

SECTION C – URBAN CENTRES

1 Definition

- 1.1 Areas designated as Urban Centres provide a nucleus for community facilities and services at a more intensive level and at higher densities than expected in a Community and provide a greater range of housing opportunities.
- 1.2 The Urban Centre designation is assigned to settlements in the Township which are serviced by piped municipal sewer and water facilities.
- 1.3 Bala and Port Carling are identified as Urban Centres. Their boundaries are as shown on Schedules G1, and G2.

2 Growth Strategy

2.1 *Basis*

- 2.1.1 There is an existing hierarchy of urban areas in the Township where the Urban Centres develop at a higher density than the Communities. This is appropriate given the lack of full municipal services in the Communities.
- 2.1.2 Bala and Port Carling are the two largest settlements in the Township. Growth in the Urban Centres has been constrained by a lack of development opportunities.
- 2.1.3 Opportunities for intensification and redevelopment should be encouraged.
- 2.1.4 An expansion to the Urban Centre boundary of Port Carling or Bala shall be permitted only at the time of a comprehensive review and only where it has been demonstrated that:
 - a) Sufficient opportunities for growth are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the identified planning horizon as identified in the growth management study;
 - b) The infrastructure and public service facilities which are planned or available are suitable for the development over the long term and protect public health and safety;
 - c) There is a need for expansion to accommodate the demographic characteristics and population and employment forecasts;
 - d) Analyzes the availability of and the costs to provide municipal services to the area of expansion and an examination of alternatives;

- e) Determines there is no negative impact on the surrounding rural community;
- f) Determines there is no negative impact on significant natural areas;
- g) Confirms the development is of non-hazardous lands;
- h) Development will be in a compact manner unless soil, servicing and other physical features prevent it;
- i) Determines there is no negative impact on the delivery of police and emergency services; and
- j) Other issues as deemed appropriate and necessary.

An expansion to the Urban Centre boundary shall require an Amendment to this Plan.

2.2 *Strategy*

- 2.2.1 The majority of new permanent residential growth should be directed to the existing settlements, particularly to the Urban Centres.
- 2.2.2 Due to major development in the Township and the direction of growth to serviced areas, significant growth is anticipated in Port Carling and Bala.
- 2.2.3 Sufficient land should be designated to accommodate residential, commercial and industrial development over the next 20 years.
- 2.2.4 Policies are to be provided to encourage a variety of building types, densities, locations and opportunities, within the overall context of maintaining the character of the Urban Centres.
- 2.2.5 Commercial and industrial development that is not resource related, waterfront oriented, land extensive or at the scale of a home industry, will be directed to the Urban Centres.

3 **Goal and Objectives**

3.1 *Goal*

- 3.1.1 To direct and accommodate development in a way that will result in a compact, efficient community that complements and sustains the natural environment and the character of the community.
- 3.1.2 To ensure that the majority of growth is focused in the Urban Centres.
- 3.1.3 To ensure that new growth in the Urban Centres is on full municipal services, except in limited circumstances.

- 3.1.4 To identify opportunities for intensification, infill, and redevelopment within the existing boundaries.
- 3.1.5 To ensure there are opportunities for current and future residents to live in Urban Centres by providing a choice in alternative forms of housing.
- 3.1.6 To encourage public and private sector initiatives for affordable housing.
- 3.1.7 To direct golf course development to Rural areas rather than in Urban Centres.
- 3.1.8 To allow for Urban Centre boundary expansions where warranted and necessary.
- 3.1.9 To promote economic growth in Urban Centres, particularly in the Downtown core areas.
- 3.1.10 To encourage the redevelopment and expansion of commercial businesses along the waterfront such as marinas and resorts and to recognize their important economic function.
- 3.2 *Objectives*
 - 3.2.1 To retain and foster local community identity and character.
 - 3.2.2 To encourage provision of the fullest range of services in the Urban Centres.
 - 3.2.3 To have all development eventually serviced by piped municipal sewer and water facilities and all new development on full municipal services, except in limited circumstances.
 - 3.2.4 To promote development in locations and at a density that will facilitate the establishment of an efficient servicing network.
 - 3.2.5 To encourage intensification of existing development consistent with maintaining the essential character of the Urban Centres.
 - 3.2.6 To provide a variety of housing forms responsive to the needs of a range of income groups, including low income groups requiring affordable housing.
 - 3.2.7 To protect the function and integrity of the core commercial areas.
 - 3.2.8 To encourage pedestrian linkages throughout the Urban Centres.
 - 3.2.9 To promote linkages between the waterfront and the balance of the Urban Centres.

- 3.2.10 To protect natural features which contribute to the character of the Urban Centres.
- 3.2.11 To protect environmentally sensitive areas.
- 3.2.12 To foster recreational opportunities for both permanent and seasonal residents in the Urban Centres.
- 3.2.13 To encourage light industrial and commercial development in order to provide economic and employment opportunities in the Township.
- 3.2.14 To promote development that will complement the existing community character, as well as adjacent and/or neighbouring character.
- 3.2.15 To encourage development which will enhance the tourism economy. The growth of existing tourist establishments will be fostered.
- 3.2.16 To encourage recreational trail systems that provide recreational opportunities and link the Urban Centres to other areas of the Township.
- 3.2.17 To encourage redevelopment of existing, underutilized properties, and the productive use of infill sites in order to promote intensification.
- 3.2.18 To recognize there may be a need to expand the Urban Centre boundaries in the future.
- 3.2.19 To recognize the housing needs of both current and future residents, and permanent and seasonal residents, by encouraging alternative forms of housing and affordable housing choices.
- 3.2.20 To foster economic growth by encouraging businesses to locate in Urban Centres and support the expansion of existing businesses.
- 3.2.21 To maintain and where possible enhance, the vitality and viability of core areas and mainstreets of the Urban Centres.
- 3.2.22 To investigate the potential for public transportation.
- 3.2.23 To encourage increased energy generation, through alternative and renewable energy systems, including small-scale wind and solar power generators.
- 3.2.24 To promote healthy and active communities by planning for public spaces, parks, public access to water, trails, and open space where possible.
- 3.2.25 To protect and preserve the cultural heritage resources of the Township.

- 3.2.26 To recognize that the waterfront character within Urban Centres may be different than that in the rural areas, particularly as it relates to scale and intensity of development.
- 3.2.27 To protect and, where possible, enhance water quality.
- 3.2.28 To ensure that the environment is protected from negative impacts of development.
- 3.2.29 To ensure all lighting of properties is respectful of neighbours, navigation, the environment, and the dark sky.

4 Character

4.1 The Meaning of Character

- 4.1.1 Character is what distinguishes a community and makes it different from other places. Character provides a sense of identity. Character is built over time and is linked to physical features and natural setting, architectural form, and settlement history. For each Urban Centre, it is important to recognize its distinct character and ensure that future development is compatible with and enhances that established character.
- 4.1.2 Urban Centre Character is not static, but continues to evolve over time, adapting to new circumstances. The direction that this evolving change takes needs to be managed to ensure that the essential features of the Urban Centre are not lost.

4.2 Protecting and Promoting Character

- 4.2.1 Policies are required to protect and promote the identifying character of the Urban Centres, while continuing to promote innovative development.
- 4.2.2 To achieve this, general policies are developed to deal with common elements in each Urban Centre, followed by specific policies designed to foster the unique character of the Urban Centres.
- 4.2.3 The core commercial areas of the Urban Centres provide a focus for each community. In addition to providing a range of commercial activities, these areas provide water access and tourist attractions. Policies are required to preserve and enhance the core commercial focus.
- 4.2.4 Site plan control will be required for all major development and redevelopment projects, including all commercial, industrial and institutional uses, to ensure the character of the Urban Centres is protected.

4.2.5 Alternative forms of housing and affordable housing initiatives shall be designed to be compatible with surrounding buildings and protect the character of the area in which it is located.

4.2.6 The Waterfront character within any Urban Centre can generally be different than the established character in the core areas. This should be recognized and promoted.

4.3 *Architectural Considerations*

4.3.1 The core areas of the existing Urban Centres contain a variety of architecturally significant buildings, the presence of which enhances the character of the centres. These features are to be preserved and enhanced.

4.3.2 The Township has undertaken a program to identify appropriate streetscape and building facades that will enhance the architectural character of the Urban Centres. The streetscape and façade guidelines shall be considered in any development or redevelopment and will be implemented during the site plan control process.

4.3.3 Architectural design guidelines may be established by Council for implementation through Site Plan Control approval in order to ensure the character of the core areas is preserved.

4.3.4 The redevelopment of buildings in the core areas shall have natural exterior finishes and facades, using materials in keeping with the surrounding natural landscape, where possible.

4.3.5 The redevelopment of buildings and new buildings in the commercial core shall be compatible with existing buildings.

4.3.6 The Waterfront character within an Urban Centre is unique and reflects historic growth. This should be maintained and enhanced when possible.

4.4 *Culture/Heritage Conservation*

4.4.1 A Municipal Heritage Committee may be established pursuant to the Ontario Heritage Act to advise and assist Council on all matters related to cultural heritage resource conservation in the municipality.

Pursuant to the Ontario Heritage Act, Council may, by by-law:

- i) designate properties to be of cultural heritage value or interest.
- ii) define any area or areas within the municipality, as an area to be examined for designation as a heritage conservation district, and

iii) define any area or areas within the municipality, as a heritage conservation district.

Council will maintain a register of cultural heritage resources of all buildings and structures designated pursuant to the Ontario Heritage Act and all buildings and structures identified as being of architectural, historical and contextual interest.

4.4.2 Council may consider the designation of a Heritage Conservation District. Prior to the designation of a Heritage Conservation District or Districts, Council shall:

i) pass a by-law defining an area or areas to be examined for future designation as a Heritage Conservation District(s).

ii) prepare a study for the area or areas to determine the feasibility of designation, the delineation of the Heritage District boundaries and an evaluation of the area's historic character.

iii) the study will be prepared in accordance with Ontario's Heritage Conservation District Guidelines prepared by the Ministry of Culture.

iv) public participation will be encouraged in the preparation of the study.

v) Heritage District Planning Guidelines may be prepared after the approval of the designation of the Heritage Conservation District by the Ontario Municipal Board. The guidelines can include policies to guide Council in the approval of permit applications for new development and alterations to properties located within the Heritage Conservation District.

4.4.3 Locally significant buildings, places, and attractions, should be identified as being important to the character of the municipality. Although these areas may not be designated, every effort should be made to protect and preserve them as they are important to the residents and visitors of Muskoka Lakes.

4.4.4 The Township may exercise any powers granted to it pursuant to the Ontario Heritage Act to recognize and protect historically significant buildings, structures, or areas. This could include the passing of a by-law by Council to prevent demolition of significant built heritage resources or cultural heritage landscapes.

