

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

Background

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 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 (c) drafted lake-specific amendments to the policies in the GOP and provisions of the Gravenhurst Zoning By-Law.

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 draft lake-specific policies and provisions set out below aim to integrate all of the community consultation that has been undertaken to date, including the 2020 Survey, the two workshops, the town hall, the emails the MLCA received regarding the first draft and the posts that the MLCA gathered on various social media sites.

Please note that this draft will not be submitted directly to the Town. Rather, the MLCA will be engaging in further community consultation. A Town Hall will be held on November 26, 2022 where this draft will be presented and members of the public will be given an opportunity to provide feedback. In addition, from January to March 2023, a survey will be conducted to determine the level of support in the community for the proposed amendments. The second draft will then be revised further based on the input received by the community.

Introduction - 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 provides a summary of the proposed revisions, and additions to, the Gravenhurst Official Plan and Zoning By-law that will be specific to the Muldrew Lakes. All of the proposed Official Plan policies are guiding in nature. Where the proposed policy has a corresponding provision in the Zoning By-law, they are presented side-by-side. In some cases, the proposed Official Plan policy does not have any corresponding proposed Zoning By-law provisions.

We greatly value your feedback and ask that you please email the MLCA Secretary at secretary@muldrewlakes.ca with any comments. Please also do not hesitate to contact us 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 of the GOP	Current Policy in GOP	Explanation of update
<p>Lake Character & Vision</p>	<p>1. a. 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.</p> <p>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 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.</p> <p>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.</p> <p>c. 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.</p>	<p>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).</p>	<p>The revisions separate the current policy into three distinct sections, which focus on 1) natural environment; 2) narrow waterbodies and 3) shoreline development.</p> <p>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.</p>

B. Limiting Shoreline Development

The proposed amendments to the GOP policies and Zoning By-law primarily respond to the concern of the Muldrew Lakes community regarding shoreline development - specifically concerns that there is a trend of new dwellings being built on the lake that are very large (6,000-10,000 square feet) and out of character for the lake, as well as concerns that older buildings within the 30-metre setback are either being expanded or rebuilt into much larger dwellings. 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 our lake. Further, the community has expressed concern that there have been many instances where Zoning By-Law Amendments and Minor Variance Applications have been allowed by Council where the community has felt that they are unjustified and do not comply with the existing GOP and Zoning By-laws. Based on the community consultation that has been undertaken over the last two years as part of the review of the Lake Plan, it is clear that the Official Plan policies and Zoning By-laws do not reflect the vision and values of the lake community.

In addition to supporting the preservation of the character and natural beauty of the shoreline on our lake, these amendments also respond to the concern 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, 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 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 Town of Gravenhurst's Official Plan and Zoning By-Laws 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. Existing Legal Non-Complying Structures (i.e., pre-existing dwellings within the 30 m shoreline 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 policy directly addresses the concerns of the majority of the respondents to the 2020 Survey 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 buildings 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.

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.>

Proposed change to the GOP

Issue	Proposed update of the GOP	Current Policy in GOP	Explanation of update
<p>Size Limit for Redevelopment of Existing Legal Non-Complying Dwellings</p>	<p>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 replacement, enlargement, repair, or renovation:</p> <ul style="list-style-type: none"> a) does not further increase a situation of non-compliance; b) complies with the Muldrew-specific provisions limiting the redevelopment of non-complying buildings and structures as set out in the implementing Zoning By-Law; c) is consistent with the Muldrew Lakes Shoreline Design Guidelines and achieves an Environmental Net Gain; and d) complies with all other applicable provisions of this Plan and the implementing Zoning By-Law. 	<p>A non-complying building or structure may be enlarged, repaired or renovated, provided that the enlargement, repair or renovation:</p> <ul style="list-style-type: none"> 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). 	<p>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.</p> <p>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>.</p> <p>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.</p> <p>The purpose of this policy is to protect the shoreline environment and visual character of the lake.</p>

