

SECTION E – RURAL

1 Definition

- 1.1 The Rural designation shall be defined as all lands not defined, designated or mapped as part of the Waterfront, Urban Centres or Community designations in this Official Plan.
- 1.2 The Rural area is divided into Character Areas which are assigned land use designations. These land use designations are mapped on Schedule F. Policies specifically applicable to each Character Area are contained in Section 7.
- 1.3 There are Special Policy Areas within the Rural area which are subject to the policies contained in Section 8. These Special Policy Areas, with the exception of the Rural / Waterfront Interface which is defined by policy, are mapped on Schedule F.
- 1.4 There are certain natural resource areas and areas of natural constraint in the Rural area where additional development controls are applied. The potential location of these resources and constraints is shown on a series of Appendices to this Plan. Final confirmation of the existence and specific location of a resources or constraint will be done through field inspection. If confirmed the policies contained in Section 10 to 14 will apply. The Appendices are as follows:

Appendix 1	Areas of Use Limitation
Appendix 2	Areas of Natural Constraint
Appendix 3	Sensitive Areas
Appendix 4	Areas of Resource Potential - Agriculture
Appendix 5	Areas of Resource Potential - Mineral Resources

2 Growth Strategy

2.1 Basis

Historically, growth in the rural area of the Township has occurred more slowly than in the waterfront or community areas. According to the District of Muskoka's Growth Strategy the average household growth rate for the Township from 2006-2031 will be 1.2%. It is expected that the continued growth throughout the Township will be related more to seasonal and recreational residential development. The Township will see 128 household units on average per year, both permanent and seasonal. It is expected that 70% of this growth will occur on full municipal services with 38 households per year on average to be shared between the Waterfront, Community, and Rural designations. Because waterfront development is more in demand in the

Township it is expected that the majority of this development will be focused in the Waterfront designation. As such, growth will be limited in the Rural designation.

2.2 *Strategy*

The Township's growth strategy for the rural area will have the following characteristics:

Residential development in the rural area will be restricted to low density uses subject to development controls designed to preserve and enhance existing rural character while not compromising the environment.

Permitted uses and activities shall relate to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses. Development shall be appropriate to the infrastructure which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this infrastructure.

Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.

Recreational, tourism and other economic opportunities should be promoted.

3 **Goal and Objectives**

3.1 *Goal*

- 3.1.1 To manage the resources of, and direct limited development in the rural area in a way that will protect the natural and man made environment, enhance the rural area's unique character, beauty and appeal, protect the resource base for ongoing and future use, protect scenic vistas, and accommodate the demand for a rural lifestyle.
- 3.1.2 To encourage a limited range of secondary dwelling units where the lot size is appropriate to offer a broader choice to current and future residents of the Township.
- 3.1.3 To encourage the limited range of small-scale commercial uses appropriate to the Rural area and to recognize their important overall function to the economic growth of the Township.
- 3.1.4 To recognize there are important natural resources located in the Rural areas that are not located in other areas of the Township that should be protected.

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- 3.1.5 To limit growth in the Rural areas to the management or use of resources, resource-based recreational activities, limited residential development and other rural land uses, while directing it to the Urban Centers and/or Communities.
- 3.2 *Objectives*
- 3.2.1 To ensure that development in the rural area is carried out in a manner that respects the natural and man made environment.
- 3.2.2 To retain and enhance the visual integrity of the natural landscape and to preserve the rural character of the Township.
- 3.2.3 To direct development to areas that are well suited to accommodate those forms of development.
- 3.2.4 To provide a variety of development options that will lead to an innovative and integrated land use pattern that takes advantage of the positive characteristics of the rural area and protects the sensitive areas.
- 3.2.5 To protect the limited aggregate resource base in the rural area from incompatible uses and to encourage the extraction of aggregate in a manner that will not adversely affect the environment.
- 3.2.6 To encourage the preservation and conservation of the limited agricultural lands in the Township.
- 3.2.7 To encourage the preservation and conservation of the significant forests and the fish and wildlife habitat in the Township.
- 3.2.8 To direct development away from significant natural features such as wetlands and scenic areas and from environmentally sensitive areas such as floodplains and areas of natural constraint.
- 3.2.9 To recognize the contribution of the rural area to the local economy as a generator of employment and economic opportunities.
- 3.2.10 To accommodate a limited range of industrial and commercial activities that are essential to the economic well being of the Township at a size and scale that is appropriate to the rural area.
- 3.2.11 To recognize and accommodate the demand for limited residential development in the rural area in a way that allows a range of income groups access to the rural area.
- 3.2.12 To encourage forms of development in locations that will minimize the short and long term costs to the municipality.

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- 3.2.13 To ensure the compatibility of uses through the application, when necessary, of spatial separations, screens and buffers.
 - 3.2.14 To encourage development in locations that will facilitate the establishment of an efficient servicing network.
 - 3.2.15 To encourage the establishment and preservation of attributes of the rural area that accommodate and support the primary tourism base of Muskoka.
 - 3.2.16 To encourage the enhancement of recreation opportunities such as a linked trail system throughout the rural area that will support both the tourism and recreation base.
 - 3.2.17 To encourage the preservation of natural vistas along the road system in the rural area.
 - 3.2.18 To recognize and protect areas of historic, biological, geological and archaeological significance.
 - 3.2.19 To preserve the integrity of the scenic vistas that contribute to the character of the rural area.
 - 3.2.20 To ensure golf courses are developed and operated using best management practices for the protection of natural heritage features and functions.
 - 3.2.21 To encourage public trail systems which provide recreational opportunities and link the Rural areas to other areas of the Township.
 - 3.2.22 To encourage secondary dwelling units where the lot size is appropriate and affordable housing for both current and future residents, and permanent and seasonal residents.
 - 3.2.23 To ensure the redevelopment of existing properties maintains the character of the Rural area.
 - 3.2.24 To promote healthy and active communities by planning for public spaces, parks, trails, and open space.
 - 3.2.25 To protect and, where possible, enhance water quality.
 - 3.2.26 To promote innovative economic development opportunities within the Rural areas.
 - 3.2.27 To encourage increased energy generation through alternative and renewable energy systems, including small-scale wind and solar power generators.

