



Town of Huntsville Staff Report

Meeting Date: May 17, 2023

To: Planning Council

Report Number: DEV-2023-66

Confidential: No

Author(s): Richard Clark, Manager of Planning

Subject: OPA 2 & Z/28/2022/HTE - DHR GP Inc. (Deerhurst Modern) - 1415 Deerhurst Drive

Report Highlights

Staff overview respecting proposed Official Plan Amendment Application OPA #2 and Zoning By-law Amendment Application Z/28/2023/HTE.

Recommendation

For information only.

Background

The Deerhurst Resort has operated in the Town of Huntsville since 1896 and is an important part of the Town and Muskoka's history. Over this time, the Deerhurst Resort has become a central part of Muskoka's four season tourism industry. The resort has experienced several ownership changes during the past 125 years, with successive owners each contributing to the management and expansion of the resort to help it thrive in the competitive resort market. The resort's newest owners are proposing such an expansion on a portion of the lands known as the Deerhurst Village Centre - Plateau (the "Plateau").

Previous planning approvals granted by the Town of Huntsville and District of Muskoka for the Plateau include an application to amend the Town of Huntsville Official Plan to implement the Deerhurst Resort Village Secondary Plan (OPA #9), a Zoning By-law Amendment Application (Z/01/2014/HTE), and a Draft Plan of Subdivision Application (S2014-4). These applications were advanced by previous owners as part of their comprehensive vision for the future of the resort.

The owner proposes a refreshed vision for the Plateau site that includes a recreational resort residential development consisting of 447 recreational resort residential units in two (2) buildings (Buildings A and B) connected via a shared entranceway and supportive commercial uses, including a restaurant, retail space, and a pool. The buildings will operate as a hotel, with owners able to participate in a tourist commercial accommodation rental program operated by the Deerhurst Resort.

Building A, located to the south, is proposed to have a maximum height of 23.5m and consist of 229 recreational resort residential units across 6.5 floors. Building B, located to the north, is proposed to be 21.3m in height and consist of 218 recreational resort residential units across 5.5 floors. This proposed development is being referred to as the Deerhurst Modern concept.

A site plan illustrating the Deerhurst Modern concept, as well as renderings and elevation drawings for the buildings, are included in Attachments #2 and #3 to this Report.

Purpose and Effect:

OPA #2: Application has been made for an amendment to the Town Official Plan to permit the proposed Deerhurst Modern development concept on the Plateau site. The site is currently designated Deerhurst Village Centre - Plateau in the Town Official Plan. This designation contemplates retail commercial and recreational resort residential development consistent with the Deerhurst Village Centre concept and phasing plan, which is attached to the Huntsville Official Plan as Appendix 3 (see Attachment #4). The designation and associated Appendix permit a development consisting of multiple recreational resort buildings oriented around a village square with 366 recreational resort residential units overall, a 150-unit resort commercial hotel, and at-grade commercial retail and personal service units in certain buildings. This application proposes to amend the composition of units permitted in the Deerhurst Village Centre - Plateau designation to being all recreational resort residential units within two buildings, accompanied with complimentary commercial uses. This amendment would adjust the mix of recreational resort residential units and resort commercial units from 336 and 150, respectively, to 516 recreational resort residential units overall. The proposed amendment would also delete Appendix 3 from the Official Plan.

A copy of the draft Official Plan Amendment is appended to this Report as Attachment #5.

Z/28/2022/HTE: Application has also been made for a Zoning By-law Amendment to permit this proposed development. The current zoning for the Plateau site includes five (5) site specific Tourist Commercial Holding (C4-H) Zones, with separate special exceptions, including Exceptions "0270", "0271" "0272", "0273" and "0274" respectively. These site-specific zones correlate to blocks within Draft Approved Plan of Subdivision File S2014-4 and generally include permissions for recreational resort residential and resort commercial units. This application proposes to rezone the lands within the Plateau site from separate C4-H-0270, C4-H-0271, C4-H-0272, C4-H-0273, and C4-H-0274 Zones to one site-specific Tourist Commercial Holding with Exception "XXXX" (C4-H-XX) Zone to permit the proposed uses and buildings associated with the Deerhurst Modern development concept, including provisions to:

- Carry forward permissions for resort related residential units, as well as site specific parking provisions requiring a minimum of 1.2 parking spaces per structural unit and permitting parking to be located on an abutting lot;
- Increase the maximum permitted building height from 16.5m to 23.5m to permit resort related residential buildings with a maximum 6.5 storeys;
- Permit all but five (5) required accessible parking spaces to be located greater than 30m away from the building entrance; and
- Permit all non-barrier free and parallel parking spaces to have a minimum width of 2.6m.

The proposed Holding (H) provision would include clauses to require the owner to complete the following prior to development proceeding on the lands:

- Execution of a servicing agreement with the District of Muskoka;
- Completion of or receipt of securities to complete necessary infrastructure improvements; and
- Execution of a site plan agreement with the Town of Huntsville.

A copy of the draft Zoning By-law is appended to this Report as Attachment #6.

Site Characteristics and Surrounding Uses

The Plateau site is located within the broader Deerhurst Resort lands at the intersection of Deerhurst Drive and Canal Road. The site is irregularly shaped, is approximately 9.0ha in area, and has frontage on Canal Road and Deerhurst Drive. The site slopes from the west down to Peninsula Lake to the east, with the proposed development sited on the more level "plateau" lands. Existing development on the Plateau site includes a barn, horse paddocks, several outbuildings and a portion of the golf course at Deerhurst Resort. The canal linking Fairy Lake to Peninsula Lake is located to the south of the Plateau site. Surrounding uses include waterfront residential, waterfront backlot, golf course/open space, resort commercial, resort related residential, rural residential and natural resource use.

Location: Part of Lots 29 and 30, Concession 1, Chaffey

Previous/Current Files: OPA #9, Z/01/2014/HTE, and S2014-4

Natural Constraints: Wetland, Fish habitat, Potential Significant Wildlife Habitat, Potential Habitat for Threatened or Endangered Species, Cold Water Lake, At Capacity Lake Trout Lake

Human Constraints: None

Official Plan: Deerhurst Village Centre - Plateau within the Deerhurst Overlay

Zoning: Tourist Commercial Holding with Exception "0270" (C4-H-0270), Tourist Commercial Holding with Exception "0271" (C4-H-0271), Tourist Commercial Holding with Exception "0272" (C4-H-0272), Tourist Commercial Holding with Exception "0273" (C4-H-0273) and Tourist Commercial Holding with Exception "0274" (C4-H-0274)

Precinct: Resort Related Commercial (RRC) with previous zoning Exception C4-H-0270, C4-H-0271, C4-H-0272, C4-H-0273 and C4-H-0274, and with Natural Constraint 2 Overlay

Access: District Arterial Road (Canal Road) and Town Rural Collector Road (Deerhurst Drive)

Servicing: Municipal water and sewer services

OSRA Status: None

Technical Background Report(s):

- [Planning Justification Report](#) prepared by MHBC, dated September 2022;
- [Environmental Impact Study](#) prepared by Birks Natural Heritage Consultants, dated 2022;
- [Functional Servicing Report](#) prepared by WMI and Associates Ltd., dated 2022;
- [Traffic Impact Study](#) prepared by WMI and Associates Ltd., dated September 2022;
- [Visual Impact Study](#) prepared by, dated December 15 2022;
- [Public Engagement Strategy](#) prepared by MHBC, dated September 2022; and
- [Architectural Drawings](#) prepared by B+H Architects, dated September 16, 2022

Discussion

Supporting Documentation

A number of technical studies have been completed in support of the applications as described below.

A Functional Servicing & Storm Water Management Report was prepared by WMI & Associates Limited to provide an investigation into existing sanitary services, water services, storm services, drainage patterns, and a functional design of storm water management controls for the Proposed Development. Sanitary servicing for the proposed development will require the installation of internal sanitary sewers and a private sewage pumping station/force main system which will outlet to the District's sanitary sewage collection system. Water servicing is proposed to be provided through a new connection to the existing Deerhurst Drive watermain, via a private watermain connection. Fire

protection will be provided through internal sprinkler systems within buildings and an on-site hydrant. Storm water management for the site is proposed to include a storm water management pond for quality control prior to outletting to Peninsula Lake and onsite low impact development design features that include oil-grit separators.

A Traffic Impact Study ("TIS") was prepared by WMI & Associates Ltd. to assess the potential traffic impacts associated with the proposed development. Specifically, the TIS included a review of traffic volumes, warrant analyses, an operational analysis to determine service levels, and an assessment of sight-lines. The development proposes to utilize the existing Turnbull Lane access as the primary entrance/exit, and utilize a realigned Deerhurst Drive access as an entrance for deliveries and truck traffic. The TIS concluded that the proposed development can be accommodated within the local community without adverse impacts on the existing transportation systems. Specifically the report notes that upgrades to intersections at Highway 60 & Canal Road and Canal Road & Deerhurst Drive are not warranted; traffic operations at nearby/critical intersections will continue to function adequately to the year 2035; and the proposed site entrances will be configured to avoid sight-distance issues and to ensure adequate vehicular circulation both into and out of the subject site. Of note with respect to this report is the fact the 120 resort-related recreation use units associated with the Deerhurst Village Centre - West Riverfront site do not appear to have been appropriately factored into the review conducted in the TIS.

An Environmental Impact Study ("EIS") Update was prepared by Birks Natural Heritage Consultants as an update to the Deerhurst Resort EIS, prepared by Azimuth Environmental Consulting Inc, dated June 12, 2013. The EIS characterized the majority of the site as actively maintained lands associated with the Resort, with natural habitats limited to the shorelines of Peninsula Lake and the canal. The report also noted a small portion of a remnant swamp surrounding the existing driving range. Additionally, a total of five (5) shoreline/near shore communities were identified through the EIS. Potential significant wildlife habitat identified in the EIS included potential habitat for bat maternity colonies, turtle wintering, reptile hibernaculum, turtle and lizard nesting areas, and amphibian breeding habitat. Potential habitat for threatened or endangered species identified in the EIS included potential habitat for barn swallow, blanding's turtle, and little brown, northern, and tri-coloured bats. To mitigate potential negative impacts on these natural heritage features and areas, the EIS recommended a series of mitigation measures included in Section 7.

A Visual Impact Analysis (VIA) was prepared by B & H Architects to provide specific information related to the massing of the proposed building and support the additional building height proposed through the development. This report was updated to address preliminary comments from the Town of Huntsville prior the applications being deemed complete. The report notes that the proposed 6m of additional height can be justified in this instance due to the fact that the buildings will be set back from the shoreline, sufficiently far away from surrounding low-density development, and include rooflines with geometry that reflects the topography of the area and surrounding character of rock outcroppings in the vicinity of the Plateau site. The report concludes that while the proposed development will be visible from some viewpoints, the proposed increase in height would not considerably alter the visual impact that otherwise would be permitted as-of-right. The report also notes that the design responses and landscaping proposed as part of the development will further mitigate potential impacts on the landscape and views, providing a development which has regard for the local topography and landscape character.

All of the above technical studies were submitted by the Town of Huntsville to J.L. Richards and sub-consultants for peer review purposes. As sanitary and water servicing matters fall within the purview of the District of Muskoka, the peer reviewers were asked to review storm water management related servicing matters only in the Functional Servicing & Storm Water Management Report. The first

round of peer review comments are now available and have been provided to the applicant for their consideration and response. These comments are also posted on the Town's website for public review via the following link - [Deerhurst Village Compliance Review](#).

A Planning Justification Report was prepared by MHBC to provide planning rationale for the proposal and help describe the development. A Public Engagement Strategy was also prepared by MHBC to outline the approach the applicant will follow to engage the surrounding community, Lake Associations, and relevant review agencies for feedback. The Strategy also notes how concerns will be addressed through the planning review and development processes. The Strategy has been developed to be in accordance with the policies outlined in Section F1.12.2 of the Town of Huntsville Official Plan. In order to properly receive, review and address public comments received through the process, MHBC proposes to prepare a Summary Memorandum following a Public Information Centre/Open House meeting. This summary is intended to provide an overview of the comments received through the meeting and outline next steps in the project. Additionally, MHBC proposes to prepare a Comment Summary Table following Public Meetings to outline all of the comments received and how each is proposed to be addressed.

It should also be noted that in addition to the above studies, a Stage 1-2 Archaeological Assessment was prepared by Amick Consultants Ltd, dated February 2013 and updated in April 2015, and reported that no archaeological resources were encountered within the subject lands and no further assessment was warranted.

Town of Huntsville Community Planning Permit By-law

In July 2022, the Town of Huntsville passed Community Planning Permit By-law 2022-97 (the "CPP By-law"). As of January 31, 2023, this By-law came into full force and effect for the subject lands, repealing and replacing Comprehensive Zoning By-law 2008-66P, as amended. Notwithstanding this fact, Zoning By-law Amendment Application Z/28/2022/HTE, may proceed as an "in progress" application under transition provisions contained in Section 1.8 of the Official Plan and be disposed of in accordance with the now repealed Zoning By-law.

It would be beneficial for the applicant to consider amending Zoning By-law Amendment Application to a CPP By-law Amendment Application. This would make the future application of land use controls on the Plateau site more straight forward for all involved. Regardless of the approach taken, a Community Planning Permit would be required from the Town prior to any development proceeding on the lands. This matter will be discussed further with the applicant.

Town of Huntsville Zoning By-Law

As noted above, the Plateau site currently includes five (5) site specific Tourist Commercial Holding (C4-H) Zones, each with separate Exceptions, including "0270", "0271", "0272" and "0274" respectively. These zones correspond to blocks within Draft Approved Plan of Subdivision File S2014-4 and the phasing outlined in the Deerhurst Village Centre - Plateau concept and phasing plan. In general, these zones include permissions for buildings containing a mix of recreational resort residential and resort commercial units.

A table comparing the five (5) existing site specific zones in each block to the proposed consolidated site specific zone for the Plateau site is contained in Attachment #7 to this Report.

Town of Huntsville Official Plan

The Plateau site is currently designated Deerhurst Village Centre in the Town Official Plan and is located within the Hidden Valley Recreational Lifestyle and Resort Area and the Deerhurst Overlay.

General policies relating to character protection, servicing and access, height, density and design for development within the the Hidden Valley Recreational Lifestyle and Resort Area and Deerhurst Village Overlay would apply to the proposed development.