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
<p>Size Limit for the Redevelopment of Existing Legal Non-Complying Dwellings</p>	<p>a. Nothing in this By-law shall prevent the reconstruction, repair or renovation of a legally existing building that does not comply with the provisions in this By-law, provided that the reconstruction, repair or renovation does not: i) expand, enlarge or increase the height, size or volume of the original non-complying building or structure; or ii) relocate the building or structure from its original footprint.</p> <p>b. Notwithstanding the above provisions and Section 5.7.2.1</p>	<p>Section 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:</p> <ul style="list-style-type: none"> a) The situation of non-compliance with 	<p>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</p>

(iii)(c) of this By-law to the contrary, where a dwelling encroaches into the required front yard or shoreline setback, an attached deck, porch, walkway or stairs may be constructed, enlarged, repaired, replaced or renovated, and the dwelling may be enlarged, repaired, replaced or renovated in that yard provided that the enlargement, repair, replacement or renovation complies with the provisions in Table 1, as well all other applicable provisions of this By-law (including Section 5.7.2.1 iii) a), b) and d)).

Table 1. Provisions for enlargement, repair, replacement or renovation of existing legal non-complying dwellings encroaching into the required front yard or shoreline setback.

Column 1	Column 2	Column 3
Dwelling Distance from OSWL	Maximum Gross Floor Area (1)	Lateral Dimension Increase (2)
Less than 15 metres (49.2 ft)	92 m ² (1,000 sq ft)	25%
Between 15 and 19 metres (49.2-65.6 ft)	185 m ² (2,000 sq ft)	25%
Between 20 and 29 metres (68.9-95.1ft)	278 m ² (3,000 sq ft)	25%

Footnotes for Table:

- (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 provisions of Column 2.
- (2) Lateral dimension shall mean that part of a building or structure which is situated more or less parallel to the corresponding shoreline or optimal summer water level (OSWL) and shall be measured along the exterior wall of the building that faces the waterbody measured at right angles to the chord frontage. The lateral dimension provision shall not apply to new decks or unenclosed porches attached to a dwelling where the deck or unenclosed porch is less than 1.2 metres (4.0 ft) in height.

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.

preserving the character and ecological health of the shoreline environment.

Subsection a of the proposed provision reserves the right of a landowner to rebuild/replace an existing structure of equal size/dimensions to what currently exists within the shoreline setback area, even when the existing building is larger than what is permitted in the table.

Subsection b of the proposed provisions preserves the shoreline environment and visual character of the lake by permitting reasonable building footprints (for rebuilds) based on proximity to the shoreline. Table 1, Column 2 outlines the total gross floor area of a building that would be permitted based on proximity to the shoreline. Table 1, Column 3 permits a 25% increase in lateral dimension (width) of the current legal non-complying structure.

The purpose of the 25% limit on lateral dimension is to limit the visual and ecological impact of the redevelopment of the site by permitting modest increases. Limiting the width of buildings also serves to better preserve the ecological function of the shoreline environment by protecting a wider buffer area between the terrestrial and aquatic ecosystems.

If a landowner does not wish to build within the limits of these provisions, they could build a dwelling of up to 3,500 square feet 30 or more metres from the shore, or apply for a Zoning By-law Amendment.

ii) **New dwellings**

Currently, there are no limits on dwelling size for new dwellings being built on the lake, other than a maximum height and maximum lot coverage (which is 13% within the first 60 metres from the shoreline). Due to concerns about environmental impacts and changing lake character, the majority (73%) of 188 respondents to the 2020 Survey stated that they would like to see a limit on the size new builds.

Many lakes have a maximum dwelling size enforced through the Official Plan and Zoning By-law provisions. For example, Three Mile Lake has recently proposed a limit of 325 m² (approx. 3,500 sq. ft, which is pending approval by Council), 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 325 m² (3,500 sq. ft) limit as a value that blends the views from the majority of respondents to the 2020 survey (who stated preferred maximums of less than 3,500 ft²), as well as those who provided feedback to the first draft of the policies who prefer less restrictions on development. Similar maximum dwelling sizes are being proposed or have been imposed on other lakes.

Proposed change to the GOP			
Issue	Proposed update of the GOP	Current Policy in GOP	Explanation of update
Size Limit for Dwellings located 30 metres or more from the shoreline	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.	No 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 maximum lot coverage of 13% within 60 metres of the water.
Size Limit for Dwellings which cannot meet the 30 metre setback	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 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 below).	No 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.	These provisions provide that the Zoning By-law (set out below) will limit the size of new builds. The purpose of these policies is to protect the shoreline environment and visual character of the lake.
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	Where the 30-metre setback cannot be met, e.g., for redevelopment of existing properties, where site characteristics preclude meeting the setback, where	This policy provides specific criteria that must be met by applicants applying for a zoning amendment or minor variance.

