

8 WATERFRONT

8.1 DEFINITION AND FUNCTION

Definition

8.1.1 The Waterfront includes those lands outside the Huntsville Urban Settlement Area, Hidden Valley and Port Sydney Settlement Areas, which generally extend inland 150 metres (492 feet) from any waterbody greater than 8 hectares (20 acres) in area, including the Big East and Muskoka Rivers, and the canal between Fairy and Peninsula Lakes. The Waterfront includes:

- all islands and lands which form the bed of any lake or river, and
- all lands that physically and functionally relate to the shoreline, even though they may extend more than 150 metres (492 feet) from the waterbody.

This designation may exclude lands that do not physically or functionally relate to the waterfront, even though they are located closer than 150 metres (492 feet) from the waterbody.

Boundaries

8.1.2 In determining which lands are to be included in the Waterfront, the following guidelines shall be used:

- the physical relationship of the land to the water is the most important factor in identifying the land which is oriented to or away from the shoreline, and will be based on factors such as slope, drainage and visual connection;
- small isolated parcels beyond the 150 metre (492 foot) distance, such as those on a peninsula, will be included in the Waterfront;
- both sides of a road running parallel to a shoreline shall be included within the Waterfront, unless terrain provides a physical separation, and depending on the distance from the shoreline;
- where a commercial property extends inland beyond the 150 metre (492 foot) distance, the whole property shall be included in the Waterfront, unless it is clearly not functionally related to the operation.

Lake Plan

8.1.3 The Waterfront limits may be shown on a land use schedule as part of a Lake Plan in Section 8.12.

Zoning

8.1.4 Except where the Waterfront is mapped as part of a Specific Lake Plan in Section 8.12, the extent of the Waterfront will be defined through zoning.

8.2 CHARACTER AND DEVELOPMENT PRINCIPLES

Focus	8.2.1 The Waterfront reflects the physical limits of the shoreline community in Huntsville. The shoreline community generally functions as a series of residential neighbourhoods, resort commercial activities and open space and conservation uses, all touching on and focused on the lake or river systems in the Town.
Public Resources	8.2.2 The lakes and rivers of Huntsville are public resources that provide major year round leisure and recreational opportunities to both the residents and visitors to the Town. These features also contribute significantly to the tourism sector in the Town, and to the “second home” residential sector, both of which are important components of the Town’s economic base.
Balance	8.2.3 Development in the Waterfront will be based on a balance between utilizing the recreational resource and protecting its natural features.
Mix of Uses	8.2.4 The Waterfront has developed historically with a mix of residential, commercial and open space uses. While this traditional mix is intended to continue, new and innovative development that enhances the traditional mix may be considered through a public process.
Distinctive Character	8.2.5 While in general development on each lake tends to exhibit a similar character and orientation to the water, most waterfront areas have evolved with a particular character which varies as a result of its location, lake or river size, physical and natural attributes and historic development patterns.
Redevelopment	8.2.6 Most of the lakes and rivers in Huntsville already have extensive amounts of development around their shorelines, and have varying amounts of vacant or undeveloped land. The focus of development on many of the lakes will be more on the redevelopment of existing properties rather than on new lot creation or development of vacant lots.
Natural Features	8.2.7 The natural qualities that help define the character of the lakes include their varied topography and forested landscape, their shorelines with a natural and undeveloped appearance, their views and panoramas and their significant natural areas and habitats.
Cultural Features	8.2.8 The cultural features around the lakes also help define their character; from the intensive development in the Huntsville Urban Area, the resort development in the Hidden Valley Settlement Area, the small village atmosphere of Port Sydney, the historic resorts, camps, parks and marinas that have been the focus of community and tourist activities; the large number of multi-generational family owned properties, the remaining large family owned properties and the number of water access properties.
Low Profile Development	8.2.9 New development and the redevelopment of existing properties will maintain a low structural profile with limited visual impact in relation to the tree line.

Naturalized Shoreline	8.2.10 Naturalized shorelines will be substantially maintained and such uses that do occur at the shoreline will be minimally obtrusive, and have limited impact on the natural and aesthetic environment.
Conservation Land	8.2.11 The open space, natural character of the shorelines will be enhanced through efforts by the Town and by lake residents to increase the amount of land that is either in public ownership or is permanently preserved for conservation purposes, through parkland acquisition, establishment of conservation easements and acquisition through land trusts.
Stewardship Ethic	8.2.12 This Plan endorses and promotes a stewardship ethic for shore lands that will include landscape naturalization, improved on-site retention and treatment of pollutants, improved compatibility with the natural environment, where development will co-exist with the surrounding natural environment.
Heritage Nodes/Place Names	8.2.13 In the past, nodes of development formed in certain locations within the waterfront, usually at a transportation link. These areas are important to the heritage of the shoreline community, but now have generally blended into the general waterfront with only their name, isolated buildings such as churches, or access points to the water to distinguish them.
Character	8.2.14 The character of the Waterfront will be maintained by retaining the traditional mix of land uses and the overall low density of development, as well as preserving the natural environment, particularly related to water quality, topography and landscape, vegetation, natural shorelines and significant natural areas and habitats.
Cluster Residential	8.2.15 Residential Cluster development may be considered in appropriate locations, where large shoreline frontages are available as a means to maintain shoreline features, particularly where long term shoreline protection methods are provided.
Tourist Commercial	8.2.16 The preservation of the quality tourist commercial land base fronting on water is essential to the long term health of the tourism industry in Huntsville. The non tourist commercial redevelopment or rezoning of resort commercial properties with significant land holdings and frontage on water will not generally be supported. In extenuating circumstances rezoning may be considered where the impact of the loss of the commercial land base has been analyzed and it is demonstrated that it would not negatively affect the critical mass of the tourism infrastructure and land base in Huntsville.
OPA#6 Site Plan Control	8.2.17 Site Plan control will be required for all development in the Waterfront.

8.3 DESIGN PRINCIPLES

General Design
Considerations

- 8.3.1 When viewed from the water, the visual impact of development is an important consideration in maintaining the character of a waterbody. The natural environment is intended to be the dominant landscape feature around a waterbody. Disturbance on lots should be limited and minimized and the maximum amount of vegetation should be retained on a lot. Vegetation should be maintained on skylines, ridge lines or adjacent to the top of rock cliffs. Additional natural buffering or screening should be provided to supplement existing vegetation along the shoreline. Terrain alterations should be minimized. Structural development that would create a new skyline or ridgeline above the tree canopy will not be permitted.

Waterfront
Design
Principles

- 8.3.2 The following design principles will be adhered to for development in the Waterfront, as appropriate for the specific use and the area:
- a) the natural landscape should prevail with built form blending into that landscape and shoreline;
 - b) natural shorelines will be retained or restored;
 - c) lot sizes will respond to the natural landscape, topographic features and the character of the lake or river;
 - d) rock faces, steep slopes, vistas and panoramas should be preserved and vegetation should be maintained on skylines, ridge lines or adjacent to the top of rock cliffs;
 - e) native species should be used for buffers and where vegetation is being restored;
 - f) buildings and structures should be low profile and should not exceed the height of the tree canopy. A prominent building may be considered for resort commercial development only if it is designed as a landmark and is in keeping with the building style and environment of the surrounding area;
 - g) building mass and coverage should be limited in relation to the size and frontage of the property and shall be in keeping with the character of the surrounding area;
 - h) lot lines should follow existing features and terrain and should be configured so that conflicts between abutting properties are minimized, particularly at the shoreline.

