



## Town of Huntsville Staff Report

**Meeting Date:** January 16, 2019

**To:** Development Services Committee

**Report Number:** DEV-2019-13

**Confidential:** No

**Author(s):** Elizabeth Reimer, Senior Planner

**Subject:** Z/66/2018/HTE B/76/2018/HTE Rowland, Ball, Gailits 100 & 200 Treasure Island, 143 & 207 West Waseosa Lake Road

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### Report Highlights

Staff review respecting Consent Applications B/76/2018/HTE and Zoning By-law Amendment Application Z/66/2018/HTE.

### Recommendation

For information only.

### Background

#### **Purpose and Effect:**

##### **Z/66/2018/HTE:**

The applicant is proposing the development of two existing lots (100 and 200) on Treasure Island. As island development requires the provision of mainland docking and vehicle parking facilities, the applicants have acquired ownership of one small mainland waterfront lot (143 West Waseosa Lake Road) to provide mainland docking and a boat launch, as well as another mainland back lot (207 West Waseosa Lake Road) for vehicular parking. Accordingly, the purpose and effect of this application is to rezone 100 and 200 Treasure Island from a Conservation (C) Zone to a Shoreline Residential Five (SR5) Zone. Both of the mainland parcels are proposed to be rezoned to recognize their intended use as waterfront landings. Additionally, the dock proposed on the 143 West Waseosa Lake Road property requires a side yard setback reduction of 3.0m from both interior side lot lines, and an increase in shoreline activity area width to 54% is also required to permit the dock and boat launch.

##### **B/76/2018/HTE:**

The purpose of this application is to grant an easement over each of the 143 and 207 West Waseosa Lake Road properties in favour of the 100 and 200 Treasure Island properties for access and parking.

**Site Characteristics and Surrounding Uses:**

100 Treasure Island: This existing vacant, well-vegetated lot has an area of 9.5ha and a frontage of approximately 100m on Waseosa Lake.

200 Treasure Island: This existing vacant, well-vegetated lot has an area of 1.1ha and a frontage of approximately 300m on Waseosa Lake.

143 West Waseosa Lake Road: This existing vacant lot has an area of 475sq.m and 7.6m of frontage on Waseosa Lake. It is sparsely vegetated aside from a strip of mature vegetation along the shoreline.

207 West Waseosa Lake Road: This existing well-vegetated, vacant lot has an area of 1,550sq.m and 25.7m of frontage on West Waseosa Lake Road.

The surrounding uses are waterfront residential.

**Location:** Pt Lot 11, Con 11 (100 & 200 Treasure Island), Pt Lot 10, Con 11, RP 35R-7737, Pts 4,7,8 (143 & 207 West Waseosa Lk Rd), Chaffey

**Previous/Current Files:** None

**Natural Constraints:** Slopes 20-40% (Treasure Island)

**Human Constraints:** None

**Official Plan:** Waterfront

**Zoning:** C-H (100 & 200 Treasure Island), SR5-H (143 West Waseosa Lake Road), SR5 (207 West Waseosa Lake Road)

**Access:** Water (100 & 200 Treasure Island), Private Road (143 & 207 West Waseosa Lake Road)

**Servicing:** Private individual well and septic system

**OSRA Status:** None

**Technical Background Report(s):** Planning Justification Report by Wayne Simpson & Associates, Scoped Environmental Impact Study by FRiCorp Ecological Services

**Discussion****Circulation of Applications****Approach**

In accordance with the Planning Act regulations for Zoning By-law Amendments, notice was provided by mail to all those property owners within 120m of the lands, a minimum of 20 days prior to the public meeting. Properties within 120m of the island, and within 120m of both mainland parcels, were circulated by mail. The Lake Association was also notified. Signs were posted on 143 and 207 West Waseosa Lake Road, and notice was also posted on the Town's website. Section 5(4) of Ontario Regulation 545/06 states that if posting a notice sign on the property subject to the application is impractical, a nearby location is satisfactory. At the time of posting of the notice signs, the mainland properties were deemed the appropriate location as access to the island properties was not feasible.

**Circulation response**

All comments on the applications received to date have been included in Attachment #8. The concerns expressed have generally been summarized below.

**Access**

Concerns have been raised respecting the width of West Waseosa Lake Road, a private road, and its ability to accommodate additional traffic, and particularly construction traffic during the construction phase of the island properties development. Further, residents had concerns that the shoreline waterfront landing would be used by the public rather than the owners of the two island lots.

#### *Character/Visual Impact*

The use of the island for residential purposes, as well as the use of the mainland lots for waterfront landing purposes, residents feel, will impede their enjoyment of the lake and are not in keeping with the existing character of the lake.

#### *Environmental Impacts*

Concerns were raised pertaining to the lake's water quality and its capacity for additional development, as well as the naturalized state of the island, and its potential degradation.

