not prevent the addition of a second storey to an existing building footprint. This responds to concerns expressed by the community through the 2023 survey and in the 2022 Town Hall. If a property owner does not wish to build within the limits of these provisions, they could build a dwelling of up to 4,000 square feet 30 or more metres from the shoreline.
	8	167 (1800 sq ft)	23	307 (3300 sq ft)		
	9	177 (1900 sq ft)	24	316 (3400 sq ft)		
	10	186 (2000 sq ft)	25	325 (3500 sq ft)		
	11	195 (2100 sq ft)	26	334 (3600 sq ft)		
	12	204 (2200 sq ft)	27	344 (3700 sq ft)		
	13	214 (2300 sq ft)	28	353 (3800 sq ft)		
	14	223 (2400 sq ft)	29	362 (3900 sq ft)		
	Footnotes for Table 2:					
	(1) Notwithstanding any other provisions of this By-law to the contrary, an enclosed porch or screened porch attached to a dwelling shall be included in the maximum gross floor area for the purposes of applying the provision for Maximum GFA in Table 2.					
	(2) Notwithstanding the provisions for Maximum GFA in Table 2 above, an existing legal non-complying dwelling located more than 10 metres from the OSWL may be permitted to add a second storey to the footprint of the building existing on the date of passing of this By-law, as long as all other provisions of the Zoning By-law are adhered to (including maximum height for the applicable zone). In no case shall any building exceed a gross floor area (GFA) of 372 m ² or 4,000 sq ft.					

C. Site Evaluation Report

Changes to the requirements for a Site Evaluation Report are being proposed for the Muldrew Lakes section of the GOP to enhance protection of the natural environment and water quality of the Muldrew Lakes. There are no corresponding Zoning By-laws for these provisions.

A Site Evaluation Report is a comprehensive evaluation of a proposed development on a site. A Site Evaluation Report provides information, an analysis, as well as suggested methods for mitigation of impacts. A Site Evaluation Report is comprehensive, focusing on both abiotic (non-living) factors (e.g., steep slopes, soil stability, lot size) as well as biotic factors (e.g., wetlands, vegetation, Species at Risk, fish habitat, etc.). Site Evaluation Reports provide an analysis that determines how a development can be completed with the least impact to environmentally-sensitive features located both on, and adjacent to the site.

Proposed change to the GOP

Issue	Proposed Policy Additions for the Muldrew Lakes-specific of the GOP	Current Policy in GOP	Explanation of update
Site Evaluation Report	In addition to the applicable policies of Section I (Natural Heritage and Environment), a Site Evaluation Report consistent with Section I6.28 and all applicable lake-specific policies and provisions for the Muldrew Lakes) is required for all development which is not considered minor (as defined below). The Site Evaluation Report shall evaluate a development proposal in the context of the site and provide appropriate recommendations to ensure that all potential on-site and off-site impacts (including to the lake itself) are minimized to the greatest extent possible (e.g., recommend the most appropriate location (and size) for a building envelope). The Site Evaluation report shall include recommendations to preserve the shoreline buffer area in a natural state, and wherever possible, include recommendations to achieve Environmental Net Gain, as described in the Muldrew Lakes-specific policies of this Official Plan. The Site Evaluation Report must be prepared by a qualified professional(s) and must be prepared to the satisfaction of the Town. As part of any pre-consultation, the Town and/or District may waive the requirement for a Site Evaluation Report or recommend a scoped Site Evaluation Report where the development is considered appropriate. Minor residential development includes but is not limited to: i. Decks; ii. Docks; iii. Sheds; i. Sleeping cabins of less than 20 square metres (200 square feet of Gross Floor Area); and	Current General Policies (applicable to all lakes): -May be required for development in narrow waterways (Section I6.10) -Required where development is proposed on slopes between 20-40% where vegetation is removed (Section I6.9b) -Required where development is proposed on slopes greater than 40% (Section I6.9c) Current Lake-specific Policy: -Required for an expansion of the “trailer park” on North Muldrew (Section D17.3.4) -Required for any expansion or change in use of the landing/car parking area on Middle Muldrew (Section D17.3.4)	This policy is proposed to require a Site Evaluation Report for all proposed development (other than minor development) to ensure mitigation of impacts to the shoreline environment including the lake itself. This policy provides an opportunity for Town planning staff to waive the requirement to obtain a Site Evaluation Report where the development is minor, or scope the required study where appropriate. When a property owner is planning a major development, a requirement for a Site Evaluation Report provides a practical way for Town staff as well as the lake community to understand proposed development, and to ensure the impact of development is minimized through proper site design and mitigation strategies/best practices, as recommended by a qualified professional. The Town of Gravenhurst currently requires Site Evaluation Reports when development is proposed on steep slopes, and sometimes requires them when development is proposed on narrow waterways. The requirements for a Site Evaluation Report are found in Section I6.28 in the GOP. Site Evaluation Reports are also used by other municipalities to minimize the impact of development on shorelines. For example, the Town of Seguin requires Site Evaluation Reports for all shoreline development. The 2023 Survey demonstrated that approximately 56.8% of respondents are in favour of the requirement for a Site

	ii. Minor renovations and extensions.		Evaluation Report for development that is not considered “minor” in nature.
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D. Boathouses and Boat Ports