4 Rural Character

4.1 *The Meaning of Character*

The rural character is what differentiates the rural area from an urban or semi urban setting. In the Township of Muskoka Lakes, it is the mix of natural landscape and low density, randomly located development in a predominately natural setting. The Rural area is distinguished by forested areas, open countryside and scenic vistas. In the rural area, the natural environment predominates over built environment.

The development form which has the largest negative impact on rural character is undirected development at a density, or under development standards, which allow the built environment to dominate. Smaller lot sizes, frontages and setbacks are not characteristic of the rural area and if allowed, they alter the character.

Within the rural area of the Township there are specific geographic areas that exhibit distinguishing characteristics. These also need to be recognized, protected and enhanced.

4.2 *Protecting Rural Character*

To protect rural character, policies must be put in place which recognize and protect characteristics that define and enhance rural character. This must be done on a general basis for the rural area and on a more specific basis for the varying geographic areas that comprise the rural area.

This is what has been done in this Plan. General development policies have been established to protect and enhance the desirable characteristics of the rural area as a whole. More specific policies have been developed for each of six distinct rural geographic areas that have been identified.

Each of the six geographic areas, which are referred to in these policies as Character Areas, has been assigned a land use designation and policies have been developed to protect and enhance the valued characteristics. Character Areas will experience limited development, with the majority of growth being directed to Urban Centres and Communities. These designations are mapped on Schedule F:

- Area 1 Open Space
- Area 2 Low Density Residential
- Area 3 Country Residential
- Area 4 Rural Residential Cluster
- Area 5 Hamlets
- Area 6 Restricted Rural

- 4.2.1 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 Rural area is protected.

5 Permitted Uses

5.1 Generally Permitted Uses

The rural area has traditionally supported a mix of uses which include:

- conservation;
- agriculture;
- low density residential, including an accessory apartment/second dwelling;
- open space recreation;
- extractive operations;
- forestry;
- resorts;
- land extensive commercial and industrial;
- small scale institutional, commercial, and industrial; and
- open space uses.

It is expected that this pattern will continue subject to the policies of this Plan. Where this list conflicts with permitted uses outlined in Character Areas and Special Policy Areas, the more restrictive list of uses will apply.

5.2 Existing Uses

- 5.2.1 Existing uses may be recognized as permitted uses in a zoning by-law provided the general intent of this Plan is maintained and that all environmental limitations and constraints are considered.

6 General Development Policies

The policies in this section are of general applicability throughout the rural area.

6.1 General

- 6.1.1 A Tree Preservation By-law and Site Alteration By-law shall be applicable for any proposed development, or redevelopment, in areas of scenic corridors and scenic areas as listed in Schedule F, and all areas zoned Environmental Protection One (EP1).

6.2 *Development Form*

- 6.2.1 Lots in the rural area shall be of sufficient size to protect the predominantly natural appearance of the rural area and to provide for on site servicing (sewage disposal, water supply, storm water retention etc.). An acceptable hydrogeological assessment where required, will assist in determining the ultimate density of development.
- 6.2.2 A low density development pattern will be maintained in the rural area. This would include accessory secondary dwelling units, on properties where the size is sufficient for the use.
- 6.2.3 Development controls shall be structured to ensure that growth is distributed in such a way that the rural character of the Township will be preserved and enhanced.
- 6.2.4 To maintain the low density character of the rural area, lots shall have generous frontages and areas.
- 6.2.5 All lots shall be of a size and configuration appropriate for the proposed use.
- 6.2.6 The design of new lots shall have regard for the characteristics of the particular piece of land being subdivided.
- 6.2.7 Setbacks shall be sufficient to maintain the natural appearance of the rural area.
- 6.2.8 Setbacks shall be sufficient to provide a natural buffer between development, including septic facilities, and a travelled road.
- 6.2.9 Development controls shall promote the retention of natural vegetation and the provision of natural buffers.
- 6.2.10 The profile of development shall be appropriate given the area and property characteristics.
- 6.2.11 Residential development shall be in the form of single detached residential units. Where the lot size is sufficient and servicing requirements can be met, one accessory apartment within a single detached residential unit will be considered.
- 6.2.12 Multiple dwelling units, with the exception of an accessory apartment as addressed in Section 6.2.11, is not allowed in the rural area.
- 6.2.13 Home occupations and home industries are generally appropriate throughout the rural area.

6.3 *Land Use Compatibility*

- 6.3.1 Due to the general size and character of lots and uses in the rural area a variety of uses may occur in the same general area, unless restricted elsewhere in this Plan, and provided such uses are, or can be made, compatible. Spatial separations, screens and buffers may be used to ensure compatibility.
- 6.3.2 Sufficient separation shall be provided between resource based uses or areas of resource potential and potentially conflicting uses to protect the integrity and viability of the resource based use.
- 6.3.3 Residential development within 300 metres (1000 feet) of a main railway line may be subject to the main line requirements and the rail noise, vibration and safety impact policy of the relevant rail line authority.
- 6.3.4 Development adjacent to sanitary sewage disposal facilities including sewage lagoons will be discouraged. Where such development is proposed it will generally be limited to passive recreation and open space uses. Other uses should be setback from the specific facilities as detailed in the Ministry of the Environment Guidelines. Setbacks from municipal systems are detailed below:

FACILITY	MINIMUM SETBACK
Sanitary sewage disposal site (other than residential uses)	150 metres (500 feet)
Sanitary sewage disposal site (residential use)	200 metres (660 feet)
Waste stabilization ponds (all uses)	400 metres (1320 feet)
Hauled sewage lagoon (all uses)	400 metres (1320 feet)

- 6.3.5 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.
- 6.3.6 Where sewage lagoons or land fill sites exist, setbacks shall be established, according to Ministry of Environment guidelines, for abutting residential uses and along the major haul route to reduce possible impacts.
- 6.3.7 Existing electric power facilities and the development of new electric power facilities including all works as defined in the Power Corporation Act, such as transmission lines, transformer stations, and distribution stations, shall be permitted within all land use designations throughout the Township of Muskoka

Lakes without an Official Plan Amendment provided that such development satisfies the provisions of the Environmental Assessment Act, including regulations made under the Act and any other relevant statutes, and is carried out having regard for the provisions of this Plan.