	<p>the setback requirements of 30 metres; or</p> <p>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), which make other locations on an existing lot more suitable.</p> <p>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 demonstrate that the remainder of the site will remain in a natural state, and wherever possible, include recommendations to achieve Environmental Net Gain, as described in the Muldrew Lakes Shoreline Design Guidelines.</p>	<p>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).</p>	<p>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, and often approves these applications. Many survey respondents voiced concern regarding these approvals for lesser setbacks. The MLCA has observed the community fighting these applications over many years.</p> <p>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.</p> <p>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.</p>
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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										
<p>Maximum Dwelling Size for New Builds which cannot meet the required 30-metre shoreline setback.</p>	<p>When a proposed dwelling cannot meet the required 30-metre (98 ft) shoreline setback from the OSWL, and clearly conforms to Section X of the lake-specific policies of the Gravenhurst Official Plan, the maximum gross floor area of the of the dwelling shall comply with the following provisions in Table 2:</p> <table border="1" data-bbox="674 532 1314 954"> <thead> <tr> <th colspan="2" data-bbox="674 532 1314 618">Table 2. Maximum gross floor area for dwellings that cannot mee the require 30-metre shoreline setback.</th> </tr> <tr> <th data-bbox="674 618 997 704">Dwelling Distance from OSWL</th> <th data-bbox="997 618 1314 704">Maximum Gross Floor Area</th> </tr> </thead> <tbody> <tr> <td data-bbox="674 704 997 790">Less than 15 metres (Less than 49 ft)</td> <td data-bbox="997 704 1314 790">Not permitted</td> </tr> <tr> <td data-bbox="674 790 997 875">Between 15 and 19 metres (49-66 ft)</td> <td data-bbox="997 790 1314 875">185 m² (2000 ft²)</td> </tr> <tr> <td data-bbox="674 875 997 954">Between 20 and 29 metres (Between 66-98 ft)</td> <td data-bbox="997 875 1314 954">278 m² (3000 ft²)</td> </tr> </tbody> </table>	Table 2. Maximum gross floor area for dwellings that cannot mee the require 30-metre shoreline setback.		Dwelling Distance from OSWL	Maximum Gross Floor Area	Less than 15 metres (Less than 49 ft)	Not permitted	Between 15 and 19 metres (49-66 ft)	185 m ² (2000 ft ²)	Between 20 and 29 metres (Between 66-98 ft)	278 m ² (3000 ft ²)	<p>Section 14.2: Maximum Lot Coverage of Principal Building and Accessory Buildings:</p> <p>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.</p>	<p>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 Official Plan (see above).</p> <p>The current provisions limiting lot coverage of the principal building to 13% do not provide any meaningful limitations on shoreline development, and, generally speaking, permit dwellings of up to 2,000 m² on larger lots, and 600 m² on some of the smallest lots.</p>
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<p>Regulations for lots zoned RW-6B on the Muldrew Lakes</p>	<p>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:</p> <p>Minimum Lot Frontage: 120.0 metres (394 ft) Maximum Dwelling Size: 325.0 square metres gross floor area (approx 3,500 ft²)</p> <p>When a proposed dwelling cannot meet the required 30-metre (98 ft) shoreline setback from the OSWL, and clearly conforms to Section X of the lake-specific policies of the Gravenhurst Official Plan, the maximum gross floor area of the of the dwelling shall comply with the following provisions:</p>	<p>Section 14.2: Maximum Lot Coverage of Principal Building and Accessory Buildings:</p> <p>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.</p> <p>Section 14.4: Except for the provision indicated below, the regulations for a</p>	<p>The change proposed to this provision is to add a maximum gross dwelling size of 325 m², which is equivalent to approximately 3500 square feet.</p>										