Proposed change to the GOP			
Issue	Proposed Revised Muldrew Lakes Specific Policy in the GOP	Current Muldrew Lakes Specific Policy in GOP (Section D17.3.6)	Explanation of update
Boathouses and Boatports	Only one boathouse or boatport that conforms to the following shall be permitted on a lot: a) The structure is one storey with no attic, dormers, sanitary facilities or human habitation; and b) The lot is not located within a narrow waterway (a waterway less than 120 metres across). The implementing Zoning By-law may prescribe lake-specific boathouse and boatport provisions in addition to and in excess of those found in Section 5.2.4.2 of the Zoning By-law, including but not limited to: a) A required minimum lot frontage; b) Provisions for maximum width; c) Provisions for maximum height; d) Provisions for maximum projection; and e) Required setbacks from the side lot line.	Boathouses are subject to the following provisions: a) the property has a minimum lot frontage of 90.0 metres (295 ft) and is not located in a narrow waterway; b) the structure is one storey with no attic, dormers, or human habitation; c) the boathouse has a maximum width of 15% of the frontage of the lot or 10 metres (33 ft), whichever is the lesser; d) the maximum height of a boathouse shall be 3.9 metres (13 ft) as measured from the Optimal Summer Water Level (OSWL) to the roof ridge and the structure has a sloped roof; and; e) there is a minimum side-yard setback of 6.0 metres (20 ft).	The proposed changes primarily clean up the current Muldrew Lakes-specific boathouse policies in the GOP. The current policy refers to boathouses only, while the more general Gravenhurst policy (D5.5) refers to both boathouses and boatports. The 2023 Survey demonstrated that 72.2% of respondents are in favour of applying the current provisions to both boathouses and boatports. Finally, it is good practice to only include specific regulations (such as required frontages, widths, heights, etc.) in the Zoning By-law. The Official Plan is meant to be broad and guiding in nature. This information has therefore been moved from the policy in the GOP to the implementing Zoning By-law, which is enforceable and will be implemented by the Town.

Proposed change to the Zoning By-Law

Issue	Proposed update of the Zoning By-law	Current Provision in the Zoning By-law	Explanation of update
Boathouses and Boatports	Except for the provisions indicated below, the regulations for boathouses and boatports on a lot with frontage on the Muldrew Lakes shall be in accordance with the requirements of Section 5.2.4.2: i) Shall only be permitted on lots with a minimum of 90.0 metres (295 ft) of lot frontage and are not permitted in narrow waterways; ii) Shall not exceed one storey or 3.9 metres (12.8 ft) in height (measured from the OSWL to the peak of the roof); iii) The maximum width of a boathouse or boatport shall be 15% of the frontage of the lot, or 10.0 metres (32.8 ft), whichever is lesser; iv) The maximum projection of a boathouse or boatport into the water shall be 10.0 metres (32.8 ft) from the OSWL. v) A minimum side yard of 6.0 metres (20 ft) is maintained both on land and in the water when the side lot line boundaries are extended from the shore into the water; and vi) Shall not include human habitation, sanitary facilities, an attic, rooftop deck or dormer.	Section 5.2.4.4: Except for the provisions indicated below, the regulations for a shoreline storage building on a lot with frontage on Muldrew Lake shall be in accordance with the requirements of Section 5.2.4.2: i) Boathouses shall not exceed one storey in height and shall not include an attic or dormers; ii) The maximum height of a boathouse shall be 3.9 metres (12.8 ft) measured from the OWSL to the peak of the roof; iii) Boathouses shall not contain rooftop decks; and iv) Boathouses shall only be permitted on lots with a minimum of 90.0 metres (295 ft) of frontage.	The current language used in the lake-specific section of the Zoning By-law regarding boathouses is confusing for the general public as well as Town staff (e.g., reference to “shoreline storage buildings” and “boathouses”). The proposed revisions include some housekeeping changes to ensure the terminology is consistent (i.e., removed the term “shoreline storage building” and added “boatports”), and ensures the provisions limiting height, width, lot frontage, etc. are in the Zoning By-law instead of the GOP (where they can be enforced). An additional Muldrew-specific provision is introduced here to limit the projection of a boathouse or boatport to 10 metres due to the nature of the Muldrew Lakes being a series of long and narrow channels. Limiting the projection of these structures will increase safety and help to preserve the visual character of the lakes. Approximately 76% of the 2023 Survey respondents are in favour of introducing a provision limiting the projection of boathouses/boatports. Approximately 63.7% of respondents prefer a 10-metre limit while 12.5% prefer a 12-metre limit.

E. Sleeping Cabins

Proposed change to the GOP			
Issue	Proposed Muldrew Lakes Specific update of the GOP	Current Policy in GOP	Explanation of update
Sleeping Cabins	A maximum of two (2) sleeping cabins are permitted as accessory to a residential dwelling on a lot, provided development on the lot meets all other applicable provisions of the implementing Zoning By-law. The addition of a sleeping cabin(s) may constitute the requirement for a septic suitability study to determine whether an existing septic system can accommodate additional development or requires an upgrade. The implementing Zoning By-law shall limit the total aggregate gross floor area of sleeping cabins permitted on a lot.	A maximum of one Sleeping Cabin shall be permitted for each property that contains a principal dwelling (D17.3.7).	The proposed lake-specific policy responds to feedback from the lake community that the current policy encourages larger single structures that may have a more significant impact on visual character and the shoreline environment. A total gross floor area for all sleeping cabins on a lot is prescribed in the implementing Zoning By-law. The proposed lake-specific GOP policies include a requirement for the Town to assess whether a septic suitability study should be required to accommodate any additional sleeping areas. The 2023 Survey demonstrated that 70.5% of respondents are in favour of the proposed policy change.
Proposed change to the Zoning By-Law			
Issue	Proposed Muldrew Lakes Specific update of the Zoning By-law	Current Provision in the Zoning By-law	Explanation of update
Sleeping Cabins	Maximum Number and Size for a Sleeping Cabin- Two for each residential waterfront property which contains a principal dwelling. The total floor area in the aggregate of all sleeping cabins on a waterfront lot on the Muldrew Lakes shall not exceed 46.5 square metres (approx. 500 ft²), all of which shall be situated at the ground floor level.	Section 14.2: Maximum Number and Size for a Sleeping Cabin- One for each residential waterfront property which contains a principal dwelling. The maximum building floor area of such cabin shall be 46.5 square metres, all of which shall be situated at the ground floor level.	This proposed provision responds to feedback from the lake community that the current provisions encourage larger single structures that may create a more significant impact on visual character and the shoreline environment. The revision allows the same total gross floor area of a sleeping cabin to be developed (500 ft²), but allows for this floor area to be divided between two sleeping cabins instead of one.