4.4.5 Significant built heritage resources and significant cultural heritage landscapes shall be conserved. Consideration shall be given to restoration, documentation, and maintenance in its original context. Development should be compatible with these built heritage resources and cultural heritage landscapes.

4.4.6 Development and site alteration may be permitted on adjacent lands to protected heritage property where the proposed development and site alteration has been

evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved.

Mitigative measures and/or alternative development approaches may be required in order to conserve the heritage attributes of the protected heritage property affected by the adjacent development or site alteration.

- 4.4.7 Residential infill in areas of historic architectural or landscape merit shall be sensitive to the existing scale and pattern of those areas and consistent with existing landscape and streetscape qualities.
- 4.4.8 Council shall have regard for cultural heritage resources in the undertaking of municipal public works. When necessary, Council will require satisfactory measures to mitigate any negative impacts on significant heritage resources.
- 4.4.9 Archaeological resources shall be protected through the development approval process. Regard shall be had to the recommendations contained in the District of Muskoka Archaeological Master Plan.
- 4.4.10 An Archaeological Assessment, prepared by a professional licensed to conduct such work, shall be required for all major development, including all major Municipal infrastructure projects, located in and/or adjacent to known provincially registered archaeological sites or areas of moderate to very high potential as identified in the Muskoka Archaeological Master Plan. Development may only proceed once any significant archaeological resources have been conserved by removal and documentation, or by preservation on site. Where significant archaeological resources must be preserved on site, only development and site alteration which maintain the heritage integrity of the site may be permitted.

5 General Development Policies

5.1 Access

- 5.1.1 Generally all new development, including shoreline development, shall front on a year round publicly maintained road, or a navigable waterway. The specific locations where frontage is not required to be on a year round publicly maintained road shall be detailed in the specific policies for each Urban Centre.
- 5.1.2 The creation of 5 or more lots shall be accessed by a publicly maintained year round road.
- 5.1.3 Limited infill may occur on an existing private road if it is determined to the satisfaction of the Township that such private road cannot be upgraded or developed as a public road, and the infilling represents the final development in the area.

- 5.1.4 Due to the level of services required in the Urban Centres, existing private roads should, where possible, be converted to public roads.
- 5.1.5 The construction of new private roads shall be discouraged. Minor extensions of existing private roads are permitted.
- 5.1.6 Road standards for new development will meet applicable Township standards.
- 5.1.7 Sidewalks will be required on all major streets, but may not be required on internal streets that serve a limited number of residential lots.
- 5.1.8 Driveway access to individual lots shall be designed in such a way as to ensure vehicular traffic safety and the safety of pedestrians.
- 5.1.9 The adequacy of public parking in the core commercial areas of the Urban Centres shall be addressed in the redevelopment of the core commercial areas. Providing parking facilities on individual properties may not be practical, or would adversely affect the character of those properties. In such instances, cash contributions in accordance with Planning Act requirements may be considered by the Township, provided such funds are dedicated to a parking plan for the community. Other adjustments may be made to parking requirements to ensure that the development in the core area remains concentrated.
- 5.1.10 Boat docking facilities may be considered as a partial alternative to vehicle parking.
- 5.1.11 Reduced speed limits may be imposed to foster pedestrian traffic and to enhance the urban identity.
- 5.1.12 Lot frontages on Provincial Highways and District Roads shall be as outlined in the District Official Plan.
- 5.1.13 In addition to all the applicable municipal requirements, all development adjacent to provincial highways is also subject to the requirements and permits of the Ministry of Transportation.
- 5.1.14 A public transportation system is encouraged to better serve the residents of the Township.
- 5.1.15 The connectivity of a public trail system throughout the Township should be encouraged. Lands shall be deeded to the Township where appropriate and where outlined in a Parks Master Plan. This could include trails for walking, biking, snowmobiling, cross country skiing, or hiking, and may be located across public lands or publicly maintained year round roads.

5.2 *Servicing*

General

- 5.2.1 The Township shall direct and accommodate expected growth in a manner that promotes the efficient use of existing municipal services.
- 5.2.2 Schedules G1A, and G2A identify the areas to be serviced for in the Urban Centres of Bala, and Port Carling.
- 5.2.3 Extension of municipal water and sewer services outside of the Urban Centre boundary, as identified in Schedules G1A and G2A, shall not be permitted except where such works are undertaken as a municipal project or to remedy a health hazard or environmental concern.
- 5.2.4 The extension of services outside of the Urban Centre Boundary for the reasons identified in Section C.5.2.2 above, shall not confer, or be deemed to confer, development rights for abutting properties, except for those rights which are specifically permitted by this plan and further extensions from such services to surrounding properties shall not be permitted.
- 5.2.5 Within the areas where municipal water service alone is currently available, as identified on Schedules G1A, and G2A, the provision of municipal sewer service shall be encouraged and where possible development should proceed on the basis of full municipal services in order to recognize the objective of eliminating single service areas.
- 5.2.6 Municipal sewage and water services are the preferred form of servicing for settlement areas. Intensification and redevelopment within settlement areas on existing municipal services shall be promoted, where feasible.
- 5.2.7 New lot creation shall generally not be permitted unless on full municipal services.
- 5.2.8 Commercial, industrial or institutional development shall generally not be permitted unless on full municipal services.
- 5.2.9 The use of private alternative energy generators, such as small-scale wind turbines, solar panels, and other similar sources will be permitted as accessory uses in appropriate locations. Where these alternative energy structures are proposed, such facilities should be designed to avoid potential environmental, social and aesthetic impacts.

Area 1: Full Services Areas

- 5.2.10 Development shall proceed on the basis of full municipal water and sewer services within Area 1 identified for full municipal services on Schedules G1A and G2A.
- 5.2.11 Existing development within Area 1 designated for municipal water and sewer services on Schedules G1A and G2A shall be required to connect to the municipal water and sewer services.
- 5.2.12 Existing vacant lots of record, newly created lots and redevelopment in the area designated as Area 1 on Schedules G1A and G2A shall only develop or redevelop on municipal water and sewer services.
- 5.2.13 An exemption from the requirement to connect to full municipal services may be considered for the development of existing lots of record, or infilling, provided that the municipal services are not reasonably available or are not expected to be available in the foreseeable future and further that the use would be restricted to minor “dry” development of a low density and low intensity nature which is in character with the surrounding area.

Area 2: Water Services Only Areas

- 5.2.14 Within the area designated as Area 2 on Schedules G1A and G2A, existing vacant lots of record can be developed or redeveloped on municipal water only.
- 5.2.15 Until municipal sewer services are available to service the lands identified within Area 2, single detached residential development shall be limited to the development of existing lots where:
- a suitable sewage disposal system can be accommodated on the property; and
 - It is designed in a manner that will facilitate future connection to municipal services.

A hydrogeological report may be required to confirm that such development will be viable and sustainable.

- 5.2.16 Within Area 2, as identified on Schedules G1A and G2A, the provision of municipal sewer service shall be encouraged and where possible, development should proceed on the basis of full municipal services in order to recognize the objective of eliminating single services areas.
- 5.2.17 The expansion of areas designated as Area 2 on Schedules G1A and G2A shall not be permitted.

- 5.2.18 No amendment to this Plan will be required to provide municipal sewer services to lands identified as being within Area 2 on Schedules G1A and G2A.

Area 3 and 4: Future Service Areas

- 5.2.19 Future Service Areas identified as Areas 3 and 4 on Schedules G1A and G2A includes lands which are not presently serviced with municipal water and sewer services. This Plan contemplates the eventual servicing of these lands with both municipal water and sewage disposal services.

- 5.2.20 Within those areas identified as Areas 3 and 4 on Schedules G1A, and G2A existing vacant lots of record can develop or redevelop on the basis of private individual water and sewage disposal services provided that the uses permitted are restricted to those of a “dry”, minimal effluent producing nature, which do not require process waters or generate significant waste water and that do not create discharge which would be an environmental hazard to ground water.

- 5.2.21 The requirements of the Ontario Building Code shall be satisfied with respect to the provision of individual private water supply or private sewage disposal systems. Where private sewage disposal systems are permitted in accordance with the foregoing, Class IV or VI systems or suitable alternate systems as authorized, shall be utilized. Class V (Holding Tanks) shall not be permitted except to remedy a problem or situation on an existing, developed lot that would be unsuitable for any other system.

- 5.2.22 Until municipal sewer and water services are available to service the lands identified within Area 3, development shall be limited to existing lots where:

- A potable water supply is confirmed for the proposed development and a suitable sewage disposal system can be accommodated on the property; and
- It is designed in a manner that will facilitate future connection to municipal services.

A hydrogeological report may be required to confirm that such development will be viable and sustainable.

- 5.2.23 Until municipal sewer and water services are available to service the lands identified within the area designated as Area 4, new lots can be created which constitute minor infilling and are restricted to minor “dry” development of a low density in character with the surrounding area where:

- A potable water supply is confirmed for the proposed development and a sewage disposal system can be accommodated on the property;
- It is designed in a manner that will facilitate future connection to municipal services.

A hydrogeological report may be required to confirm that such development will be viable and sustainable.

- 5.2.24 No amendment to this Plan will be required to provide municipal water and sewer services to lands identified as Areas 3 and 4 on Schedules G1A and G2A.

5.2.25 *High Service Users*

Users of large quantities of water and/or which generate high volumes of effluent for municipal water and sewer systems may only be considered by way of a Zoning Amendment.

- 5.2.26 Water and sewage capacity allocation strategies shall be prepared and maintained by the District of Muskoka in conjunction with the Township, for all Urban Centres, in order to monitor approved and proposed developments to determine remaining capacity in water treatment and sewage disposal plants.

5.3 *Stormwater Management and Sedimentation*

- 5.3.1 Servicing Reports, including Stormwater management and sedimentation mitigation plans, shall be required for all new major development.
- 5.3.2 Such plans will examine the possible water quantity and quality impacts of runoff leaving the site.
- 5.3.3 Depending on the sensitivity of the receiving body (or storm sewer), post-development flows shall generally not be different from pre-development flows.
- 5.3.4 Source control components such as rooftop storage, parking lot storage, soak-away pits and seepage trenches shall be encouraged.
- 5.3.5 Natural vegetation will be retained as much as possible to control erosion, attenuate flows, promote infiltration and retain the natural beauty of the property.
- 5.3.6 Prior to any site alteration, the appropriate sediment retention facility must be in place.

5.4 *Alternate Standards*

- 5.4.1 Alternate standards for road allowance development may be considered in certain circumstances.
- 5.4.2 The types of standards to be considered would be travelled road width, sidewalks, and curbs and gutters.

5.4.3 The circumstances where a reduction in standards may be considered are as follows:

- where there is a desire for higher density development
- where there may be an opportunity to provide more affordable housing
- where there is parkland/open space nearby or is part of a development proposal
- where it is not possible to provide adequate storm sewers
- where the development or part thereof is not extensive (e.g. a cul-de-sac) and the traffic does not warrant a wide street or sidewalk
- where staff accommodation is proposed
- where ample room for snow storage can still be accommodated.