The Deerhurst village Overlay, which is identified on Schedule B-2 of the Official Plan, is intended to ensure a coordinated policy approach for development on the lands it contains. Policies in Section C5.6 of the Official Plan apply to the Deerhurst Village Overlay. According to Section 5.6.1, lands within the Overlay are to function as a resort village, consisting of clusters of development, where the focus is four season tourist commercial, recreational resort, related commercial activities and resort-related residential uses; all of which are set within a context of natural and recreational open space. To ensure recreational resort residential uses are integrated with the larger resort, policies contained in Section 5.6.3 of the Official Plan require owners of all recreational resort residential uses to have ongoing access to services, amenities and recreational facilities provided by the resort commercial use owner(s) and affiliates. Additionally, all recreational resort residential uses will be required to have access to an optional resort commercial accommodation rental program administered by the resort commercial use owner(s) and affiliates. The Deerhurst Village Overlay policies also contain provisions about access and sustainability measures that should be applied.

The Deerhurst Village Centre - Plateau is considered a sub-designation of the Deerhurst Village Centre designation. Policies in Sections C5.5.4 to C5.5.20 of the Official Plan describe how the uses permitted within this sub-designation, which include 366 Recreational Resort Residential Units and 150 Resort Commercial Units are to be developed and describe the applicable phasing and design related requirements. As these policies are specific to a concept plan which the new owners no longer wish to pursue, their application addresses amendments to these policies. These proposed amendments would not impact the policies applicable to the Deerhurst Village Centre - West Riverfront sub-designation.

It is noted that the above policies relating to the Deerhurst Village Overlay and the Deerhurst Village Centre - Plateau sub-designation were first introduced through the Deerhurst Village Secondary Plan (OPA #9), which was approved in November 2014, following extensive public consultation. The Deerhurst Village Secondary Plan was intended to provide policy direction for continued growth of the Deerhurst Resort. To aid with this objective, a Master Concept Plan was developed with the goal of transforming the Deerhurst Resort into a resort village. According to that 2014 Secondary Plan, the village centre concept would help the Deerhurst Resort continue to evolve and incorporate a central mixed-use village with new amenities to be a focal point for the resort.

District of Muskoka Official Plan

The lands are located in the "Hidden Valley Recreational Lifestyle and Resort Area" Special Policy Area in the Muskoka Official Plan. District of Muskoka staff provided comments in response to these applications which are included in Attachment #8 to this Report. These comments note that staff would not be opposed to the approval of the above noted applications provided that the appropriate development control techniques are used to implement the recommendations of the submitted technical studies and any associated peer reviews, and that the site-specific zoning by-law continues to include the proposed holding symbol (H). District staff further noted that removal of the (H) should only be considered when the lands are subject to an agreement with The District Municipality of Muskoka to address the provision of municipal services, posting of securities and capacity allocation, amongst other matters.

Provincial Policy Statement

The 2020 Provincial Policy Statement (PPS) provides various policies that encourage growth and development to be focused within settlement areas, which would include the Hidden Valley

Recreational and Resort Special Policy Area. Section 1.1.3 of the PPS notes that the vitality and regeneration of settlement areas is critical to the long-term economic prosperity of communities. Appropriate development standards are promoted in such areas to facilitate intensification, redevelopment and compact form, while avoiding or mitigating risks to public health and safety.

The PPS also requires the protection of natural heritage features and areas for the long-term and wise use of water resources. The natural heritage and water resource protection policies of the PPS are contained in Section 2.1 and 2.2 respectively, and include provisions restricting development adjacent to sensitive hydrologic features, fish and wildlife habitat, and wetlands. In this regard, development and site alteration is not permitted adjacent to specified natural heritage features and areas unless it has first been demonstrated that there will be no negative impacts on the features and their functions. Further, restrictions on development also apply to protect, improve, or restore vulnerable surface and groundwater, sensitive surface water features, and sensitive groundwater features and their hydrologic function. It is noted that an updated Environmental Impact Study was submitted to address these policies.

Next Steps

Once all comments have been received, and the issues raised addressed appropriately, staff will be in a position to provide a recommendation in relation to these applications.

Options

Council could make a decision on the applications; however doing so would be premature at this time as they are still under review.

Council Strategic Direction / Relevant Policies / Legislation / Resolutions

Unity Plan

Social Considerations

Goal 5: Land Use Planning: Huntsville will become a model of sustainable community development, by incorporating the principles of smart growth, sustainable design and green buildings into all land use planning decisions. This will include a commitment to the protection and maintenance of Huntsville's rural small town character and vibrant downtown, both of which are valued by the community.

Goal 6: Social well-being: The community will encourage and support social diversity and personal sense of well-being by improving accessibility, promoting volunteerism, striving to reduce poverty, and maintaining a healthy, safe, friendly community to live, work, and play for all ages, cultures and abilities.

Environmental Considerations

Goal 1: Environmental Protection: The community will protect, preserve, restore, and enhance the terrestrial and aquatic environments and biodiversity of Huntsville and surrounding area by being responsible stewards of the environment.

Relevant Policies/Legislation/Resolutions

Provincial Policy Statement

Planning Act, R.S.O. 1990, cP.13

District of Muskoka Official Plan

Town of Huntsville Official Plan

Attachments

[Attachment #1: Location Map and Context Map](#)
[Attachment #2: Site Plan Drawings](#)
[Attachment #3: Renderings and Elevations](#)
[Attachment #4: Deerhurst Village Centre Concept and Phasing Plan](#)
[Attachment #5: Draft Official Plan Amendment](#)
[Attachment #6: Draft Zoning Amendment](#)
[Attachment #7: Existing and Proposed Zoning Comparison](#)
[Attachment #8: District Comments](#)
[Attachment #9: Public and Stakeholder Comments](#)

Consultations

The applications were circulated in accordance with the provisions of the Planning Act and to affected Lake Associations through the Deerhurst Resort Working Group.

Written comments received to date, which include comments from Peninsula Lake delegates of the Deerhurst Working Group, the Fairy Lake Association, and the Hidden Valley Property Owners Association, are appended to this Report as Attachment #9.

A Public Information Centre/Open House was hosted by the applicant on Thursday February 23, 2023. To date, no formal Summary Memorandum has been provided by the applicant respecting this meeting to document the comments heard and the relevant next steps.

The Building Department commented noting that all building shall be designed to meet part 3 of the Ontario Building Code and will require fire water supply and sprinklers on site. Additionally, staff noted that a fire access route to 3.2.5 shall be provided.

The Ministry of Transportation (MTO) provided comments and noted that the subject lands are not within MTO's permit control areas. As such, the MTO had no concerns, but requested a copy of the final TIS for their records.

Respectfully Submitted: Richard Clark, Manager of Planning

Manager Approval (if required): _____

Director Approval: Kirsten Maxwell, Director of Development Services

CAO Approval: _____

Attachment #1: Location and Context Maps




FIGURE 1 SITE LOCATION Deerhurst Modern 1235 Deerhurst Drive Township of Huntsville District of Muskoka	LEGEND <div><div style="border: 2px solid red; width: 20px; height: 10px; display: inline-block;"></div> Subject Site</div>	DATE Sep. 26, 2022
		SOURCES ESRI
		0 60 120 240 360 480 600 Meters
		2204C - Report Figures - 2022-06-08
		 PLANNING URBAN DESIGN & LANDSCAPE ARCHITECTURE



FIGURE 2
SITE CONTEXT

Deerhurst Modern
1235 Deerhurst Drive
Township of Huntsville
District of Muskoka

LEGEND

Subject Site

DATE Sep. 26, 2022

SOURCES

ESRI

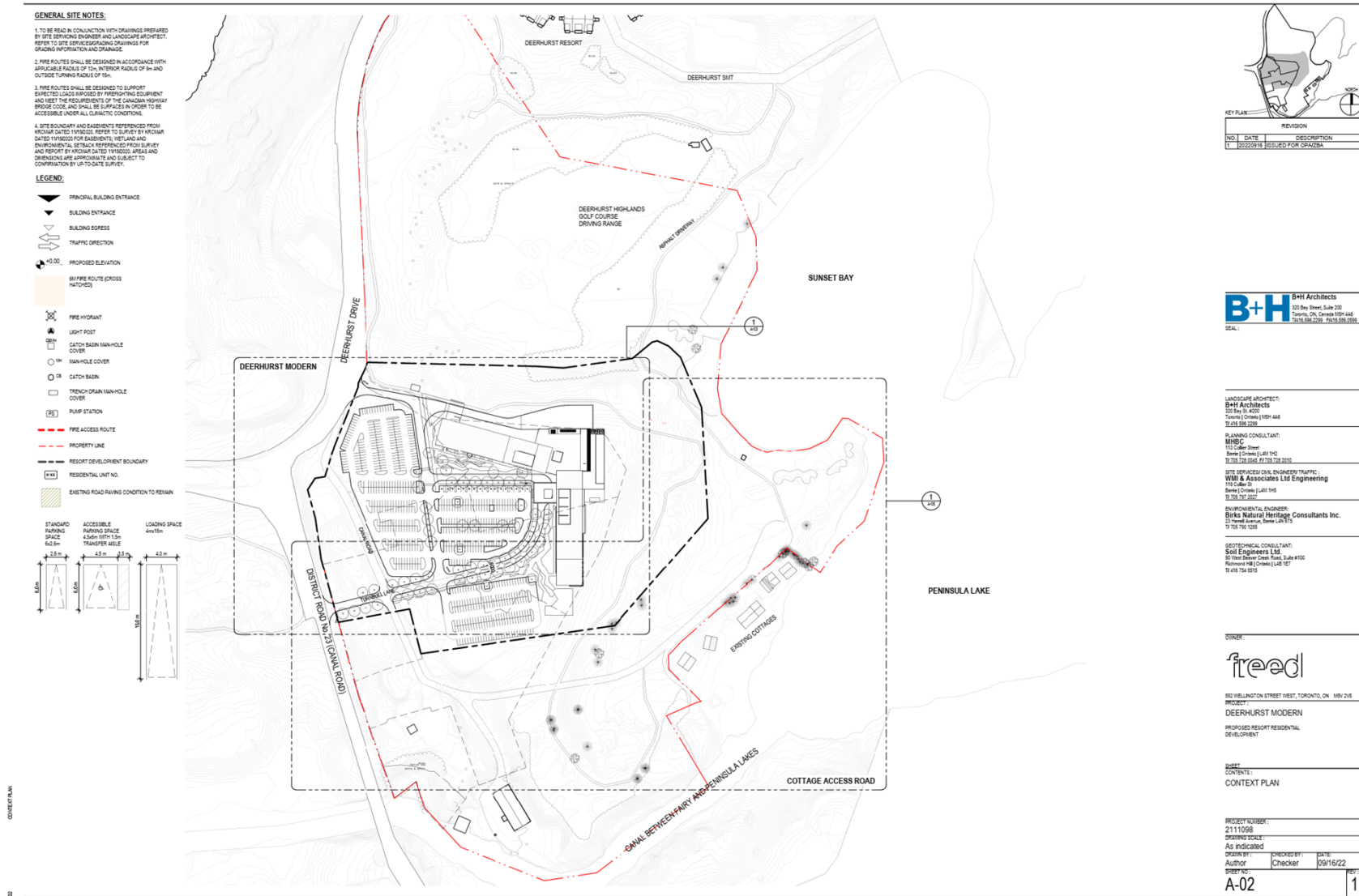
0 40 80 160 240 320 400
Meters

2204C - Report Figures - 2022-06-08



**PLANNING
URBAN DESIGN
& LANDSCAPE
ARCHITECTURE**

Attachment #2: Site Plan Drawings

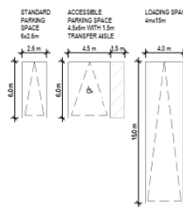


GENERAL SITE NOTES:

1. TO BE READ IN CONJUNCTION WITH DRAWINGS PREPARED BY SITE SERVICES ENGINEER AND LANDSCAPE ARCHITECT. REFER TO SITE SERVICES/LOADING DRAWINGS FOR CHANGING INFORMATION AND CHANGES.
2. FIRE ROUTES SHALL BE DESIGNED IN ACCORDANCE WITH APPLICABLE RADII OF 10m INTERIOR RADII OF 5m AND OUTSIDE TURNING RADII OF 15m.
3. FIRE ROUTES SHALL BE DESIGNED TO SUPPORT EXISTING LOADS IMPOSED BY FIREFIGHTING EQUIPMENT AND MEET THE REQUIREMENTS OF THE CANADIAN HIGHWAY BRIDGE CODE, AND SHALL BE SURFACES IN ORDER TO BE ACCESSIBLE UNDER ALL CLIMATIC CONDITIONS.
4. SITE BOUNDARY AND EASEMENTS REFERENCED FROM RECORD DATED 1995/05/22. REFER TO SURVEY BY KROGAR DATED 1995/05/22 FOR EASEMENTS, WETLAND AND ENVIRONMENTAL SETBACK REFERENCED FROM SURVEY AND REPORT BY KROGAR DATED 1995/05/22. AREAS AND DIMENSIONS ARE APPROXIMATE AND SUBJECT TO CORRECTION BY UP-TO-DATE SURVEY.