F. Recreational Carrying Capacity and Boating Impact Studies for major development applications

Changes are being proposed to the GOP. There are no corresponding changes to the implementing Zoning By-law.

Issue	Proposed Muldrew Lakes Specific Policy in the GOP	Current Policy in GOP	Explanation of change
Recreational Carrying Capacity	Recreational Carrying Capacity is defined as an estimate of the number of watercrafts that can utilise the surface of a lake while still enjoying the amenity provided by the waterbody. The calculation of Recreational Carrying Capacity of the Muldrew Lakes is derived based on the following formula: i) Net surface area is calculated by reducing the total waterbody surface area by the surface area within 30 metres of the shoreline; and ii) A density of one residential unit for every 1.6 hectares net lake surface area is then applied. Based on the above model, the Recreational Carrying Capacity of the Muldrew Lakes is approximately 160 dwellings. The Muldrew Lakes currently have over 400 dwellings and are therefore considered over-capacity from a recreational standpoint. As such, any applications for multiple residential (three (3) or more units), subdivision or resource-based recreational uses shall submit a boating impact study to: a) Ensure that the proposed development does not contribute to the overcrowding of the lake surface area; and b) Minimizes the overall social impacts resulting from the additional development on the lot.	None.	A significant number of respondents to the 2020 Survey (72%) indicated their concern regarding increasing boat traffic on the Muldrew Lakes and 90% of respondents stated that they are in support of a Muldrew-specific policy regarding the social or recreational carrying capacity of the lake. Specific concerns include the impacts of large wakes to the shoreline and personal property, noise, and safety. Stating that the Muldrew Lakes have exceeded their recreational capacity in the lake-specific policies of the GOP provides a basis for requiring mitigation of boating impacts resulting from any future major development applications (e.g., redevelopment of the Inn on the Lake property or development of any Crown Lands). The requirement for boating impact studies <u>would not</u> affect the current use of the lake, the recreational use of the lake by property owners or property owners making applications with respect to a single-detached dwelling (cottage or house). Rather, it is meant to be pro-active, to prevent any future impact from major development or redevelopment of commercial properties or Crown Lands. The 2023 Survey demonstrated that 88.6% of respondents are in favour of this proposed policy.

G. Commercial Property

Changes are being proposed to the GOP. There are no corresponding changes to the implementing Zoning By-law.

Issue	Proposed Muldrew Lakes Specific Section of the GOP	Current Policy in GOP	Explanation of change
Commercial Property	The existing commercial property on the Muldrew Lakes has been serving the public interest for many years and is expected to continue to do so in its present form. Any application to expand the campground located at Lots 28 and 29, Concession 2 Muskoka (known municipally as 1323 North Muldrew Lake Road), will require a Zoning By-law Amendment and Site Evaluation Report (as detailed in Section I6.30), including careful consideration of the impact of the proposal on the natural environment and character of the lake. Any redevelopment to another form of land use will require an Official Plan Amendment. Any expansion or redevelopment of the above-noted property shall also require a boating impact study to: a) Ensure that the proposed development does not contribute to the overcrowding of the lake surface area; and b) Minimizes the overall social impacts resulting from the additional development on the lot.	The two existing commercial properties on the Muldrew Lakes have been serving the public interest for many years and are expected to continue to do so in their present form. However, any application to expand the trailer park on North Muldrew Lake will require a Site Evaluation Report (as detailed in Section I6.30) and a careful consideration of the impact of the proposal on the natural environment, character, and existing lake population. An amendment to the Zoning By-law will also be required. Any redevelopment to another form of land use will require an Official Plan Amendment (D17.3.4).	The proposed revisions refine the terminology used to describe the current land use on the commercial property on North Muldrew Lake (change “trailer park” to “campground”) and provide more detailed and specific descriptions of the property location referenced in the policy. Campground (not trailer park) is the term used in the Zoning By-law to describe the existing land use at this address. In addition, the policy has been amended to require a boating impact study, should the commercial property be proposed for an expansion or redevelopment to another form of land use.

H. Conservation

Changes are being proposed to the GOP. There are no corresponding changes to the implementing Zoning By-law.

Issue	Proposed Muldrew Lakes Specific Policy in the GOP	Current Muldrew Lakes Specific Policy in the GOP	Explanation of change
Conservation	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 Muskoka Conservancy, and use of available tax incentive programs. Where a property owner proposes to convey lake front land for conservation purposes, shoreline lots with smaller frontages than those required in Section D17.3.6 may be recognized, where in exchange a significant area of land is preserved in perpetuity for conservation purposes and conveyed to a public authority or private foundation. A minimum lot frontage of 45.0 metres (148 ft) would be required for any residential lot considered in this instance as long as an equal minimum 45.0 metres (148 ft) is conveyed for conservation.	None.	This new policy states that if a property owner proposes to transfer the title of a portion of their lands for conservation, the minimum lot frontage can be 45 m (147 ft), which is significantly less than what is otherwise required, as long as a minimum of 45 m (147 ft) is transferred to a conservation organization. The intent of this policy is to facilitate and encourage landowners to support long-term protection of shoreline habitat. The benefits include improved overall lake health, water quality, biodiversity, etc.