- 6.3.8 The separation distance between residential uses and industrial uses shall permit the normal functioning of the two uses. Separation distances shall conform to Ministry of Environment policy as recommended in the Ministry's Guideline of Separation Distance Between Industrial Facilities and Sensitive Uses.
- 6.3.9 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 to justify the proposed 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.
- 6.3.10 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 expansions where feasible and appropriate.

6.4 Access

- 6.4.1 Except as specified in Section 6.4.2, land which does not have adequate direct access and frontage onto a public, year round maintained road that has the capacity to handle the traffic generated, shall not be subdivided or developed for any purpose.
- 6.4.2 The requirement for public road access does not apply to the development of conservation uses, resource based uses or hunt camps, which are not required to have public road access, and which may be located on private roads.
- 6.4.3 Development should be directed to the existing municipal road network. Expansion to the road network should not occur unless it is appropriate to the development form.
- 6.4.4 Where development is proposed that will require road improvements, the costs of such improvements will be borne by the developer.
- 6.4.5 The division of land shall not be permitted in locations which would result in land becoming land locked or unusable.
- 6.4.6 Entrances onto local roads shall be permitted provided a traffic hazard would not be created, or the design, efficiency of the road would not be impaired.

- 6.4.7 Where the District Official Plan is more explicit, the provision of the District of Muskoka Official Plan apply to development standards on District Roads and Provincial Highways.
- 6.4.8 There is no commitment on the part of the Township to maintain an open but presently undeveloped road allowance.
- 6.4.9 Where there is a foreseeable or probable future use for a municipal road allowance the road allowance shall not be conveyed out of municipal ownership.
- 6.4.10 Local public roads shall have a minimum width of 20 metres (66 feet). Where such width is not presently available, the municipality may, as a condition of development approval, acquire sufficient width to meet this standard. In general, road widenings will be required to be dedicated in equal widths from the centreline on each side of the road allowance. However where constraints such as topography, preservation of historical features, insufficient setback from buildings or structures or the previous pattern of dedication dictate, dedication may require that the road dedication be taken on one side of the road. However, in such cases, only one half of the widening described will be taken through site plan control.
- 6.4.11 Private unlicensed establishments for the landing of aircraft, that do not include a commercial component, shall be permitted only on properties with sufficient area to protect the interests of abutting property owners. Development of these uses shall require a rezoning.
- 6.5 *Servicing*
- 6.5.1 Development will proceed on the basis of private individual wells and private individual sewage disposal systems that do not provide service to more than one lot or unit legally capable of being conveyed. New lots shall be sized accordingly to accommodate private individual services.
- 6.5.2 The principal means of sewage disposal required for any development shall be a private individual Class IV (Septic) system. Aerobic or suitable alternative systems may also be used subject to receipt of an acceptable report from a professional engineer in support of the alternative system. Class V (Holding Tank) systems shall not be permitted except to remedy an existing situation. Class V systems are subject to approval and may only be used on a temporary basis.
- 6.5.3 Development on private services shall be limited to uses which use or produce less than 10,000 litres per day of water or sewage effluent or waste water, or do not create discharge which would be an environmental hazard or present a threat to ground or surface water.

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- 6.5.4 Where development is permitted on private services, lots shall have sufficient and suitable area to adequately accommodate such services, and shall satisfy the authority having jurisdiction with respect to the approval of private water supply or private sewage facilities
- 6.5.5 All development shall meet the authorized requirements of the Ministry of the Environment or its designate with respect to sewage disposal.
- 6.5.6 Hydrogeological reports satisfactory to the Township of Muskoka Lakes shall be submitted in support of any proposal on private servicing systems where: more than five residential lots are proposed; construction of a new road(s) is proposed; there are areas of known or suspect water quantity or quality; for commercial, industrial or other uses which would produce an effluent flow of greater than 4,500 litres per day; or private groundwater and sewage disposal services are proposed for an individual lot of less than 1 hectare in area on lands adjacent to existing lot development where the cumulative impacts of private services are deemed of significant concern by the authority having jurisdiction. These requirements do not apply where the lot or unit is a shoreline lot and the groundwater flow does not affect adjacent backlot or rural properties. Such reports shall demonstrate that the proposed use is suitable and can meet applicable government regulations for water supply and sewage disposal facilities.
- 6.5.7 Development shall not be permitted where it would have a detrimental effect on surface water or ground water resources. A hydrogeological report may be required to determine if the development impact is within acceptable limits as determined by the Township and the Ministry of Environment.
- 6.5.8 In areas where problems with either quality or quantity of ground water is a concern, any new development shall be conditional upon the availability of a suitable potable water supply.
- 6.5.9 For all major development, construction mitigation and storm water management plans, satisfactory to the appropriate Provincial and Municipal agencies, must be submitted and implemented.
- 6.5.10 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.

6.6 *Rail Transport*

- 6.6.1 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.
- 6.6.2 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.
- 6.6.3 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.

6.7 *Employment Areas*

- 6.7.1 All lands within the Rural Commercial/Industrial Areas designation and all lands where resorts are located or permitted in the Rural area shall be referred to as Employment Areas of the Township.
- 6.7.2 The conversion of Employment Areas to Non-Employment Areas shall 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.