5.5 *Land Use Compatibility*

5.5.1 Due to the character of the urban centres, a variety of land uses may occur in close proximity to each other provided such uses are, or can be made compatible. Spatial separation, screens and buffers may be used to ensure compatibility.

5.5.2 All new development in proximity to a principal rail main line may be subject to the principal main line requirements and the rail noise, vibration and safety impact policies of the relevant rail line authority.

5.5.3 Where two different types of land uses are proposed (i.e. commercial/residential) adjacent to one another, the Township may require the preparation of additional reports as part of a complete application package to justify the development, including, but not limited to: noise assessment; tree preservation/landscape plan; traffic study; shadow study; market feasibility study; and/or odour assessment; to satisfy the Township that no negative impact will result from the development.

5.5.4 New uses or interests in land shall be compatible with other legally existing land uses in the vicinity so as to ensure the continued operation of such uses and to allow expansion where feasible and appropriate.

5.5.5 Site Plan Control shall be required for all forms of development in the Urban Centres. Single family residential is exempt from this requirement unless located on the waterfront. Council may waive this requirement for affordable housing developments.

5.6 *Rail Transport*

5.6.1 Rail corridors in the Township are recognized as transportation links of local, provincial, national and international importance respecting the movement of raw material, finished products and people.

5.6.2 Rail related noise, vibration and safety sensitive areas shall be considered to include those lands abutting or immediately adjacent to rail corridors or rights-of-way.

5.6.3 The Township will assist, where appropriate, in ensuring that noise, vibration and safety standards associated with rail corridor development or development adjacent to rail corridors are incorporated into required planning approval documents.

5.7 *Senior Citizen Home*

5.7.1 A senior citizen home, or assisted living facility, shall be a permitted use subject to locational criteria, and will not require an Official Plan Amendment. Such a use will not be permitted unless on full municipal services. A Zoning By-law Amendment will be required to ensure that development standards can be achieved.

5.7.2 The siting of a Senior Citizen Home will be based on the following criteria:

- Encouraged to locate where direct access to a public road is available, and/or public transportation;
- Facility can integrate into existing neighbourhood without creating compatibility issues;
- Located in close proximity to open space, or adequate open space facilities are provided on site;
- Located in close proximity to personal service needs;
- No substantial impact to overall traffic network;
- Emergency services can adequately access the site.

5.8 *Urban Fringe Areas*

5.8.1 Incompatible forms of Rural development are not permitted in areas immediately outside of the Urban Centre boundaries (within one kilometre) as identified on Schedules G1 and G2.

5.8.2 No significant commercial/industrial use (exceeding the size of a Home Industry) will be located within one kilometre of the boundary of an Urban Centre boundary.

6 **Lake System Health**

6.1 The Urban Centres will eventually be fully serviced, and will not have a detrimental effect on lake water quality as a result of private individual sewage disposal systems. Until such time as these lots are serviced, they would be

affected by applicable development policies identified for shoreline residential development.

- 6.2 The District of Muskoka, through its Lake System Health Program, classifies lakes based primarily on water quality and the environmental well being of our lake system. The Township also classifies lakes based on lake character, settlement history, and lot development. Both Classification systems apply to all lakes in the Township.
- 6.3 The District of Muskoka will maintain a recreational water quality model and monitoring program and will review it on an ongoing basis. This model has been designed to address recreational water quality only and does not include factors to address fisheries values.
- 6.4 Through the review of the District of Muskoka recreational water quality program, it has been determined that the overall health of lakes and rivers in Muskoka is very good to excellent and that the cautious approach to development taken in Muskoka has been beneficial. This cautious approach will be continued. In this regard, new lot creation, development or redevelopment will only be permitted where it is determined that phosphorus impacts on water quality can be effectively eliminated.
- 6.5 The retention of natural vegetation along the shoreline will be encouraged to protect and preserve the littoral zone. The role of natural vegetated shorelines in buffering waterbodies from erosion, siltation and nutrient migration adjacent to the sensitive littoral zone is critical to the protection of water quality. Preservation and restoration, where appropriate, of shoreline buffers is therefore required. The frontage of a lot will be maintained in a natural state to a target depth of 7.5 metres (25 feet) from the shoreline where new lots are being created and where vacant lots are being developed. Where lots are already developed and further development or redevelopment is proposed, or where the lot is located within an urban centre, these targets should be achieved to the extent feasible. Where these targets cannot be met, a net improvement over the existing situation is required.
- 6.6 Stormwater management and control techniques (e.g. vegetated swales, retention area, control of roof drain discharge) should be employed where possible.
- 6.7 In accordance with Section C.16, front yard setbacks for all structures on shoreline lots shall be greater than those on non-shoreline lots.
- 6.8 Prior to development on shoreline lots and within 30 metres (100 feet) from the natural high water mark, a site inspection by the Township or its designate may be conducted. An Environmental Impact Study may be completed. Such an evaluation may include the following items in addition to those outlined in Section F.8:

- i) slope (greater than 40%),
- ii) drainage courses,
- iii) soil cover,
- iv) vegetation cover (and general type),
- v) shoreline conditions,
- vi) fisheries.

- 6.9 The sensitivity of lakes and rivers in the Township and potential development in waterfront area is established by the District of Muskoka Official Plan Amendment #32 (Lake System Health program). The Lake System Health program focuses on determining limits on growth, facilitating remedial action programs to enhance water quality, developing a program to address stormwater management, continuing the enhanced water quality monitoring program, and continuing to develop and implement related education and stewardship programs.
- 6.10 All waterbodies have been classified by the District Official Plan, as having high, moderate or low sensitivity to additional phosphorus loading. This classification is based on the responsiveness of a waterbody to phosphorus and its mobility within the watershed. Schedule J2 lists the classified lakes and rivers. If a lake or river is not on the list, it is assumed that it is a moderate sensitivity waterbody unless otherwise identified by the District of Muskoka. Port Carling and Bala are both located on moderate and high sensitivity waterbodies.

Low Sensitivity Waterbodies

- 6.11 The Township shall require site plan approval for substantial development on lots abutting low sensitivity waterbodies. In addition, the Township shall require site plan approval for all shoreline and non-shoreline commercial, institutional and industrial development in order to ensure that stormwater management and construction mitigation techniques are implemented.

Moderate and High Sensitivity and Over Threshold Waterbodies

- 6.12 In order to ensure no negative impact on recreational water quality, all substantial development on shoreline lots in the Urban Centre, of moderate and high sensitivity and Over threshold waterbodies will be subject to site plan control.

Site Plan Control

- 6.13 Where site plan control is required, or where on-site phosphorus management is required, the following matters will be addressed:
- a) appropriate location of buildings, structures and sewage disposal systems;

- b) retention or restoration of a natural vegetative buffer in accordance with Section 6.5 to prevent erosion, siltation and nutrient migration;
- c) maintenance or establishment of native tree cover and vegetation on the lot wherever possible;
- d) appropriate location and construction of roads, driveways and pathways, including use of permeable materials; and
- e) implementation of stormwater management and construction mitigation techniques, including proper re-contouring, discharging of roof leaders, use of soak away pits and other measures to promote infiltration.

High Sensitivity Waterbodies

Lot Creation

- 6.14 In general, no lot creation will be permitted on waterbodies identified as being of high sensitivity unless the lot is connected to municipal water and sewer services.
- 6.15 Notwithstanding Section 6.14, lot creation on private services may be permitted where the Township has the resources and tools in place and is prepared to implement the following requirements:
 - a) The lot creation may only proceed where a water quality impact assessment undertaken and implemented to the satisfaction of the District of Muskoka and the Township of Muskoka Lakes demonstrates that the development can proceed without negatively impacting water quality and which outlines the circumstances under which development should occur.
 - b) The water quality impact assessment shall consist of the following main elements at a minimum.

Phase 1

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

Phase 2

- i. Identification of recommended building and septic system (including the leaching bed) envelope and mitigation measures, including but not limited to, detailed construction mitigation plans, shoreline setbacks and buffers, measures for protecting natural vegetation, and stormwater management;
- ii. Monitoring will be required to confirm that the vegetative buffer and stormwater mitigation measures are in place until such time as construction is complete and an occupancy permit is issued and at a time approximately two years following the issuance of an occupancy permit;
- iii. The use of a septic system with soils that have a demonstrated ability to effectively bind phosphorus will be required; and
- iv. The recommendations of such a report and the monitoring and septic system requirements are required to be implemented through an official plan or zoning amendment and in Section 51(26) (subdivision, condominium or consent) and site plan agreements or development permits.

A detailed terms of reference is contained in Appendix J of the District of Muskoka Official Plan.

Development of Vacant Lots on Private Services

- 6.16 Development of a vacant lot on private services will only be permitted where it is demonstrated through a Phase 2 Water Quality Impact Assessment that building and septic system envelopes, together with appropriate mitigation measures, including but not limited to, detailed construction mitigation plans, shoreline setbacks and buffers will protect water quality and where these requirements are implemented in site plan agreements.
- 6.17 The use of a septic system with soils that have a demonstrated ability to effectively bind phosphorus will be required.

Redevelopment on Private Services

- 6.18 Redevelopment on private services will only be permitted where mitigation measures are implemented in order to prevent negative impacts on water quality, including phosphorus management measures.
- 6.19 Where the setback requirements cannot be met due to insufficient lot depth or the existence of terrain or soils conditions which make other locations on the lot more suitable, or where existing buffers or stormwater management practices do not satisfy the requirements outlined in this Plan, an overall net improvement shall be achieved through on-site phosphorus management measures.

- 6.20 A net reduction of phosphorus loading to the lake will be required for commercial redevelopment.

Over Threshold Waterbodies

Lot Creation – General

- 6.21 In general, no lot creation will be permitted on waterbodies identified as being Over Threshold unless the lot is connected to municipal water and sewer services.

Lot Creation - Moderate and Low Sensitivity Waterbodies

- 6.22 Notwithstanding Section 6.21, lot creation on private services may be permitted on waterbodies identified as being of moderate or low sensitivity where the Township of Muskoka Lakes has passed a municipal site alteration and tree preservation by-law and is prepared to implement the following requirements:

a) An amendment to the Official Plan will be required to implement specific development policy.

b) Lot creation may only proceed where a water quality impact assessment, undertaken and implemented to the satisfaction of the District of Muskoka and the Township of Muskoka Lakes demonstrates that development can proceed without impacting water quality and which outlines the circumstances under which development should occur.

c) The water quality impact assessment shall consist of the following main elements at a minimum:

Phase 1

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

Phase 2

i. Identification of recommended building and septic system (including the leaching bed) envelope and mitigation measures, including but not limited to, detailed construction mitigation plans, shoreline setbacks and buffers, measures for protecting natural vegetation, and stormwater management;

ii. Monitoring will be required to confirm that the vegetative buffer and stormwater mitigation measures are in place until such time as construction is complete and an occupancy permit is issued, and on an annual basis until such time as the waterbody is no longer considered to be Over Threshold;

iii. The use of a septic system with soils that have a demonstrated ability to effectively eliminate phosphorus; and

iv. The recommendations of such a report and the monitoring and septic system requirements will be implemented through the official plan amendment and in the zoning amendment and Section 51(26) (subdivision, condominium or consent) agreements and site plan agreements.