I. Lot Creation

Changes are being proposed to the GOP. There are no corresponding changes to the implementing Zoning By-law.

Issue	Proposed Muldrew Lakes Specific Policy in the GOP	Current Muldrew Lakes Specific Policy in the GOP	Explanation of change
Lot Creation	The creation of a new lot on Muldrew Lake is subject to the following policies: a)-d) No change (see next column) e) Where a lot being created will be dedicated to a public authority or registered Trust (such as the Muskoka Conservancy), or where a conservation easement will be granted over otherwise developable land to ensure the land is kept in a natural state in perpetuity, lots with frontages and/or areas that are smaller than those otherwise required in Section 17.3.2 b) and c) may be permitted (as outlined in the lake-specific policies of this Plan). In these circumstances a Zoning By-Law amendment will be required.	The creation of a new lot on Muldrew Lake is subject to the following policies: a) Backlot development shall not be permitted on the peninsulas between parts of the lake; b) The minimum lot frontage shall be 120.0 metres (394 ft); c) Where the lot is abutting a narrow waterway, the minimum lot frontage shall be 150.0 metres (492 ft); d) The creation of a new lot to divide existing residential dwellings may be permitted provided that each lot meets the requirements of Section D5 and D14 (D17.3.2).	The proposed change is to add subsection e) to the pre-existing policy that addresses lot creation. Part (e) addresses lots created for conservation easements/donations (see above).

J. Housekeeping amendments

Changes are being proposed to the GOP to clarify two provisions in the Muldrew Lakes-specific section of the GOP. There are no corresponding changes to the Zoning By-law.

1. Landings and Parking

Issue	Proposed Muldrew Lakes Specific Policy in the GOP	Current Muldrew Lakes Specific Policy in the GOP	Explanation of change
Landings and Parking	The existing landing and car parking area located at Lot 30, Concession 12 (Morrison) on Middle Muldrew Lake (known Municipally as 1160 South Muldrew Lake Road), will require a Site Evaluation Report (as outlined in Section I1.4.30) prior to any expansion or change in use because of its small size and close relation to adjacent residential development.	The existing landing and car parking area on Middle Muldrew Lake will also require a Site Evaluation Report (as outlined in Section I1.4.30) prior to any expansion or change in use because of its small size and close relation to adjacent residential development (D17.3.4).	The revision to this policy is technical in that it has been updated to include a specific address for the landing. Further, the pre-existing policy pertaining to the landing was previously included in the policy governing existing commercial land uses (above). The policy regarding the landing was moved into its own section since it is unrelated to the policy governing existing commercial land use.

2. Permitted Land Use

Issue	Proposed Muldrew Lakes Specific Policy in the GOP	Current Muldrew Lakes Specific Policy in the GOP	Explanation of change
Permitted Land Use	The permitted uses for lands within the Waterfront Area Designation on the Muldrew Lakes shall be limited to single-detached dwellings, mainland waterfront landings for water access, and existing commercial uses.	The permitted uses for lands within the Muldrew Lake designation shall be limited to single detached dwellings, mainland waterfront landings for water access and existing commercial uses (D17.3.5).	The proposed revision changes “Muldrew Lake” designation to “Waterfront Area” designation, since a “Muldrew Lake” designation does not actually exist within the GOP and is therefore meaningless from a policy perspective.

Appendix 6

THE CORPORATION OF THE TOWN OF GRAVENHURST

BY-LAW 2024-XXX

Being a By-law to adopt Amendment No. OPA XX to the Town of
Gravenhurst Official Plan
(Muldrewh Lakes Cottagers' Association ,“MLCA”)

WHEREAS Planning Staff of the Town of Gravenhurst has recommended to the Council of the Town of Gravenhurst that Amendment No. OPA 04 (MLCA) to the Official Plan of the Gravenhurst Planning Area be adopted;

AND WHEREAS the Council of the Town of Gravenhurst has fulfilled the requirements of Section 17 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended;

AND WHEREAS Official Plans may be repealed or amended in accordance with the provisions of Section 21 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF GRAVENHURST ENACTS AS FOLLOWS:

1. The Amendment No. OPA XX (MLCA) to the Town of Gravenhurst Official Plan consisting of the attached text is hereby adopted.
2. That the Mayor and Clerk are hereby authorized and directed to affix the seal of the Corporation to Amendment No. OPA XX (MLCA) and to make application to the District of Muskoka for approval of the said Amendment.
3. That this By-law shall come into force and take effect on the final passing thereof.

READ A FIRST, SECOND AND THIRD TIME and finally passed this ____day of _____, 2024.

Mayor
Heidi Lorenz

Clerk
Kayla Thibeault

AMENDMENT NO. XX TO THE GRAVENHURST OFFICIAL PLAN

(OPA XX-2024)

SECTION 1 TITLE AND COMPONENTS

- 1.1 This Amendment shall be referred to as Amendment No. XX to the Gravenhurst Official Plan
- 1.2 Sections 1 to 7 inclusive of this document constitute the Amendment.

SECTION 2 PURPOSE OF THE AMENDMENT

- 2.1 EcoVue Consulting Services Inc. on behalf of the Muldrew Lakes Cottagers' Association ("MLCA"), have made an application to amend the lake specific policies for Muldrew Lake (Section D17.3) of the Gravenhurst Official Plan in accordance with the results of a comprehensive community consultation process which occurred between 2020 and 2024. More specifically, the intent of the proposed amendments is to update the Gravenhurst Official Plan to reflect the current values and vision of the community, as expressed throughout the lake planning process.
- 2.2 The subject lands are the Muldrew Lakes (including North, Middle and South Muldrew) located within the Town of Gravenhurst.
- 2.3 Section D17.3 of the Town of Gravenhurst Official Plan contains lake specific policies for the Muldrew Lakes. These policies were implemented following a community lake planning process that occurred in the early 2000s. The policies were meant to be revised and updated every five years but have not been updated since 2009.
- 2.4 The lake specific policies respond to Section D15 of the Gravenhurst Official Plan which encourages the preparation of lake management plans and strategies to establish and improve good land stewardship practices amongst those who live in lake communities and to articulate lake specific principles and goals.
- 2.5 In addition to ensuring the values and vision of the community are reflected in the lake specific policies for the Muldrew Lakes, the purpose of the amendments is to revise current policies with a series of technical or housekeeping amendments to ensure that the policies are articulated clearly and can be implemented, where possible, through provisions in the Gravenhurst Zoning By-law.