- i) setbacks from roads shall be sufficient to provide and maintain a natural buffer between the development and the road, in order to maintain a vegetative character along the roads, however, the waterfront setback should take precedence when a lot has insufficient depth to provide a buffer at both the shoreline and the road.
- j) building envelopes and the associated activity area should be defined and located in the most appropriate area on the property, with the remainder of the property generally remaining in its natural state.

"Ribbon of Life"

8.3.3 The shallow near shore area in the water in front of lots is a significant component of the "ribbon of life" around the lakes, and is a key component in preserving the health of the lakes. This shallow near shore area is generally located within 20 metres (66 feet) of the shoreline, and/or in shallow areas that are generally less than 2 metres (6.6 feet) in depth. Development within and adjacent to the shallow near shore areas shall be restricted and shall have minimum impact on the near shore.

Shoreline
Activity Areas

8.3.4 A shoreline activity area is the portion of a shoreline frontage of a lot located within the required setback from the shoreline where accessory shoreline structures are located and where there is access to the water for activities such as swimming or boat launching. To maintain an appropriate balance between a natural shoreline and built form within the Waterfront, structures in shoreline activity areas should be focused within a defined area of the shoreline frontage and be limited in extent. Such activity areas may be developed in more than one location on a property, where appropriate. The extent of shoreline activity areas will be considered within the following targets:

OPA#6

- a) 25% of the shoreline frontage or up to 15 metres (49.2 feet), whichever is the lesser, for linear shoreline residential development;
- b) 25% of the shoreline frontage of the open space block or up to 30 metres (100 feet) whichever is the lesser for residential cluster development;
- c) 33% of the shoreline frontage for tourist commercial and institutional accommodation, waterfront contracting operations, and waterfront landings; and
- d) 50% of the shoreline frontage for marinas.

Variances

8.3.5 Variances to the standards noted in Section 8.3.4 above, may only be considered where site characteristics warrant such a variance, and shall generally be subject to the submission of a Site Evaluation Report or Environmental Impact Study satisfactory to the Town that outlines how the natural shoreline features and buffers are protected or enhanced on the site, should such a variance be justified.

Zoning	8.3.6 The size and location of shoreline structures, including docks, decks, gazebos, boat ports and boathouses have a direct effect on both the environmental and visual impact of development on a property. The zoning by-law shall provide standards to regulate the size and location of shoreline structures. These structures may be regulated through a combination of restrictions on the total footprint, floor area, width, length or height.
Visual Impact	8.3.7 Shoreline structures should be located in such a manner as to minimize the visual impact on neighbouring properties, and should avoid sensitive environmental features, both on shore and in the water. The Zoning By-law may provide standards to require a minimum visibility triangle to regulate the visual impact of shoreline structures on neighbouring properties.
Vegetative Buffer	8.3.8 The portion of the shoreline frontage not required for shoreline activity shall be retained or restored as a natural vegetative buffer in order to protect the riparian and littoral zones and associated habitat, prevent erosion, siltation and nutrient migration, maintain shoreline character and appearance, and minimize the visual impact of development. Within the natural vegetative buffer, meandering pathways or access points to the shoreline that are constructed of permeable material, pruning of trees for viewing purposes, or the removal of trees for safety reasons may be permitted. The principle of development in the vegetative buffer shall be minimal disturbance of the ground, shrub and canopy layers.
Existing Shoreline Structures	8.3.9 Where existing shoreline structures do not meet the requirements of this Plan, they may be rebuilt or replaced provided the new structure better meets the requirements of this Plan.
Structures in the Water	8.3.10 Buildings and structures extending beyond the controlled or normal high water mark of a waterbody shall be designed and located in a manner which: <ul style="list-style-type: none">a) do not create a hazard to navigation as defined in the Canada Shipping Act;b) do not have a significant detrimental effect on abutting property;c) do not significantly obstruct the natural flow of water;d) minimize, to the extent possible, potential damage from flood and ice heaving; ande) do not have a detrimental effect on fish habitat and wildlife habitat as determined by the authorities having jurisdiction.
Boathouses	8.3.11 Boathouses and boat ports shall be limited to one storey in height. No accommodation facilities are permitted in a boathouse.

8.4 ACCESS

Public Road Frontage	8.4.1 Development will have frontage on and access from a year round maintained public road, wherever possible.
Alternate Access	8.4.2 Notwithstanding Section 8.4.1, development of shoreline lots may be permitted with the following access, in descending order of preference: <ul style="list-style-type: none">a) a seasonally maintained public road;b) a private road, with a legal right-of-way or condominium description;c) water access.
Water Access	8.4.3 Development of shoreline lots with only water access may be permitted where: <ul style="list-style-type: none">a) road access is not available;b) road access cannot be provided by way of an extension from an existing road in the vicinity; andc) adequate docking and vehicle parking facilities are secured by the property owner on the mainland to the satisfaction of the Town.
Mainland Parking and Docking	8.4.4 Mainland parking and docking facilities for water access properties may be provided through commercial marinas, individual access points serving one property, or waterfront landings serving more than one property.
Public Access Points	8.4.5 Public access points shall not be utilized as mainland parking and docking facilities for water access only lots, unless specifically approved by Council.
Waterfront Landings	8.4.6 Waterfront landings and individual access points may be permitted or expanded provided the following matters are addressed: <ul style="list-style-type: none">a) the property has adequate area and frontage to accommodate the facility;b) sufficient docking and parking facilities will be provided to serve the use;c) the property, particularly the shoreline, is suitable for the use;d) access to and from the facility by both water and land is suitable;e) the facility will not have a negative impact on environmental sensitive areas, habitat, or heritage areas;f) the facility is designed in a manner that is compatible with abutting properties;

- g) parking facilities will be setback at least 20 metres (66 feet) from the shoreline and a natural vegetative buffer is maintained within the setback area;
- h) storm water management and construction mitigation is addressed;
- i) approval will be subject to a zoning amendment and site plan agreement;
- j) they are secured through ownership or by a registered right-of-way or condominium approval;
- k) generous side yards shall be maintained to provide for screening and buffering of neighbouring residential properties.

Site Evaluation Report	8.4.7	A Site Evaluation Report shall be required, which demonstrates to the satisfaction of the Town how the criteria noted in Section 8.4.6 are addressed.
Size Restrictions	8.4.8	In general, the size of the waterfront landing and the number of properties it serves will depend on the suitability of the site and its impact on the abutting properties.
Zoning	8.4.9	The zoning by-law will establish specific standards regarding number of berths and parking requirements for waterfront landings and individual access points.

8.5 SERVICES

Private Services	8.5.1	In general, development or redevelopment in the Waterfront will be serviced by private individual water and sewage systems, with the exception of tourist commercial development where private communal services may be considered, as provided for in Section 8.9.2.8. This Plan supports the increased use of sewage systems with proven ability to mitigate phosphorus.
Setback	8.5.2	New leaching beds and mantles are encouraged to be located as far back from the shoreline as is reasonable and possible, and shall be located a minimum of 30 metres (100 feet) from the shoreline. Where it is not physically possible (due to terrain features, lot depth or design features) to locate the leaching bed and mantle at such a distance, a lesser setback may be permitted based on the recommendations of a Site Evaluation Report and in accordance with current legislated minimum setback requirements. Advanced septic system technology may be required in this instance.
Current Standards	8.5.3	Owners of existing properties are encouraged to upgrade their existing sewage systems to current standards if inspection suggests that those systems are not performing up to the levels achievable with new installed systems.
Stormwater Management	8.5.4	Stormwater management and construction mitigation shall be provided on site as required.