6.8 *Recreation Trails*

- 6.8.1 In order to enhance the potential for a network of linked trails throughout the Township regard will be had for the preservation of such a network when evaluating development proposals.
- 6.8.2 Where deemed appropriate by the Township, the 5% parkland dedication will be used to acquire land for a linked trail system.
- 6.8.3 Township road allowances which could become a link in a trail system will not be stopped up or sold.
- 6.8.4 Where application is made to close and convey a road allowance, if the road allowance would not contribute to a trail system, regard shall be had for the possibility of conducting an exchange for alternative land that could become part of a trail system.
- 6.8.5 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, hiking, snowmobiling, or cross-country skiing, and may be located across public lands, road allowances, or publicly maintained year round roads.

- 6.8.6 Pathways for the purpose of hiking and cycling are encouraged along all publicly maintained roads.

6.9 *Group Homes*

- 6.9.1 For the purposes of this section:

(a) A residential group home consists of between 3 and 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 3 and 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.

- 6.9.2 Group homes which will not have significant impacts on the surrounding rural community shall be permitted.

- 6.9.3 Larger group homes, or those providing a treatment or rehabilitation function shall be considered as institutional in nature and will be directed to Urban Centres and/or Communities depending on the services and amenities required to support the facility.

- 6.9.4 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.

6.10 *Cultural and Archaeological Heritage*

- 6.10.1 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) designate any area or areas within the municipality, as a heritage conservation district.

Council will maintain 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.

6.10.2 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.

6.10.3 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.

6.10.4 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.

6.10.5 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.

- 6.10.6 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.

- 6.10.7 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.
- 6.10.8 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.
- 6.10.9 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.
- 6.10.10 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.

6.11 Golf Courses

- 6.11.1 Where development is proposed, including 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 on Heritage Areas and Provincially Significant wetlands; and
 - d) Access as it relates to Township and District facilities.

- 6.11.2 Golf Courses are permitted as an accessory use to a resort commercial use. 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.

6.12 Rooming Houses

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

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

- 6.12.3 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.

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

- 6.12.5 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.

6.13 *Urban Fringe Areas*

- 6.13.1 Incompatible forms of Rural development are not permitted in areas immediately outside of the Urban Centre or Community boundaries (within one kilometre) as identified on Schedules G or H.
- 6.13.2 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 of Community boundary.

7 **Character Areas**

7.1 *Identification*

- 7.1.1 The Rural area has been divided into six character areas based on the development pattern that has evolved and is expected to evolve. Each character area has been assigned a land use designation. The land use designations assigned to the six character areas are as follows:

Area 1 Open Space Area
Area 2 Low Density Development Area
Area 3 Country Residential Area
Area 4 Rural Residential Clusters
Area 5 Hamlets
Area 6 Restricted Rural Area

The areas which are existing at the date of approval of this Plan, are mapped on Schedule F. The boundaries indicated on Schedule F are approximate only and will be defined in the implementing zoning by-law.

7.2 *Open Space Area*

7.2.1 Definition

The area designated as Open Space is characterized by large undeveloped tracts of land with no public road access. Much of this area is crown land. The predominant uses both on the crown land and on the large tracts of private land are conservation, open space recreation and resource based uses. The Open Space area is designated on Schedule F.

7.2.2 Principles

The land classified as Open Space area is in a natural state. Its pristine nature is of value to the Township in providing a reserve of natural areas and a land base for land extensive recreation activities. It is important that all open space connections and corridors be preserved.

7.2.3 Permitted Uses

The uses permitted in the Open Space area will be restricted to resource related, agricultural, conservation and open space recreational uses. Hunt camps will be allowed.

7.2.4 Development Policies

The municipality will not extend services to the undeveloped areas. No new lot creation is permitted in the Open Space area designation except for resource related uses other than agriculture.

7.3 *Low Density Development Area*

7.3.1 Definition

The lands in the Low Density Development area are characterized by expanses of undeveloped land interspersed with low density scattered residential development, resource based activities and small-scale commercial and industrial uses. Little pressure for development is experienced in this area. The Low Density Development area is designated on Schedule F. These lands generally include the areas of the former Townships of Medora, Wood and Cardwell that are accessible by year round maintained public roads.

7.3.2 Principles

Lands in this category are not experiencing significant pressure for development. Therefore the consent procedure, as the principal means of lot creation, is appropriate.

To retain the natural appearance of the Low Density Development area a dispersed development pattern and increased setbacks are appropriate.

The larger lot sizes in this area allow a mix of uses to coexist.

Public road frontage in this area is very limited and acts as a limitation on development. All lots created by consent shall have necessary frontage on a publicly maintained year round road.

7.3.3 Permitted Uses

The following uses may be allowed in the Low Density Development Area:

- low density, single detached residential uses, including accessory secondary dwelling units;

- land extensive, light industrial uses such as scrap yards or contractors yards;
- land extensive commercial uses appropriate to the rural area such as kennels and garden centres;
- land extensive recreational uses such as golf courses and recreational trail systems;
- open space uses;
- agricultural uses;
- primary and secondary aggregate extraction operations;
- forestry;
- resorts;
- conservation; and
- institutional uses (including churches, schools and cemeteries).

7.3.4 Development Policies

Lot creation will occur by severance.

Expansion of the public road system is not anticipated in this area.

The minimum lot frontage for all new lots shall not be less than 100 metres (325 feet). The minimum area shall not be less than 1 hectare (2.5 acres). To retain the dispersed development pattern the number of lots allowed to be created per original 40 hectare (100 acre) block will be restricted to 3, (i.e. two severed and one retained). Where the original 40 hectare (100 acre) block no longer exists one lot may be created per holding in existence as of the date of approval of this Plan provided both the severed and retained lots meet the minimum frontage requirement of 100 metres (325 feet) and the minimum area requirement of 1 hectare (2.5 acres).

The setbacks established for this area shall be sufficient to provide a natural buffer between the development, including the septic facilities, and the travelled road.

The design of new lots shall have regard for the characteristics of the particular piece of land being subdivided.

Lot frontages along District roadways as required by the District of Muskoka Official Plan shall be adhered to.

A resort will be operated under on-site central management for profit.