### **Policy Context**

The following policies are applicable in the evaluation of the merits of application nos. Z/66/2018/HTE and B/76/2018/HTE:

### **Town of Huntsville Official Plan**

#### *General*

The subject lands are included in the Waterfront designation of the Official Plan, which contemplates shoreline residential uses (8.6.1.a) and associated accessory uses.

#### *Access*

Respecting waterfront landings, Section 8.4.8 of the Official Plan requires that the suitability of the proposed waterfront landing be determined based on its impact on the abutting properties and its ability to serve the number of intended users.

In this regard, to establish a waterfront landing, the following criteria of Section 8.4.6 must be satisfied:

- adequate size and frontage to accommodate the facility;
- sufficient docking and parking being provided for the use;
- that the shoreline is suitable for the use; access to the lot from both land and water is suitable;
- no negative impacts on the environmentally sensitive areas, habitat or heritage areas;
- the facility is designed to be compatible with abutting properties;
- parking areas have a setback of at least 20m from the shoreline and a natural vegetative buffer is maintained within the setback;
- stormwater management and construction mitigation is addressed;
- requirement for a site plan and zoning amendment; ownership is secured through a right of way or condominium approval;
- generous side yards are maintained to provide screening and buffering of neighbouring residential properties.

#### *Island Development*

To ensure development of the island properties would not result in adverse impacts to sensitive species or habitats, and to assess the appropriateness of lots to be used as waterfront landings, a

site evaluation report is required (8.4.7). A Scoped Environmental Impact Study by FRiCorp dated November 2018 was submitted in support of the applications.

### *Character*

The Plan requires that all waterfront development within the Town of Huntsville recognize the character of a lake, preserve a mix of uses and protect the natural environment. Section 8.2 of the Official Plan speaks to character and development principles in the Waterfront. Character is established and changes over time and the extent and form of development, including intensity of use, density, and maintenance of shoreline buffers are important considerations when assessing the impact of a proposal on the character of an area. More specifically, 8.2.14 notes that the character of an area will be maintained by retaining a traditional mix of land uses and overall low density of development, as well as preserving the natural environment, vegetation, and natural shorelines. Sections 8.3.4 and 8.3.8 provide details and provision regarding shoreline activity areas. These policies speak directly to character, as they define the extent and location of shoreline activity areas.

Section 8.3.1 of the Official Plan states that the visual impact of a development is an important consideration in maintaining the character of a water body. Further, Section 8.3.7 states that shoreline structures should be located in such a manner as to minimize their visual impact. Shoreline structures that are located in the water cannot be screened by vegetation and therefore the Zoning By-law contains standards to control their massing. Deviations from these standards require careful consideration of such factors as: proposed size, projection into the water, and more importantly, the site-specific characteristics of the reach of shoreline (i.e. is it in a narrow bay or on the open lake) and of the lot behind the structure (i.e. amount and maturity of vegetation, slope etc.). In considering the specific location circumstances of this proposal, this lot fronts on a stretch of shoreline with many other boathouses and there are no islands or other physical landmarks which narrow the lake in this location. The Official Plan states that built form should not dominate the natural landscape and visual impacts and structural profile should be minimized, and similarly that, to maintain an appropriate balance between a natural shoreline and built form within the Waterfront, structures in the shoreline amenity area should be focused within a defined area of the shoreline frontage and be limited in extent (8.3.4). Further, Section 8.3.1 of the Official Plan states that the visual impact of a development is an important consideration in maintaining the character of a waterbody.

### **District of Muskoka Official Plan**

The lands are included in the "Waterfront" designation. The proposal would appear to conform to the intent of the District Official Plan, as confirmed by District staff in their written comments, attached as Attachment #7.

### **Provincial Policy Statement**

The 2014 Provincial Policy Statement (PPS) applies to this proposal. In the Muskoka context, lands located within the "Waterfront" designation are to be considered as "Rural Lands". Resource-based recreational uses (including recreational dwellings) on rural lands are contemplated. Development is required to be compatible with the rural landscape and appropriate to the infrastructure which is planned or available.

### **Next Steps**

In response to the circulation of this proposal, a number of concerns have been raised, as summarized above. Additional consultation, in the form of a neighbourhood meeting facilitated by the applicant, has been recommended to the applicant and their agent. It would be prudent to examine the merits of the concerns raised to-date as well as any additional concerns identified at the neighbourhood meeting. Accordingly, no recommendation is being made at this time.



## **Options**

Committee could approve or deny the application however doing so would be premature at this time.

## **Council Strategic Direction / Relevant Policies / Legislation / Resolutions**

### **Strategic Plan**

Natural Environment & Sustainability Goal #2: Integrate sustainability principles into planning and development policies and processes.