8.6 PERMITTED USES

Permitted Uses

8.6.1 The following uses may be permitted in the Waterfront:

- a) residential uses, which are limited to single detached dwellings in the form of shoreline/linear development, back lot development and cluster development;
- b) waterfront commercial uses, which are limited to tourist commercial uses, traditional religious and institutional camps, marinas and waterfront contracting operations;
- c) open space uses;
- d) conservation uses.

8.7 LOT REQUIREMENTS

Lot Sizes

8.7.1 All lots will be of sufficient size and dimension and possess terrain suitable to accommodate the proposed use. Among other matters, this shall include consideration of the following:

- a) environmental concerns and development constraints;
- b) provision of water supply and sewage disposal;
- c) provision of appropriate access and a safe road entrance;
- d) provision of a sufficient area to accommodate buildings and structures without substantial alteration of the natural landscape.

Variety of Lot Sizes

8.7.2 A variety of lot sizes will be encouraged to address the design principles of this plan.

8.8 RESIDENTIAL DEVELOPMENT

8.8.1 Forms of Development

Forms of Residential Development

8.8.1.1 Residential Development may take the form of:

- shoreline linear development;
- back lot development; or
- cluster development.

Shoreline Linear Definition

8.8.1.2 Shoreline linear development consists of individual residential lots which are situated in a linear fashion along the shoreline.

Back Lot
Definition

8.8.1.3 Back lot development consists of lots that are physically separated from the shoreline by a legally conveyable parcel of patented land that has development potential. Back lots are usually located in a linear fashion along a road which is generally parallel to the shoreline, but may also be located on a road which runs perpendicular to the shore.

Cluster
Definition

8.8.1.4 Cluster development consists of single detached dwellings each located on a single lot or unit area which are setback from the shoreline, with a significant portion of the shoreline frontage being maintained as communal open space.

8.8.2 Shoreline Residential

Minimum Lot
Area

8.8.2.1 The minimum lot area for all new lots shall be 1 hectare (2.5 acres).

Shoreline
Frontage

8.8.2.2 The minimum required shoreline frontage for a linear residential lot shall be 60 metres (200 feet). The frontage may be increased beyond 60 metres (200 feet) on a particular lake where the character of the lake warrants such increased standard, where development or environmental constraints dictate the need for a larger frontage, or where the characteristics of the particular lot require an increased standard.

Alternate
Frontage
Provision

8.8.2.3 Notwithstanding the requirements established above, where a property owner proposes to convey a significant portion of lakefront land to a land trust or the municipality for conservation purposes in perpetuity, shoreline lots with smaller frontages may be recognized. A minimum lot frontage of 45 metres (150 feet) would be required for any residential lot considered in this instance, as long as an equal minimum 45 metres (150 feet) of lakefront is conveyed for conservation for each residential lot created.

Existing
Undersized
Lots

8.8.2.4 Wherever possible, existing, undersized shoreline lots should be merged to create larger parcels. This would help preserve the character of the lake, and reduce the overall amount of development on the lake. Development of existing undersized lots for residential use may be permitted where it has been demonstrated to the satisfaction of the Town, that the lot is suitable for development and all other applicable policies of the Plan are satisfied. Existing vacant lots of record that are below 30 metres (100 feet) of frontage and 0.3 hectares (0.7 acres) in area may be considered for development subject to the processing of a zoning amendment or variance application which establishes site specific regulations. A site evaluation report may be required by the Town to confirm the suitability of the lot for development.

Setbacks

8.8.2.5 Setbacks provide room for buffers and are utilized to attenuate phosphorus loadings from storm water as well as to maintain the natural integrity of shorelines, including fish and wildlife habitat. Setbacks are also utilized to reduce or soften the visual impact of development on a lot. Vegetation within the setback should be

disturbed as little as possible. Similarly, alterations to the soil mantle should be minimized. Except as identified elsewhere in this Plan, the minimum setback for all structural development (including redevelopment on existing properties) except refurbishment or modernization of existing dwellings shall be 20 metres (66 feet), measured horizontally from the high water mark. A septic tile field shall be a minimum 30 metres from the high water mark. This provision does not apply to docks or boathouses or other approved shoreline structures or to heritage structures.

Guidelines for Lesser Setbacks

8.8.2.6 A lesser setback may be permitted only if:

- a) it is not physically possible, due to terrain or lot depth features, to meet the required setback, or
- b) in the case of redevelopment of a property, the imposition of the new setback would result in a more negative impact on the property than allowing reconstruction at the existing setback.

Site Evaluation Report

8.8.2.7 A site evaluation report and a site plan agreement shall be required by the Town in support of requests to reduce the setback beyond that which is established in the zoning by-law. The site evaluation report will clearly identify the compensating features that justify the reduction in the setback and will propose mitigation measures to further reduce the impact of the development.

Dwelling Size Regulations

8.8.2.8 The size of a dwelling, combined with its location on a site, may have a direct effect on the visual impact of the development. As such, the zoning by-law shall provide standards to regulate dwelling size. Dwelling size may be regulated through a combination of restrictions on the total footprint, floor area, width, or height, combined with setback and landscaping considerations.

Parking Area Location on Lot

8.8.2.9 Parking areas on a lot shall be located as far back as possible from the shoreline, and should not be located between the dwelling and the shorelines.

8.8.3 Back Lot Residential

Back Lot Lot Sizes

8.8.3.1 New residential back lots will have a minimum lot area of 4 hectares (10 acres) with a minimum of 135 metres (440 feet) of lot frontage on a year round publicly maintained road.

Setback

8.8.3.2 Development on back lots will be setback from the public road a sufficient distance to provide a buffer which will address visual impact. Within the buffer area, vegetation will be substantially retained and will not be completely removed. Where previously removed, vegetation should be restored using native species.

Shoreline
Access
Restrictions

8.8.3.3 The creation of new access to the water by right-of-way over existing waterfront properties to accommodate shoreline access by a residential back lot shall not be permitted.

8.8.4 Cluster Residential

Cluster
Residential

8.8.4.1 Cluster residential development may be permitted in suitable locations as an alternative to linear residential development where it can be demonstrated that the conservation of shoreline or specific natural features along the shoreline will be enhanced.

Development
Criteria

8.8.4.2 New residential cluster development will proceed by way of plan of subdivision or vacant land condominium description and may be permitted where:

- a) a maximum of 25 lots or dwelling units are located in the cluster;
- b) the land is suitable for the proposed development;
- c) the property on which the cluster is developed has a minimum water frontage of 150 metres (492 feet);
- d) the natural features of the site are maintained and substantial natural vegetation is preserved; the existing tree line is maintained;
- e) each cluster incorporates substantial open space so that the gross density of development is not greater than 25 lots or dwelling units in 40 hectares (100 acres), or there is a ratio of 1 lot or unit for every 1.6 hectares(4.0 acres) of area;
- f) natural open space surrounds the perimeter of the cluster;
- g) a continuous open space block with a depth of at least 30 metres (100 feet) will be retained along the entire shoreline;
- h) the cluster is located adjacent to and has a functional relationship with the shoreline open space block;
- i) a minimum of 10 metres (33 feet) of water frontage will be required per dwelling unit in a cluster;
- j) single detached dwellings are located on individual lots or dwelling units located to the rear of the open space block;
- k) each lot holds an equal interest in the shoreline open space block or the block is held as a common element in a condominium description;
- l) the shoreline open space block will be substantially maintained in its natural state or re-vegetated if necessary to provide a

vegetative buffer to the lake, but may include a common shoreline activity area and common docking facility; the disturbance area for the shoreline activity area is as established in Section 8.3.4(b);

- m) the shoreline activity area, including a common docking facility, is not located on a narrow water body;
- n) the impact of the development from a boating perspective is no greater than would occur if the property were developed for linear shoreline residential development;
- o) a hydrogeological assessment demonstrates that an adequate and sustainable supply of potable water exists on each lot or parcel and that the development will be sustainable over time;
- p) the property has legal access from a year round maintained public road;
- q) any internal private roads are constructed and maintained in a manner that will accommodate emergency services; and
- r) conservation easements may be required for preservation of the shoreline.