7.4 *Country Residential Areas*

7.4.1 Definition

The lands in the Country Residential area are characterized by expanses of undeveloped land interspersed with low density scattered residential development, resource based activities and small-scale commercial and industrial uses at the scale of a home industry. Development pressure has been experienced in this area during the past decade. This pressure is exemplified by the appearance of strips of residential development along Township roads. The area designated as the Country Residential area is shown on Schedule F. These lands generally included the former Townships of Watt and Monck.

7.4.2 Principles

This area is subject to development pressures because of its proximity to nearby urban centres. This pressure is manifesting itself in the form of more intensive strip development along Township roads.

Allowing severances as the predominant form of lot creation reduces the ability to assess the cumulative impacts of development.

Residential development in this area should be encouraged by plan of subdivision so the development can be comprehensively planned and integrated into the existing rural character.

7.4.3 Permitted Uses

The following uses may be permitted in the Country Residential Area:

- low density, single detached residential uses, including accessory secondary dwelling units;
- land extensive, light industrial uses such as scrap yards or contractors yards;
- land extensive commercial uses appropriate to the rural area such as kennels and garden centres;
- land extensive recreational uses such as golf courses and recreational trail systems;
- open space uses;
- agricultural uses;
- primary and secondary aggregate extraction operations;
- forestry;
- resorts;
- conservation; and
- institutional uses (including churches, schools and cemeteries).

7.4.4 Development Policies

Residential lot creation in this area will be mainly by registered plan of subdivision.

Lot creation by consent will be limited to one additional lot per holding as of the date of approval of this Plan providing the severed and retained lots meet a minimum lot standard of 600 feet (180 metres) of frontage and 10 acres (4 hectares) of area.

The design of new lots shall have regard for the characteristics of the particular piece of land being subdivided.

The setbacks established for this area shall be sufficient to provide a natural buffer between the development, including the septic facilities, and the travelled road.

Notwithstanding the foregoing, lot creation will also be permitted where:

- Agricultural areas would not be negatively impacted;
- The severance consists of a residence surplus to an active farming operation as a result of farm consolidation in which the residence was an existing use at the date of approval of this Plan;
- The severance would qualify as infill between residential lots, where infill is defined as less than 305 metres (1000 feet) between existing residential lots; and
- Not more than two additional lots are created per 50 acres of landholdings.

A resort will be operated under on-site central management for profit.

Lot frontages along District roadways as required by the District of Muskoka Official Plan shall be adhered to.

7.5 *Rural Residential Clusters*

7.5.1 Definition

Rural Residential Clusters are generally areas where there is an established cluster of at least six residential dwellings. These clusters front on either Township or District roads.

In preparing these policies existing Rural Residential Clusters were identified and are designated on Schedule F.

7.5.2 Principles

Clusters of residential development exist in the rural area where there is an opportunity to create a cohesive development node by allowing limited lot creation within the boundaries established for the clusters as shown on Schedule F.

In preparing these policies existing Rural Residential Clusters were identified and designated and are subject to the policies in this Section. More intensive development in the form of Rural Residential Clusters in locations other than those identified as Rural Residential Clusters on Schedule F is not permitted.

Council does not anticipate that additional Rural Residential Clusters will be created nor will existing ones be expanded upon.

7.5.3 Permitted Uses

The following uses may be permitted in Rural Residential Clusters:

- Low density, single detached residential uses; including accessory secondary dwelling units;

7.5.4 Development Policies

Limited lot creation will be by consent.

The standard for a new rural residential lot shall be a minimum of 1 hectare (2.5 acres) and 100 metres (325 feet) of frontage.

Setbacks shall be consistent with the general character of the existing development in the designated Rural Residential Cluster.

Lot frontages along District roadways as required by the District of Muskoka Official Plan shall be adhered to.

7.6 *Hamlets*

7.6.1 Definition

Hamlets consist of a small cluster of residential development with existing commercial and/or institutional uses. At the date of approval of this Plan they included at least eight existing dwellings and were developed at a minimum density of eight dwellings per kilometre of road.

Four such clusters, Bent River, Ullswater, Windermere Corners and Raymond, have been identified. The general location of these Hamlet areas is shown on Schedule F.

7.6.2 Principles

Council does not anticipate that additional Hamlets will be created nor will existing Hamlet boundaries be expanded.

In addition to residential uses, Hamlets also include existing non-residential uses. The recognition of this character shall be acknowledged and encouraged.

7.6.3 Permitted Uses

The following uses may be permitted in Hamlets:

- low density single detached residential uses, including accessory secondary dwelling units;
- service and neighbourhood commercial uses; and
- small scale institutional uses.

7.6.4 Development Policies

Limited lot creation will be by consent.

The standard new lot shall not be less than 0.5 hectare (1.25 acres) and 60 metres (200 feet) of frontage.

Setbacks shall be consistent with the general character of the existing development in the Hamlet.

Development or redevelopment of service or neighbourhood commercial uses are to be in character with the existing Hamlet and at a scale appropriate to the existing development.

Lot frontages along District roadways as required by the District of Muskoka Official Plan shall be adhered to.

7.7 *Restricted Rural Area*

7.7.1 Definition

Lands designated as Restricted Rural generally act as a reserve for future development surrounding Urban Centres, Communities and Hamlet areas.

7.7.2 Principles

Certain forms of development immediately surrounding Urban Centres, Communities and Hamlets should be severely restricted to:

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

7.7.3 Permitted Uses

- Uses existing as of the date of adoption of this Plan or for new agricultural uses, open space uses such as golf courses, managed (forestry) uses or extractive industrial uses.

7.7.4 Development Policies

New commercial, industrial or institutional uses shall not be permitted within the Restricted Rural designation except for extractive industrial uses.

No new lot creation is permitted in the Restricted Rural designation.

8 Special Policy Areas

8.1 *Identification*

There are certain areas in the Rural area where policies, in addition to the General Development policies and the Character Area policies, are required to address a special situation. With the exception of the Rural / Waterfront Interface area which is defined by policy, these special use areas are mapped on Schedule F. Where a Special Policy Area is indicated on Schedule F or in the Waterfront / Rural Interface area, the policies in this Section will be applied in conjunction with, and where there is conflict, will take precedence over, the General Development and Character Area policies.