A detailed terms of reference is contained in Appendix J of the District Plan.

7 Natural Areas

7.1 All major development, including commercial, industrial and institutional development, shall be required to submit an Environmental Impact Study (EIS) as part of the application process, to the satisfaction of the Township. Requirements of an EIS are detailed in Section F.

7.2 Natural features and areas shall be protected for the long term.

7.3 Development and site alteration shall not be permitted in:

- a) Significant habitat of endangered species and threatened species;
- b) Significant wetlands; and
- c) Adjacent lands to the natural heritage features identified above unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts.

7.4 Development and site alteration shall not be permitted in:

- a) Significant areas of natural and scientific interest;
- b) Significant wildlife habitat, including deer wintering areas; and
- c) Adjacent lands to the natural heritage features identified above.

unless it has been demonstrated that there will be no negative impacts on the natural features or their ecological functions.

7.5 Where development and site alteration is permitted in deer wintering areas the following development standards shall be implemented:

- a) a minimum water frontage of 30 metres (100 feet);

- b) where possible, a setback from the water of 30 metres (100 feet) for all habitable space; and,
 - c) the maintenance of significant conifer vegetation for cover and food.
- 7.6 Development and site alteration shall not be permitted in significant fish habitat except in accordance with provincial and federal requirements.
- 7.7 Applications for development immediately adjacent to fisheries areas may be permitted subject to consideration and appropriate utilization of development control techniques such as an implementing zoning by-law, site plan control, and/or subdivision control to ensure the impacts of the development are minimized.
- 7.8 Generally Wetland areas in the Urban Centres are designated as Environmental Protection on Schedules G1 and G2.
- 7.9 Development is not permitted within Environmental Protection areas or other regionally and locally significant wetlands as confirmed by site inspection or Environmental Impact Study (EIS) where required by the Township.
- 7.10 Development adjacent to Environmental Protection wetland areas may be permitted, provided that it does not result in any of the following:
- i) loss of wetland functions;
 - ii) subsequent demand for future development which will negatively impact on existing wetland functions;
 - iii) conflict with existing site-specific wetland management practices; and
 - iv) loss of contiguous wetland area.
- The Township shall require that a proponent prepare an Environmental Impact Study addressing the above.
- 7.11 In assessing the impact of proposed development upon a wetland, the Township may consult with the Ministry of Natural Resources and other agencies.

8 Areas of Use Limitation

- 8.1 Areas of Use Limitation are areas with constraints to development that may be addressed through engineering and other technical support. The following areas are classified as Areas of Use Limitations:
- a) lands subject to periodic or seasonal flooding;

- b) slopes steeper than 20%;
- c) areas of erosion or slope instability; and
- d) narrow waterbodies.

All major development, including commercial, industrial and institutional development, shall be required to submit an Environmental Impact Study (EIS) as part of the application process, to the satisfaction of the Township. Requirements of an EIS are detailed in Section F. Development of fewer than three lots may, at the discretion of the Township, be required to submit an EIS to the satisfaction of the Township.

- 8.2 Specific land shall be identified as part of an Area of Use Limitation only after a site inspection by the appropriate authorities.
- 8.3 Development and site alteration shall generally not be permitted on lands subject to periodic or seasonal flooding. Such lands shall be zoned, based on available flood elevation data and regulations, to prohibit new development, except for appropriate shoreline structures.
- 8.4 Public or private works may be considered on lands prone to flooding where sufficient technical information is provided in a technical report to the satisfaction of the Township including the following:
 - a) identification of lands prone to flooding;
 - b) confirmation that development is outside the floodway;
 - c) confirmation that development can be adequately flood protected; and,
 - d) confirmation that any filling, channelization, or construction would not result in adverse impacts or significantly impact flows.
- 8.5 Development restrictions will apply within the regional/regulatory floodline where this has been identified.
- 8.6 For steep slopes >20% and <40%, existing vegetation should be substantially retained on all slope faces. If vegetation cannot be substantially retained, then an Environmental Impact Study (EIS) that addresses specific mitigation measures shall be required by the Township to address the visual and environmental integrity of such lands, among other matters.
- 8.7 For steep slopes >40%, an Environmental Impact Study (EIS) that addresses specific mitigation measures shall be required to the satisfaction of the Township. Where required, engineering evaluations must be provided to

demonstrate how the constraint will be addressed. A Servicing Report may also be required to demonstrate how the site can be adequately serviced.

- 8.8 Building setbacks may be established from the margins of an Area of Use Limitation if, in the opinion of the Township or the authority having jurisdiction, the extent or severity of the constraint warrants it. All development within an Area of Use Limitation shall be integrated into the landscape while protecting and/or enhancing the natural feature, where possible.
- 8.9 A Narrow Waterbody shall generally be defined as an area where the minimum general distance from shoreline to shoreline is 150 metres (500 feet).

Where development is proposed fronting on to a narrow waterbody, lot frontages shall be increased up to two times the normal minimum frontage permitted in consideration of the severity of the narrowness of the channel and upon having regard to the impact of the development on such matters as density, water quality, navigation, aesthetics and channel congestion amongst others. Any increase in frontage will be substantial to address the aforementioned concerns. The length of docks may also be restricted.

9 Resources

- 9.1 Development in the Urban Centres is not constrained by the presence of agricultural lands around the boundaries of the centres.
- 9.2 The Urban Centres do not contain high quality aggregate resources that are required for future extraction, as such, development is not constrained by the need to identify or protect such resources.
- 9.3 The shorelines of the Urban Centres are valuable natural resources that help identify the character of the centres. Development located on the waterfront shall be subject to a tree preservation and site alteration by-law.

10 Separation of Uses

- 10.1 Where development is proposed adjacent to a public sewage treatment plant the land immediately adjacent to the plant shall be restricted in its use and location. The setback shall be a minimum of 200 metres (660 feet).
- 10.2 Development located adjacent to sanitary sewage disposal facilities, including sewage lagoons, will generally be discouraged. Development will be generally limited to passive recreation and open space uses. Where development is proposed, the following setbacks shall apply:
- Sanitary sewage disposal site (other than residential): 150 metres (500 ft)
 - Sanitary sewage disposal site (residential use): 200 metres (660 ft)

- Waste stabilization ponds (all uses): 400 metres (1320 ft)
- Hauled sewage lagoon (all uses): 400 metres (1320 ft)

10.3 Development within 1000 metres (3,280 feet) of a municipal water supply intake or municipal sanitary sewage outfall is not permitted unless the District of Muskoka is satisfied that the proposal will have no detrimental impact on the municipal servicing system. Where necessary the proponent will provide sufficient data to demonstrate no impact. Changes in land use within 1000 metres (3,280 feet) of a municipal water supply intake or municipal sanitary sewage outfall will be monitored.

11 Residential Development Policies

11.1 General

- 11.1.1 Areas designated for residential development have been identified on Schedules G1 and G2.
- 11.1.2 While the predominant form of housing will continue to be single detached, a variety of residential land uses and densities may be accommodated within the Urban Centres including low density, medium density and high density.
- 11.1.3 Lots that front on the water have a similar character to shoreline development in the adjacent Waterfront land use designation. To maintain this character, lot sizes shall generally be larger for these shoreline lots than standard "town" lots that do not front on the water. Where the lots are of sufficient size, sleeping cabins may also be permitted.
- 11.1.4 Affordable housing is a much needed resource in the Township. Every effort will be made to encourage the development of affordable housing.
- 11.1.5 Site Plan Control shall be required for all major development and redevelopment and all waterfront lots.
- 11.1.6 Alternative forms of housing are in short supply in the Township. The development of multiple unit residential projects shall be encouraged.
- 11.1.7 All major development, shall be required to submit an Environmental Impact Study (EIS) as part of the application process, to the satisfaction of the Township. Requirements of an EIS are detailed in Section F.
- 11.1.8 All large scale development proceeding by plan of subdivision shall proceed in phases. Where deemed appropriate by Muskoka and the Township, a holding "H" symbol will be applied to the zoning of any phases of development beyond the first phase. The holding provision may be removed, subject to the following being satisfied:

- i) confirmation that the preceding phase is substantially under construction or elements of future phases are directly related to the built space previously constructed;
- ii) confirmation from Muskoka of the availability of sufficient municipal water and sewer capacity to service each individual phase;\
- iii) completion of, or receipt of securities to complete, necessary infrastructure improvements; and
- iv) completion of, or receipt of securities to complete, necessary infrastructure improvements; and
- v) receipt of satisfactory site plans and agreements.

11.2 *Low Density Residential*

- 11.2.1 Low density residential uses consist of single detached residential dwellings, and may include secondary dwelling units.
- 11.2.2 Greater minimum lot areas and frontage may be required where soil, water quality or terrain constraints dictate a larger lot size.
- 11.2.3 In general, the following minimum new lot standards will be required for new single detached dwellings:

	Lot Area	Lot Frontage
Sewer & Water	511 sq m (5,500 square feet)	15 m (50 feet)

No lot area shall be greater than 789 sq.m. (8,500 sq.ft.) or have a lot frontage greater than 22 metres (75 feet). Consideration will be given to lot areas larger than the maximum where terrain constraints warrant a larger lot size.

- 11.2.4 Individual lot frontages and areas in a plan of subdivision may be less than the minimum stated above where the physical nature of the site warrants such a reduction, provided that the average frontage and area of all residential lots within a plan of subdivision shall not be less than those stated above. Reduced lot frontages and areas may not be permitted for lots with water frontage.
- 11.2.5 In the case where municipal services are not presently available but are anticipated, residential lots should be of an appropriate size and buildings should be located in such a manner that the splitting of the respective lots in the future will be possible in order to create additional lots when servicing becomes available. To facilitate the splitting of lots, principal buildings should be sited on one-half of the lot.

11.2.6 Existing vacant lots of record that do not meet the minimum standards noted above may be developed for single detached residential uses provided the lots can be adequately serviced, there is adequate lot area for parking, and the required building setbacks can be adhered to.

11.3 Multiple Residential

11.3.1 Multiple residential development shall only be permitted on fully serviced land and includes medium and high density development.

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

11.3.3 All multiple unit residential development and redevelopment shall be subject to Site Plan Control.

11.3.4 Medium Density Residential

11.3.5 Medium density residential development generally consists of, townhouses, duplexes and semi-detached dwellings. Secondary dwelling units shall be permitted in semi-detached dwellings.