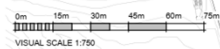
LEGEND:

- PRINCIPAL BUILDING ENTRANCE
- BUILDING ENTRANCE
- BUILDING EGRESS
- TRAFFIC DIRECTION
- PROPOSED ELEVATION
- BUFF FIRE ROUTE (CROSS HATCHES)
- FIRE HYDRANT
- LIGHT POST
- CATCH BASIN MAN-HOLE COVER
- MAN-HOLE COVER
- CATCH BASIN
- TRENCH DRAIN MAN-HOLE COVER
- PUMP STATION
- FIRE ACCESS ROUTE
- PROPERTY LINE
- RESORT DEVELOPMENT BOUNDARY
- RESIDENTIAL UNIT NO.
- EXISTING ROAD PAVING CONDITION TO REMAIN



PARKING AND LOADING - LEVEL P1		
TYPE	COUNT	
Level P1		
Large Loading Space (20x3.5x4.5)	2	

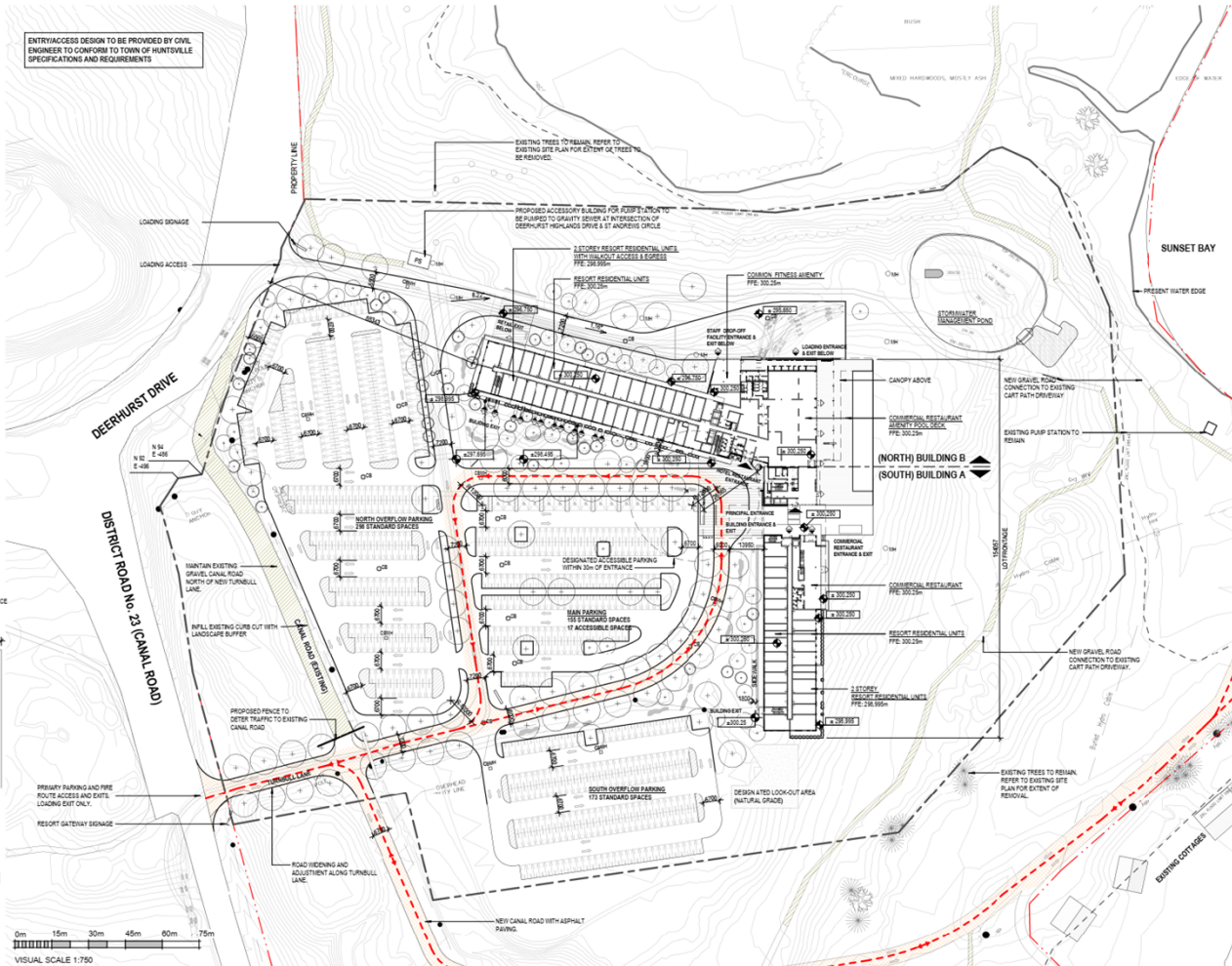
PARKING & LOADING - LEVEL 1		
TYPE	COUNT	
Level 1		
Accessible Parking	17	
Standard Parking Space	643	



1 SITE PLAN - DEERHURST MODERN

1:750

ENTRANCE DESIGN TO BE PROVIDED BY CIVIL ENGINEER TO CONFORM TO TOWN OF HUNTSVILLE SPECIFICATIONS AND REQUIREMENTS



SEE A-05 FOR CONTINUATION

KEY PLAN		
NO.	DATE	REVISION
1	2022/01/16	ISSUED FOR GRACES

B+H B+H Architects
300 Bay Street, Suite 200
Toronto, ON, Canada M5H 4A6
TEL: 416-593-2222

LANDSCAPE ARCHITECT:
B+H Architects
300 Bay Street, Suite 200
Toronto, ON, Canada M5H 4A6
TEL: 416-593-2222

PLANNING CONSULTANT:
WMA & Associates Ltd
110 Cedar Street
Toronto, ON, Canada M5H 4A6
TEL: 416-593-2222

ENVIRONMENTAL ENGINEER:
Rika Natural Heritage Consultants Inc.
21 Harbord Avenue, Suite 101
Toronto, ON, Canada M5H 4A6
TEL: 416-593-2222

GEOTECHNICAL CONSULTANT:
Soil Engineers Ltd.
30 West Beaver Creek Road, Suite 400
Richmond Hill, ON, Canada L4B 1E7
TEL: 905-709-8815

OWNER:
freed
565 VILLINGTON STREET WEST, TORONTO, ON M5V 2V5
PROJECT:
DEERHURST MODERN
PROPOSED RESORT RESIDENTIAL DEVELOPMENT

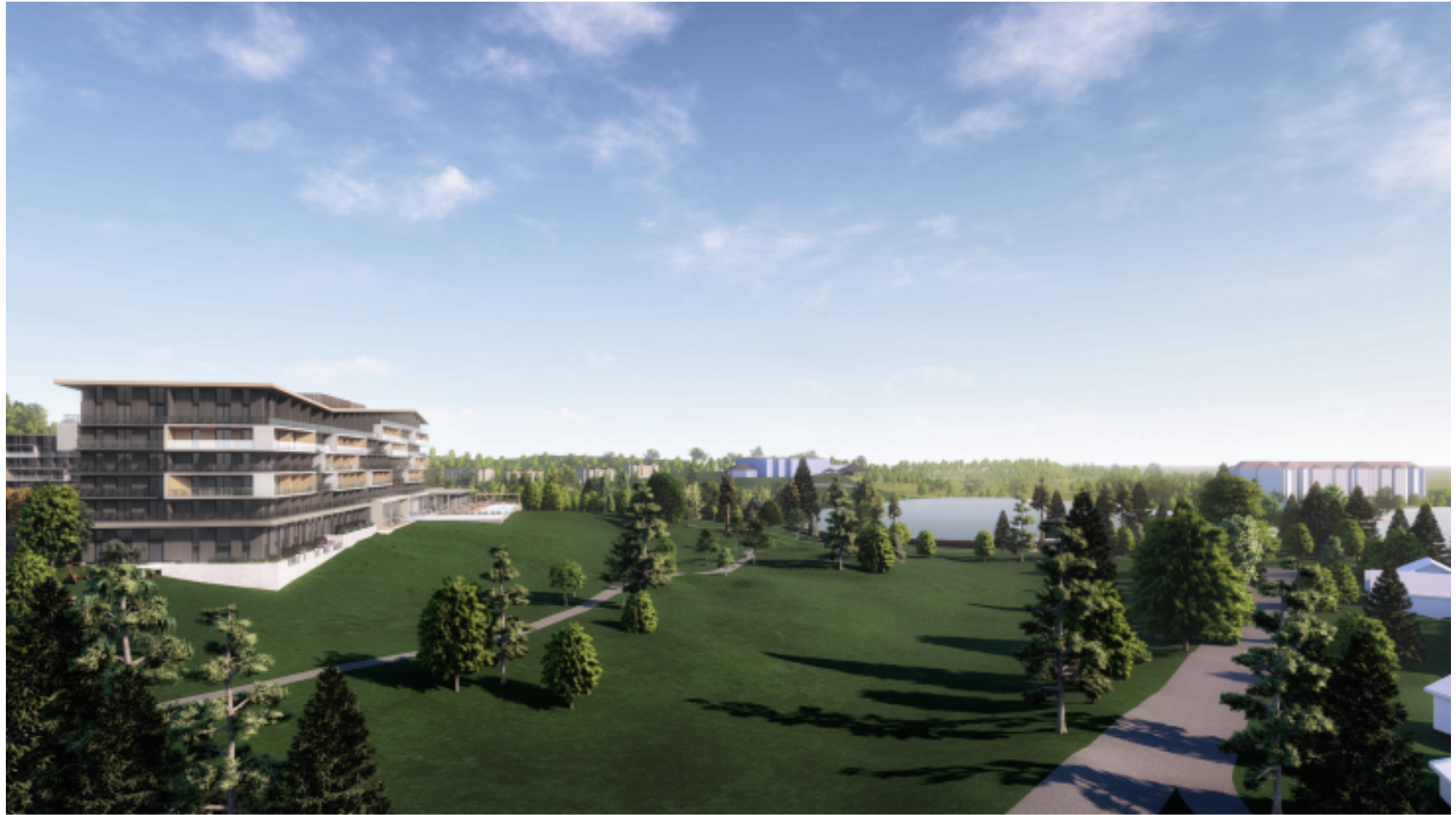
SUBMIT:
CONTENTS:
SITE PLAN - DEERHURST MODERN

PROJECT NUMBER:
21112008
DRAWING SCALE:
As Indicated
DESIGNED BY:
Author
CHECKED BY:
Checker
DATE:
09/16/22
SHEET NO.:
A-03
1

Attachment #3 – Renderings and Elevations



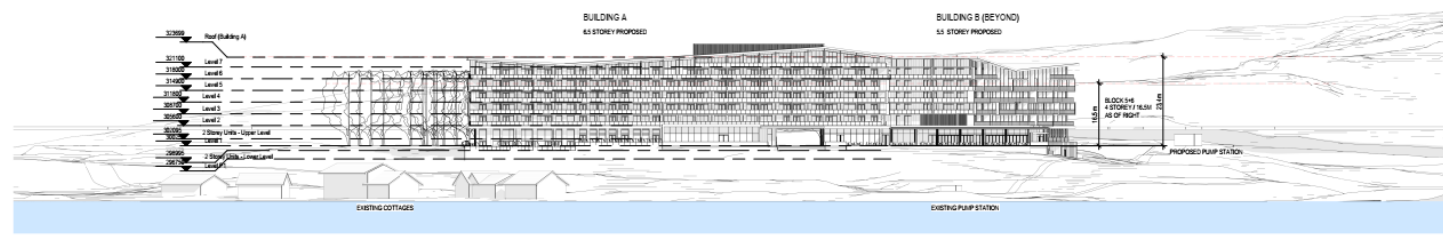




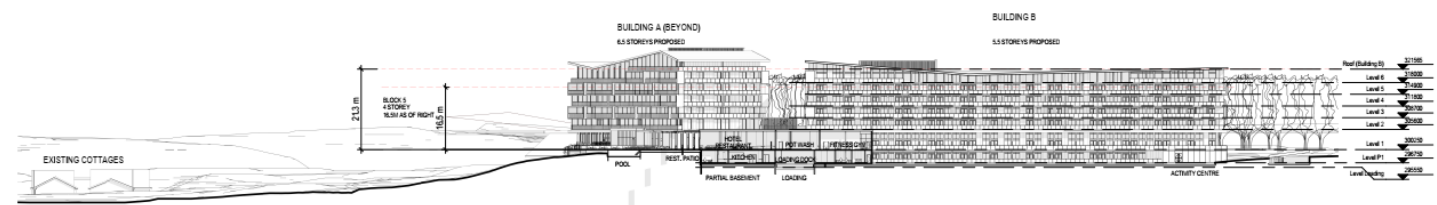


REVISION	
NO.	DATE
1	2022/06/16

NO.	DATE	DESCRIPTION
1	2022/06/16	ISSUED FOR OPRA/ISA



1 BUILDING A EAST ELEVATION (LAKE VIEW)
1:500



2 BUILDING B NORTH ELEVATION (GOLF COURSE VIEW)
1:500

B+H Architects
224 Bay Street, Suite 200
Toronto, ON, Canada M5H 4H6
416.593.1286 416.593.1287

LANDSCAPE ARCHITECT:
B+H Architects
224 Bay St. 200
Toronto (Ontario) M5H 4H6
416.593.1286

PLANNING CONSULTANT:
B+H Architects
224 Bay Street
Toronto (Ontario) M5H 4H6
416.593.1286

SITE SERVICES/ON-SITE ENGINEERING:
B+H Architects
224 Bay Street
Toronto (Ontario) M5H 4H6
416.593.1286

ENVIRONMENTAL ENGINEER:
B+H Architects
224 Bay Street
Toronto (Ontario) M5H 4H6
416.593.1286

GEOTECHNICAL CONSULTANT:
Soil Engineers Ltd.
80 West Beaver Creek Road, Suite #100
Richmond Hill (Ontario) L4B 1E7
905.709.8515

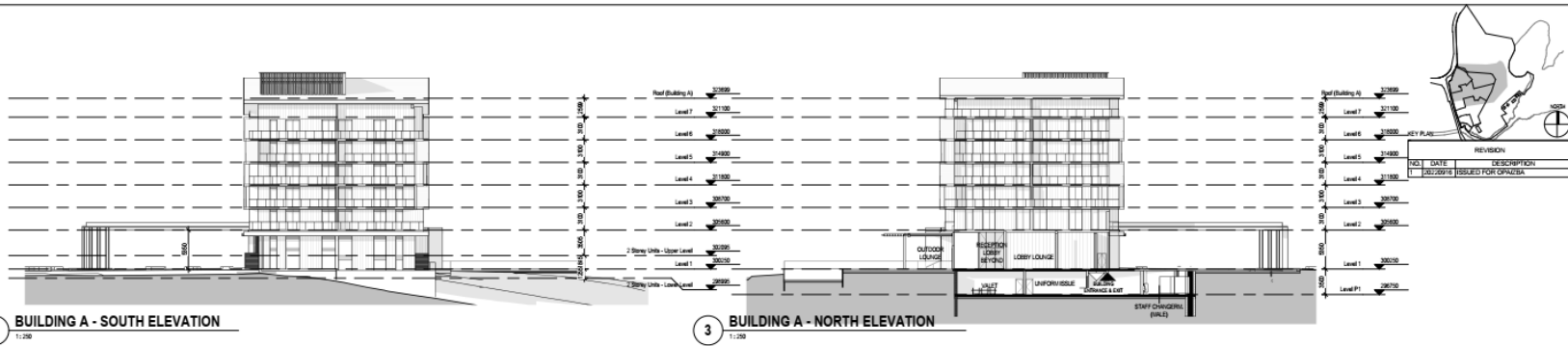
OWNER:

150 WELLINGTON STREET WEST, TORONTO, ON M5V 2V5
PROJECT:
DEERHURST MODERN
PROPOSED RESORT RESIDENTIAL
DEVELOPMENT

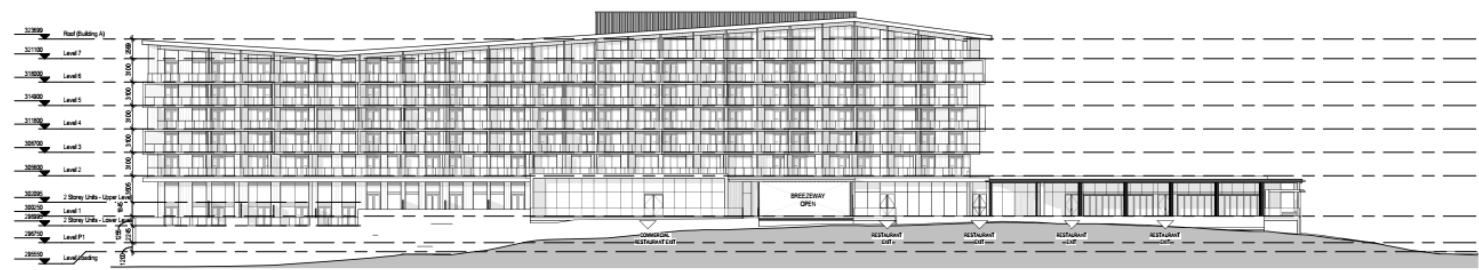
DATE:
CONTENTS:
SITE ELEVATIONS

PROJECT NUMBER:
2111098
PROPOSED SCALE:
1:500
DRAWN BY:
AUTHOR
CHECKED BY:
DATE:
05/16/22

1
A-16



B+H B+H Architects
224 Bay Street, Suite 200
Toronto, ON, Canada M5H 4A6
416.593.1288 416.593.1289



LANDSCAPE ARCHITECT:
B+H Architects
224 Bay St. #200
Toronto (Ontario) M5H 4A6
416.593.1288

PLANNING CONSULTANT:
B+H Architects
111 Colborne Street
Brimley (Ontario) M4M 1H2
416.593.1288 416.593.1289

SITE SERVICES/ON-SITE ENGINEERING:
TFC Engineering Associates Ltd. Engineering
1700 Bayview Ave. Suite 100
North York (Ontario) M2N 1W5
416.291.1877

ENVIRONMENTAL ENGINEER:
Bates Natural Heritage Consultants Inc.
22 Huron Avenue, Suite 100
Toronto (Ontario) M5S 1B5
416.593.1288

GEOTECHNICAL CONSULTANT:
Soil Engineers Ltd.
80 West Beaver Creek Road, Suite #100
Richmond Hill (Ontario) L4B 1E7
905.882.8515



OWNER:
fired

150 WELLINGTON STREET WEST, TORONTO, ON M5V 2V5

PROJECT:
DEERHURST MODERN
PROPOSED RESORT RESIDENTIAL DEVELOPMENT

SCALE:
CONTENTS:
BUILDING A ELEVATIONS

PROJECT NUMBER:
2111058

PROPOSED SCALE:
1 : 250

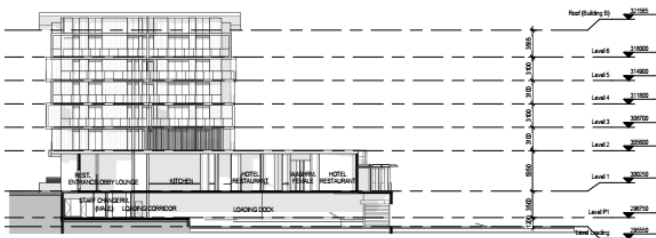
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AUTHOR

CHECKED BY:
CHECKER

DATE:
05/16/22

SHEET NO.:
A-17

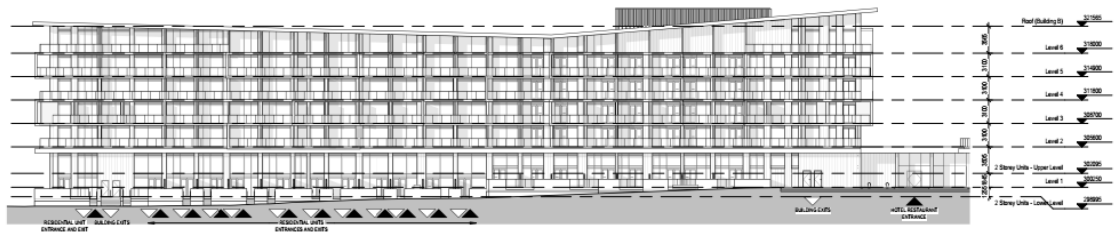
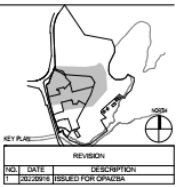
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4 BUILDING B - EAST ELEVATION
1:250



3 BUILDING B - WEST ELEVATION
1:250



2 BUILDING B - SOUTH ELEVATION
1:250

B+H B+H Architects
220 King Street, Suite 200
Toronto, ON, Canada M5H 4A6
416.593.1288
b@bharchitects.com

SEAL:

LANDSCAPE ARCHITECT:
B+H Architects
220 King St. W. 200
Toronto (Ontario) M5H 4A6
16.05.2016.000

PLANNING CONSULTANT:
MHB
111 Dundas Street
Suite 1000 (Ontario) M5G 1C5
416.593.1288
16.05.2016.000

SITE SERVICES/ON-SITE ENGINEERING TRAFFIC:
TTC & Associates Ltd Engineering
1100 Bloor St. W.
Suite 1000 (Ontario) M5S 1A5
416.593.1288

ENVIRONMENTAL ENGINEER:
Birks Natural Heritage Consultants Inc.
22 Herd Avenue, Suite 100
Toronto, ON M5S 1A5
416.593.1288

GEOTECHNICAL CONSULTANT:
G&E Engineers Ltd
80 West Beaver Creek Road, Suite #100
Richmond Hill (Ontario) L4B 1E7
905.882.8815



1 BUILDING B - NORTH ELEVATION
1:250

OWNER:
fired

150 WELLINGTON STREET WEST, TORONTO, ON M5V 2V5

PROJECT:
DEERHURST MODERN
PROPOSED RESORT RESIDENTIAL
DEVELOPMENT

SCALE:
CONTENTS:
BUILDING B ELEVATIONS

PROJECT NUMBER:
2111058

PROPOSED SCALE:
1 : 250

DRAWN BY:
AUTHOR

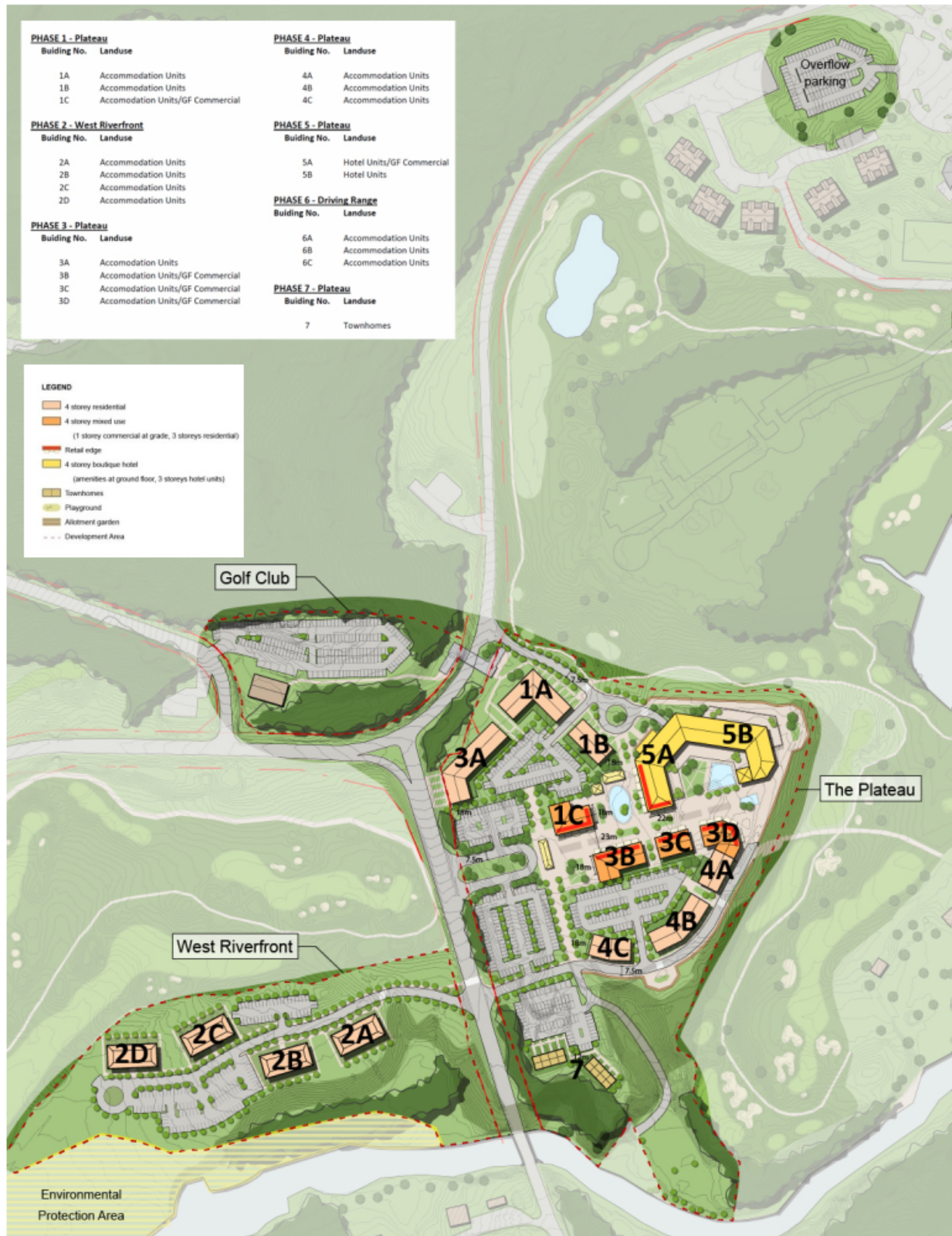
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CHECKER

DATE:
05/16/22

SHEET NO:
A-18

REV:
1

Attachment #4: Deerhurst Village Centre concept and phasing plan



Attachment #5: Draft Official Plan Amendment

AMENDMENT No. _____

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Council Resolution

AMENDMENT NO. ____

TO THE TOWN OF HUNTSVILLE OFFICIAL PLAN
_____, 2022

INTRODUCTION

PART A - THE PREAMBLE does not constitute part of this amendment.

PART B - THE AMENDMENT, consisting of the following text and schedules constitutes Amendment No. _____ to the Town of Huntsville Official Plan.

Also attached is **PART C - THE APPENDIX**, which does not constitute part of this Amendment. This appendix contains Public Meeting Minutes, the Staff report, and the Council Resolution associated with this Amendment.

DRAFT

PART A – THE PREAMBLE

Purpose

The purpose of this Amendment is to modify the form of development originally planned for Village Centre – Plateau designation. The current Plan contemplates retail commercial and recreational resort residential development that are focused around a village square, whereas the revised proposal is to have recreational resort residential units that are contained within two buildings and can be part of the resort rental program, and accompanied with complementary commercial uses. Additional commercial and recreational resort residential units may also be developed in the future in accordance with the policies of the Plan.

In order to implement the modifications, Appendix C is to be deleted and the permitted number of 'Resort Commercial Units' and 'Recreational Resort Residential Units in the Deerhurst Village Centre – Plateau cluster is to be modified to permit an increase in the number of 'Recreational Resort Residential Uses Units' on the site, while maintaining the existing cumulative maximum number of units permitted within the Deerhurst Village Centre – Plateau cluster.

Location

The site subject to this amendment is legally described as Part Lots 29 & 30, Concession 1 in the Town of Huntsville and is part of the broader property known municipally as 1235 Deerhurst Drive. The site has an area of approximately 9.0 hectares (22.3 acres) and forms a part of Deerhurst Resort.

Basis

This amendment is being considered as a result of applications for a Town Official Plan Amendment and Zoning By-law Amendment.

The subject lands are currently designated "Deerhurst Village – Plateau" on Schedule B-2 in the Town of Huntsville Official Plan. An Official Plan Amendment is required to modify the form of development and permit an increase to the number of 'Recreational Resort Residential Units' that are permitted in the Deerhurst Village Centre – Plateau designation.

The revision to the original development concept is necessary as the market square development concept, anchored by retail commercial uses, is no longer a desirable concept.

PART B – THE AMENDMENT

DETAILS OF THE AMENDMENT

The Official Plan is amended by altering as follows:

1. Appendix C – Deerhurst Concept and Phasing Plan shall be deleted.
2. Section C5.5.3 - to remove the maximum permitted 'Resort Commercial Units' in the Deerhurst Village Centre – Plateau cluster and increase the number of 'Recreational Resort Residential Uses Units' in the Deerhurst Village Centre – Plateau cluster from 366 to 516. The existing maximum unit total will be maintained.

Cluster	Recreational Resort Residential Uses Units (maximum)	Resort Commercial Units (maximum)	Cumulative Unit Total (maximum)	Gross Density Units/Ha
Deerhurst Village Centre - Plateau	516	150	516	60
Deerhurst Village Centre - West Riverfront	120		120	30

3. Section C5.5.4 to Section C5.5.8, Section C5.5.15 and Section C5.5.17 shall be deleted.
4. Section C5.5.19 is proposed to be amended by deleting the struck out text as follows:
Commercial development shall generally occur at the ground floor level and face onto the village square. Resort commercial and resort-related residential uses are encouraged to be located on the floors above the commercial development.

IMPLEMENTATION

Subsequent to the adoption of this Amendment, Council will consider passing a by-law amending The Town of Huntsville Zoning By-law 2008-66P as amended, as it relates to the subject site by rezoning these lands.

INTERPRETATION

The provisions of the Official Plan, as amended from time to time, shall apply in regard to this Amendment.

PART C – THE APPENDIX

Minutes of Public Meeting to be added.

Staff Report to be added.

Council resolution to be added.

DRAFT

Attachment #6: Draft Zoning By-law Amendment

THE CORPORATION OF THE TOWN OF HUNTSVILLE

ZONING BY-LAW AMENDMENT NIMBER 2022-XX

Being a by-law to amend Zoning By-law Amendment 2008-66P
as amended, of the Corporation of the Town of Huntsville
(DHR GP Inc.)