### **Unity Plan**

### **Economic Considerations**

Goal 11: Economic Development: Huntsville will promote a diverse and prosperous economy by attracting innovation, growing a knowledge-based economy, providing adequate training, developing green jobs, and offering sustainable year round employment to retain Huntsville's youth.

### **Social Considerations**

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 Statements

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

District of Muskoka Official Plan

Town of Huntsville Official Plan

Zoning By-law 2008-66P, as amended

## **Attachments**

[Location Map](#)

[Revised Site Plan](#)

[Conceptual Sketch - Access](#)

[Consent Sketch 2](#)

[Consent Sketch](#)

[Site Photos](#)

[District Comments](#)

[Comments Received](#)

## **Consultations**

The application was circulated to the Waseosa Lake Association, the District of Muskoka and in accordance with the provisions of the Planning Act.

**Respectfully Submitted:** Elizabeth Reimer, Senior Planner

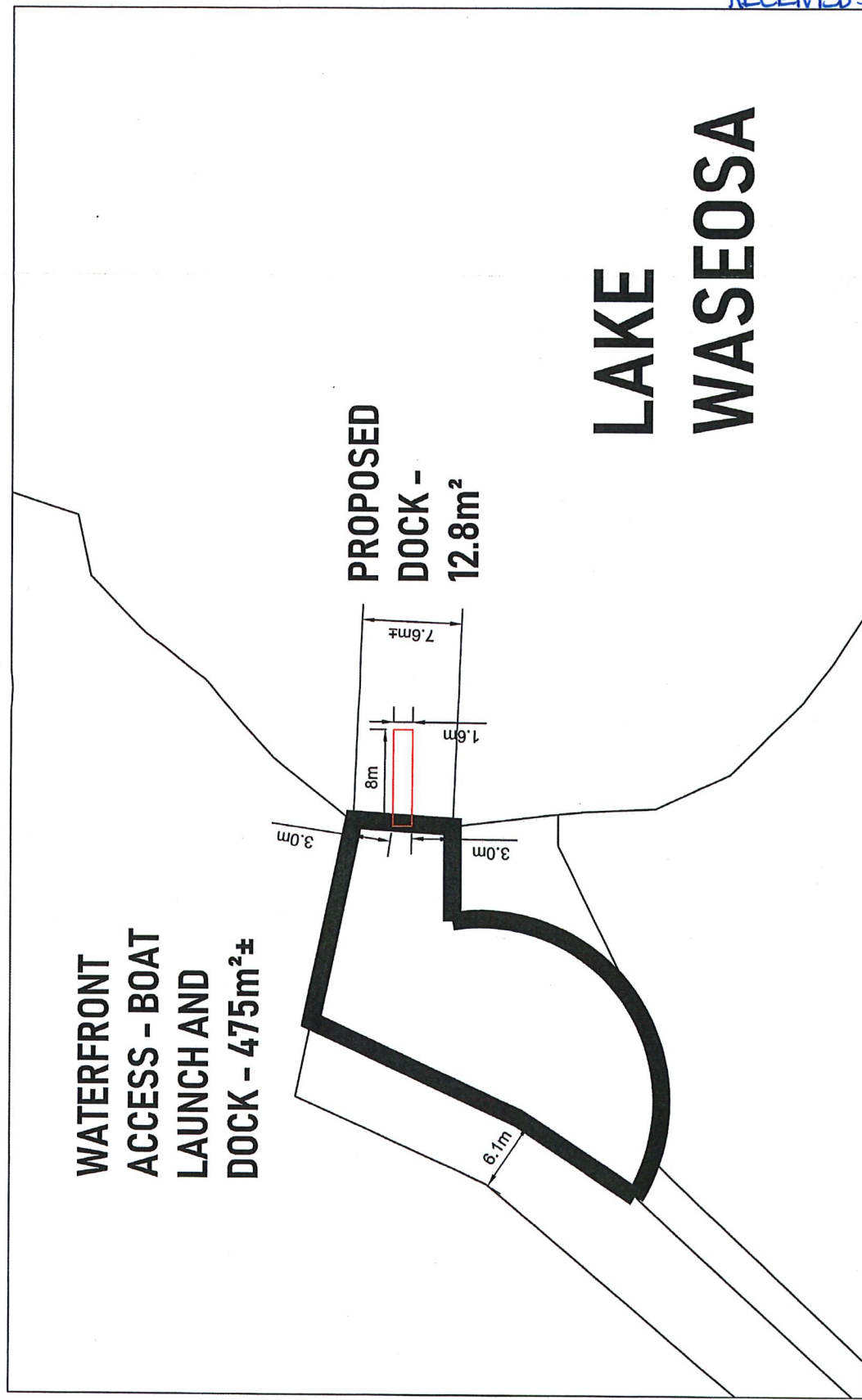
**Manager Approval (if required):** Kirstin Maxwell, Manager of Planning