Locational
Limitation

8.8.4.3 Residential cluster development which is separated from the shoreline by linear shoreline development or separate and developable patented land will not be permitted.

8.8.5 Residential Compounds

Residential
Compounds

8.8.5.1 Where more than one dwelling exists on a property in a residential compound type situation, the existing development may be permitted but the addition of any further dwellings on the property should not be permitted unless the development complies with the standards in Section 8.8.4.2, above, and an appropriate individual water supply and sewage disposal system location can be confirmed. Expansion of existing buildings or structures or the addition of accessory structures should only be permitted where the intent and principles of the plan will be addressed.

Lot Division

8.8.5.2 Any lot division of a residential compound shall comply with the applicable provisions of Section 8.8.2, 8.8.4 or 11.5.5.

8.9 COMMERCIAL DEVELOPMENT

8.9.1 Forms of Development

Forms of Commercial Development	<p>8.9.1.1 Waterfront commercial uses include:</p> <ul style="list-style-type: none">a) Tourist commercial uses;b) Institutional camps;c) Marinas;d) Existing Contractors' access operations;e) Existing tent and trailer parks.
Contribution to the local economy	<p>8.9.1.2 Waterfront commercial uses are recognized for their contribution to the heritage, character and diversity of the waterfront area and their important role as economic generators in terms of employment and business assessment for the Town. These uses are traditional and vital components of the economy of the Town, which will be retained and enhanced.</p>
Continued Operation	<p>8.9.1.3 The continued operation, upgrading, expansion and redevelopment of existing commercial properties within the waterfront will be encouraged and facilitated within the policy framework of this Plan.</p>
Conversion	<p>8.9.1.4 The Town supports the retention of viable commercial properties and operations. Where tourist commercial land is proposed for removal from a commercial zoning, a report justifying conversion or alternative zoning shall be prepared by a qualified consultant and approved by the Town. If the conversion is to residential, the development shall comply with the relevant provisions of Sections 8.8.2 and 8.8.4.</p>

8.9.2 Tourist Commercial

Tourist Commercial	<p>8.9.2.1 Tourist commercial uses consist of those commercial uses which provide lodging, accommodation and recreational facilities for the vacationing and local public.</p>
Redevelopment	<p>8.9.2.2 The reasonable redevelopment of existing tourist commercial properties to provide rental accommodation and lodging, shall be encouraged. Their potential for expansion is encouraged provided the site and abutting water area has the physical capability to support the expanded use. In addition such redevelopment will reduce the impact on abutting property owners through careful site planning.</p>
Limits	<p>8.9.2.3 Appropriate limits for the upgrading, expansion or redevelopment of each existing tourist commercial use will be established in the zoning by-law for individual sites. Such limits will ensure:</p>

- a) the location, size, characteristics and capacity of the property will be addressed;
- b) any increased density of development or intensity of use (buildings, structures and facilities, floor area, accommodation units, boat slips, lot coverage, recreational and leisure facilities, etc.) will be appropriate for the site;
- c) the density and range of uses are adequate to ensure the long term viability of the commercial operation;
- d) adequate access and services, including water supply and waste disposal will be available and sustainable;
- e) access routes are appropriate or can be upgraded to accommodate the additional traffic;
- f) storage, service, maintenance and parking areas will be generally screened or buffered from public roadways;
- g) compatibility with surrounding properties will be addressed; and
- h) the phasing of development can be accommodated, where appropriate.

New Tourist
Commercial by
Official Plan
Amendment

8.9.2.4 The establishment of new tourist commercial uses on properties not previously used for commercial uses will proceed by amendment to this Plan, to establish the principle of use on an individual property. Such an amendment will establish policies to guide the scale, size and density of development, and recognize and respond to the characteristics and capacity of that particular site such as adequate and appropriate water frontage, compatibility with surrounding properties, retention of native vegetation and buffer areas.

Open Space

8.9.2.5 Tourist commercial uses should incorporate substantial active and passive open space areas, and integrated recreational facilities.

Conversions

8.9.2.6 Where a change is proposed in the use of a tourist commercial property which currently contains accommodation units and is designed to provide condominium, time sharing, leaseback, fractional or interval ownership, such change shall not require an official plan amendment where the use of the property remains tourist commercial.

Golf Courses

8.9.2.7 Golf courses may be considered an integral part of a tourist commercial facility. New golf courses shall be developed in accordance with the recommendations of a Site Evaluation Report or environmental impact assessment. Such report shall determine site suitability, environmental impacts, compatibility with surrounding land uses, and shall identify any necessary mitigation measures.

Communal
Servicing

8.9.2.8 Where multi-unit tourist commercial development is proposed to be registered by way of condominium description, communal servicing may be permitted in accordance with District of Muskoka requirements.

8.9.3 Institutional Camps

Institutional
Camps

8.9.3.1 Institutional camps are a form of tourist commercial activity that contribute to the tourist social and cultural base of the Town.

Expansion of
Existing Camps

8.9.3.2 Areas traditionally used as Institutional camps, such as religious resorts, children's camps or other establishments providing common use of recreational or waterfront facilities may be expanded and redeveloped for similar use provided there is no negative impact on the property or surrounding lands, or the water quality of the waterbody.

Limits

8.9.3.3 The expansion of institutional camps shall be based on appropriate limits for the upgrading, expansion or redevelopment of each existing use and will be established in the zoning by-law for individual sites. Such limits will ensure that:

- a) the location, size, characteristics and capacity of the property is suitable for the proposed use;
- b) any increased density of development or intensity of use (buildings, structures and facilities, floor area, accommodation units, boat slips, lot coverage, recreational and leisure facilities, etc.) will be appropriate for the site;
- c) adequate access and services, including water supply and waste disposal will be available;
- d) compatibility with surrounding properties will be addressed; and
- e) the phasing of development can be accommodated, where appropriate.

Conversions

8.9.3.4 The conversion of institutional camps to other tourist commercial uses shall require an amendment to this Plan.

New Camps by
Official Plan
Amendment

8.9.3.5 The establishment of new institutional camps will proceed by amendment to this Plan, to establish the principle of use on an individual property. Such an amendment will establish policies to guide the scale, size and density of development, and recognize and respond to the characteristics and capacity of that particular site such as adequate and appropriate water frontage, compatibility with surrounding properties, retention of native vegetation and buffer areas.

8.9.4 Marinas and Contractor's Access

Marina
Definition

8.9.4.1 Marinas are facilities, building and structures located on the shoreline which provide docking, mooring, sales, service, repairs and storage of boats and other recreational vehicles (except trailers), and may include accessory convenience and service commercial uses.