WHEREAS the council of the Corporation of the Town of Huntsville finds it expedient to amend Zoning By-law 2008-66P, as amended;

AND WHEREAS authority to pass this by-law is provided by Section 34 of the Planning Act, R.S.O. 1990. c. P. 13 and amendments thereto;

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

1. Section 8 to Zoning By-law 2008-66P, as amended, is hereby further amended by changing the zone symbol applying to the lands legally described as Part Lots 29 & 30, Concession 1, in the Town of Huntsville and municipally known as part of 1235 Deerhurst Drive, from the Tourist Commercial Exception 0270 Hold (C4-0270(H)), Tourist Commercial Exception 0271 Hold (C4-0271(H)), Tourist Commercial Exception 0272 Hold (C4-0272(H)), Tourist Commercial Exception 0273 Hold (C4-0273(H)), Tourist Commercial Exception 0274 Hold (C4-0274(H)) Zone, and Open Space – Golf Course Exception 0561 (O3-0561) to the Tourist Commercial Exception XX Hold (C4-XX(H)) Zone, as shown on Schedule "A" attached and forming part of this By-law.

2. For the purposes of this By-law a **resort related residential unit** will be defined as the following:

A use having ongoing access to services, amenities, recreational facilities as well as an optional tourist commercial accommodation rental program all provided and administered by the tourist commercial use (Deerhurst Resort or its affiliates).

3. Section 6 – "Special Exceptions" is hereby further amended by adding the following:

Exception No. "XXXX"

Notwithstanding any requirements of Zoning By-law 2008-66P, as amended, the following applies to the subject lands:

1. Uses permitted shall include resort related residential units and commercial accommodation units, and a maximum of 4,500 square metres of tourist and retail commercial uses. For the purposes of Exception No. XXX, tourist and retail commercial uses shall be limited to bars, restaurants, retail stores, variety and convenience stores, personal service establishments, offices, places of assembly, artisan's studios, markets, and outdoor recreational uses.
2. Permit buildings with a maximum height of to a maximum height of 23.5 metres;

3. Require a parking ratio of 1.2 spaces per unit;
 4. The required spaces that are not parallel and are not barrier free may all be 2.6 metres by 6 metres; and
 5. The required parking may be located on an abutting lot.
 6. A minimum of 5 accessible parking spaces shall be required within 30 metres of a building entrance. Additional accessible spaces shall be as close as possible, but may be more than 30 metres from the building entrance.
4. Section 6 – “Special Exceptions” is hereby further amended by deleting the following:
- Exception No. “0270”
 - Exception No. “0271”
 - Exception No. “0272”
 - Exception No. “0273”
 - Exception No. “0274”
5. The “Holding”(H) shall be removed and development may proceed upon Council being satisfied that the provisions outlined in Table 7 have been satisfied as shown on Schedule I, attached hereto:
6. Table 7 " Holding Zone Provisions" is hereby further amended by adding the following:

Roll #	Zone	Exc. No.	By-law No.	Location	Schedule No.	Provisions	By-law Removing the Hold
(x)	C4-XX	XXX	2022-XX		G-10	1. Execution of a servicing agreement with the District Municipality of Muskoka. 2. Completion of or receipt of securities to complete necessary infrastructure improvements. 3. Execution of a site plan agreement.	

7. Schedule “A” attached hereto, is hereby made part of this by-law.

8. THIS BY-LAW SHALL COME into force on the date of passage and take effect the day after the last day for filing of appeals where no appeals are received, or, where appeals are received, upon the approval of the Ontario Land Tribunal.

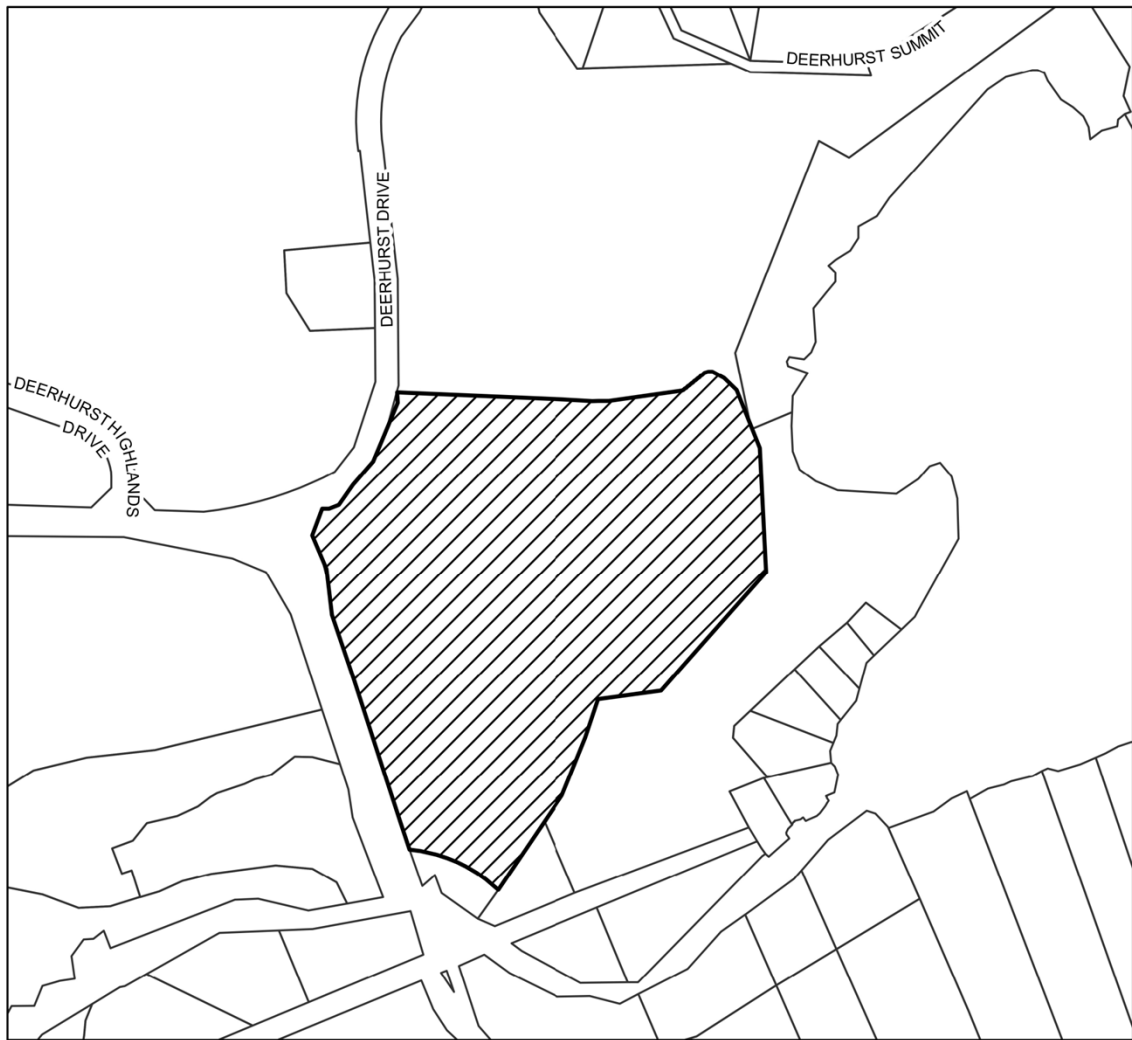
READ a **first**, second and **third** time and **finally passed** this XX day of XX, 2022.


Mayor (Karin Terziano)

Clerk (Tanya Calleja)

Schedule 'A'

Part Lots 29 & 30, Concession 1
Town of Huntsville
District of Muskoka



 Lands to be rezoned to Tourist Commercial Exception XX Hold (C4-XX(H))

This is to Schedule A of Zoning By-law 2008-66P
Passed this ____ day of ____, 2022

Mayor

Clerk

Attachment #7 – Existing and Proposed Zoning Comparison

	C4-H-0270 Zone	C4-H-0271 Zone	C4-H-0272 Zone	C4-H-0273 Zone	C4-H-0274 Zone	Proposed C4-H-XXXX Zone
Subdivision Block	3	4	5	6	7	3 to 7
Permitted Uses	Resort Related Residential Units or Commercial Accommodation Units	Resort Related Residential Units or Commercial Accommodation Units	Resort Related Residential Units or Commercial Accommodation Units and A maximum of 4,500m ² of tourist and retail commercial uses	Tourist Establishment	Resort Related Residential Units or Commercial Accommodation Units	Resort Related Residential Units and A maximum of 4,500m² of tourist and retail commercial uses
Max. Units	8 townhouses	77 units	127 units	150 units	154 units	na
Min. GFA for Resort Residential Units	na	45m ²	45m ²	na	45m ²	na
Max. Height	11m	16.5m	16.5m	16.5m	16.5m	23.5m
Max. Storeys	na	4	4	4	4	na
Parking Ratios	1.5 per townhouse unit	1.2 per structural unit	1.2 per structural unit 1.0 per 25m ² of tourist and retail commercial development	1.0 spaces per tourist establishment unit	1.2 per structural unit	1.2 per structural unit
Other	Required parking may be located on an abutting lot	Required parking may be located on an abutting lot	Required parking may be located on an abutting lot	Required parking may be located on an abutting lot	Required parking may be located on an abutting lot; Minimum required exterior side yard of 0m; and Minimum required rear yard of 3m.	Required parking may be located on an abutting lot; Permit all but 5 accessible parking spaces to be located greater than 30 away from the building entrance; and Permit all non-accessible or parallel parking spaces to have a minimum width of 2.6m

Attachment #8: District Comments



May 2, 2023

Tanya Calleja, Clerk
Town of Huntsville
tanya.calleja@huntsville.ca

VIA EMAIL ONLY

Dear Tanya Calleja,

Re: CONCURRENT COMMENTS
Zoning By-law Amendment Application Z-28-22-HTE
Official Plan Amendment Application OPA 02-2022
1415 Deerhurst Drive (DHR GP Inc.)
Lots 29-32, Con 1, Geographic Township of Chaffey, Town of Huntsville

Recommendation

District staff would not be opposed to the approval of the above noted applications provided that the appropriate development control techniques are used to implement the recommendations of the submitted technical studies and any associated peer reviews, and that the site-specific zoning by-law continues to include the proposed holding symbol (H). Removal of the (H) should only be considered when the following conditions have been fulfilled:

- i. that the lands be subject to an agreement with The District Municipality of Muskoka to address the provision of municipal services, posting of securities and capacity allocation, amongst other matters.

Notice of Council's decision respecting the above noted applications is requested.

Analysis

The subject property is located within the "Hidden Valley Recreational Lifestyle and Resort Area" Special Policy Area in the Muskoka Official Plan (MOP). It is our understanding that the concurrent Official Plan amendment and zoning by-law amendment applications seek to permit development to occur in the "Deerhurst Village Centre" lands in accordance with an updated development concept plan. The updated concept plan proposes develop the lands with two (2) buildings containing a total 447 recreational resort residential units, connected via a shared entranceway with ground floor commercial uses including a restaurant, retail space, and a pool on the subject lands.

More specifically, it is our understanding that an Official Plan Amendment has been submitted to amend the composition of units permitted in the existing Deerhurst Village Centre – Plateau Official Plan designation within the Town of Huntsville Official Plan

(HOP) and to remove reference to Appendix 3, in order to permit the updated development concept known as the “Deerhurst Modern” plan. The concurrent zoning by-law amendment application proposes to rezone the lands from Open Space – Golf Course (O3) and Tourist Commercial (C4) to establish a site-specific Tourist Commercial (C4) Holding zone with exceptions to permit the proposed uses associated with the Deerhurst Modern plan, buildings with a maximum height of 23.5m, and establish site specific parking provisions. It is further our understanding that the ownership of the proposed development may be divided via plan of condominium in the future, however an application has not yet been submitted at this time.

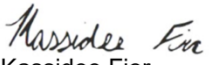
In support of the development proposal, the applicant has submitted several technical supporting studies, including a Functional Servicing Report and Traffic Impact Study, and has also completed the required Hydraulic Modelling of both water and sewer services. These reports and related peer reviews have been provided to District Engineering and Public Works for their review and comment. In order to ensure that sufficient municipal water and sewage capacity is available to service the subject lands, a servicing agreement between The District Municipality of Muskoka and the owner/applicant will be required and this requirement has been reflected in the requested Holding (H) symbol.

The subject lands have frontage on Peninsula Lake, a cold water lake, and a portion of the shoreline of the subject lands also includes the potential for Type 1 Fish Habitat. Any proposed development is therefore subject to the general development and lake system health policies of the MOP. The MOP generally requires a setback of 20 metres (66 feet) from any shoreline for all development, excluding shoreline structures, open decks and minor accessory structures, with a target setback of 30 metres (98 feet) from cold water lakes or rivers. In this case, it is our understanding that the proposed development envelope will be located outside of the required and recommended setbacks.

It is our understanding that the applicant has submitted an Environmental Impact Study (EIS) prepared by Birks Natural Heritage Consultants Inc., dated September 2022, which includes a Fish Habitat Assessment. The Fish Habitat Assessment concluded that there is no direct removal of, or encroachment onto, fish habitat and that no direct impacts to habitat is expected to occur as a result of the proposed development. It is our understanding that the EIS is being peer reviewed by the Town of Huntsville, and District staff would recommend that the appropriate development control techniques be used to implement the recommendations of the EIS and the related peer review.

Lastly, a review of the species occurrence data provided by the Natural Heritage Information Centre (NHIC) has also confirmed that the subject property may contain habitat for threatened and restricted species. District staff would recommend that the Ministry of Environment, Conservation and Parks (MECP) be contacted to ensure that any future development will not have any negative impacts on species at risk or their habitat.

Sincerely,


Kassidee Fior
Manager of Planning

Attachment #9: Public and Stakeholder Comments

RE: PROPOSED OFFICIAL PLAN AMENDMENT APPLICATION NO. OPA#2 ("Deerhurst Modern")

-- and --

PROPOSED ZONING BY-LAW AMENDMENT APPLICATION (Z/28/2022/HTE)

This submission is made by Michael Borland in his capacity as owner of a recreational resort residential condominium unit on the Deerhurst Resort site (MSCC No. 89, aka "Lakeside Lodge").

I respectfully request that the Planning Council of the Corporation of the Town of Huntsville reject these Applications and NOT adopt the proposed Official Plan amendment nor pass the zoning by-law amendment for the following reasons.