11.3.6 Duplexes may be permitted on lots with a minimum of 20 metres (66 feet) of frontage.

11.3.7 Semi-detached dwellings may be located on lots with a minimum of 30 metres (100 feet) of frontage, with each dwelling having a minimum frontage of 15 metres (50 feet).

11.3.8 Other forms of medium density residential development should be:

- a) encouraged to locate where direct access to a major public road is available;
- b) located in close proximity to public open space, or alternatively provide adequate on-site outdoor recreational facilities;
- c) located in close proximity to commercial facilities; and
- d) encourage to locate in close proximity to institutional uses/facilities.

11.3.9 Medium density residential development shall not exceed 12 units per gross acre (30 per gross ha).

11.3.10 No single structure in a medium density residential development shall exceed 12 units.

- 11.3.11 Medium density residential uses may be permitted on shoreline property in close proximity to the Core Commercial areas.
- 11.3.12 High Density Residential
- 11.3.13 High density residential development generally consists of low profile walk-up apartments or condominiums, or similar kinds of multiple dwelling units.
- 11.3.14 High density residential development shall only be permitted on full municipal services.
- 11.3.15 High density residential development shall have regard for the following:
- a) encouraged to locate where direct access to a major public road is available, and/or public transportation;
 - b) sites that are well suited to a low building coverage and higher density because of the physical attributes of the site;
 - c) proximity of other high density uses;
 - d) impact on overall traffic network;
 - e) located in close proximity to public open space, or alternatively provide adequate on-site outdoor recreational facilities;
 - f) compatibility with adjacent land uses;
 - g) located in close proximity to commercial services; and
 - h) encourage to locate in close proximity to institutional uses/facilities such as schools.
- 11.3.16 It is likely that high density development in the Township of Muskoka Lakes will be very limited. As such, it is important that a high density development considers the area in which it will locate and determines how to best fit within that area of historically low density development. The following transition policies may apply to high density development:
- Increased buffering requirements;
 - Consideration given to siting of building on property so as to minimize impact to adjacent development; and
 - Increased setbacks where development is adjacent to single detached residential as defined in an implementing zoning by-law, where appropriate and feasible.

- 11.3.17 High density residential development shall not exceed 24 units per gross acre (60 units per gross ha).
- 11.3.18 High density residential uses shall not be permitted along the waterfront.
- 11.3.19 The permitted height of any high density structure will be appropriate to the intensity of the development and will generally not exceed the tree canopy.

11.4 Residential Intensification

- 11.4.1 Intensification on existing full municipal services is encouraged.
- 11.4.2 Intensification may take the form of reduced lot sizes, infilling, increased densities, secondary dwelling units, and conversion of dwellings.
- 11.4.3 Secondary dwelling units or a conversion of a single detached dwelling to a duplex (change in the number of dwelling units in a structure) may be recognized subject to the following:
 - a) each dwelling unit shall maintain a suitable area within the converted structure;
 - b) any expansion of a structure must provide adequate front, side and rear yards to protect neighbouring residences;
 - c) adequate off-street parking for residents and guests must be provided for each dwelling unit; and
 - d) an adequate municipal sewer and water services is available to the property.
- 11.4.4 Intensification may also occur as part of a mixed use development, provided the applicable commercial development policies are satisfied.
- 11.4.5 Infilling will be considered for vacant lots of record, and lots smaller than permitted, providing the development is generally compatible with the surrounding uses.

11.5 Group Homes

- 11.5.1 For the purposes of this section:
 - a) A residential group home consists of between three (3) and six (6) residents living on a long term basis in a single housekeeping unit under responsible supervision consistent with the requirements of its residents. A residential group home is licensed under senior government legislation.
 - b) A treatment or rehabilitation group home consists of a dwelling or institution licensed, approved or supervised for treatment or rehabilitation,

in which between three (3) and six (6) residents live on a more or less temporary basis as a single housekeeping unit under responsible supervision. A treatment or rehabilitation group home is licensed under senior government legislation.

c) Detention facilities of any type are not classified as group homes.

11.5.2 Group homes that provide residential accommodation to a small number of residents and which will not have significant impacts on the surrounding community shall be permitted.

11.5.3 Larger group homes, or those providing a treatment or rehabilitation function, or detention facilities shall be considered as institutional in nature and will require both zoning and official plan amendments prior to being established in the Urban Centres.

11.5.4 In general, the number of residents in a group home shall be appropriate to the size of the dwelling in which the group home is operating. In this regard, the principle of each person being provided with a private bedroom is encouraged and will ensure that occupancy in the home will approximate the occupancy in the neighbourhood in which such a home is located.

11.6 *Home - Based Business*

11.6.1 The zoning by-law will restrict the range of home-based businesses permitted. The permitted home-based businesses include:

- professional/personal services
- artisans/studios
- day care
- bed and breakfast
- repair services (excluding vehicles, water crafts, heavy equipment, and aircraft repair).

11.6.2 A home-based business can be conducted from a single detached dwelling on the lands including an accessory building no larger than 23 sq.m. (250 square feet). Larger buildings may be considered but only after an exemption to the by-law has been granted.

11.6.3 A home-based business shall only be conducted by those persons who occupy the dwelling on a permanent basis. An exception may be granted in the case of an artisan studio that is run by someone from outside the residence as long as there is no negative impact to the surrounding area and the main function of the property remains as residential.

11.6.4 There shall be no significant impact on parking and traffic created by the home-based business.

11.6.5 The residential character of the property shall be maintained.

11.6.6 There shall be no outside storage of goods or materials related to the home-based business.

11.7 Rooming Houses

11.7.1 A dwelling used primarily by persons who are renting rooms shall be a Rooming House. The implementing zoning by-law will define Rooming Houses.

11.7.2 Small Rooming Houses utilizing three bedrooms or less shall be permitted in all zones which permit residential dwellings.

11.7.3 Large Rooming Houses (exceeding three bedrooms) shall be permitted in all zones which permit residential dwellings subject to locational criteria detailed in an implementing zoning by-law consisting of, but not necessarily limited to:

- Maximum gross floor area of 275 sq.m. (3000 sq. ft.),
- Maximum of five bedrooms,
- Minimum and maximum size bedrooms,
- Minimum number of parking spaces,
- Minimum landscaped area,
- Increased / enhanced setbacks from property lines,
- Buffer areas,
- Minimum distance separation between large rooming houses,
- Enlarged minimum lot sizes.

11.7.4 All large Rooming Houses shall be subject to site plan control.

11.7.5 In conjunction with zoning provisions for large Rooming Houses, a Licensing By-law pursuant to the Municipal Act will address safety concerns for neighbours and users of these residences. The matters to be addressed include, but not necessarily limited to:

- Fire,
- Property Standards,
- Electrical,
- Building Code,
- Health,
- Fencing,
- Regular inspections.

12 Commercial Development Policies

12.1 General

- 12.1.1 Areas designated for commercial development have been identified on Schedules G1 and G2.
- 12.1.2 Commercial development in the Urban Centres can generally take one of three forms: Core Commercial; Highway Commercial or Resort Commercial. All lands designated commercial, including marinas and all commercial components of resorts or highway commercial mixed use developments shall be referred to as the Employment Areas of the Township.
- 12.1.3 The conversion of Employment Areas to Non-Employment Areas, may be permitted through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.
- 12.1.4 Temporary Commercial Vehicles: The integrity of existing commercial operations in the Township is recognized. Temporary commercial vehicles can provide services that may not be readily available in the immediate area. Prior to the operation of a refreshment vehicle, a license must be obtained from the Township pursuant to the Municipal Act, S.O. 2001, c.25. An application for a license must be accompanied by an accurate site plan showing the location of buildings and parking areas on the property, in addition to the location of the vehicle. Such a refreshment vehicle will not create a deficit in parking for the existing use, will comply with the setbacks for the applicable zone and will not interfere with gainful ingress and egress.
- 12.1.5 The shoreline area in front of commercial uses that abut the waterfront should be enhanced and upgraded, and, where feasible, designed to provide public access.
- 12.1.6 Private docking facilities for transient use should be developed along the shoreline to provide improved access to the Urban Centres.
- 12.1.7 Marina services along the waterfront are important uses in the Urban Centres. Long term boat storage uses should be located away from the waterfront, to encourage more intensive use of the properties and the integration of these properties with surrounding commercial uses.
- 12.1.8 All commercial development is subject to Site Plan Control.
- 12.1.9 Staff housing shall be encouraged for all commercial development. The staff housing will enable commercial businesses to attract skilled and qualified workers to the area by providing housing options.

- 12.1.10 All commercial development shall be designed with the needs of the accessibly challenged in mind. This may include the requirement for ramps and accessible parking spaces.
- 12.1.11 Active transportation provisions will be encouraged for all commercial development.
- 12.1.12 The preparation of an Environmental Impact Study shall be required for all major development in Urban Centres. Requirements of an EIS are detailed in Section F.
- 12.1.13 A Servicing Report shall be prepared, to the satisfaction of the Township, for all major development as justification for a proposed project.

12.2 *Core Commercial*

- 12.2.1 Lands designated Core Commercial are intended to function as the primary retail and service commercial centre as well as the focus for administrative, cultural and recreational activity for the community.
- 12.2.2 The predominant use of land in this designation shall be for retail and general commercial activities, including offices, dining establishments, places of entertainment. Resort commercial uses, hotels and motels and marinas are also recognized.
- 12.2.3 The commercial designation may include residential uses provided they are secondary to a permitted commercial use, and are located either to the rear of the building or on upper storeys.
- 12.2.4 Specific lot provisions shall be established in the zoning by-law. Few lot provisions have been included herein due to the variety in type and location of permitted commercial uses.
- 12.2.5 Commercial uses shall provide adequate off street parking and loading facilities where feasible. Alternatively, the Township may require as a condition of development, a cash contribution toward the development of parking facilities in the core commercial area. To allow a higher density of development in the core area, parking may be provided in an area physically removed from the commercial use and, when in the opinion of the Township it is justified, reduced parking standards may be allowed.
- 12.2.6 Vehicular access points (driveways) shall be limited in number and designed in a manner that will minimize danger to vehicular and pedestrian traffic.
- 12.2.7 The buildings containing commercial uses shall be designed and any lighting or signs so arranged as to blend in with the desired character of adjacent uses.

12.2.8 Where lots abut the shoreline, buildings will be encouraged, where possible, to have an orientation to both the street and the shoreline.

12.2.9 Commercial development should be encouraged to locate downtown, where possible.

12.3 Highway Commercial

12.3.1 Lands designated Highway Commercial are intended to provide commercial services and facilities to the travelling public or to accommodate commercial activities which may not be conveniently located in the core, which require extensive land areas for buildings, parking and storage areas.

12.3.2 Uses will include such uses as automotive and marine sales and services establishments, gas stations, motels, building supply centres, garden centres, and contractor's yards.