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<p>Regulations for lots zoned RW-6C on the Muldrew Lakes</p>	<p>Except for the provision indicated below, the regulations for a RW-C Zone shall be in accordance with the requirements of Section 14.2 of this By-law:</p> <p>Minimum Lot Frontage: 150.0 metres (492 ft)</p> <p>Maximum Dwelling Size: 325.0 square metres gross floor area (approx 3,500 ft²)</p> <p>When a proposed dwelling cannot meet the required 30-metre (98 ft) shoreline setback from the OSWL, and clearly conforms to Section X of the lake-specific policies of the Gravenhurst Official Plan, the maximum gross floor area of the dwelling shall comply with the following provisions:</p> <table border="1"> <tr> <th colspan="2">Table 2. Maximum gross floor area for dwellings that cannot meet the required 30-metre shoreline setback.</th> </tr> <tr> <th>Dwelling Distance from OSWL</th> <th>Maximum Gross Floor Area</th> </tr> <tr> <td>Less than 15 metres (Less than 49 ft)</td> <td>Not permitted</td> </tr> <tr> <td>Between 15 and 19 metres (49-66 ft)</td> <td>185 m² (2000 ft²)</td> </tr> <tr> <td>Between 20 and 29 metres (Between 66-98 ft)</td> <td>278 m² (3000 ft²)</td> </tr> </table>	Table 2. Maximum gross floor area for dwellings that cannot meet the required 30-metre shoreline setback.		Dwelling Distance from OSWL	Maximum Gross Floor Area	Less than 15 metres (Less than 49 ft)	Not permitted	Between 15 and 19 metres (49-66 ft)	185 m ² (2000 ft ²)	Between 20 and 29 metres (Between 66-98 ft)	278 m ² (3000 ft ²)	<p>Section 14.2: Maximum Lot Coverage of Principal Building and Accessory Buildings:</p> <p>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.</p> <p>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:</p> <p>Minimum Lot Frontage: 150.0 metres (492 ft).</p>	<p>The change proposed to this provision is to add a maximum gross dwelling size of 325 m², which is equivalent to approximately 3500 square feet.</p>
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<p>Regulations for lots</p>	<p>Except for the provisions indicated below, the regulations for an RI-8D</p>	<p>Section 16.2: Maximum Lot Coverage</p>	<p>The change proposed to this provision</p>										

zoned RI-8D on the Muldrew Lakes

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.

Maximum Dwelling Size - 325.0 square metres gross floor area (approx 3,500 ft²).

When a proposed dwelling cannot meet the required 30-metre (98 ft) shoreline setback from the OSWL, and clearly conforms to Section X of the lake-specific policies of the Gravenhurst Official Plan, the maximum gross floor area of the of the dwelling shall comply with the following provisions:

Table 2. Maximum gross floor area for dwellings that cannot mee the require 30-metre shoreline setback.	
Dwelling Distance from OSWL	Maximum Gross Floor Area
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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.

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.

is to add a maximum gross dwelling size of 325 m², which is equivalent to approximately 3500 square feet.

C. Oversight of development and redevelopment

Changes are being proposed to the GOP to allow for greater oversight of development and redevelopment through Site Evaluation Reports and Site Plan Control. 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 differs from an Environmental Impact Study in that it usually more 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.

Site Plan Control is a tool used by municipalities to ensure that land development is compliant with the applicable policies and zoning provisions, and minimizes impacts on neighbouring properties and the natural environment. A Site Plan Control agreement is a binding contract between the municipality and the developer/land owner that consists of conditions of development, is required to be registered on title of the property, and is a prerequisite to the building permit application process. The proposal is to require Site Plan Control for any development that is not considered minor on the Muldrew Lakes, even when that development complies with the Zoning By-law. The purpose of introducing this policy is to provide a means of enforcing development to adhere to the plans submitted to the Town, and maintain things like natural vegetation (e.g., trees and shrubs) within the shoreline buffer area.