A. True Nature of these Applications

The supporting documentation for these Applications does not provide full disclosure regarding the intended ownership of the 447 proposed "recreational resort residential units". In fact, the Applications emphasize that these will be "hotel" units, when in reality they are intended to be "condominium" units.

For instance, the September 2022 Site Plan prepared by B+H Architects does not once mention "condominium", but contains 14 references to "hotel". Similarly, the December 2022 Visual Impact Analysis, also prepared by B+H Architects on behalf of Freed Developments, does not once mention "condominium", but contains 17 references to "hotel". And the sales materials presented to prospective purchasers of the nearby Lakeside Lodge condominiums since 2014 represented that the proposed development covered by these Applications (known then as "Deerhurst Village Centre") would contain a "Grand Hotel". Even the current Huntsville Official Plan dated March 2019 specifies that this development was to contain a "150 unit hotel" (s. 5.5.15).

It is only in the September 2022 Planning Justification Report prepared by MHBC Planning Limited that we learn that the developer's real intention is to sell the proposed residential units as condominiums and that a "*Draft Plan of Condominium and Consent applications will also be required to facilitate the Proposed Development*" (pg.1). Neither of these documents is included in the support materials for these Applications.

The distinction between "hotel" units and "condominium" units is critical. A hotel is owned, usually by a single corporate entity, and rents out units to customers. The hotel customer has no ownership interest in the unit. A condominium, on the other hand, is a form of legal ownership. So, unlike hotel single ownership of the residential units proposed in these Applications, these units will in fact have 447 owners! And, unlike a hotel, the developer -- once it has sold the condominium units -- may have little, if any, interest in the on-going viability of the development. The implications of this distinction are discussed further in parts B and C of this submission.

So, despite the lack of clarity in the supporting documentation, I submit that the developer's predominate purpose in bringing these Applications is to gain permission to: (i) build and sell as many residential condominium units as possible; and (ii) to leverage the price/rent it will charge for the ground floor commercial retail units by offering the proprietors of these retail units the largest possible on-site customer base, all without due regard for the risks to the Deerhurst Resort facilities and amenities, the environment, or to the current or future property owners within the Deerhurst Resort site.

B. Non-Compliance with Official Plans

The proposed development does not align with the District of Muskoka's Official Plan. Section F7(b) of that Plan specifically recognizes "hotels" – but not "condominiums" -- as a form of permitted "tourism supportive use".

The reason condominiums are not designated as a "tourism supportive use" is most likely because a significant number of condominium owners occupy their units as their principal residence or keep them for their exclusive use even when they are not physically present -- rather than placing their units in a rental program (such as the Deerhurst rental program) when they are away. These units do not, therefore, qualify as a form of "tourism supportive use" since they do not "attract visitors to the area" as required by the District's Official Plan. Their owners are neither "tourists" nor "visitors".

A hotel, on the other hand, owns all residential units in the building and makes them all available for rent to tourists and visitors at all times (e.g. the Deerhurst Resort hotel) and so legitimately qualifies as a "tourism supportive use" consistent with the development goals expressed in the District's Official Plan.

C. Negative Impact on Market Value of Existing and Future Residential Units

The overwhelming number of new condominium units (447) being proposed is more than 275% greater than the number of condo units (162) at the recently completed Lakeside Lodge on the Deerhurst Resort site, and would exceed by over 33% the Town of Huntsville's current Official Plan maximum number (336) of "Recreational Resort Residential Units" for the development site (currently designated as "Deerhurst Village Centre" in the Town's Official Plan).

The proposed development will have an immense negative impact on the market value of existing and future freehold and condominium units situate on the Deerhurst Resort site due to both: (i) the overwhelming increase in the supply of residential condo units within a relatively small area; and (ii) the dilution of financial returns from the Deerhurst rental program due to the enormous increase in the number of units in the program.

Relative to the over-supply issue, there is no indication that there is sufficient demand for condominium ownership on the Deerhurst Resort site to warrant the development of 447 additional residential units. Recent relevant and factual data support this contention.

The 162 residential condo units at the recently completed Lakeside Lodge on the Deerhurst Resort site first went on sale (pre-construction) on July 22, 2014. The "Turnover Meeting"

(required to be conducted when 51% of the condo units have been purchased) did not take place until February 22, 2020. In other words, it took 5 years and 7 months to sell 82 units in that condo development. Assuming the same pace of sales of the condo units in the proposed development, it would take more than **15 years** to sell just 51% of the proposed 447 residential condominium units!

The fact that financial returns from the Deerhurst rental program will be drastically diluted should this development be permitted is also supported by clear and relevant evidence. As of March 3, 2023, approximately 67% of the Lakeside Lodge condo owners (or 109 owners) were participating in the Deerhurst rental program. The residential condo units in the proposed development are also *“intended to have the option of being part of the resort rental pool”* (Planning Justification Report, pg.21). Assuming an equal percentage (67%) of the eventual owners of the proposed residential condo units enrol their units in the Deerhurst rental program, that would amount to 300 incremental units in the program, or almost three times the current number!

And yet, no analysis or appraisal has been conducted to determine the degree to which the market value of existing or future freehold or condominium units on the Deerhurst Resort site will be impacted by the proposed development due to the excess supply of residential units and the diminished returns from the Deerhurst rental program.

D. Overburdening Deerhurst Resort Amenities and Facilities

The proposed development fails to take account of the impact on the existing services, amenities and facilities on the Deerhurst Resort site due to the creation of an additional 447 residential condos. These resources include a golf course, the Peninsula Lake Gazebo Beach and Sunset Bay Beach, docks and boat slips, tennis courts, walking, running and hiking trails, treetop trekking, and Deerhurst Lodge amenities such as dining, theater, children’s play area, and rock climbing.

The right of access to these resources has already been granted to existing freehold and condominium owners on the Deerhurst Resort site. The Site Plan states that the proposed residential units will also have *“ongoing access to services, amenities, and recreational facilities”* (pg. A-01). This will result in extreme overcrowding and exceed the intended capacity of these resources.

For example, it is not unreasonable to assume that, on average, 3 to 4 individuals will occupy each of the proposed new 447 condo units at any point in time. During peak occupancy, that amounts to approximately 1,565 incremental users of the Deerhurst Resort facilities. There is no plan put forward in support of these Applications to increase the capacity of these facilities. And some of these resources, such as the water frontage, the beaches, and the lakes themselves, are of finite size and cannot be increased to accommodate this overburdening.

This overcrowding will also undoubtedly lead to significant additional boat traffic and congestion on Peninsula and Fairy Lakes and, in particular, the Muskoka River between Peninsula Lake and Fairy Lake (commonly referred to as “the Canal”), with a corresponding increase in the number of boating collisions.

E. Disregard for Aesthetics

According to both the District of Muskoka Official Plan (section J5.7.3(c)) and the Town of Huntsville Official Plan (section B3.1.6(d)), the developer is required to “*respect and recognize the importance of....visual aesthetics*” of the area and to “*minimize the visual impact of development*”. But according to the Visual Impact Analysis, due to the non-conforming heights of the proposed buildings, a number of neighboring properties will be sensitive to the proposed development (i.e. are located within 500 metres from the development), including Lakeside Lodge, Deerhurst Resort, Penn Lake Gazebo Beach, private cottages, and lake visitors on boats. With respect to Lakeside Lodge, the solution put forward in this Analysis is that the trees standing between the two structures “*have potential to grow*” to provide sufficient screening (pg.36). This is unacceptable. Resolution of visibility concerns must be addressed with viable solutions as part of the supporting material for these Applications. Developing the site within the existing building height limitations is the most practical solution.

F. Parking Issues

The enormous number of surface parking spaces (645) required to accommodate the vehicles in the proposed development will generate pollutants like oil, grease, salt, metals and sediment that will run off into the adjacent waterways that are inadequate to contain them.

The proposed parking and driveway areas are so vast (approximately 33% of the entire 22.3 acre site) that they will result in significantly diminished green space available for trees, wildlife and public spaces within the Deerhurst Resort site.

G. Damage to Natural Heritage Features and Functions

The proposed site and adjacent area (within 120M) contain natural heritage features and functions that “*have already experienced impacts from human presence*” (Deerhurst Resort Village Center Environmental Impact Study Update prepared by BIRKS Natural Heritage Consultants, Inc. (pg. 21). According to the BIRKS report, the proposed site contains, or is proximate to, natural heritage features and areas such as wetlands, potential habitat of endangered and threatened species, potential significant wildlife habitat, fish habitat, and sensitive surface water features. The Report specifically warns of potential impact to adjacent turtle nesting areas, amphibian breeding grounds and “special concern species”, and to the habitats of threatened or endangered species, such as barn swallows and turtles (pgs. 19-20). The Report warns that significant impact on critical natural heritage features can only be avoided if the mitigation measures outlined in the Report are implemented. But it is not apparent from the supporting material for these Applications what if any mitigation measures the developer has committed to take.

H. Inadequate Stormwater Management System

As stormwater runs over man-made surfaces in the proposed development such as lawns, parking lots, driveways, etc., it picks up pollutants such as phosphorous and nitrogen from fertilizers, bacteria from pet waste, road salt, and other pollutants from parking areas. With the above-ground paved parking alone constituting one third of the proposed development site,

there is grave environmental danger that these pollutants will be carried into the nearby Peninsula Lake, Fairy Lake and the Canal, as well as adjacent wetlands.

The September 2022 Functional Servicing & Stormwater Management Report prepared by WMI & Associates Limited states (at pg. 6) that stormwater management for the proposed development will adhere to the recommendations contained in two environmental reports prepared by Azimuth Environmental Consulting Inc. -- the first being Water Quality Study, and the second being the Environmental Impact Assessment. Both of these reports were prepared more than a decade ago, i.e. April 2013!

The developer cannot be allowed to rely on decade-old stormwater management systems. These reports were prepared based on the existing “Deerhurst Village Centre” plan, not on the proposed “Deerhurst Modern” plan. Given the magnitude of the urbanization of the site being proposed under the new plan, the amount of stormwater and pollutants can be expected to increase dramatically prior to outletting to Peninsula Lake, which is a sensitive surface water feature.

Furthermore, in the decade since these reports were prepared, new methodologies for containing stormwater have been developed and need to be considered for use as part of the proposed development given the environmentally sensitive nature of the Deerhurst resort site.

I. Functional Servicing Requirements

The Functional Servicing & Stormwater Management Report also stipulates dozens of requirements to be met in the areas of Site Grading, Water and Sanitary Servicing, Utilities and Erosion Controls in order for the proposed development to meet current zoning by-law and Official Plan standards. These include retaining walls, relocation of existing utilities, water system upgrades, and a sewage pumping station. The developer's plan(s) to meet these requirements did not appear to be part of the supporting materials for these Applications.

J. The Canal

The two buildings being proposed for the site are 6.5 stories and 5.5 stories, respectively. According to the Town of Huntsville's current Official Plan (Deerhurst Village Centre) these buildings are not permitted to exceed four (4) stories (s. 5.5.11). The purpose of this height limit is to reduce the impact of these structures on the Canal, which has been identified by the public as a “unique and historical natural amenity”. There is nothing put forward in the materials supporting these Applications as to how the developer will observe and respect this unique and historical natural amenity designation in the construction of this enormous proposed development immediately adjacent to the Canal.

K. Other Concerns

Other potential impacts from the over-building of condominium units on the Deerhurst Resort site -- but not addressed in the documentation supporting these Applications -- include excessive noise, littering, parking and driveway problems and congestion, damage to property, all of which, in addition to their nuisance factor, can result in an increase in common expenses

and compound the negative impact on market values of all condo units on the Deerhurst Resort site.

L. Summary

For the reasons stated above, I do not believe that these Applications are in the best interest of either the existing property owners (condominium or freehold) on the Deerhurst Resort site, the future development of the site, the environment, the aesthetic beauty of the Muskoka region, nor the Town of Huntsville or the District of Muskoka and, therefore, should not be approved.

I also sincerely apologize to all parties who may be affected by this submission for any errors or omissions that I may have made due to my misunderstanding or failure to take account of all relevant supporting material for these Applications or the Town of Huntsville or the District of Muskoka's planning goals or Official Plan documents, all of which was entirely unintentional.

May 10, 2023

Patricia Wright

From: Town of Huntsville <planning@huntsville.ca>
Sent: May 12, 2023 8:31 AM
To: Patricia Wright
Subject: Fwd: {84153}: Deerhurst Modern

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--reply above this line--

FYI

I will save and update the distribution list.

----- Forwarded message -----

From: [REDACTED]
Date: 5/11/2023 7:52:22 PM
Subject: Deerhurst Modern

I am writing to the planning board to please deny Freed Assoc. it's proposal for a 7 story multi unit condominium building on Penn Lake.

The Penn Lake Association has worked hard over the past 8 years to express concerns over the future development of the Deerhurst property and has made numerous requests to limit the size and scope of the Deerhurst Village. With those plans concessions we're also made. It seems the plan of the new owners have no thought or concerns about over developing a large swath of land that will be affected both environmentally and aesthetically.

My family and I have been vacationing on Peninsula Lake for over 70 years. It would be nice to think that our grandchildren would still be able to enjoy the Lake for years to come. That will not be the case if the present rate of over development continues.

Thank you, Anne Coates

Sent from my Galaxy

Deerhurst Development Proposal
Submitted by Hidden Valley Property Owners Association

March 4, 2023

I. Overall Project Design

With the development of two additional buildings comprising 447 units located on the corner of Deerhurst Drive and Canal Road, it appears that a lot of thought has been put into the design by the architects. Some of the major design elements include:

- set back from lake,
- use of natural colours/earth tones in the building materials,
- roofline following treeline,
- conformance to Dark Sky guidelines,
- recessed window design to reduce reflection and glare
- Based on the views of the development from various vantage points, it appears that the property owners affected are those directly across from Deerhurst.