8.2 *Hardy Lake Fringe Area*

8.2.1 Definition

Hardy Lake Provincial Park is a large, day use park in the southern part of the Rural area. The area abutting Hardy Lake Provincial Park that has public road access, as is shown on Schedule F, is designated as a Special Policy Area.

8.2.2 Principles

The Township recognizes the potential for service and tourist commercial development to locate in the area adjacent to Hardy Lake Provincial Park.

The area around the park upon which support services could be developed should be protected for future development.

Development which would be incompatible with the Provincial Park or with the adjacent Deer Lake Complex heritage area will not be allowed.

8.2.3 Permitted Uses

The following uses will be allowed in the Hardy Lake Fringe area:

- Single detached residential units;
- Service commercial uses (e.g. convenience store, outfitters outlet); and
- tourist commercial uses.

8.2.4 Development Policies

The development standards applicable in the Low Density Development Area will apply in the Special Policy area.

8.3 *Rural / Waterfront Interface*

8.3.1 The Rural/Waterfront Interface is defined as that portion of the Rural designation that abuts and is visually congruent with the Waterfront designation. Where land is included in the Rural/Waterfront Interface, these policies shall apply in addition to any other applicable policies in this Plan. Where there is a conflict, the more restrictive policies shall apply.

- No residential (such as rural or estate) development shall be permitted in the Rural/Waterfront Interface at a density greater than or to a lower standard than the standards established for Waterfront backlots.
- No resource based commercial or industrial extraction use or activity (such as forestry or aggregate operations) shall be permitted within the Rural/Waterfront Interface without zoning by-law amendment and proper management practices being established as a condition precedent to such amendment by legal agreement or other by-law; and
- No other commercial, industrial, or agricultural development shall be permitted.

8.3.2 Rural lands which abut large tourist commercial developments have potential for development as support facilities for the existing development. Uses incompatible with a tourist commercial operation shall not be permitted on such lands.

8.3.3 Agricultural activities shall not be permitted on lands within 150 metres (500 feet) of a waterbody.

8.4 *Heritage Areas*

8.4.1 Heritage Areas, as defined by the Natural Heritage Evaluation of Muskoka, can be identified as areas where natural or man made features which contribute significant historical, geological, biological, archaeological, scenic or other heritage value occur. Certain areas of the Township have been identified as Heritage Areas and are designated as such on Schedule F.

8.4.2 Where Heritage Areas are identified, regard shall be had for their protection in evaluating development proposals.

8.4.3 Development on lands adjacent to Heritage Areas shall not adversely impact on the heritage value of the area.

8.5 *Scenic Areas*

8.5.1 There are numerous scenic vistas throughout the Township which contribute to the natural character of the Rural area. Certain portions of the Rural area have been designated as Scenic Areas or Scenic Corridors. These designations are shown on Schedule F.

8.5.2 Scenic Areas are specific areas that provide a view of outstanding natural features of the Township. The predominant use of land in these areas shall be restricted to uses that do not block or detract from the view. Where buildings are constructed in the area they shall be sited, buffered and designed so as to have the least impact or disruption of the visual character of the area. Development in Scenic Areas shall only proceed by zoning amendment.

8.5.3 Scenic Corridors are scenic routes through the Township that add to the attraction of the area as a tourist destination. Development along these routes shall be situated and setback to minimize the visual impact of the development along the route. Building and structures shall be appropriately designed and situated to blend with the natural environment. Signs, and other visual intrusions such as wires shall be discouraged. Routes designated as Scenic Corridors are shown on Schedule F.

8.6 *Communication Towers*

- 8.6.1 Whenever possible, the sharing of existing towers is encouraged in an effort to reduce the number of communication towers in the Rural area.
- 8.6.2 The co-location of new installations on common towers is encouraged.
- 8.6.3 Towers under 30 metres (100 feet) in height, which do not require lights, will not require a Public Information meeting.
- 8.6.4 Towers greater than 30 metres (100 feet) in height require a Public Information meeting to be held prior to the construction of such tower.
- 8.6.5 Where a Public Information meeting is required, all property owners within a one kilometre (0.6 mile) radius of the proposed communication tower are to receive written notice in addition to a newspaper notice.
- 8.6.6 Industry Canada is the approval agency for communication towers. Representatives are encouraged to also attend Public Information meetings. All Public Information meetings are for information purposes only.
- 8.6.7 The siting of new communication towers shall consider the following:
- Impact on aeronautical navigation;
 - Distance from significant nearby structures or lands uses to:
 - Reduce ‘ghosting’
 - Reduce distortion of radiation patterns
 - Prevent malfunction of electronic devices and appliances
 - Provide long term build out capacity.
 - Retention of prominent views and vistas;
 - Impact on natural areas including provincially significant wetlands, heritage areas and significant habitat.
- 8.6.8 Buffering or screening of communication towers shall be encouraged. Setbacks from sensitive land uses, such as residential, will be considered.
- 8.6.9 Advertising on communication towers shall not be permitted.

9 Lake System Health

- 9.1 The role of natural vegetated shorelines in buffering watercourses from erosion, siltation and nutrient migration adjacent to the sensitive littoral zone is critical to the protection of water quality. Preservation and restoration of shoreline buffers of watercourses in the Rural designation is required. At a minimum, a target of 75% of the frontage along the watercourse of a lot will be maintained

in a natural state to a target depth of 15 metres from the frontage 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, these targets should be achieved to the extent feasible. Where these targets cannot be met, a net improvement over the existing situation is required.

10 Natural Areas

10.1 Coldwater watercourses, as defined by the Ministry of Natural Resources (MNR), contribute to fish habitat. As such, increased setbacks of 30 metres (100 feet) as defined by the MNR from coldwater streams in the Rural area is recommended.