Proposed change to the GOP			
Issue	Proposed update of the GOP	Current Policy in GOP	Explanation of update
Site Evaluation Report	<p>A Site Evaluation Report (consistent with Section I6.28 and the Muldrew Lakes Shoreline Design Guidelines) is required for all proposed development on the Muldrew Lakes to ensure that all potential on-site and off-site impacts (including to the lake itself) are minimized to the greatest extent possible. The Site Evaluation Report must be prepared by a qualified professional(s) and must be prepared to the satisfaction of the Town.</p> <p>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 in nature. Minor residential development includes but is not limited to:</p> <ul style="list-style-type: none"> i. Decks; ii. Docks; iii. Sheds; i. Sleeping cabins of less than 20 square 	<p>Site Evaluation Reports:</p> <ul style="list-style-type: none"> -May be required for development in narrow waterways (I6.10) -Required for an expansion of the “trailer park” on North Muldrew (D17.3.4) -Required for any expansion or change in use of the landing/car parking area on Middle Muldrew (D17.3.4) -Required where development is proposed on slopes between 20-40% where vegetation is removed (I6.9b) -Required where development is proposed on slopes greater than 40% (I6.9c) 	<p>This provision would require a Site Evaluation Report for all proposed development (other than minor development) to ensure mitigation of impacts to the shoreline environment. However, this policy also provides an opportunity for Town planning staff to waive the requirement to obtain a Site Evaluation Report where the proposed development is minor (e.g. for docks, decks, sleeping cabins under 200 square feet).</p> <p>Site Evaluation Reports provide a practical way for 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.</p> <p>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</p>

	<p>metres (200 square feet of Gross Floor Area); and</p> <p>ii. Minor renovations and extensions.</p>		<p>Site Evaluation Report are found in Section 16.28 in the GOP.</p> <p>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.</p>
<p>Site Plan Control</p>	<p>All development on Muldrew Lakes shall be subject to Site Plan Control and shall implement the mitigation methods recommended by a Site Evaluation Report.</p> <p>The requirement for Site Plan Control may be waived by the Town where the development is considered minor in nature and negative impacts to sensitive features are not reasonably expected. Minor residential development includes but is not limited to:</p> <ul style="list-style-type: none"> i. Decks; ii. Docks; iii. Sheds; iv. Sleeping Cabins of less than 20 square metres Gross Floor Area (200 square feet); and v. Minor renovations and extensions. 	<p>In general, site plan control is applied where development is adjacent to lakes rivers, within or adjacent to natural heritage features or includes multiple residential development (K4.2).</p>	<p>Site Plan Control is a very common tool used by municipalities to ensure oversight and compliance for various types of development.</p> <p>In the Town of Gravenhurst, Site Plan Control is not always a requirement, and <u>may</u> only be implemented adjacent to lakes and natural heritage features. The proposed policy would make Site Plan Control a requirement for any development that is not minor in nature.</p> <p>The intent of Site Plan Control is to ensure that any proposed development is compatible with adjacent development, appropriately serviced and accessed, and otherwise conforms with the goals and strategic objectives of the Official Plan.</p> <p>Site Plan Control will help to ensure that some of the key issues the lake community has expressed concern about during consultations have adequate oversight, including the location and type of lighting, landscaping, and preservation of natural vegetation. It is a pro-active measure to address concerns such as shoreline deforestation and zoning compliance. Site Plan Control would be required as a precursor to a building permit for major development, even where the proposed development complies with the required Zoning provisions.</p>

D. Boathouses and Boat Ports

Proposed change to the GOP

Issue	Proposed update of the GOP	Current Policy in GOP	Explanation of update
<p>Boathouses and Boatports</p>	<p>Only one boathouse or boatport that conforms to the following shall be permitted on a lot:</p> <ul style="list-style-type: none"> 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). <p>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:</p> <ul style="list-style-type: none"> 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. 	<p>Boathouses are subject to the following provisions:</p> <ul style="list-style-type: none"> 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 roof ridge and the structure has a sloped roof; and; e) there is a minimum side-yard setback of 6.0 metres (20 ft) (D17.3.6). 	<p>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.</p> <p>In addition, the current language used in the lake-specific section of the GOP regarding boathouses is confusing for Town staff to interpret. The section refers to both “shoreline storage buildings” and “boathouses”, while seemingly referring to the same structures. Clear and consistent definitions and terminology are extremely important to ensuring the Town interprets policy correctly.</p> <p>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.</p>