SECTION 3 LANDS SUBJECT TO THE AMENDMENT

- 3.1 The lands subject to this Amendment consist of those located within the Waterfront Designation of the Muldrew Lakes (generally within 150 metres of the high-water mark), as defined in Section D1.1 and D1.2 of the Gravenhurst Official Plan.

SECTION 4 BACKGROUND AND BASIS

- 4.1 The MLCA is a lake (residents) association that is committed to fostering a cooperative and mutually caring community for all residents with a focus on preserving the unique environment and ecosystem of the lakes. The interests and concerns of the lakes viewed as a community are represented and interpreted to surrounding communities, the district municipality and the local government by a Board elected at an annual meeting held each summer.

- 4.2 EcoVue Consulting Services Inc. was retained on behalf of the MLCA (the “applicant”) to prepare a feasibility report and make recommendations regarding an update of the lake specific policies and provisions of the Gravenhurst Official Plan and Zoning By-law in 2019.
- 4.3 The feasibility study included an analysis of the policy context, a review of background materials (e.g., previous community lake plan), community engagement (i.e., a community survey and town hall event), an analysis of the vision and values of the lake community, as well as policy gaps and suggested policy options addressing various land use pressures including lot development, development density and recreational boating.
- 4.4 The results of the feasibility study led to the MLCA voting to proceed with the community lake planning process to update the lake specific policies in the Gravenhurst Official Plan and lake specific provisions in the Gravenhurst Zoning By-law. The process continued through several iterations over the course of an (approx.) 5-year period and included two (2) comprehensive community surveys and five community Town Hall events which progressively contributed towards four (4) iterations of draft policy amendments for the lake specific sections of the Gravenhurst Official Plan and Zoning By-law.
- 4.5 The engagement conducted by EcoVue Consulting Services sought to include all property owners on the lake and was made available in both digital and paper formats and was advertised widely through social media, email contact lists, and in-person at community events. One hundred and eighty-eight (188) people participated in the 2020 community survey, and one hundred and seventy-six (176) people participated in the 2023 community survey. Approximately fifty (50) people participated in each Town Hall event.
- 4.6 The proposed amendments are categorized as follows:
- I. Lake Character and Vision
 - II. Shoreline Development
 - III. Site Evaluation Reports
 - IV. Boathouses and Boatports
 - V. Sleeping Cabins
 - VI. Recreational Carrying Capacity and Boating Impact Study
 - VII. Commercial Property
 - VIII. Conservation
 - IX. Lot Creation
 - X. Housekeeping Amendments
- 4.6 The MLCA Board of Directors passed a vote to submit the applications for an Official Plan Amendment to the Town of Gravenhurst on ____ of _____, 2024.

SECTION 5 THE AMENDMENT

- 5.1 Section D17 is hereby amended by deleting and replacing Section D17.3, which shall read as follows:

- D17.3.1 a) The shorelines of the Muldrew Lakes have historically been characterized by trees, natural vegetation and modest-sized cottages with very few boathouses. There are still many areas of the Muldrew Lakes that are characterized as such. The community envisions preserving these unique environmental and cultural qualities to the greatest extent possible, by preserving the natural environment as the dominant landscape feature. Disturbance to natural vegetation shall be minimized to the greatest extent possible to maintain and enhance the environmental health, water quality and visual character of the lakes.

b) The special character of the Muldrew Lakes (North, South and Middle) as a series of long, relatively narrow channels is recognized. The confined nature of long and narrow waterbodies results in a perception of increased density on the shorelines and also provides less space, per dwelling, for recreational activities on the water. These factors raise compatibility issues related to the location of shoreline structures, visual impacts, noise, lighting, privacy, safety and navigation.

The narrow waterbodies of the Muldrew Lakes need to be treated differently from other lands within the Waterfront Area designation in the Town of Gravenhurst to protect the natural environment, attain land use compatibility, and retain community character.

c) Only development in keeping with the character of the lakes, as defined in the lake-specific policies and provisions of the Official Plan and Zoning By-law shall be permitted.

d) Recognize the Muldrew Lakes as a “vulnerable lake”, as defined by the Muskoka Official Plan, and ensure the enhanced protection policies are applied appropriately to all lot creation, development of vacant lots, and redevelopment of existing lots.

D17.3.2 To reduce environmental impact and preserve the unique character described in the Muldrew-specific policies of the Official Plan, the implementing Zoning By-law shall limit the maximum gross floor area of the principal dwelling on a lot.

D17.3.3 For new development on vacant lots, a setback less than 30.0 metres (98 ft) may be permitted on existing lots of record in circumstances such as the following:

- a) Sufficient lot depth is not available to meet the setback requirement of 30 metres; or
- c) Terrain or soil constraints exist that physically do not allow for compliance with the 30-metre setback without significant or damaging site alteration (such as blasting or extensive removal of mature trees or other sensitive ecosystems), which make other locations on an existing lot more suitable.