10.2 Fish and wildlife habitat is recognized as a valuable resource in the Rural area. Development will be regulated to prevent the destruction or degradation of such habitat. As a guideline to assist in the identification of sensitive areas, Appendix 3 to this Plan, Sensitive Areas, will be referenced. Confirmation to the existence, and extent of the habitat will be done through field analysis in cooperation with the Ministry of Natural Resources. Further habitat values may be identified in cooperation with the Ministry of Natural Resources.

10.3 Development and site alteration shall not be permitted in:

- a) Significant habitat of endangered species and threatened species;
- b) Significant wetlands;
- c) Fish habitat except in accordance with provincial and federal requirements; and
- d) 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.

10.4 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.

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

- a) a minimum lot frontage of 90 metres (300 feet);

- b) where possible, a front yard setback of 30 metres (100 feet) for all habitable space; and,
 - c) the maintenance of significant conifer vegetation for cover and food.
- 10.6 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.
- 10.7 In areas confirmed by the Township as habitat under Section 10.1, the minimum lot size shall not be less than 4 hectares (10 acres).
- 10.8 In habitat areas additional development control techniques may be implemented through zoning, site plan control, subdivision approval and other agreements.
- 10.9 Setbacks shall be established along watercourses throughout the Rural area to preserve natural corridors for the movement of wildlife.
- 10.10 Setbacks from top of banks of watercourses may be used to protect a watercourse from the impact of development.
- 10.11 Where new development is proposed an Environmental Impact Study may be completed, to the satisfaction of the Township, to determine the impact of the development, if any.
- 10.12 For the purposes of this Section:
Wetland shall mean a single contiguous area in which the lands are seasonally or permanently covered by shallow water, or where the water table is close to, or at the surface. In either case the presence of abundant water has caused the formation of hydric soils and has favoured the dominance of either hydrophytic or water tolerant plants.
- Wetland Complex shall mean two or more individual Wetland Areas along with their Adjacent Lands that are related in a functional manner.
- Adjacent Lands means those lands within 120 metres (400 feet) of a wetland.
- 10.13 Provincially significant wetlands and highly significant regional wetlands have been identified on Schedules A1, A2 and A3. Areas within these designated lands shall not be developed.
- 10.14 Areas adjacent to provincially significant wetlands and highly significant regional wetland may be developed subject to an Environmental Impact Study (EIS) demonstrating that there will be no negative impact on the wetlands' features or functions.

- 10.15 Development, within or adjacent to other regional or locally significant wetlands, identified in Appendix 1, 2, or 3 (outside of Schedules A1, A2 and A3), or as confirmed by site inspection, may be permitted subject to an Environmental Impact Study demonstrating that there will be no negative impact on the wetlands' features or functions.

11 Areas of Use Limitation

- 11.1 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 Limitation:

- lands subject to periodic or seasonal flooding that are not subject to the policies of Section 10.12 of these policies;
- slopes steeper than 20%; and
- areas of erosion or slope instability.

Specific land shall be identified by the Township as part of an Area of Use Limitation only after a site inspection by the appropriate authorities.

These Areas of Use Limitation are listed in the following appendices:

- Appendix 1 Areas of Use Limitation
- Appendix 2 Areas of Natural Constraint

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. 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.

- 11.2 Development and site alteration shall generally not be permitted in a floodway. Such lands shall be zoned, based on available flood elevation data and regulations, to prohibit new development, except for appropriate shoreline structures.
- 11.3 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.
- 11.4 Development restrictions will apply within the regional/regulatory floodline where this has been identified.
- 11.5 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.
- 11.6 For steep slopes >40%, and 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.
- 11.7 Building setbacks may be established from the margins of Areas of Use Limitation if, in the opinion of the Township in consultation with the authority having jurisdiction, the extent or severity of the constraint warrants it.

12 Agricultural Land

- 12.1 The preservation and conservation of the limited agricultural land base in the Township will be encouraged. The contribution of agricultural lands to the Rural Character of the Township is recognized as important to preserve.
- 12.2 Definition
- Potential Agricultural land has been shown on Appendix 4 to this Plan. Where land has been flagged as having agricultural potential an assessment will be conducted to confirm the agricultural potential, using the criteria listed below:
- the Canada Land Inventory Classification;
 - the size of the parcel;
 - the agricultural history of the property;
 - the suitability of the property for agricultural; and
 - the abutting land uses.
- 12.3 If, following an assessment based on the criteria identified in Section 12.2, a parcel of land is confirmed as having potential for agriculture, the agricultural

designation shall be confirmed by the Township and the land shall, subject to the provisions of Section 12.4 be protected for agricultural purposes.

- 12.4 Alternative uses of agricultural land may be permitted where;
- the proposed use of land serves the greater long term interest of the general public; or
 - long term uses have been previously established.
- 12.5 On agricultural land the uses shall be limited to agricultural, extractive and accessory residential uses.
- 12.6 Plans of subdivision will not be approved on agricultural land.
- 12.7 Large blocks of agricultural land shall be maintained.
- 12.8 Subject to all other applicable Official Plan policies, one lot for residential purposes may be created for each 20 hectares (50 acres) of land held which is designated as agricultural land, provided that the lot created is located on land that has no agricultural potential and in a location where its development will not interfere, or conflict with, an agricultural operation. The size of a lot created under this policy shall not generally exceed 1 hectare (2.5 acres).
- 12.9 When lots are created on, or adjacent to agricultural land, regard shall be had for the requirements of the Agricultural Code of Practice.
- 12.10 Establishment of intensive animal operation shall be subject to the requirements of the Agricultural Code of Practice.