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
<p>Boathouses and Boatports</p>	<p>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:</p> <p>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;</p> <p>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);</p> <p>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;</p> <p>iv) The maximum projection of a boathouse or boatport into the water shall be 10.0 metres (32.8 ft) from the OSWL.</p> <p>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</p> <p>vi) Shall not include human habitation, sanitary facilities, an attic, rooftop deck or dormer.</p>	<p>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:</p> <p>i) Boathouses shall not exceed one storey in height and shall not include an attic or dormers;</p> <p>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;</p> <p>iii) Boathouses shall not contain rooftop decks; and</p> <p>iv) Boathouses shall only be permitted on lots with a minimum of 90.0 metres (295 ft) of frontage.</p>	<p>The proposed revisions include some housekeeping changes to ensure the terminology is consistent (e.g., removed the term “shoreline storage building” and added “boatports”), as well as a provision limiting the width of a boathouse or boatport, which previously existed in the Official Plan but was not enforceable because there was no implementing provision in the Zoning By-Law.</p> <p>Finally, 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.</p>

E. Sleeping Cabins

Proposed change to the GOP			
Issue	Proposed update of the GOP	Current Policy in GOP	Explanation of update
Sleeping Cabins	<p>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.</p> <p>The implementing Zoning By-law shall limit the total aggregate gross floor area of sleeping cabins permitted on a lot.</p>	<p>A maximum of one Sleeping Cabin shall be permitted for each property that contains a principal dwelling (D17.3.7).</p>	<p>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.</p>

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
Sleeping Cabins	<p>Maximum Number and Size for a Sleeping Cabin-</p> <p>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.</p>	<p>Section 14.2: Maximum Number and Size for a Sleeping Cabin-</p> <p>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.</p>	<p>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.</p> <p>The proposed lake-specific Official Plan policies include a requirement for the Town to assess whether a septic suitability study should be required to accommodate any additional sleeping areas.</p>

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 Changes to the GOP	Current Policy in GOP	Explanation of change
<p>Recreational Carrying Capacity</p>	<p>Recreational Carrying Capacity is defined as an estimate of the number of watercraft that can utilise the surface of a lake while still enjoying the amenity provided by the waterbody.</p> <p>The calculation of Recreational Carrying Capacity of the Muldrew Lakes is derived based on the following formula:</p> <p>i) Net surface area is calculated by reducing the total waterbody surface area by the surface area within 30 metres of the shoreline; and</p> <p>ii) A density of one residential unit for every 1.6 hectares net lake surface area is then applied.</p> <p>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 or resource-based recreational uses (including recreational dwellings) shall submit a boating impact study to:</p> <p>a) Ensure that the proposed development does not contribute to the overcrowding of the lake surface area; and</p> <p>b) Minimizes the overall social impacts resulting from the additional development on the lot.</p>	<p>None.</p>	<p>A significant number of respondents to the 2020 Survey (72%) indicated their concern regarding increasing boat traffic on 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.</p> <p>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).</p> <p>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.</p>

G. Commercial Property

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

Issue	Proposed Changes to the GOP	Current Policy in GOP	Explanation of change
<p>Commercial Property</p>	<p>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.</p> <p>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 16.30), 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.</p> <p>Any expansion or redevelopment of the above-noted property shall also require a boating impact study to:</p> <ul style="list-style-type: none"> 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. 	<p>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 16.30) 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).</p>	<p>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.</p> <p>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.</p>

H. Conservation

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

Issue	Proposed Changes to the GOP	Current Policy in GOP	Explanation of change
Conservation	<p>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.</p> <p>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.</p>	None.	<p>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.</p> <p>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.</p>

I. Lot Creation

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

Issue	Proposed Changes to the GOP	Current Policy in GOP	Explanation of change
12) Lot Creation	<p>The creation of a new lot on Muldrew Lake is subject to the following policies:</p> <p>a)-d) No change (see next column)</p> <p>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.</p>	<p>The creation of a new lot on Muldrew Lake is subject to the following policies:</p> <p>a) Backlot development shall not be permitted on the peninsulas between parts of the lake;</p> <p>b) The minimum lot frontage shall be 120.0 metres (394 ft);</p> <p>c) Where the lot is abutting a narrow waterway, the minimum lot frontage shall be 150.0 metres (492 ft);</p> <p>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).</p>	<p>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).</p>

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.

Issue	Proposed Changes to the GOP	Current Policy in 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.
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.