Contractors
Access
Definition

8.9.4.2 Waterfront contractor access operations are businesses located on the shoreline which provide construction, building and barging services to the waterfront community. Such facilities may be permitted in association with a marina.

Expansion

8.9.4.3 The expansion of existing marinas is encouraged in appropriate locations, provided the site is suitable for the use, and the use is adequately buffered from surrounding residential uses.

New Facilities
by Official Plan
Amendment

8.9.4.4 The establishment of new marinas or waterfront contractor's access operations shall require an amendment to this Plan. A Site Evaluation Report or Environmental Impact Study shall be submitted in support of any such application, in order to determine site suitability, environmental impacts, compatibility with surrounding land uses, and to identify any necessary mitigation measures.

Lot and Siting
Requirements

8.9.4.5 New marinas or contractor's access operations shall meet the following minimum lot and siting requirements:

- a) the lot area and frontage is appropriate to the scale of the operation;
- b) frontage on and direct access to a year round maintained public road;
- c) a natural buffer to ensure compatibility with adjacent residential uses;
- d) limited outside storage areas and parking areas associated with the commercial operation that are well set back from the water's edge;
- e) generally located on level land of which a majority is treed and the natural vegetation is preserved or enhanced to provide natural buffering of facilities from adjacent uses and from the water, where required.

8.9.5 Tent and Trailer Parks

New Tent &
Trailer Parks
Prohibited

8.9.5.1 The establishment of new Tent and Trailer parks is not permitted in the Waterfront.

Expansion of Existing Tent & Trailer Parks

8.9.5.2 The expansion and enlargement of existing tent and trailer parks may be permitted with an amendment to the zoning by-law. A Site Evaluation Report or Environmental Impact Study shall be submitted in support of any expansion of a tent or trailer park in order to determine site suitability, environmental impacts, compatibility with surrounding land uses, and to identify any necessary mitigation measures.

8.10 OPEN SPACE AND ENVIRONMENTAL FEATURES

Open Space

8.10.1 Open space and conservation uses are encouraged throughout the Waterfront. The predominant use of lands shall be for passive and active recreation and conservation purposes.

Permitted Uses

8.10.2 Permitted uses shall include public parks, portages and access areas for hiking, picnicking, cross-country skiing, snowmobiling, angling, or other similar outdoor recreational activities, and conservation uses and areas including nature study and wilderness areas.

8.10.3 Public open space and conservation lands will remain in the public domain for public use.

Portages

8.10.4 Currently used portages will be preserved or new trails made to provide another suitable route.

Incidental Structures

8.10.5 Only buildings and structures incidental to the principal permitted recreational uses shall be permitted.

Recreational Uses

8.10.6 Recreational uses shall be compatible with adjacent land uses and, where necessary, such facilities shall be designed in such a manner so as to provide adequate spatial separation, buffering, landscaping and/or fencing to ensure that any adverse effects associated with such uses are minimized.

Golf Courses

8.10.7 The establishment of new golf courses or the expansion of existing golf courses shall require an amendment to this Plan, unless such a facility is ancillary to a tourist commercial operation.

8.11 DEVELOPMENT CONSTRAINTS - NARROW WATERBODIES

Narrow Waterbodies

8.11.1 A narrow waterbody is defined as a navigable lake or river where:

- a) The distance from shore to shore is 150 metres (500 feet) or less; and,
- b) In the case of a bay in a lake, the length of the bay is also greater than 100 metres (330 feet).

Hazard to Navigation

8.11.2 Development will not be permitted on a narrow waterbody where a hazard to navigation would result, as confirmed by the authority having jurisdiction.

New Lot
Creation

8.11.3 Where new lot creation is proposed on or adjacent to a narrow waterbody the shoreline lot frontage may be increased as follows:

- a) Where the distance of the narrow waterbody from shore to shore is between 90 metres (295 feet) and 150 metres (500 feet), a minimum shoreline frontage of 90 metres (295 feet) will be required; and
- b) Where the distance of the narrow waterbody from shore to shore is less than 90 metres (295 feet), a minimum shoreline frontage of 120 metres (393 feet) will be required.
- c) Appropriate lot line configuration or greater lot frontages may be required to address the constraints of a particular narrow waterway or to address other natural constraints.

Development
on Existing Lots

8.11.4 In the case of an existing lot located adjacent to a narrow waterbody, a variety of other techniques, such as increasing building setbacks for primary buildings, limitations on the location and size of shoreline structures, retention of vegetation and night sky sensitive and safe lighting will be considered in order to address issues associated with specific narrow water bodies.

Narrow
Waterbody
Applies

8.11.5 Where only a portion of a lot is located on a narrow waterbody, the requirements for narrow waterbodies may be applied to the whole property, unless the siting of development and other appropriate measures can be implemented to the satisfaction of the Town in order to properly address the issues associated with development on a narrow waterbody.

Location
Restricted

8.11.6 New marinas, waterfront landings or similar docking facilities should not be located on a narrow bay which is developed predominantly for residential use.

Development
Form

8.11.7 Where development is proposed along a narrow waterbody located along a river, the following policies shall apply:

- a) Development will be a backshore or cluster form of development, with no individual lot having direct or exclusive access to the shoreline, and will be subject to the provisions of Section 8.8.4.
- b) Any shore road allowance shall be retained in public ownership and where practical, be used for recreational trail purposes;
- c) Additional lands required to enhance the public usability of the shoreline shall be provided;
- d) Where the features and facilities noted above are provided, lots shall not be required to have increased lot frontages as contemplated for lots on narrow waterbodies, and shall be subject to the provisions of this plan for cluster residential development.

Site Evaluation

8.11.8 A Site Evaluation Report will be required by the Town, prior to consideration of a development application related to a narrow waterbody. The Report will evaluate environmental issues and the safety, compatibility and the suitability of the development and identify any mitigating measures which should be implemented.

8.12 WATERFRONT SPECIAL POLICY AREAS

8.12.1 Waterfront Special Policy Area – One (Peacock Bay Resort)

- 8.12.1.1 The subject lands to these policies consist of Part of Lot 30, Concession 7, Geographic Township of Stisted, Town of Huntsville, and are identified on Schedule D-1.
- 8.12.1.2 A tourist resort with Tourist Accommodation Units and a Marina may be permitted on the lands subject to Council approval of an appropriate implementing zoning by-law amendment. A “Tourist Accommodation Unit” shall mean an accommodation unit which is used for the vacationing and/or travelling public only. A “Marina” shall be restricted to those limited marine uses as defined in the implementing zoning by-law amendment.
- 8.12.1.3 The implementing zoning by-law amendment shall include a Holding Symbol pursuant to Section 36 of the Planning Act, R.S.O. 1990. Council may consider an application to remove the Holding Symbol upon the owner demonstrating that the environmental site conditions are suitable or have been made suitable for the intended uses and are in compliance with all Provincial statutes and regulations respecting the redevelopment of brownfield sites.

OPA#4

8.12.2 Waterfront Special Policy Area – Two (Gryffin Bluff)

8.12.2.1 The lands subject to this special policy area are shown on Schedule D-4 and are comprised of a portion of the following:

Lot 3, Concession 11, Part of Lots 1 and 2, Concession 11, Part of Lots 1 and 2, Registered Plan M-427, Geographic Township of Brunel, now in the Town of Huntsville, District Municipality of Muskoka.