12.3.3 Direct access to major public roads is required for new highway commercial uses. Driveways shall be limited in number and designed in a manner that will minimize danger to vehicular and pedestrian traffic.

12.3.4 Highway commercial uses should, in general, be limited to lots of large size having generous frontage on a major street.

12.3.5 The zoning by-law shall establish appropriate minimum lot requirements, including setbacks and landscaped buffers.

12.3.6 Adequate buffering between commercial uses and residential, open space, institutional or recreational uses shall be provided where necessary.

12.3.7 Where necessary, permits and setback requirements of the Ministry of Transportation shall be adhered to.

12.3.8 The design of highway commercial development should be integrated with the balance of the community, to reflect the character of the local area.

12.3.9 Open storage shall be encouraged to be located to the rear of the buildings or uses. If it cannot be located to the rear of the building, an appropriate buffer will be required.

12.3.10 Landscaping, to blend the building into the natural setting, shall be encouraged.

12.4 *Mixed Use Areas*

- 12.4.1 Lands designated as Mixed Use Areas as identified on Schedule G2 are intended to provide opportunities for affordable housing, intensification, and commercial activities in proximity to the core commercial area.
- 12.4.2 Highway Commercial and Medium Density Residential uses are permitted in accordance with all applicable policies in this Plan provided that the commercial component proceeds prior to the residential component. A broader range of other commercial uses that would be compatible with medium density residential development will also be considered.
- 12.4.3 Medium density residential uses shall be permitted in the Mixed Use Areas at a density that does not exceed 12 units per gross acre (30 units per gross hectare) provided that the site is serviced by full municipal services.

12.5 *Resort Commercial*

- 12.5.1 Lands designated Resort Commercial are intended to provide for those commercial uses which provide lodging and accommodation for the vacationing public. The existing resorts are an integral part of the character of the Urban Centres.
- 12.5.2 Medium and high density residential development may be permitted as an integral part of a resort commercial development, provided the site is serviced by piped municipal water and sewer facilities. Medium and high density residential development shall be consistent with those policies in Section 11.3.4 to 11.3.19.
- 12.5.3 In no instance will the residential component of a resort facility exceed 50% of the total number of units on the property.
- 12.5.4 Residential uses located on resort properties will generally be most dense in the centre of the property. To be more compatible with bordering residential properties, the densities shall be less at property boundaries directly abutting the residential development.
- 12.5.5 Integrated recreational facilities shall be encouraged as an important component of any resort commercial development.
- 12.5.6 Public use of resort facilities, particularly recreational and docking facilities, is encouraged. Joint use agreements should be considered as part of any redevelopment of resort properties.
- 12.5.7 Where a resort development has commercial and residential land use components, the commercial component must be constructed prior to that of the

residential component. The commercial component shall be the main focus of the development in terms of scale of structural development and size of the land base.

- 12.5.8 Resorts are primarily for the travelling and vacationing public and shall remain as such.
- 12.5.9 To help foster year round resort opportunities, fractional ownership will be permitted. Where a fractional ownership project is proposed the units will be considered commercial and not residential and are to be available for the travelling public. The Township may require copies of a Resort Owners Agreement and Agreements of Purchase and Sale to ensure they are commercial operations. All fractions for a unit cannot be purchased by one individual or entity.
- 12.5.10 The commercial component of the resort operation will be operated under on-site central management for profit.

12.6 Marinas

- 12.6.1 New marina development shall meet the following minimum lot requirements:
- a) a lot area of 0.5 hectares (1.2 acres);
 - b) a water frontage of 60 metres (200 feet); and,
 - c) a natural buffer to ensure compatibility with adjacent residential uses; and,
 - d) increased setbacks for boat storage facilities located on land.
- 12.6.2 Marinas shall be encouraged to expand in a manner to provide additional boat storage thereby alleviating the pressure for docking facilities.

13 Industrial Development Policies

- 13.1 The primary use of land in areas designated Industrial shall be for light industrial uses generally related to serving the surrounding community. Such uses may include processing, manufacturing, assembly of materials, contractor's yards, and warehousing.
- 13.2 Commercial uses may be located, provided they are secondary and incidental to a permitted industrial use.
- 13.3 Industrial uses shall be located where direct access and frontage to a public, open and maintained road is available.

- 13.4 Adequate buffering between industrial uses and residential, open space or recreational uses shall be provided.
- 13.5 Industrial uses shall provide adequate off street parking and loading facilities. In addition, driveways shall be limited in number and designed in a manner that will minimize danger to vehicular and pedestrian traffic.
- 13.6 Buildings shall be so designed, and lighting and signs so arranged, as to conform with the desired character of adjacent uses.
- 13.7 When such uses front onto a public road, an element of landscaping between the road and the building shall be required.
- 13.8 Open storage shall be encouraged to be located to the rear of the buildings or uses. If it cannot be located to the rear of the building, a landscaped buffer will be required.
- 13.9 Regard shall be had for the Separation Guidelines of the Ministry of the Environment.
- 13.10 All lands designated Industrial shall be referred to as the Employment Areas of the Township.
- 13.11 The conversion of Employment Areas to Non-Employment Areas, may be permitted through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.
- 13.12 All industrial development is subject to Site Plan Control.
- 13.13 Staff housing shall be encouraged for all industrial development. The staff housing will enable industrial businesses to attract skilled and qualified workers to the area by providing housing options.
- 13.14 All industrial development shall be designed with the needs of the accessibly challenged in mind. This may include the requirement for ramps and accessible parking spaces.
- 13.15 Active transportation provisions will be encouraged for all industrial development.
- 13.16 An Archaeological Assessment, prepared by a professional licensed to conduct such work, shall be required for all major development, including all major Municipal infrastructure projects, located in and/or adjacent to a cultural heritage area, or as noted in the Muskoka Archaeological Master Plan.

- 13.17 All industrial development shall be required to submit an Environmental Impact Study (EIS) as part of the application process, to the satisfaction of the Township. Requirements of an EIS are detailed in Section F.
- 13.18 A Servicing Report shall be prepared, to the satisfaction of the Township, for all major development as justification for a proposed project whether on private or public services.
- 13.19 New Industrial uses are not permitted along the waterfront.

14 Open Space and Institutional Development Policies

- 14.1 Open Space and small scale institutional uses may be permitted in other land use designations (e.g. residential, commercial and industrial), provided they are recognized in an implementing zoning by-law.
- 14.2 Existing large scale institutional or open space uses have been separately designated in Schedules G1 and G2.
- 14.3 New large scale institutional uses proposed to be located in a residential designation shall require an amendment to the Official Plan and Site Plan Control, to ensure full review of the implications of the development and consideration of appropriate site development standards. Large scale institutional uses are considered to be those which are substantially out of character with land uses in the surrounding areas, taking into account such elements as the building area and height, building coverage, traffic and parking requirements.
- 14.4 Open Space uses may include parks, and other open areas which may or may not be devoted to public use. A golf course is not a permitted use in any urban centre unless accessory to a resort commercial use.
- 14.5 Where development is proposed that includes a new or expanded golf course, the following issues will be addressed to the satisfaction of the Township of Muskoka Lakes and the District of Muskoka:
- a) Water Quality;
 - b) Protection of shorelines;
 - c) Impact of Heritage Areas and Provincially Significant wetlands; and
 - d) Access as it relates to Township and District facilities.
- 14.6 Due to potential of water quality impact, detailed water quality monitoring will be required. This will involve monitoring during construction, as well as during

golf course operation. Such monitoring reports will be peer reviewed by the Township of Muskoka Lakes.

- 14.7 Institutional uses may include municipal facilities, churches, schools, service clubs, etc.
- 14.8 Open Space uses should be distributed throughout the community in such a way that all types of recreational areas are available within a reasonable distance of residential areas.
- 14.9 In conjunction with the recommendations contained in the Township Parks Master Plan, 1991, completed by Marshall, Macklin, Monaghan Ltd., lands developed for parks purposes shall be consolidated into acreage of sufficient size to become a neighbourhood park. Small parkettes will also be encouraged. It is preferable that lands for park purposes be linked to facilitate pedestrian travel.
- 14.10 Where lands under private ownership are designated as Open Space, this plan shall not be construed to imply that such lands will necessarily be purchased by the municipality nor necessarily available for public use. If at any time, proposals are made to develop any such lands, and the municipality does not wish to acquire them in order to develop or maintain the Open Space, then an application for the redesignation of the lands for other purposes will be given due consideration by the Township.
- 14.11 As a condition of development or redevelopment of land, parkland dedications as authorized under the Planning Act shall be conveyed to the Township for park or other public recreational purposes.
- 14.12 Alternatively, the Township may accept a cash-in-lieu contribution for parkland, where it is determined that a park dedication is not appropriate or in the interests of the Township.
- 14.13 All community buildings, which include, but are not limited to, community centres, arenas and municipal offices, shall be accessible to persons with disabilities while having regard for The Ontarians With Disabilities Act, 2005.

15 Recreational Trails

- 15.1 In order to enhance the potential for a network of linked trails throughout the Township, regard will be had for the development and preservation of such a network when evaluating development proposals for the Urban Centres. Pathways for the purpose of hiking and cycling are encouraged along all publicly maintained roads.

- 15.2 Where deemed appropriate by the Township, the 5% parkland dedication may be used to acquire land for a linked trail system.
- 15.3 Development of trail systems along the shoreline of the Urban Centre will be encouraged.
- 15.4 The connectivity of a public trail system throughout the Township should be encouraged. Lands shall be deeded to the Township where appropriate and where outlined in a Parks Master Plan. This could include trails for walking, biking, snowmobiling, cross country skiing, or hiking, and may be located across public lands or publicly maintained year round roads.
- 15.5 The Township of Muskoka Lakes encourages active transportation as a way to ensure healthy communities.

16 Shoreline Areas

- 16.1 Public access to and from the water shall be preserved and improved. These access points shall only be used for recreation purposes and short term uses and should not provide access and parking for cottage residents accessing properties for long term stays.
- 16.2 Shoreline development shall occur on lots larger than lots without water frontage. Where the shoreline development in the Urban Centre designation is in proximity to the shoreline development in the Waterfront designation the lot frontages shall be increased to be more compatible with those in the Waterfront designation.
- 16.3 Development impacting shoreline areas will be compatible both in scale and architectural style with the existing character of development in the Urban Centre. Density of development on a lot with water frontage in a residential designation shall be less than permitted on lots without waterfront frontage.
- 16.4 A minimum 20 metre (66 feet) setback from any shoreline will be required for all development, excluding shoreline structures. Where this setback cannot be achieved, a lesser setback may be considered where on-site phosphorus management is implemented and in the following circumstances:
- Sufficient lot depth is not available;
 - Terrain or soil conditions exist which make other locations on the lot more suitable;
 - The proposal is for an addition to an existing building or replacement of a leaching bed where the setback is not further reduced;

- Redevelopment is proposed on an existing lot and a net improvement is achieved; or,
- The lot is located within an Urban Centre and a net improvement over the existing situation is achieved.