13 Aggregates-Pit

- 13.1 Primary and secondary aggregate deposits shall be protected for extraction.
- 13.2 Appendix 5 to this Plan maps areas of primary and secondary aggregate deposits. Where development of land mapped as an aggregate resource is proposed a field assessment will be conducted licensed professional retained, and/or authority having jurisdiction consulted to confirm that a primary or secondary resource exists.
- 13.3 Where is it confirmed under Section 13.2 that a primary or secondary aggregate resource exists the resource will, subject to Section 13.4, be protected for extraction.
- 13.4 On lands containing a primary or secondary aggregate resource alternative uses may be permitted if:

- extraction would not be feasible;
 - the proposed use of land serves a greater long term public interest;
 - the proposed use or development would not preclude future extraction;
 - long term uses have previously been established; and/or
 - issues of public health, public safety and environmental impact are addressed
- 13.5 Uses on lands abutting primary and secondary aggregate resources shall be restricted to prevent conflicts and to prevent sterilization of the resource.
- 13.6 Development that is proposed adjacent to an existing or potential pit should assess the long term compatibility of locating adjacent to an existing pit operation. Issues to be addressed should include, but are not limited to:
- off-site impacts such as truck traffic, noise, and dust;
 - visual impact;
 - surface drainage;
 - groundwater impacts;
 - location and size of any proposed stock piles.
- 13.7 Increased setbacks, screening and separations shall be used in areas in close proximity to aggregate operations and along major haul routes to prevent conflicts.
- 13.8 Due to the potential environmental impacts peat extraction operations shall proceed by zoning by-law amendment to address impacts. If it is determined by the Township that adverse impacts would be associated with the operation then the use will not be permitted. Prior to peat extraction proceeding in a wetland, a wetland evaluation shall be undertaken. Where the wetland has been identified as a Provincially Significant Wetland, the extraction of peat will be prohibited.
- 13.9 A wayside pit or quarry, which is a temporary pit or quarry, not located on a road right of way which is opened and used by a public authority solely for the purpose of a particular road construction project, shall be permitted throughout the Rural area except in an environmentally sensitive or heritage areas.
- 13.10 Once a resource has been depleted, it must be rehabilitated and rezoned to a use satisfactory to the Township.

14 Aggregates-Quarries

- 14.1 Pit and Quarry operations are governed by the Aggregate Resources Act administered by the Province.

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- 14.2 Due to the widespread existence of granite outcrops in the Township and the economic viability of crushing this resource into gravel, new rock crushing operations shall be limited to areas:
- farther than two kilometres of a boundary of an Urban Centre; and
 - farther than two kilometres from the Waterfront designation.
- 14.3 Such quarrying operations shall have enhanced buffers from neighbouring uses.
- 14.4 Any aggregate operation that primarily extracts resources for use as residential dimensional stone shall be subject to site plan control.
- 14.5 Once a resource has been depleted, it must be rehabilitated and rezoned to a use satisfactory to the Township of Muskoka Lakes.
- 14.6 The siting of a new Aggregate Pit is subject to all requirements of the Aggregate Resources Act, and locational criteria as outlined below.
- 14.7 The siting of an Aggregate Pit should be based on the following criteria, in addition to all requirements of the Aggregate Resources Act:
- Proximity of site to waterfront;
 - Proximity of site to adjacent conflicting land uses;
 - Site is of a suitable size to contain all components of the facility;
 - Site is located on an arterial or major collector road capable of handling the increased traffic and haul loads;
 - Site is in close proximity to a provincial highway;
 - Topography of the site is conducive to an aggregate facility;
 - Site can be adequately buffered on all sides from adjoining lands;
 - Proximity of site to sensitive environmental features. If within 30 metres (100 feet) an Environmental Impact Study is required.
- 14.8 Development that is proposed adjacent to an existing or potential quarry should assess the long term compatibility of locating adjacent to an existing or potential quarry operation. Issues to be addressed should include, but are not limited to:
- Off-site impacts such as truck traffic, noise, and dust;
 - Visual impact;
 - Surface drainage;
 - Groundwater impacts;
 - Location and size of any proposed stock piles.

15 Rural Commercial/Industrial Areas

- 15.1 The Rural Commercial/Industrial Areas are intended to provide an alternative location for specific industrial and/or commercial uses in close proximity to the Urban Areas of Port Carling and Bala and are intended to concentrate these uses in particular areas of the Township. Such uses, due to their nature, are not appropriate in the Urban Area or would result in an underutilization of urban infrastructure.
- 15.2 The Township recognizes the difficulty in locating certain required commercial / industrial uses such as contractor's yards.
- 15.3 Such areas designated as Rural Commercial/Industrial on Eveleigh Road are illustrated on Schedule K1 of this Plan. Such areas designated Rural Commercial on District Road 169 are illustrated on Schedule K2.
- 15.4 Permitted Uses include:
- Land extensive commercial uses (e.g. garden centers);
 - Light industrial uses (e.g. contractor's yards, marina, small scale manufacturing);
 - Warehousing; and,
 - Accessory uses (e.g. retail, dwelling);
- that are low density and space extensive, are appropriate in the Rural area due to size requirements and/or use, do not require municipal services, are low water using and low effluent producing, and are compatible with the uses and character of the surrounding area.
- 15.5 Despite the foregoing list of permitted uses, light industrial uses will not be permitted in the Rural Commercial Area on District Road 169.
- 15.6 To maintain the rural character, vegetation along the front of a lot (abutting the road) shall be preserved. In addition, vegetation along lot lines shall be preserved as much as possible.
- 15.7 Open storage areas shall be screened from the road.
- 15.8 Lots shall be large in size to accommodate the proposed use and provide adequate separation.
- 15.9 It is anticipated that small scale commercial or industrial uses that do not require urban services, are appropriate in the Rural area due to their size and/or use, and that are compatible with surrounding uses, will be permitted interspersed throughout the Rural designation.

16 Marinas

- 16.1 Dryland marinas shall be permitted in the Rural area.
- 16.2 Such marinas shall be primarily for boat storage. Servicing of boats shall also be permitted.
- 16.3 The minimum lot size shall be:
- Lot Frontage: 91 metres (300 feet)
 - Lot Area: 2 hectares (5 acres)
- 16.4 Dryland marinas shall front onto a year round publicly maintained road.
- 16.5 All open storage and storage buildings shall be located a minimum of 30 metres (100 feet) from the road. A vegetative buffer shall be maintained to screen such storage and retain the rural character of the road.