The lands included in the Waterfront Special Policy Area – Two (Gryffin Bluff) shall be developed together with the remainder of the above noted property, which is included in the Rural Special Policy Area – One (Gryffin Bluff), as shown on Schedule I-1. This entire landholding will contain a residential development with a maximum of 26 vacant land condominium units, set within natural open space and sharing access to a communal shoreline on Mary Lake.

- 8.12.2.2 Uses permitted will be limited to open space, single family residential and accessory uses.
- 8.12.2.3 Access to this development will be provided from Gryffin Lodge Road, and access within the development will be provided by way of an internal private road owned and maintained by a condominium corporation.
- 8.12.2.4 The internal private road will provide access within the development to all vacant land units and will be designed and constructed:
- a) to a standard which will accommodate emergency vehicles;
 - b) in a manner which will not have a negative impact on the ecological features or functions of the property; and
 - c) in a manner that results in the least amount of site alteration as possible.
- 8.12.2.5 Notwithstanding Section 8.8.3.1, a maximum of 6 vacant land condominium units will be permitted on the lands within this special policy area. The minimum vacant land unit size will be 1.39 hectares (3.43 acres).
- 8.12.2.6 Each vacant land unit will be serviced by private individual water and sewer services.
- 8.12.2.7 An amendment to the comprehensive zoning by-law shall identify the specific building and septic envelopes on individual vacant land units. No accessory structures will be permitted within the setback between dwellings and lot line parallel to Mary Lake. Site plan control will be used to ensure the retention of the maximum amount of natural vegetation and buffers, outside access, building and septic envelopes.
- 8.12.2.8 To preserve the overall natural landscape, tree cover, rock faces, steep slopes and the vegetation of the property, development will be designed to maintain, fit into and use the natural characteristics and features of individual vacant land condominium units. In this regard, the following principles will guide vacant land unit design and building construction:
- a) built form should not dominate the landscape;
 - b) visual impact should be minimized;
 - c) as much natural vegetation as possible should be maintained and natural vegetative buffers should be maintained;
 - d) natural landform and contours should be preserved;
 - e) ridgelines and skylines should be protected;
 - f) use of native species will be encouraged for any planting on the property; and
 - g) natural infiltration, stormwater management and construction mitigation techniques should be used.

Areas outside of building and septic envelopes will be retained as a vegetative buffer. Within the vegetative buffer, the selective removal of trees for viewing purposes, or the removal of trees for safety reasons may be permitted.

- 8.12.2.9 The shoreline area of all properties fronting onto Mary Lake will be used as communal open space, with this entire area remaining in a natural state. Within the communal shoreline open space area, one deck/gazebo and a maximum of 2 small shoreline activity areas, as specifically identified on Schedule I-1, will be permitted. The combined maximum linear frontage for both shoreline activity areas shall not exceed 30 metres (98 feet) to a maximum depth of 20 metres (66 feet). Within these shoreline activity areas, vegetation removal and site alteration will be kept to an absolute minimum. The location of the deck/gazebo will be identified through the zoning bylaw and Site Plan Control. No additional shoreline activity areas or other accessory structures are permitted in the communal shoreline open space area.
- 8.12.2.10 The location of the deck/gazebo and shoreline activity areas, as shown on Schedule I-1, will be identified and regulated through zoning and Site Plan Control. To ensure that the natural shoreline predominates, the zoning by-law will restrict the size and massing of accessory shoreline structures within the shoreline activity areas.
- 8.12.2.11 Access to any communal open space, including the shoreline activity areas within the communal shoreline open space area, will be limited to the internal private road and pathways located on the common element block and identified as part of a site plan agreement.
- 8.12.2.12 Storm water management will maximize shallow overland flow and promote infiltration. Detailed storm water management and construction mitigation plans will be prepared for the development, prior to site alteration or development proceeding. Such plans will be implemented in a condominium and/or site plan agreement.
- 8.12.2.13 Detailed construction mitigation plans, among other matters, will include a strategy for arresting existing sources of erosion, managing topsoil, stockpiles to ensure no sedimentation occurs to the receiving waterbodies. In addition, the plans and condominium and/or site plan agreement will include the requirement for an environmental inspector to be on site periodically, and particularly during work in, or adjacent to sensitive areas or areas of steep slopes.

8.13 LAKE PLANS

Lake Plans

- 8.13.1 Lake Plans provide more detailed land use policy direction for specific lakes in the Town, and are intended to go beyond the more general policy framework of both the Town of Huntsville Official Plan and District Municipality of Muskoka Official Plan. Such plans are intended to identify, reflect and respond to the character and physical capabilities of particular lakes.

Individual
Character

8.13.2 Each lake possesses its own character that is a result of its location, size, physical attributes, access and historic development. The mix of uses, extent of natural features and constraints, and individual historic lot standards all combine to generate the uniqueness of a given lake. Lake Plans may be developed for specific lakes in Huntsville that address different minimum lot standards for new lot creation, regulate redevelopment activities, support improved public access to the lake, or recognize special needs (e.g. for waterfront landings where there are extensive “water access only areas”).

Land Use
Policies

8.13.3 Lake Plans prepared for individual lakes often go beyond land use planning considerations. The land use planning components of a Lake Plan are intended to be implemented through policies in this Plan. Other features of a Lake Plan will be implemented through the efforts of individual ratepayer organizations.

Development
Limits

8.13.4 It is recognized that environmental, physical and social factors other than recreational water quality may also present limits to the amount of development that would be desirable for a particular lake. Therefore, the preparation of specific Lake Plans in consultation with waterfront communities is strongly encouraged to address these matters on an individual lake basis.

Contents of a
Lake Plan

8.13.5 The following matters should be addressed where appropriate through a specific Lake Plan:

- a) definition of the characteristics and character of the Lake;
- b) place in the watershed, drainage basin and related waterways;
- c) topography, landscape, shoreline features and hazards;
- d) areas of constraint to development such as steep slopes, narrow waterbodies and wetlands;
- e) allocation of water quality capacity;
- f) cultural heritage and historic development;
- g) identification of current land use on lake with distinct areas and neighbourhoods shown and type of vegetation cover around lake;
- h) sensitive boating issues/areas;
- i) public and private open space, recreation areas or trails;
- j) public access points;
- k) development potential and capacity;
- l) natural areas or landscape features to be preserved; and
- m) specific policies and standards for development.

- | | |
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| Have regard to the Lake Plans | 8.13.6 Development will be encouraged to have regard for the values, principles and stewardship features of individual Lake Plans. |
| Specific Policies | 8.13.7 Those provisions of the lake plan that are related to municipal planning policy and that may vary from the general provisions of the Huntsville Official Plan are carried forward as specific policies applicable to the Lake. |

8.14 Peninsula Lake

8.14.1 Background

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| Peninsula Lake | 8.14.1.1 Peninsula Lake is split between the Town of Huntsville and the Township of Lake of Bays. The Peninsula Lake Association is desirous of ensuring a consistent approach to the review of development applications, and to the commitment to developing and enforcing environmental stewardship standards. |
| Characteristics | 8.14.1.2 Peninsula Lake has a surface area of 869 hectares (2150 acres), with 19% (167 hectares / 411 acres) located in the Town of Huntsville. Of a total shoreline length of 27.4 kilometres (17 miles), 23% (6.4 kilometres / 4.0 miles) is in Huntsville. |
| Shoreline | 8.14.1.3 The shoreline around Peninsula Lake in the Town of Huntsville is designated Waterfront and Hidden Valley settlement Area. Three kilometres (1.9 miles) of shoreline is in the Waterfront; 3.4 kilometres (2.1 miles) is in the Hidden Valley Settlement area. |
| Existing Development | 8.14.1.4 Most of the shoreline is already developed, with more intensive residential and commercial uses in the Hidden Valley Settlement area. The south shore of Peninsula Lake is in the Waterfront, and is predominately residential. The north-east shore in the Waterfront is a mix of residential and tourist commercial uses. Pow Wow Point and Cedar Grove are the two major commercial uses on this east shore. |
| Stewardship | 8.14.1.5 The Peninsula Lake Association has adopted a Lake Plan (2001) that provides a stewardship approach for all stakeholders around the lake to work cooperatively to preserve the health of the lake and its surrounding community and includes proposed land use regulations. |
| Waterfront Designation | 8.14.1.6 The policies in this Section apply to the lands designated Waterfront in the Huntsville Official Plan. |