16.5 A minimum 30 metre (100 feet) setback from any shoreline will be required for leaching beds. Where this is not feasible, on-site phosphorus management will be required.

17 Shoreline Structures

17.1 Prior to development on shorelines, necessary approvals shall be obtained from the appropriate authority. Shoreline structures most commonly include docks and boathouses. Filling, dredging, and shoreline alteration is discouraged. Any approved artificial increase in water frontage or lot area shall not confer additional development rights.

17.2 Standards regulating shoreline structures shall be detailed in the implementing comprehensive zoning by-law.

17.3 Buildings, structures, or works extending beyond the normal or controlled high water mark or located at the shoreline shall be designed and located in a suitable manner so as to have regard for the following matters:

- a) critical fish and wildlife habitat;
- b) the natural flow of water;
- c) potential damage from flood and ice heaving;
- d) privacy; and,
- e) other shoreline, resource development, and environmental policies.

17.4 To maintain a balance of natural and built form, the maximum cumulative width of shoreline structures, including all docks, shall be the lesser of 25 percent or 23 metres (75 feet) of the lot's water frontage, with the exception of the following:

- a) waterfront landings which shall be limited to 25 percent;
- b) waterfront contractors which shall be limited to 25 percent;
- c) resort properties which shall be limited to 25 percent;

- d) marinas which shall be limited to 75 percent; and,
 - e) large residential properties with severance potential, as determined by the Township, which shall generally be limited to 25 percent per minimum water frontage on potential lots.
- 17.5 Shoreline structures shall not impede the immediate view of surrounding properties, as defined by the extension of property lines onto the water.
- 17.6 The primary use of docks is for the docking and berthing of boats as well as access to the lake for swimming. Large docks, used as decks over the water, shall be discouraged.

Boathouses and Boatports

- 17.7 New two-storey boathouses shall generally meet the following requirements:
- a) located on Category 1 Lakes, provided the structure is not located on a narrow waterbody and significant fish habitat is protected, as defined in this Plan;
 - b) located on a lot with a minimum water frontage of 90 metres (300 feet);
 - c) may include a second floor structure not exceeding the floor area permitted for a sleeping cabin;
 - d) may include a covered deck up to 23 square metres (250 square feet); and,
 - e) an increased setback from the projected side lot line.
- 17.8 New single-storey boathouses and boatports shall generally meet the following requirements:
- a) located on Category 1, Category 2 or Category 4 Lakes, provided significant fish habitat is protected, as defined in this Plan;
 - b) located on a lot with a minimum water frontage of 30 metres (100 feet); and,
 - c) an increased setback from the projected lot line where a roof is for a sundeck.

18 Specific Policies for Bala

- 18.1 The boundaries of Bala reflect the terrain features of the community as well as its traditional development pattern. Areas for new development and uses have been identified within the boundaries.
- 18.2 Development will conform with the land use designations established for Bala on Schedule G1.

- 18.3 Infilling within the existing community will be required to fully utilize serviced land areas. Residential conversions and smaller lot infilling will be allowed provided adequate servicing can be provided.
- 18.4 The character of Bala is linked to its relationship with the surrounding waterbodies. The rivers and canals, and waterfalls in the centre of the community are a major resource and attraction to the community.
- 18.5 Private and public development and redevelopment activities should enhance pedestrian access throughout Bala. An integrated walkway system throughout the core area of Bala should be developed, linking the waterfront areas with the parks and open space system as well as the core commercial area.
- 18.6 Improved access to the commercial core of Bala from the water by way of increased dockage, access points to the water and linkages along the water is encouraged.
- 18.7 The area along River Street is recognized as having potential for commercial development on a small scale with access by both road and water.
- 18.8 The focus of Bala will continue to be within the commercial core, primarily Bala Falls Road and Highway 169 from Bala Falls Road to Maple Street. Retail commercial, in particular, will be encouraged within this area. Apart from infilling, growth of the Commercial Core is anticipated on the east side of Highway 169 between Gordon Street and Burgess Avenue.
- 18.9 Tourist Commercial Establishments shall be encouraged to upgrade and expand.
- 18.10 Bala will continue to thrive as a major centre within the Township servicing as much of the needs as possible of the residents of the Urban Centre and surrounding area.
- 18.11 The compact development of the commercial core will encourage pedestrian travel.
- 18.12 Continued commercial and industrial growth north along the north side of Highway 169 is envisaged in the foreseeable future. It is anticipated that the users will not reduce the focus of the Urban Centre from the commercial core.
- 18.13 Lots 14 and 15, Concessions B and C (Medora) have been designated industrial due to their locational and terrain characteristics, availability of municipal water and sewer services, and proximity to a Provincial Highway. Industrial development on these lands would service the western and central areas of the Township.

- 18.14 With the recent upgrading of the existing municipal water and sewer services in Bala, it is anticipated that a wider range of housing will be available for the future. Medium and high density residential development is permitted and encouraged in Bala.
- 18.15 There are properties within Bala which front onto a navigable waterway where new lot division of properties do not require frontage on a year round publicly maintained road. This allows for intensification and greater utilization of the existing infrastructure. These properties are located on:
- i) Sutton Drive
 - ii) Ridge Road
 - iii) Walker Street (Manor Road)
 - iv) Highway 169 (east of Windsor Park)
- 18.16 Council shall endeavour to complete a detailed waterfront plan which will account for:
- i) access to the water,
 - ii) mooring facilities for boats,
 - iii) potential connections and linkages of properties for pedestrian travel along Lake Muskoka,
 - iv) accentuate the falls and the immediate Commercial Core as the focal point for Bala,
 - v) detail possible acquisition, dedication, or lease of waterfront lands,
 - vi) maintenance of historical features/buildings where possible.
- 18.17 Located adjacent to Lots 12 and 13, Concession B, are two areas identified in the Natural Heritage Evaluation of Muskoka as the Gaunt Bay and Upper Moon River A.C.P.F. (Atlantic Coastal Plain Flora). Development adjacent to these areas shall occur in such a manner as to minimize the impact on the values of the heritage area. An Environmental Impact Study may be required in order to specifically define the limits of the A.C.P.F. and to demonstrate that the proposed development will not negatively affect the A.C.P.F. The report should be prepared by a qualified biologist and should address, amongst other matters, the effects of shoreline alteration and the need to preserve the natural shoreline vegetation.
- 18.18 Commercial uses other than resort commercial uses, consistent with the uses permitted in the Core Commercial designation, shall be permitted on lands located in Lot 33, Concession VII (Bala) known as Cranberry House. Vegetation retention will be used to reduce the impact of redevelopment on neighbouring properties.

19 Specific Policies for Port Carling

- 19.1 The boundaries of Port Carling have been established to reflect current levels of development and to provide for future areas for development.
- 19.2 Development will conform with the land use designations established for Port Carling on Schedule G2.
- 19.3 The character of Port Carling is linked to its relationship with the Indian River. The preservation and continued development of the locks and the park in the centre of Port Carling is critical to maintaining that link between the urban area and the waterfront. Efforts to integrate this facility with the community are encouraged.
- 19.4 Improved access to Port Carling from the water by way of increased dockage, access points to the water and linkages along the water is encouraged.
- 19.5 As part of development and redevelopment activities, a shoreline pedestrian walkway system should be developed. As an initial phase, the sections from West Street to the Locks, and from the Locks to Greene Slate Inn should be included. In addition, the Township should work with residents to develop a waterfront trail system from Hanna Park to the Locks.
- 19.6 Streetscape improvements and private redevelopment in the core commercial area will focus on improving pedestrian access.
- 19.7 Continued intensification of commercial and residential uses in the core commercial area is encouraged.
- 19.8 Commercial redevelopment will reflect the character of the existing area. This can be accomplished by maintaining setbacks and landscaped front lawns between the road and the buildings, ensuring that parking is located to the rear of buildings, or offsite. Flexible lot and zone standards may also be used.
- 19.9 Development / redevelopment in the immediate vicinity of the locks and the Muskoka Lakes Museum shall reflect, as best possible, the historical aspects of these cultural features.
- 19.10 Upgraded private and public parking facilities are required throughout the commercial core. Redevelopment activities in Port Carling will address the need for adequate parking.
- 19.11 Improved access to existing parking facilities should be provided.

- 19.12 Port Carling will continue to thrive as a major centre within the Township servicing the needs of the residents of the Urban Centre and the surrounding area.
- 19.13 The focus of Port Carling will continue to be the commercial core along District Road #118 from midway between West Street and Ferndale Road (District Road #27) to Bailey Street. Retail commercial, in particular, will be encouraged within this area. Apart from infilling, the growth within the Commercial Core is anticipated between the Locks and Bailey Street.
- 19.14 The compact development of the Commercial Core will encourage pedestrian travel.
- 19.15 It is anticipated that the major growth areas in Port Carling, apart from infilling, will be in Lot 29, Concession III (Medora) for residential; and Lots 29 and 30, Concession V (Medora) and Lots 28, 29 and 30, Concession VI (Medora) for residential / resort commercial.
- 19.16 For the lands described as Part of Lot 6 and Part of Lots 7 and 8, Plan 1, (Port Carling), Parts 1 to 6, 9, 10, 14, 18, 19, 21, and 22, Plan 35R-18319, designated as Commercial Central Business District (Edenvale Inn) on Schedule G2, the following policies shall apply:
- i) Permitted Uses
Tourist Resort
Hotel
Motel
Includes food and beverage facilities.
 - ii) All development shall proceed on municipal water and sewer services. Any necessary upgrading will be provided at the cost of the proponent.
 - iii) All automobile parking will be provided on the street side of the proposed building at a size which will adequately service the building.
 - iv) Access points shall be limited in number and designed in a manner which will minimize hazards to pedestrian and motor traffic in the immediate area.
 - v) Automobile parking areas at grade will be adequately landscaped and screened from residential and institutional uses where appropriate.
 - vi) The maximum allowable density shall not exceed 50 units / acre.
- 19.17 For the lands described as Lot 6 and Part of Lots 7 and 8, Plan 1, (Port Carling), Parts 7, 8, 11 to 13, 15 to 17, 20, Plan 35R-18319, the following policies shall apply:

- i. The subject lands shall be permitted to contain entirely residential units, in accordance with the implementing zoning by-law;
 - ii. Adequate access for emergency vehicles must be maintained at all times;
 - iii. All lighting shall be directed inwards on the property and be Dark Sky friendly;
 - iv. Sufficient parking shall be provided on the property as required and detailed in the implementing zoning by-law; and
 - v. Any significant redevelopment of the property shall require the use of site plan control.
- 19.18 There are properties within Port Carling which front onto a navigable waterway where the division of these lots do not require frontage on a year round publicly maintained road. This allows for intensification and greater utilization of the existing infrastructure. These properties are located on:
- i) West Street
 - ii) Bailey Street
 - iii) Harris Street
 - iv) McMullen Drive
- 19.19 Council shall endeavour to complete a detailed waterfront plan which will account for:
- i) access to the water,
 - ii) mooring facilities for boats,
 - iii) potential connections and linkages of properties for pedestrian travel along the shore of the Indian River,
 - iv) accentuate the locks and the immediate Commercial Core as the focal point for Port Carling,
 - v) detail possible acquisition, dedication, or lease of waterfront lands,
 - vi) maintenance of historical features / buildings, where possible.
- 19.20 Council shall complete a Parking Plan for Port Carling. This will detail, among other things the parking areas to be improved, the need for parking, and alternative parking areas. Until such time that a plan is complete, greater encouragement to utilize existing parking facilities should be provided. Short term parking should be encouraged. Overnight parking and employee parking must be discouraged.