In these circumstances, or similar circumstances, a Site Evaluation Report shall be completed to demonstrate the most appropriate location for a building envelope which maximizes the setback from the lake while minimizing negative impact to the natural environment and visual impact of the dwelling. The report shall also include recommendations to preserve the remainder of the shoreline buffer area in a natural state, and wherever possible, include recommendations to achieve Environmental Net Gain, as described in the Muldrew Lakes specific policies of the Official Plan.

D17.3.4 To preserve the unique character of the Muldrew Lakes and minimize negative impact to the physical, chemical and ecological function of the shoreline buffer area, the implementing Zoning By-law shall limit maximum gross floor area of the principal dwelling based on proximity to the Optimal Summer Water Level (OSWL) for all proposed development which cannot meet the required 30-metre (98 ft) shoreline setback, and are permitted pursuant to Section D17.3.3 of this Plan.

D17.3.5 1. Where an existing legal non-complying dwelling encroaches into the required setback (30 metres or 98 ft) from the Optimal Summer Water Level (OSWL), the dwelling may only be replaced, enlarged, repaired or renovated provided that the enlargement, repair, or renovation:

- a) Does not further increase a situation of non-compliance;
- b) Complies with all other provisions of this Plan and the implementing Zoning By-law, including the Muldrew-specific policies and provisions limiting the redevelopment of non-complying buildings and structures; and

c) Will not pose a threat to public health and safety.

2. Where an existing legal non-complying dwelling is being replaced, enlarged, repaired or renovated, property owners are encouraged to minimize expansions of the building footprint within the regulated setback area.

3. To protect the ecological function of the land and adjacent water, any development that occurs within the regulated shoreline setback area (the first 30 metres from the water), shall strive to improve vegetative cover on the site (as per Section D11.2 of the Official Plan) and achieve Environmental Net Gain (as defined below).

Environmental Net Gain (ENG) is an approach to ensure that (re)development leaves the natural environment in a measurably improved state compared to prior conditions. ENG includes any actions that can be made on a property to improve the natural environment (namely the shoreline and lake) as a result of the development plan. This includes properties where the existing development no longer meets the legal standards of the municipality (e.g., legally non-complying buildings and structures).

This policy does not replace or remove the requirement in the Official Plan for applications associated with the redevelopment of legally non-complying structures to enhance and maintain vegetative buffers (as per Section I6.21.1 of the Official Plan).

Examples of Environmental Net Gain Opportunities:

- Choosing permeable driveway surface and installing stormwater detention measures (e.g., rain gardens, rain barrels, infiltration pits, etc.)
- Restoring an area of mowed lawn with a “no-mow” area planted with native shoreline species
- Updated wastewater treatment system (e.g., septic system) away from the lake
- Replacing a hard (impermeable) surface with a curved, <1.5 metre wide, permeable path
- Adding native plants to increase the vegetated shoreline buffer covering at least 75% of the property frontage
- Adding native vegetation to an area where an existing retaining wall is deteriorating
- When replacing a dock, choose a design that minimizes disruption to the lakebed, shoreline habitat and fish habitat
- Maintain aquatic vegetation and fallen trees for wildlife habitat

D17.3.6 In addition to the applicable policies of Section I (Natural Heritage and Environment), a Site Evaluation Report consistent with Section I6.28 and all applicable lake-specific policies and provisions for the Muldrew Lakes) is required for all development which is not considered minor (as defined below). The Site Evaluation Report shall evaluate a development proposal in the context of the site and provide appropriate recommendations to ensure that all potential on-site and off-site impacts (including to the lake itself) are minimized to the greatest extent possible (e.g., recommend the most appropriate location (and size) for a building envelope). The Site evaluation report shall include recommendations to preserve the shoreline buffer area in a natural state, and wherever possible, include recommendations to achieve Environmental Net Gain, as described in the Muldrew Lakes specific policies of this Official Plan. The Site Evaluation Report must be prepared by a qualified professional(s) and must be prepared to the satisfaction of the Town. As part of any pre-consultation, the Town and/or District may waive the requirement for a Site Evaluation Report or recommend a scoped Site Evaluation Report where the development is considered minor. Minor residential development includes but is not limited to:

a) Decks;

- b) Docks;
- c) Sheds; and
- d) Minor renovations and extensions to existing dwelling units and accessory structures that do not exceed 37 square metres (approx. 400 sq. ft.), in accordance with all other applicable provisions.

D17.3.7 Only one (1) boathouse or boatport that conforms to the following shall be permitted on a lot:

- a) The structure is one storey with no attic, dormers, sanitary facilities or human habitation; and
- b) The lot is not located within a narrow waterway (a waterway less than 150 metres across).

The implementing zoning by-law may prescribe lake-specific boathouse and boatport provisions in addition to and in excess of, those found in Section 5.2.4.2 of the Zoning By-law, including but not limited to:

- a) A required minimum lot frontage;
- b) Provisions for maximum width;
- c) Provisions for maximum height;
- d) Provisions for maximum projection; and
- e) Required setbacks from the side lot line.

D17.3.8 A maximum of two (2) sleeping cabins are permitted as accessory to a residential dwelling on a lot on the Muldrew Lakes. A sleeping cabin may be located on the second storey of a detached garage. The addition of a sleeping cabin(s) may constitute the requirement for a septic suitability study to determine whether an existing septic system can accommodate additional development or requires an upgrade. A septic suitability study should be considered regardless of whether the sleeping cabin(s) contain plumbing. The implementing zoning by-law shall limit the total aggregate gross floor area of sleeping cabins permitted on a lot.