8.14.2 Vision Statement

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| Vision Statement | 8.14.2.1 The Peninsula Lake Association has endorsed a Vision Statement, to ensure that current and future generations will enjoy: <ul style="list-style-type: none">• Pristine water quality; |
|------------------|--|

- Beautiful natural vistas, landscapes and shorelines;'
- A diverse and sustainable natural heritage of plants, fish and wildlife;
- Economic development, property development and commercial operations that provide employment, social and recreational opportunities, and access to the lake while respecting the natural, social and historical character of the lake;
- A tranquil ambience that nourishes and recreates the spirits of community residents and lake users;
- Social and recreational activities and facilities that promote a spirit of community and neighbourliness; and
- Historic and cultural features, including neighbourhoods, areas and buildings.

8.14.3 Policies

Minimum Lot
Frontage

8.14.3.1 The minimum shoreline frontage for new lot creation shall be 120 metres.

Development
Setback

8.14.3.2 In general, a minimum development setback of 30 metres shall be maintained adjacent to identified Type 1 Fish Habitat, except for permitted shoreline structures.

Canal
Lighthouse

8.14.3.3 The restoration of the Canal Lighthouse is encouraged.

8.14.3.4 The preservation of the canal between Fairy and Peninsula Lakes is encouraged.

8.15 Lake Vernon

8.15.1 Background

Lake Vernon

8.15.1.1 Lake Vernon has a surface area of 1500 hectares (3566 acres), with 50 kilometres (31 miles) of shoreline.

Stewardship

8.15.1.2 The Lake Vernon Association has adopted a Lake Plan (2003) that provides a stewardship approach for residents around the lake to work cooperatively to preserve the health of the lake and its surrounding community.

Waterfront

8.15.1.3 These policies apply to the lands designated Waterfront in the Huntsville Official Plan.

8.15.2 Vision Statement

Vision
Statement

8.15.2.1 The Lake Vernon Association has endorsed a vision statement as follows:

- To protect the natural environment, health and beauty of Lake Vernon and to represent issues affecting its membership and their quality of life; and
- Through effective leadership integrate a vigilant, informed, cultural community working with other lake associations as stewards committed to maintaining and enhancing an environmentally health, natural community in and around Lake Vernon.

8.15.3 Policies

Minimum Lot
Frontage

8.15.3.1 The minimum frontage for a new lot creation shall be 90 metres in any identified deer wintering area.

Big East River

8.15.3.2 Shoreline development along the Big East River should not disturb or increase the natural erosion rate.

High Profile
Development

8.15.3.3 High profile development is discouraged on backlands, heights of lands or in scenic areas having a view of the Lake, or on Big Island.

Cultural and
Historic Sites

8.15.3.4 Cultural and Historic sites have been identified by the Lake Association. Future development should not jeopardize the integrity of these sites. These sites include:

- Big East River Delta (Muskoka Heritage Area and Provincially Significant Wetland);
- Robinson's Creek and Lake (unique plant species);
- Eagle Mountain (also known as Tawingo Mountain);
- Hutcheson Beach (Kinsmen beach);
- Vernon Mountain;
- Black Creek;
- Wallington Creek;
- Hoodstown Rapids (historic portage); and
- Hudson Bay Trading Post

8.15.3.5 The Hoodstown Portage may be restored to public ownership and preserved through conservation easements or land trust.

8.16 Menominee Lake

8.16.1 Background

Menominee
Lake

8.16.1.1 Menominee Lake is split between the Town of Huntsville and the Township of Lake of Bays. The Menominee Lake Association has expressed a desire to ensure a consistent approach to the review of development applications, and to the commitment to developing and enforcing environmental stewardship standards.

Characteristics

8.16.1.2 Menominee Lake has a surface area of 97 hectares (240 acres), with 14% (13.5 hectares / 33 acres) located in the Town of Huntsville. Of a total shoreline length of 6.8 kilometres (4.2 miles), 21% (1452 metres / 4764 feet) is in Huntsville.

Stewardship

8.16.1.3 The Menominee Lake Association has adopted a Lake Plan (August, 2004) that provides a stewardship approach for residents around the lake to work cooperatively to preserve the health of the lake and its surrounding community.

8.16.2 Vision Statement

Vision
Statement

8.16.2.1 Menominee Lake and its surroundings provide a tranquil environment of strong natural beauty, clear air and clean water in which cottagers and residents can relax, gather with family and friends, promote respect for the environment, and restore their sense of well-being.

8.16.3 Lake Character

Lake Character

8.16.3.1 The Character of Menominee Lake has the following features:

- the natural landscape should be preserved and restored
- trees are an important component of that landscape
- the wetland areas around the lake are important features
- the building environment should not overwhelm the natural landscape
- buildings should fit with and blend into the natural landscape
- development or redevelopment should fit in with the natural landscape
- a peaceful, relaxed atmosphere is valued.

8.16.4 Policies

Minimum Lot
Frontage

8.16.4.1 The minimum frontage for new lot creation shall be 120 metres (400 feet).

Permitted Uses

8.16.4.2 Permitted uses around the shoreline of the lake shall be limited to linear residential development and open space/conservation uses.

Boathouses
Prohibited

8.16.4.3 Boathouses, boat ports or other accessory buildings (except docks) shall be configured so that conflicts with neighbouring properties are minimized.

Upstream
Development

8.16.4.4 Any development upstream of the Lake and within the Menominee Lake watershed shall be assessed with regard to its impact on the water quality of Menominee Lake.

8.17 Fairy Lake

8.17.1 Background

Fairy Lake

8.17.1.1 The shoreline of Fairy Lake is divided among a number of Land Use designations: Huntsville Urban Settlement Area, Hidden Valley Settlement Area, Highway 60 Special Policy area and Waterfront.

Characteristics

8.17.1.2 Fairy Lake has a surface area of 711 hectares (1757 acres), with 22.5 kilometres (14 miles) of shoreline.

Stewardship

8.17.1.3 The Fairy Lake Association has adopted a Lake Plan (2003) that provides a stewardship approach for residents around the lake to work cooperatively to preserve the health of the lake and its surrounding community.

Waterfront
Designation

8.17.1.4 These policies apply to the lands designated Waterfront in the Huntsville Official Plan.

8.17.2 Vision Statement

Vision
Statement

8.17.2.1 The Fairy Lake Association has endorsed the following vision statement:

- The beauty of the landscape, the tranquility of the surroundings and the quality of the water are preserved;
- Wildlife, fish, and plant habitat are safeguarded;
- The community is actively involved in stewardship;
- There is an appropriate balance between economic development and the preservation of the environment; and
- Local residents and visitors to Muskoka will have access to the lake's recreational opportunities.