- 19.21 The Township may use the cash-in-lieu of parking provisions of the Planning Act, particularly in the area between Bailey Street and the bridge on Joseph Street, to ensure the adequate provision of parking in appropriate locations.
- 19.22 The entrance to Port Carling from Highway 118 to the east will be preserved with its current mix of residential and resort commercial uses. Highway commercial uses along this corridor are not permitted.
- 19.23 Resort commercial uses in Port Carling have evolved as inns rather than as large resorts, and function as integral parts of the community. The redevelopment and intensification of these resorts is encouraged.
- 19.24 A golf course and associated medium density residential uses shall be recognized as permitted uses in the Open Space designation on Lots 27, 28 and 29, Concession 7, Medora. The development of any new golf courses is not permitted unless accessory to a resort commercial use.
- 19.25 Additional land in Lot 32 and 33, Concession 2 and 3 and Part Lot 32 and 33, Concession 2 and 3, in the former Township of Medora, are included within the boundary of Port Carling to meet an identified need for residential and resort commercially designated land.

19.25.1 Tourist Commercial

For the lands described as Part Lot 32 and 33, Concessions 2 and 3, Medora (Anderson) designated as “Resort Commercial” and “Environmental Protection”, on Schedule G2 and further identified on Schedule G2B, development shall proceed in accordance with all applicable policies of this Plan except that only one accessory dwelling is permitted. In addition, where an extension of water and sewer services is required to service development, the developer shall finance such an extension. Development and site alteration shall not be permitted until an Environmental Impact Study (EIS) has demonstrated that the proposed development will not negatively impact the features and functions of a wetland located on the subject lands.

19.25.2 Existing Residential- South East Mirror Lake

For the lands described as Part Lot 32, Concession 2, Medora (South East Mirror Lake) designated as “Residential” on Schedule G2 and further identified on Schedule G2B, development shall proceed in accordance with all applicable policies of this Plan. In addition, the following policies shall apply:

19.25.2.1 Only single detached dwelling units shall be permitted.

19.25.2.2 In order to protect the character of the shoreline area on these lands, only Low Density residential development in accordance

with Section C.11.2 shall be permitted within the first 60 m (200 feet) beyond the shoreline area to the satisfaction of the Township.

- 19.25.2.3 In recognition of the location of these lots on the shoreline and in accordance with Policy C.16, lots abutting the shoreline shall have a minimum frontage of 30 metres (100 ft.).
- 19.25.2.4 The retention of natural vegetation along the shoreline shall be encouraged to protect and preserve the littoral zone. The role of natural vegetated shorelines in buffering water bodies from erosion, siltation and nutrient migration adjacent to the sensitive littoral zone is critical to the protection of water quality. The frontage of a lot will be maintained in natural state to a minimum of 75% natural shoreline and a depth of 20 m (66 ft.), shoreline setback area, where new lots are being created and where vacant lands are being developed.
- 19.25.2.5 This shoreline setback area will be retained or restored to a natural state using a mix of native trees and shrubs to effect and maintain a vegetative buffer which in addition to protecting the littoral zone, minimizes the visual impact of development from the water.
- 19.25.2.6 All new development shall be on municipal sewer and water services.

19.25.3 Residential – Former Glenwood Trailer Park

For the lands described as Part Lot 32 and 33, Concession 2 Medora (Former Glenwood Trailer Park) designated as “Residential (Former Glenwood Trailer Park)” on Schedule G2 and further identified on Schedule G2B, development shall proceed in accordance with all applicable policies of this Plan. In addition, the following policies shall apply:

- 19.25.3.1 Permitted Uses:
 - 19.25.3.1.1 Residential uses will predominate.
 - 19.25.3.1.2 Limited neighbourhood Commercial uses (such as a convenience store, personal service shop, club house with accessory food service) are also permitted. Such neighbourhood commercial uses will be located with direct access to the main access road, will be designed to be compatible with the surrounding residential neighbourhood and will be limited in size to a maximum of 465 square metres (5,000 square feet) gross floor area. Any

Neighbourhood Commercial use located in the Low Density area shall be restricted in size to 116 square metres.

19.25.3.1.3 The residential unit and boat storage building existing as of October 26th, 2010 may be retained and incorporated into the development.

19.25.3.2 **Servicing:**

19.25.3.2.1 All development shall be serviced by municipal sewer and water.

19.25.3.2.2 Where an extension of water and sewer services is required to service development, the developer shall finance such an extension.

19.25.3.3 **Roads/Access**

19.25.3.3.1 At least one public road, maintained year round, shall be provided and financed by the developer.

19.25.3.3.2 Despite Section C.5, other roads which connect to the main access road and which provide access to a limited amount of development as determined by the Township may be owned and maintained by a condominium corporation.

19.25.3.3.3 The rights afforded by existing rights-of-way shall be recognized and addressed in the development of these lands, including any road construction. Access shall continue to be provided to existing lots.

19.25.3.4 **Density**

In order to protect the character of this area within the Port Carling Urban Centre, the following hierarchy of residential densities has been identified on Schedule G2B.

19.25.3.4.1 **Low Density**

In this area, development shall proceed in accordance with section C.11.2, except that the maximum density shall be limited to 15 units per gross hectare.

19.25.3.4.2 **Medium Density**

In this area, development shall proceed in accordance with Sections C.11.3.4 – C.11.3.10, except that the maximum density shall be limited to 20 units per gross hectare.

19.25.3.4.3 High Density

In this area, development shall proceed in accordance with Section C.11.3.14 – C.11.3.19, except that the maximum density shall be limited to 30 units per gross hectare.

19.25.3.5 Range of Housing

19.25.3.5.1 A range of types of housing is permitted and encouraged. A minimum of 15% of the units will be attainable as defined by the District of Muskoka.

19.25.3.5.2 Maximum unit sizes may be imposed in an implementing zoning by-law.

19.25.3.6 Shoreline Open Space Area

19.25.3.6.1 No new development, including roads, shall occur within 30 metres (100 feet) of navigable waterway.

19.25.3.6.2 The shoreline Open Space area as shown hatched on Schedule G2B will be re-naturalized to attain a target of 75% natural shoreline along the width of the natural shoreline.

19.25.3.6.3 The Shoreline Open Space area shall be retained in one ownership as a block or common element created by a plan of subdivision or condominium description. A portion or all of the lands in this area may be transferred to public ownership.

19.25.3.6.4 Notwithstanding Section 19.25.3.6.1, within the Shoreline Open Space Area, only meandering pathways or access points to the shoreline, minor structures such as gazebos of limited size, benches and a pumphouse are permitted. Where possible, pervious material on pathways will be preferable.

19.25.3.7 Dockage

19.25.3.7.1 The total area of dockage shall not exceed that which existed on October 26th, 2010.

19.25.3.7.2 Within narrow water bodies, the length of docks shall be limited to what existed on October 26th, 2010.

19.25.3.7.3 Outside of narrow water bodies, provided that the total area of dockage does not exceed that which existed on October 26th, 2010, it may be reconfigured and rebuilt in compliance with Township regulations.

19.25.3.7.4 No boathouses/boatports are permitted.

19.25.3.8 Site Design

19.25.3.8.1 All lands shall be subject to site plan control.

19.25.3.8.2 Development in the low and medium density areas, as shown on Schedule G2B, shall be low profile in nature and shall be sympathetic to the natural landscape and character of the area.

19.25.3.8.3 No new development except minor structures shall occur within the 15 m (50 ft.) of a side lot line forming part of the perimeter of the property ownership of the former Glenwood Trailer Park holding as on October 26th, 2010, save and except for the main access road.

19.25.3.8.4 Minimum setbacks shall be established in the implementing Zoning By-law for development near or adjacent to the rights-of-way.

19.25.3.9.1 Knoll Area

The knoll area, as shown cross-hatched on Schedule G2B, is a rock promontory located on the northwest portion of the former Glenwood Trailer Park property that contains steep slopes and mature trees and any development in this area shall be sympathetic to its character.

19.25.3.9.1 The following principles shall guide development on the knoll:

- i) Built form shall be low profile in nature;
- ii) Development shall be restricted to single detached dwellings;
- iii) Natural vegetation on slope faces shall be preserved and no development will be permitted in the area designated as Open Space and shown cross hatched on Schedule G2B;
- iv) Development will fit into and respect the natural character of the area. Natural form and contours should be preserved by ensuring that site alteration and tree cutting is kept to a minimum;

- v) Natural infiltration, storm water management and construction mitigation techniques will be used; and
- vi) The Township’s Site Alteration and Tree Cutting By-laws, as identified in Sections F.19 and F.20 of this Official Plan shall apply to any development including roads on this portion of the property.

19.25.3.10 Phasing

19.25.3.10.1 Development shall proceed in phases.

19.25.3.10.2 Water and sewer servicing capacity allocation will be in accordance with an Allocation Strategy approved by The District Municipality of Muskoka and the Township.

19.25.3.10.3 The first phase of development shall contain the main access road that is publicly owned and maintained year round.

19.25.3.11 Parkland Dedication

19.25.3.11.1 The Township shall consider appropriate lands as part of a parkland dedication under the *Planning Act*.

19.25.3.11.2 Any public land shall be accessed by a year round, publicly maintained road.

20 Dark Sky Lighting

- 20.1 Dark Sky Lighting policies apply to all development, including residential, commercial, industrial and institutional uses, and is implemented through Site Plan Control.
- 20.2 New and existing development shall be encouraged to provide exterior lighting that avoids light trespass, and does not impose glare on neighbouring properties. In all cases, lighting must be designed to direct downwards rather than outwards.
- 20.3 Exterior lighting shall not interfere with water navigation.
- 20.4 The intensity of light on both existing and new development should be reduced where possible to minimize the impact on surrounding properties. Exterior floodlights shall not be permitted.

- 20.5 Full cutoff dark sky compliant lighting shall be required for all new development, and where appropriate redevelopment. Low level lighting is encouraged.
- 20.6 In the case of major development a detailed lighting plan shall be required.