Concerns From HVPOA Point of View:

1. Increased traffic through the Hidden Valley neighbourhood as a result of this proposed expansion. Additional expansion of Tree Tops - 90 additional units and 56 additional units in Deerhurst Highlands are mentioned. The roads in the Valley are in bad shape and additional volume will exacerbate the current road conditions. Is a broader traffic study for the entire area that would include the roads through the Hidden Valley residential community something that can be considered?
2. It is not clear as to whether the STRA properly considers for parking or traffic calculations. Will rentals require more than the standard 1.2 spots per unit?
3. The traffic studies do not reflect much traffic flow is expected beyond the new development. This ties back to the comment in 1 above about impact of increased traffic volumes through the HV neighbourhoods.
4. Based on the period in which traffic was sampled (Sept 2022) there is little bicycle or pedestrian traffic reflected in the data. Walkers and cyclists do use the road. With increased vehicular traffic, can the new design be amended to include pedestrian and bike lanes.
5. There is mention that the current application is a Phase 1 development. Are there concept documents for subsequent phases that can be reviewed now so that the totality of the development can be understood? Is an amphitheatre that was included in previous plans (pre-FREED acquisition) still under consideration for a future phase? What is Freed's plan for the lands on West side of Canal Road that was approved for development in 2014? Further questions may arise depending on Freed's response.
6. The intersection of Canal Road and Deerhurst Drive and the curve situated at that intersection, could pose traffic bottlenecks during peak times (Friday p.m., Sunday p.m. Monday p.m. (long

weekends). The curve in Deerhurst Drive could pose issues, particularly if a guest is driving above the speed limit.

7. Regarding the proposal to build to 6.5 stories, is the project still viable at 4.5 stories or 5.5 stories? If the proposed height of 6.5 stories is granted for this development, will any future expansion applications automatically be approved at that level?
8. With the increase in rentals, there will be a need for increased staff at the resort. What is the plan to provide staff housing? The trailers on Hwy 60 were supposed to be a temporary solution for 3 years but that time frame has now been exceeded. The HVPOA wrote a letter to the Town expressing concern about the trailers (Feb 5, 2019)

II. Environmental Impact

Concerns and Comments from HVPOA Point of View:

1. The studies are from 2020/21. Is there any expected change because the study was conducted at a time of a lower level of activity at the resort due to COVID. Nonetheless, the study is 2-3 years old. Can this study be updated?
2. The limit of the study area is 120m from the footprint of the proposed buildings. That limit touches one small edge of Sunset Bay. There is no discussion about environmental impacts due to increased activity at the shoreline – human activity, ski-doo rentals, etc. because of the additional units. Would like to hear more from the proponent about increases in beach area, dockage, etc. to accommodate the increased number of residents/guests.
3. Onsite stormwater handling is built into the design.
4. There does not appear to be any significant impact to wildlife, but keep in mind the study area is limited as stated above. Major concern is increased pressure on Pen Lake due to this and other development.

Patricia Wright

From: Town of Huntsville <planning@huntsville.ca>
Sent: May 8, 2023 9:45 AM
To: Patricia Wright
Subject: Fwd: {83973}: Deerhurst Modern Feedback

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--reply above this line--

Hi Richard,

Please see comment below. I will save it in the file.

Thanks,

Trish

----- Forwarded message -----

From: [REDACTED]
Date: 5/8/2023 9:09:32 AM
Subject: Deerhurst Modern Feedback

To: Planning Council of the Town of Huntsville

Re: APPLICATION NOS.: OPA#2 (Deerhurst Modern) and Z/28/2022/HTE DHR GP Inc. ADDRESS: 1415 Deerhurst Drive

Dear Members of the Council:

My husband Michael Kirk and I live at [REDACTED]. We wish to comment on the Deerhurst Modern Official Plan Amendment, because we have several concerns with its impact on our community, as follows:


1. Its increased footprint will affect the traffic volume and safety of the roads we use to access to our neighbourhood and home. Currently, the intersection of Canal Road and Deerhurst Drive has only a single stop sign, and involves pulling out at a blind curve when travelling northwest on Canal Road to turn left/west towards Huntsville. Adding significantly more traffic will make this a more dangerous intersection, without associated changes to the related road design and traffic management.
2. Canal Road at Turnbull Lane is a single-lane road, not designed for high volume ingress/egress to a resort of this proposed size. Canal Road is the only access to our neighbourhood from Huntsville, and we are concerned that this will become a traffic nightmare if the associated changes to the related road design and traffic management are not made to accommodate the volumes.
3. If local bylaws allow the new 447 resort residential units of Deerhurst Modern to be "Airbnb'ed" out, we are concerned about what this quantity of short term renters will do to the community. Unfortunately short term renters have a reputation for less than respectful treatment of the local environment, bylaws, etc. than those who have a longer term ownership stake in the community.

4. At a height of 23.4 meters, or 76.7 feet, the Deerhurst Modern building will be significantly taller than most Huntsville buildings. This changes the small town feel of Huntsville, and sets an unwanted precedent.

We thank you for your consideration of our concerns.

Regards,

Catherine Booth and Michael Kirk

A black rectangular redaction box covering the signature area.

Kelsey Lang

From: Town of Huntsville <planning@huntsville.ca>
Sent: February 13, 2023 10:20 AM
To: Kelsey Lang
Subject: Fwd: {81802}: Deerhurst Development
Attachments: image001.png

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--reply above this line--

----- Forwarded message -----

From: [REDACTED]
Date: 2/11/2023 12:20:51 PM
Subject: Deerhurst Development

To Town Clerk and Huntsville Planning Department

We would like to be notified of all meetings and decisions for application OPA#2 and Z/28/2022/THE – DHR GP Inc for 1415 Deerhurst Drive as we are neighbours and would like to make a submission.

We are opposed to the height of this project. It is not in keeping with the area or Huntsville in general.

Regards
Lorraine Blondin and Richard Rutsch
[REDACTED]



Patricia Wright

From: Town of Huntsville <planning@huntsville.ca>
Sent: May 12, 2023 8:34 AM
To: Patricia Wright
Subject: Fwd: {84139}: Deerhurst Expansion

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--reply above this line--

FYI

----- Forwarded message -----

From: [REDACTED]
Date: 5/11/2023 3:04:04 PM
Subject: Deerhurst Expansion

I would like to state my objection to the expansion plan that Freed Resorts is planning for Deerhurst. I am not against the Freed Developments putting up a new building, what is offensive is that they are trying to get a **Seven** story building and not a **Four** story building which is in keeping with the existing official plan. Our family has owned property on Peninsula Lake for over 124 Years and I personally have two properties on the Lake, and this I know gives us the right to protest this development because it is not in the best interest of the Community.

I am not against development, but the rules were put in place by very smart people with all stakeholders involved, and Freed Developments should not be allowed to just come to "town" and break the rules because they want to make more money.

Please do not allow them to go over 4 stories in their development, thank you , Lang Moffat

[REDACTED]

Sent from [Mail](#) for Windows

Patricia Wright

From: Town of Huntsville <planning@huntsville.ca>
Sent: May 12, 2023 8:32 AM
To: Patricia Wright
Subject: Fwd: {84151}: Freed Resort {Derrhurst Resprt } expansion

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--reply above this line--

FYI

----- Forwarded message -----

From: [REDACTED]
Date: 5/11/2023 5:26:03 PM
Subject: Freed Resort {Derrhurst Resprt } expansion

I am a resident of Peninsula Lake [REDACTED]
A Ponomarev and Elaine Ponomarev

We strongly object to the proposed 7 storey Building being constructed where the horse stables are located. This building will be above the tree line, consequently obstructing current views.

Also the current bylaws do not permit 7 story buildings .
The suggested structure is outside the current allowance.
Huntsville is making a decision which will impact any future development that will allow 7 storey or even greater . The Huntsville Building Department is not establishing a precedent; it is contrary to current standards.

Peninsula Lake is a small Lake and any further development will also impact the environment negatively on surrounding cottage property .

Our lake is not Muskoka lakes it is a quiet small lake that is head water to the other lakes.

STOP THE GREED AND NEAR SIGHTED APPROACH.

Deerhurst is already large enough there is no capacity on the Lake to support further development

Andrei Ponomarev.
[REDACTED]

Deerhurst Modern – Concerns of a resident that shares the lake

My family have been seasonal and full time residents on Peninsula Lake, Maplehurst Dr since 1985. We have enjoyed kayaking and boating on the waters of Peninsula Lake and other connected waterways in the Township of Lake of Bays and Huntsville. The waterways are, of course, becoming busier which can be expected with the new builds along the shores of the lake and with the new shoreline building that Deerhurst erected a few years ago. It is now possible to rent kayaks, canoes and personal watercraft. I understand that clients of Deerhurst would want to experience the beauty of our lake and all it has to offer.

Dock Permits

Prior to the building of the lakeside lodge, I attended a public meeting put on by Skyline Corp. and the question was asked if there would be any additional docks built to accommodate the hundred or so new rooms that were about to be built. Skyline's answer was there would be no new docks because that was not the type of clients they were hoping to attract. Since then many docks were constructed at Deerhurst and permits for these docks were only applied for after the Peninsula Lake Association repeatedly inquired about them. As a result the boat traffic on the lake has increased.

Boat Traffic

One of my family's favorite ways to spend time on the water is to take our pontoon boat through the canal to Huntsville. It is becoming more and more difficult to navigate the canal and its entrance safely because of the ever increasing number of canoes and kayaks which I understand are rentals from Deerhurst. And, I understand people renting these are directed to turn right, into the canal rather than turn left into the open lake for safety reasons. A good number of these people have had no previous experience in a canoe or kayak and it has become very challenging to travel through these waters safely when the paddlers have a limited ability to control their watercraft.

Waterfront Usage

According to Deerhurst advertisement on the internet, as of 2019 there are 400 rental units available. The application in question states there will be 447 additional residential units in 2 buildings. Yet the application makes no mention of increasing any of the shoreline activity areas at this time. The lake and the water's edge can act like a magnet to those visiting. If only 1/4 of the occupants of 447 residential units visit the shore that increases the numbers on the beach by a couple hundred. This could mean that an additional 200 people may want to rent kayaks and canoes, may want to rent a boat slip on a dock, or rent a PWC. I understand that an environmental damage assessment has been submitted which states there will not be a significant change to the environment of the lake. This could be true only if Deerhurst does not allow any of the clients from 447 new units to go anywhere near the shore or step foot into the lake. I do not believe this will be the case. I understand that a new pool will be part of the development but I'm sure many will want to use the beach and other waterfront sports available. How can Deerhurst offer the northern cottage experience to its clients without allowing them to use the lake. What are their plans to handle the increased level of activity. This should be addressed now not after the units are built.

Lake Water Health and Safety

I have been involved with both algae and bacterial testing on Peninsula Lake. I understand that Public Health is responsible for testing public beaches for bacteria (E.coli and coliforms). I believe that Deerhurst beach is not tested by Public Health since it is a private beach. So who is responsible for the health and safety of the water off the beach. I know that many times in the past 10 years the lake association tests for E.coli and coliform bacteria have been above the acceptable level for recreational waters. When these results were reported to Deerhurst the response was "thank you. Please let us know what the next test result is." There was no indication that the waters were being tested by Deerhurst or that the resort guests were being cautioned about the potential health hazard.

Wendy Somerville

To: Mr. Paul Mondell,
Vice President Development,
Freed Resorts.

From: Robert Hurst, Susan Devins, Ted Charlton
Peninsula Lake delegates of the Deerhurst Working Group.

c.c.: Wayne Simpson – Tulloch
Deerhurst Working Group
Mayor Nancy Alcock, Town of Huntsville
Councillor Bob Stone, Town of Huntsville
Kristen Maxwell, Town of Huntsville
Richard Clark, Town of Huntsville

Filed by e-mail

Monday February 27, 2023.

Dear Mr. Paul:

After our initial review of the application for “Deerhurst Modern” we have several questions.

1. Question: Why is there no updated and current water quality study?

BIRKS Environmental Impact Study, page 24 – Section 6.2.5, makes a passing reference to a significantly outdated water quality study. Birks declares the applicant is relying on the Azimuth water quality study done for a previous owner, Skyline Developments, in 2013.

The field work and water sampling for that Azimuth study was done in the summer and fall of 2012 – more than a decade ago.

Since then:

- Deerhurst has built a large 5-story condominium on the waterfront.
- Deerhurst has developed residential lots and roads on the Highlands Golf Course.
- Deerhurst has added a beach and marina in Sunset Bay.
- Deerhurst has built a staff housing village with ATCO-style trailers.
- A new waterfront development has been built on the Pow Wow Lodge site.
- A large algae bloom appeared on Peninsula Lake in September 2017. That issue was the subject of a lengthy Municipal, District and Watershed Council investigation.
- Penlake’s own water testing program, in recent years, regularly shows elevated levels of coliform bacteria in the Deerhurst Resort area.
- There has been a decade of global warming and climate change since the 2012 study.

2. Question: What is the future of the Lakeside Golf Course driving range?

3. Question: Golf Course Maintenance Sheds

Why did the Birks EIS ignore the golf course maintenance sheds beside the Canal, a clearly identifiable feature in the study area. Was any examination done of the soils and drainage of that area? Was Birks advised and aware that these sheds have long been concerning to the community and to Huntsville Council?

4. Question: Is Freed Resorts, or Deerhurst management aware of any gasoline, oil, or other hazardous material spills or leaks in the golf course maintenance shed area?

5. Question: Boats and Docks

How many boat slips does Deerhurst currently maintain?

What are the annual rental rates for a boat slip?

How many people are on the waiting list for a boat slip?

How many additional boats does Freed anticipate with its proposed 450-unit condominium?

6. Boat Impact Study

In the Town's approval of the Deerhurst Village in 2014/2015, Deerhurst was required to submit a 'boat impact study' if it wanted to increase its boat moorage by more than 15 slips. Deerhurst has built many more than 15 slips in recent years and without municipal approvals.

Is Freed Resorts aware of the requirement for a 'boat impact study.'?

7. Question: In Birks' "References," mention is made of Azimuth Consulting 2014 Supplementary Information Natural Heritage Letter. Can you provide a copy of this letter and a brief summary of its contents?

8. Question: There are several references in the application to Phase 2.

What is Phase 2 and what is the proposed timing?

9. Question: Waterfront Development

A promotional picture, September 2022, shows a substantially altered waterfront including two lengthy wharves, buildings on the wharves, a large beach, a shoreline swimming pool and shoreline cabanas.

The application says there are no plans for waterfront development. Please explain?

10. Question: Does Freed plan any gaming activities at Deerhurst?

To: Planning Department, Town of Huntsville, Paul Mondell – Freed Resorts, Member of Huntsville Council, Deerhurst Working Group.

From: The Peninsula Lake Association, The Peninsula Lake Association

Topic: Submission on Height at Proposed Deerhurst Modern application

Application: OPAS#2 – Deerhurst Modern Z/28/2022/THE DHR GP Inc.

May 1st 2023

Submission and Concerns About Height

This the second submission from the Peninsula Lake Community which is a member of the Deerhurst Working Group. The first submission was a list of 10 questions that arose from the Freed application. That submission and the Freed response is part of the public record.