8.17.3 Policies

Public Access
Points

8.17.3.1 Existing public access points shall be retained and protected. New sites shall be created in appropriate locations particularly on the south side of the lake, where feasible and shall be provided as part of the development approval process.

Setback

8.17.3.2 In general, a minimum development setback of 30 metres shall be maintained adjacent to identified Type 1 Fish Habitat, except for permitted shoreline structures.

Natural and Cultural Features

8.17.3.3 A number of natural and cultural points of interest have been identified on Fairy Lake and should be protected from incompatible development. These include:

- The first steamer “Northern” is sunk off shore;
- One Tree Island;
- Canal; and
- Brunel Locks.

(OPA#2) **8.18 Mary Lake**

8.18.1 Background

Mary Lake

8.18.1.1 Mary Lake has a surface area of 1,062 hectares (2,625 Acres), with 23 kilometers (16 miles) of shoreline.

Mary Lake Basin

8.18.1.2 The “Mary Lake Basin” is defined as Mary Lake and the first 1000 meters adjacent to the lake. With the exception of policy 8.18.5, the policies in this subsection apply to the lands designated “Mary Lake Ridgeline Area”.

8.18.2 Vision Statement

Vision Statement

8.18.2.1 It is deemed the responsibility of the stakeholders in the Mary Lake Basin to ensure that planning and development occur in a manner that will enable future generations to experience the special character and serene natural beauty of the lake including:

- The unbroken forest panorama covering the islands and rising to the steep and highly visible ridgeline surrounding the lake.
- Clean water and unspoiled natural environment throughout the lake basin that sustains the broad diversity of flora and fauna of the water and land.
- Continued social and visual contribution of the notable large and traditional properties (camps, lodges, islands, marina and natural elements) which feature prominently in the landscape.
- Harmonious shoreline and back lot building development that blends into the natural viewscape.
- The special quality of community living, typified by the historical village of Port Sydney that respects natural, social and built heritage.

- Well-managed community access to recreational activities compatible with the established character of the lake.
- Active stewardship that educates residents and visitors and supports implementation of policies to achieve the vision.

8.18.3 Policies

To achieve the Mary Lake vision, the stakeholders have established 5 priorities. Each priority outlines attributes which have been identified and deemed essential to sustaining and enhancing the character of the Mary Lake Basin.

8.18.3.1 Ridgeline Scenic Panorama

Ridgeline Scenic
Panorama

The Mary Lake Basin presents a naturally beautiful viewscape that rises from the waterfront to the ridgeline of the surrounding cliffs and hills. Because the lake is a basic oval shape with only a few shallow bays, there is a sweeping visual connection from all points. The topography of the panoramic view combines gently rising forest coverage and extensive steep rock terrain. The ridgeline is unbroken and there is very little obtrusive or intrusive development in the panorama.

- The goal is to preserve the unique natural character and beauty of the scenic panorama from the water to the waterside top of the ridgeline around the entire, visible Mary Lake Basin.

8.18.3.2 Shoreline Development

Shoreline
Development

The Mary Lake Basin contains a number of prominent rock faces which play an important role in defining the natural character of the lake setting. A notable characteristic is that the tree line is located above or behind barren rock face.

- The goal is to preserve the natural rock face in prominent locations.

The shoreline development provisions of Section 3 (Environment) and Section 8 (Waterfront) are consistent with the vision of the Mary Lake Basin.

- The goal is to encourage public appreciation and understanding of these provisions and to support rigorous enforcement.

8.18.3.3 Water Quality and Natural Environment

Water Quality
and Natural
Environment

Mary Lake has characteristics that present challenges in establishing and maintaining excellent water quality and a pristine natural environment. These include:

- Mary Lake’s position on the Muskoka River is downstream of considerable current and potential new development within the boundaries of the Town of Huntsville.
- Mary Lake has very limited adjacent wetland and lacks the associated environmental benefits which wetlands provide.
- The goal is to improve and restore the water quality and natural environment to realize the potential for enjoyment and preservation of natural diversity throughout the Mary Lake Basin.

8.18.3.4 Prominent and Traditional Properties

Prominent and
Traditional
Properties

Part of the character of the Mary Lake Basin is defined by a number of prominent waterfront properties that are prominent based on their unique location and site characteristics and/or their historic use. For many decades the sites identified below have provided a “Muskoka lake experience” centred on youth education, camping and family activities.

Prominent Locations:	Traditional Use Properties:
Rocky Island	Sister of Saint John Convent
Crown Island	Clyffe House
Raymond’s Bluff (southwest shore)	Camp Mini Yo We
Buckhorn Bluff (northwest shore)	Muskoka Baptist Conference
Gryffin Bluffs (northeast shore)	Gryffin Lodge
	Mary Lake Marina
	Pitman’s Bay

- The goal is to encourage continuation of the longstanding use and form of these properties to maintain the traditional character of Mary Lake.

8.18.3.5 Community Living

Community
Living

Despite its annexation into the larger Town of Huntsville many decades ago, Port Sydney has managed to preserve and enhance its many small “village” attributes. The distinct character and history of the “Port Sydney Settlement Area” has been specifically recognized and defined in Section 6 of this Plan. The “village” has many defining attributes including historic buildings, deep setbacks of the lakefront properties, a large public beach, a central community hall and a single two lane roadway that provides a promenade from one end of the village to the other.

- The goal is to ensure that any development maintains the existing village character and ambience as an important feature for all Mary Lake residents. This character is reflected in the built structures, commercial activities and sense of safe, communal living in a small village environment.

8.18.4 Ridgeline Area

The term “Ridgeline Area” within the Mary Lake Basin for the purposes of this Official Plan is delineated on Appendix 11 – “Mary Lake Ridgeline Area” map.

8.18.4.1 Ridgeline Area Policies

Ridgeline Area

Within the Ridgeline Area, all development is subject to Section 8 – Waterfront Policies and the following policies which shall take precedence where there is a conflict:

- a. All development, with the exception of minor expansion or addition, within the Ridgeline Area shall be subject to Site Plan Control.
- b. All applications for Site Plan Approval shall address, amongst other matters, the following:
 - Identification of the location of the subject property on the map of the Ridgeline Area (Appendix 11)
 - Specific reference to the impact that the proposed development shall have on the “natural” view from the water to the ridgeline
 - Representation of the natural vegetation and existing or proposed tree cover
 - Completion of a plan checklist which will confirm compliance with Section 3 (Environment) and Section 8 (Waterfront)
- c. On prominent barren rock faces adjacent to the water, no development, with the exception of limited docking/boathouse facilities, shall be permitted.
- d. Creation of solid shoreline walls or “in water” structures that break the integrity of the waterfront “ribbon of life” are prohibited.
- e. To protect and preserve the “ribbon of life”, the creation of new shoreline land by adding fill is prohibited.
- f. To avoid further fragmentation and disruption of the waterfront community, development of new multiuser waterfront landing facilities shall require an Official Plan amendment.

8.18.5 Prominent and Traditional Properties

Prominent and
Traditional
Properties

Prominent and Traditional Properties listed in Section 8.18.3.4 shall be:

- a. encouraged to continue their current use and/or form; and
- b. encouraged to ensure that any proposal to alter their current use or form is consistent with the traditional lake character.

8.18.6 Implementation and Interpretation

Implementation and Interpretation

8.18.6.1 The Mary Lake policies shall be subject to the relevant provisions of Section 13 of the Huntsville Official Plan relating to implementation and interpretation.