D17.3.9 The Muldrew Lakes community has expressed that the current levels of boating traffic in combination with the long, narrow nature of the lakes is resulting in decreased enjoyment and safety of the recreational amenity of the lakes. There are also concerns that increased boating traffic and the resulting wakes are contributing to shoreline erosion, damaging critical shoreline wildlife habitat, and causing damage to private property (e.g., docks). From the perspective of the community, the lakes are over-capacity from a recreational or social standpoint. As such, any applications for large-scale commercial uses or marinas shall submit a boating impact study to:

- a) Ensure that the proposed development does not contribute to the overcrowding of the lake surface area; and
- b) Provide mitigation measures to minimize the overall impacts resulting from the proposed development on shoreline health (e.g., shoreline habitat and erosion).

D17.3.10 The existing commercial property on the Muldrew Lakes has been serving the public interest for many years and is expected to continue to do so in its present form.

Any application to expand the campground located at Lots 28 and 29, Concession 2 Muskoka (known municipally as 1323 North Muldrew Lake Road), will require a Zoning By-

law Amendment and Site Evaluation Report (as detailed in Section I6.30), including careful consideration of the impact of the proposal on the natural environment and character of the lake. Any redevelopment to another form of land use will require an Official Plan Amendment.

Any expansion or redevelopment of the above-noted property shall also require a boating impact study to:

- a) Ensure that the proposed development does not contribute to the overcrowding of the lake surface area; and
- b) Provide mitigation measures to minimize the overall impacts resulting from the proposed development shoreline health (e.g., shoreline habitat and erosion).

D17.3.11 The use of innovative forms of tenure, ownership and interests of properties is encouraged for their long-term conservation. These may include conservation easements and property acquisition by land trusts such as the Muskoka Conservancy.

Where a property owner proposes to convey lake front land for conservation purposes, shoreline lots with smaller frontages than those required in Section D17.3.12 may be recognized, where in exchange a significant area of land is preserved in perpetuity for conservation purposes and conveyed to a public authority or private foundation. A minimum lot frontage of 60.0 metres (197 ft) is required for any residential lot considered in this instance as long as an equal minimum 60.0 metres (197 ft) is conveyed for conservation.

D17.3.12 The creation of a new lot on the Muldrew Lakes is subject to the following policies:

- a) backlot development shall not be permitted on the peninsulas between parts of the lake;
- b) the minimum lot frontage shall be 120 metres;
- c) where the lot is abutting a narrow waterway, the minimum lot frontage shall be 150.0 metres;
- d) the creation of a new lot to divide existing residential dwellings may be permitted provided that each lot meets the requirements of Section D5 and D14; and
- e) Where a lot being created will be dedicated to a public authority or registered Trust (such as the Muskoka Conservancy), or where a conservation easement will be granted over otherwise developable land to ensure the land is kept in a natural state in perpetuity, lots with frontages and/or areas that are smaller than those otherwise required in Section 17.3.12 b) and c) may be permitted (as outlined in the lake-specific policies of this Plan). In these circumstances a zoning by-law amendment will be required.

D17.3.13 The existing landing and car parking area located at Lot 30, Concession 12 (Morrison) on Middle Muldrew Lake (known municipally as 1160 South Muldrew Lake Road), will require a Site Evaluation Report (as described in Section I6.28 and D17.3.6) prior to any expansion or change in use because of its small size and close relation to adjacent residential development.

D17.3.14 The permitted uses for lands within the Waterfront Area designation on the Muldrew Lakes shall be limited to single-detached dwellings, mainland waterfront landings for water access, and existing commercial uses.

SECTION 6 IMPLEMENTATION

6.1 The changes to the Gravenhurst Official Plan as described in this Amendment shall be implemented in accordance with the Implementation policy of the Plan and shall apply to the subject lands.

SECTION 7 INTERPRETATION

7.1 The provisions of the Gravenhurst Official Plan shall apply with respect to the interpretation of this Amendment.

Appendix 7

THE CORPORATION OF THE TOWN OF GRAVENHURST

BY-LAW 2024-XXX

Being a By-law to amend Zoning By-law 10-04 as
amended (MLCA)

WHEREAS By-law 10-04 of the Corporation of the Town of Gravenhurst has been passed to constitute the Comprehensive Zoning By-law regulating land use in the Town of Gravenhurst;

AND WHEREAS the Council of the Municipality may amend such Zoning By-law in accordance with the provisions of Section 34 of the Planning Act, R.S.O. 1990, Chapter P.13;

AND WHEREAS the Council of the Town of Gravenhurst has received an application to amend such By-law;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF GRAVENHURST ENACTS AS FOLLOWS:

1. Section 5.2.4 is amended by deleting and replacing Section 5.2.4.4 as follows:

“5.2.4.4 Except for the provisions indicated below, the regulations for boathouses and boatports on a lot with frontage on the Muldrew Lakes shall be in accordance with the requirements of Section 5.2.4.2:

- i) One boathouse or one boatport shall be permitted to be located on land or extend from the shoreline of each residential waterfront property with a minimum of 90.0 metres of lot frontage;
- ii) Boathouses and boatports are not permitted in narrow waterways;
- iii) Boathouses and boatports shall not exceed one storey or 3.9 metres in height and the maximum distance from the Top of Dock to the peak of the main roof shall not exceed 4.9 metres;
- iv) The maximum width of a boathouse or boatport shall be 15% of the frontage of the lot, or 10.0 metres, whichever is the lesser;
- v) The maximum projection of a boathouse or boatport into the water shall be 10.0 metres from the OSWL;
- vi) A minimum side yard of 6.0 metres is maintained both on land and in the water when the side lot line boundaries are extended from the shore into the water; and
- vii) Boathouses and boatports shall not include human habitation, sanitary facilities, an attic, rooftop deck or dormer.