This second submission deals with the key issue of building height.

The Deerhurst Working Group:

This is a group of lake and community associations, formed a decade ago, to ensure expansion of the Deerhurst Resort was/ and is/ based on good planning and is beneficial to the community, the Town of Huntsville and the District of Muskoka.

Members include lake associations from: Peninsula Lake, Fairy Lake, Lake Vernon, Mary Lake and Lake of Bays. Community groups include Hidden Valley Property Owners, Woodland Heights, The Neighbours of Deerhurst and the residents of Canal Road.

The Deerhurst Working Group meets to study and review development proposals, specifically as they conform to municipal, provincial and federal rules, standards and objectives. The group has met several times over the years, with the various owners of the Deerhurst Resort.

In November, the group met with the current owner of Deerhurst, Peter Freed.

Each representative of the Deerhurst Working Group is free to comment on their own, as they represent their lake or community associations.

Height:

After detailed study of the Freed Resorts' application and consultation with our members, the Peninsula Lake community is concerned about the proposed height of the Deerhurst Modern building.

This structure, at 7 storeys high, built on top of a plateau, would be the tallest building in Huntsville – by far. Our members are concerned that such a building would contravene the fundamental goals and themes long established by the Official Plans of the District of Muskoka and the Town of Huntsville.

The Official Plans:

There are four key documents that guide Huntsville Town Council in this matter:

- The District of Muskoka Official Plan
- The Town of Huntsville Official Plan
- Development guidelines in the Hidden Valley Recreational Lifestyle and Resort area. (part of the Huntsville OP)
- The Peninsula Lake – Lake Plan

Each of these documents has a central and common theme: Muskoka is a special place because of its “natural environment”: the granite hills, the lakes and rivers, the forests and trees.

The “natural environment” is the economy. The “natural environment” is the culture. The “natural environment” is the reason we live and visit here.

The “natural environment” is not to be desecrated, devalued or ignored. These fundamental principles have been part of the Official Plans for decades.

The question for Council: Are these common Muskoka themes and goals consistent with a 7-storey structure?

1. The District of Muskoka Official Plan:

Here are some key words and phrases from the District's OP.

“The natural environment ... is Muskoka’s key asset and it will be protected for the values it provides ... “

There is no other “key asset” in Muskoka. There is, first and foremost the “natural environment.” This theme and these words are sprinkled throughout and repeated often.

The District of Muskoka OP sets out the following clear objective:

“Protect and enhance the natural environment, including features, functions and systems.”

The District of Muskoka OP sets some “guiding principles:”

“... the Muskoka Official Plan establishes as a first principle that development activity be undertaken in a manner that conserves and enhances the features, functions, and interconnections of the natural environment that sustains what is Muskoka for future generations.”

Clearly the proposed 7-storey building is not part of the natural environment.

Our lake community members are asking how a 7-storey building can blend-in and be at harmony with the “natural environment”?

2. The Town of Huntsville Official Plan:

The Huntsville OP has different words but the themes and goals are the same.

“... protecting the health and integrity of the Town’s natural heritage system, which includes water resources, shorelines, forests and natural features ... “

“Protect the rich landscape of lakes and forests and the natural features and areas they contain in order to retain the natural and economic benefits they provide.”

“Preserve the natural panorama and setting of the land and lakes. “

Would a 7-storey building interfere with the “rich landscape” and “natural panorama?”

The Huntsville OP adds the following principle for development:

“... visual impact of buildings and structures such as massing and height should be minimized ...”

Does the Deerhurst Modern proposal comply with this goal? Instead of minimizing mass and height, the proposal appears to maximize mass and height.

3. Rules for the ‘Hidden Valley Recreational Lifestyle and Resort Area:

This is part of the Huntsville OP and has specific requirements for development at Deerhurst.

“Height”

“Generally, the height and massing of new development in the Hidden Valley Recreational Lifestyle and Resort Area will ensure that:

- proposed building(s) fit into the topography of the area and do not project above the tree line ...”

To a layman, the Muskoka tree line is generally considered to be 4 stories high. There is no doubt the proposed Deerhurst Modern structure will project significantly above the tree line.

4. Peninsula Lake - Lake Plan

This Lake Plan was one of the first in Ontario. It was developed over a 3-year period (1998-2001) and consisted of workshops, consultations and guidance from professional planning consultants. All of Peninsula Lake's resorts, including Deerhurst Resort, participate in developing the Lake Plan. It has been embraced by the Town of Huntsville and the Township of Lake of Bays. The Peninsula Lake Plan has become a model document for other Ontario lake communities to emulate.

The introduction states:

"The purpose of the Lake Plan is to recognize and protect the unique character of Peninsula Lake."

The Vision Statement lists 7 points. Here are the first two:

- 1. Pristine water quality***
- 2. Beautiful natural vistas, landscapes and shorelines***

There is a section in the Lake Plan called "Targets":

"Trees and natural vistas: Members of the Peninsula Lake Community will maintain natural vistas and prevent the appearance of buildings and other structures above and below the tree line. "

Under the heading "Landscape and Aesthetics":

"The two most important landscape lines to be protected are the shoreline and the tree line or the horizon. When viewing the opposite side of the lake, our eyes are immediately drawn to these two lines and anything that stands out on these lines can greatly impact the natural character."

Under a sections title "Impacts" is this sentence:

"High profile or highly visible development can impact or detract from the natural beauty of the lake."

Can the Town Make Exceptions and Approve 7 Storeys?

In the past decade, Huntsville Council has approved buildings beyond height restrictions. The Deerhurst Lakeside Lodge was given exemptions to build five storeys over community objections. There are two, 5-storey hotels in the Walmart Plaza; Holiday Inn and Hilton.

Perhaps the most egregious interruption of Huntsville's "rich landscape", is the 5-storey condominium at 4 Legacy Lane (across from Honda and Home Depot) called Vernon Vue. What an aptly named building since it can be seen from almost every corner of Lake Vernon many kilometres away. Even Freed Resorts' own development at Muskoka Bay in Gravenhurst does not exceed 5 storeys.

There are provisions in the Huntsville Official Plan that permit exemptions to height restrictions.

"The Town will consider authorizing increases in height and density provided that the development proposal:

- 1. a) is consistent with the goals, objectives and policies of this Plan;***
- 2. b) is compatible with the surrounding area;***
- 3. c) provides community benefits above and beyond those that would otherwise be provided under the provisions of this Plan ...***

Is a 7-storey building inconsistent with 1. a) the goals and objectives of the Huntsville OP?

Is a 7- storey building compatible with 2.b) – the surrounding area?

Point 3 mandates the applicant provide "community benefits" in order for Council to grant a height exemption. Nowhere in its application does Freed Resorts offer or outline any community benefits that which would satisfy an exemption.

The Official Plans and Lake Plans also speak about "***future generations***" suggesting that the community and especially elected representatives have a responsibility to ensure that Muskoka and its natural environment is protected from exploitation and misuse.

The point is that Huntsville is not Toronto or London or Windsor. Muskoka is a special place.

Respectfully submitted,

Robert Hurst (Past President of the PLA & Chair of the Deerhurst Working Group)

Susan Devins, President of the Peninsula Lake Community Association

Ted Charlton, President of the Peninsula Lake Association

Richard Clark

From: Marsha Rao [REDACTED]
Sent: May 12, 2023 9:33 AM
To: pmondell@freeddevelopments.com; Mayor Nancy Alcock; Kirstin Maxwell; Richard Clark
Cc: Robert Hurst
Subject: Submission on Proposed Deerhurst Modern application
Attachments: Deerhurst Waterfront Pictures.pdf

Caution: This email originated from outside the organization. Exercise caution when clicking on links or opening attachments even if you recognize the sender.

To: Planning Department, Town of Huntsville, Paul Mondell – Freed Resorts, Member of Huntsville Council, Deerhurst Working Group.

From: The Fairy Lake Association

Topic: Submission on Proposed Deerhurst Modern application

Application: OPAS#2 – Deerhurst Modern Z/28/2022/THE DHR GP Inc.

May 11th 2023

Submission regarding Deerhurst proposed Development

This submission is from the Fairy lake association which is a member of the Deerhurst Working Group.

The Deerhurst Working Group Background:

This is a group of lake and community associations, formed a decade ago, to ensure expansion of the Deerhurst Resort was and is based on good planning and is beneficial to the community, the Town of Huntsville and the District of Muskoka.

Members include lake associations from: Peninsula Lake, Fairy Lake, Lake Vernon, Mary Lake and Lake of Bays. Community groups include Hidden Valley Property Owners, Woodland Heights, The Neighbours of Deerhurst and the residents of Canal Road.

In November, the group met with the current owner of Deerhurst, Peter Freed.

Each representative of the Deerhurst Working Group is free to comment on their own, as they represent their lake or community associations.

Overall Position regarding Proposed Development

In general, the Fairy Lake Association is aligned with the proposal acknowledging the existing development rights, the siting of the proposed buildings to protect the shoreline, the density and the general look of the proposed development.

We have concerns regarding the building height.

Our other major concern is no proposal for the waterfront included in this proposal and the new Deerhurst ownership we would strongly suggest an over all plan to getting roughly double of the current occupancy of the resort to access Peninsula Lake.

Height Concerns:

The structure as proposed is significantly beyond the height limitations outlined both specifically and in principle within several planning documents from the various levels of local government. The primary key local planning documents, including the District Official Plan, Town of Huntsville Official Plan, Development Guidelines in Hidden Valley and the Peninsula Lake Plan focus broadly on maintaining and protecting the natural environment and more specifically at limiting development in height to protect building from projecting above the tree line. There are also dictated height restrictions that this proposal exceeds significantly. The association sees no reason to exceed the heights as requested in the proposal as the are clearly in contravention of many established development principles.

Waterfront and Future Applications

While there is no proposed development at the waterfront contained within this application, conceptual drawings have been included within the various packages that illustrate possible waterfront development ideas, and with the potential near doubling of the resort population it is reasonable to expect such further development applications. The addition of the rooms under the current application could lead to a significant increase in water area usage, and traffic on the lake. It is a sincere wish that the Deerhurst Working Group be involved in review and discussions related to any future significant applications.

Conclusion:

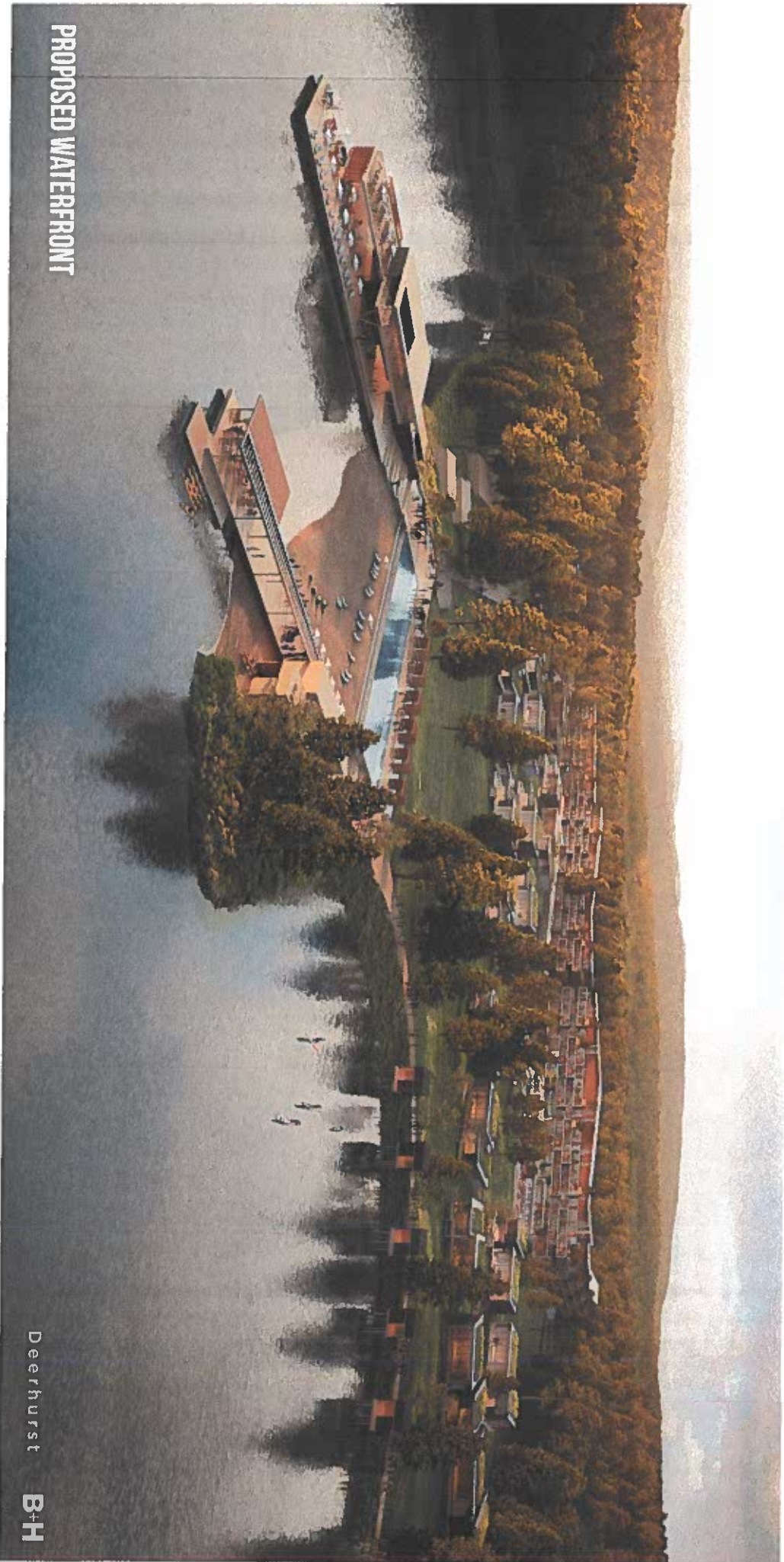
In general, the Fairy Lake Association is aligned with the proposal acknowledging the existing development rights, the siting of the proposed buildings to protect the shoreline, the density and the general look of the proposed development. The FLA does have serious concerns regarding the proposed height of the development and lack of overall plan for the use of the waterfront. In addition the FLA appreciates the value of collaboration between the various Community Associations and the Developer and hopes that future development proposal reviews involve the Deerhurst Working Group.

Respectfully submitted

Fairy Lake Association



LAKEVIEW ELEVATION



PROPOSED WATERFRONT

Deerhurst B+H