2. Section 5.7.2 (Non-Complying Buildings and Structures) is amended by adding a new subsection, 5.7.2.3 (Provisions for Non-Complying Buildings and Structures on the Muldrew Lakes), which shall read as follows:

“5.7.2.3 In addition to the provisions outlined in Section 5.7.2.1 of this Zoning By- law, the following shall apply on the Muldrew Lakes:

- a) The provision limiting width (Illustration “6”), shall apply within the required setback area (the first 30 metres from the OSWL), regardless of whether the setback of the replacement dwelling improves the situation of non-compliance as compared to the existing non-complying dwelling; and
- b) The gross floor area (GFA) of the dwelling shall not exceed the value in square metres in Table 1 based on the setback of the dwelling in metres from the Optimal Summer Water Level.
 - i. Notwithstanding any other provisions of this By-law to the contrary, an enclosed porch or screened porch attached to a dwelling shall be included in the maximum gross floor area for the purposes of applying the provision for Maximum Gross Floor Area in Section 5.7.2.3 (b).
 - ii. Notwithstanding the provisions for Maximum Gross Floor Area in Section 5.7.2.3 (b) above, an existing legal non-complying dwelling located more than 10 metres from the OSWL, may be permitted to add a second storey to the footprint of the building existing on the date of passing of this By-law, as long as all other provisions of the Zoning By- law are adhered to (including maximum height for the applicable zone), and the existing footprint is not expanded upon. In no case, shall any building exceed a gross floor area (GFA) of 372 square metres.

Table 1. Maximum Gross Floor Area (GFA) for a Dwelling on the Muldrew Lakes based on proximity to the shoreline.	
Dwelling Setback	Maximum Gross Floor Area
0.0 - 4.9 metres	93 square metres
5.0 – 9.9 metres	139 square metres
10.0 – 14.9 metres	186 square metres
15.0 – 19.9 metres	232 square metres
20.0-24.9 metres	279 square metres
25.0 – 29.9 metres	325 square metres

3. Section 14.4 (Regulations for RW-6B) is amended by adding a new subsection, 14.4.1 (Regulations for RW-6B on the Muldrew Lakes), which shall read as follows:

“14.4.1 Regulations for RW-6B on the Muldrew Lakes

Except for the provisions indicated below, the regulations for a RW-6B Zone on the

Muldrew Lakes shall be in accordance with the requirements of Section 14.2 of this By-law:

Minimum Lot Frontage	120.0 metres
Maximum Dwelling Size	372 square metres gross floor area
Maximum Number and Size for Sleeping Cabins	Two for each residential waterfront property which contains a principal dwelling. The total floor area in the aggregate of all sleeping cabins on a waterfront lot on the Muldrew Lakes shall not exceed 46.5 square metres (including covered decks or verandahs), all of which shall be situated at the ground floor level.
i) When a proposed dwelling cannot meet the required 30-metre shoreline setback from the Optimal Summer Water Level (OSWL), the maximum gross floor area of the dwelling shall not exceed the provisions outlined in Table 1 of the Muldrew Lakes specific provisions of this zoning by-law. ii) Notwithstanding any other provisions of this By-law to the contrary, an enclosed porch or screened porch attached to a dwelling shall be included in the maximum gross floor area for the purposes of applying the provision for Maximum GFA in Section 14.4.1 (i).	

4. Section 14.5 (Regulations for RW-6C) is amended by adding a new subsection, 14.5.1 (Regulations for RW-6C on the Muldrew Lakes), which shall read as follows:

“14.5.1 Regulations for RW-6C on the Muldrew Lakes

Except for the provisions indicated below, the regulations for a RW-6C Zone on the Muldrew Lakes shall be in accordance with the requirements of Section 14.2 of this By-law:

Minimum Lot Frontage	150.0 metres
Maximum Dwelling Size	372 square metres gross floor area
Maximum Number and Size for Sleeping Cabins	Two for each residential waterfront property which contains a principal dwelling. The total floor area in the aggregate of all sleeping cabins on a waterfront lot on the Muldrew Lakes shall not exceed 46.5 square metres (including covered decks or verandahs), all of which shall be situated at the ground floor level.

- i) When a proposed dwelling cannot meet the required 30-metre shoreline setback from the Optimal Summer Water Level (OSWL), the maximum gross floor area of the dwelling shall not exceed the provisions outlined in Table 1 of the Muldrew Lakes specific provisions of this zoning by-law.
- ii) Notwithstanding any other provisions of this By-law to the contrary, an enclosed porch or screened porch attached to a dwelling shall be included in the maximum gross floor area for the purposes of applying the provision for Maximum GFA in Section 14.5.1 (i).

- b) Section 16.6 (Regulations for RI-8D) is amended by adding a new subsection, 16.6.1 (Regulations for RI-8D on the Muldrew Lakes), which shall read as follows:

“16.6.1 Regulations for RI-8D on the Muldrew Lakes

Except for the provisions indicated below, the regulations for an RI-8D Zone on the Muldrew Lakes shall be in accordance with the requirements of Section 16.2 and Section 16.6 of this By-law.

Maximum Dwelling Size	372 square metres gross floor area
Maximum Number and Size for Sleeping Cabins	Two for each residential waterfront property which contains a principal dwelling. The total floor area in the aggregate of all sleeping cabins on a waterfront lot on the Muldrew Lakes shall not exceed 46.5 square metres (including covered decks or verandahs), all of which shall be situated at the ground floor level.

- i) When a proposed dwelling cannot meet the required 30-metre shoreline setback from the Optimal Summer Water Level (OSWL), the maximum gross floor area of the dwelling shall not exceed the provisions outlined in Table 1 of the Muldrew Lakes specific provisions of this zoning by-law.
 - ii) Notwithstanding any other provisions of this By-law to the contrary, an enclosed porch or screened porch attached to a dwelling shall be included in the maximum gross floor area for the purposes of applying the provision for Maximum GFA in Section 16.6.1 (i).
-