**Director Approval:** Derrick Hammond, Director of Development Services

**CAO Approval:** \_\_\_\_\_

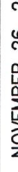


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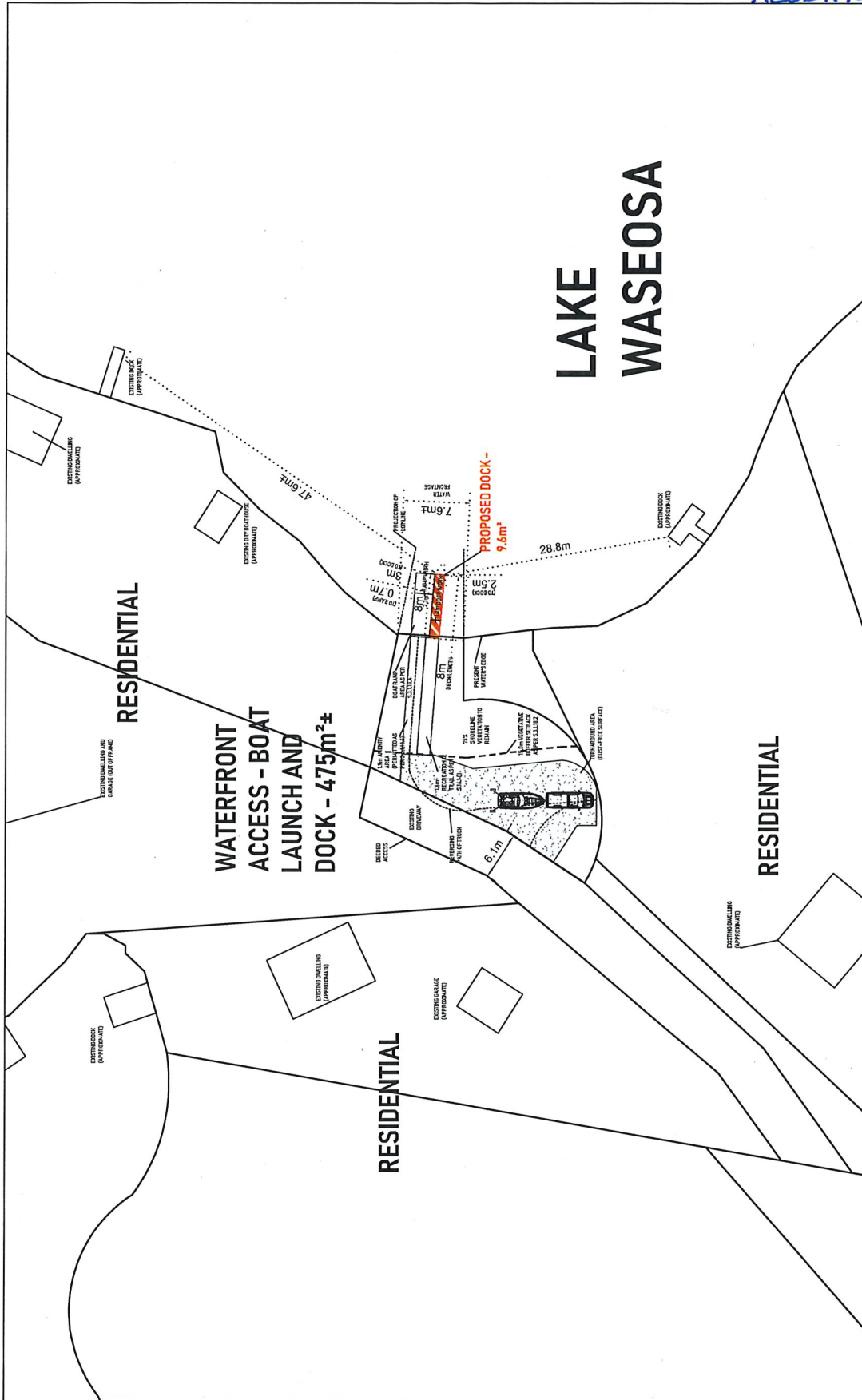
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CLIENT:	ROWLAND	LOCATION:	143 AND 207 WEST WASEOSA LAKE ROAD
DATE:	NOVEMBER 26, 2018	WAYNE SIMPSON & ASSOCIATES PLANNING AND DEVELOPMENT CONSULTANTS 3-78 KING WILLIAM STREET HUNTSVILLE, ALBERTA T6A TEL: (780) 788-9082 FAX: (780) 788-9094 Info@wasp.lanug.ca	VISA FILE No.: 1650
SCALE:	METRIC	REVISION No.:	FILE NAME: TREASUREISLANDACCESS.dwg


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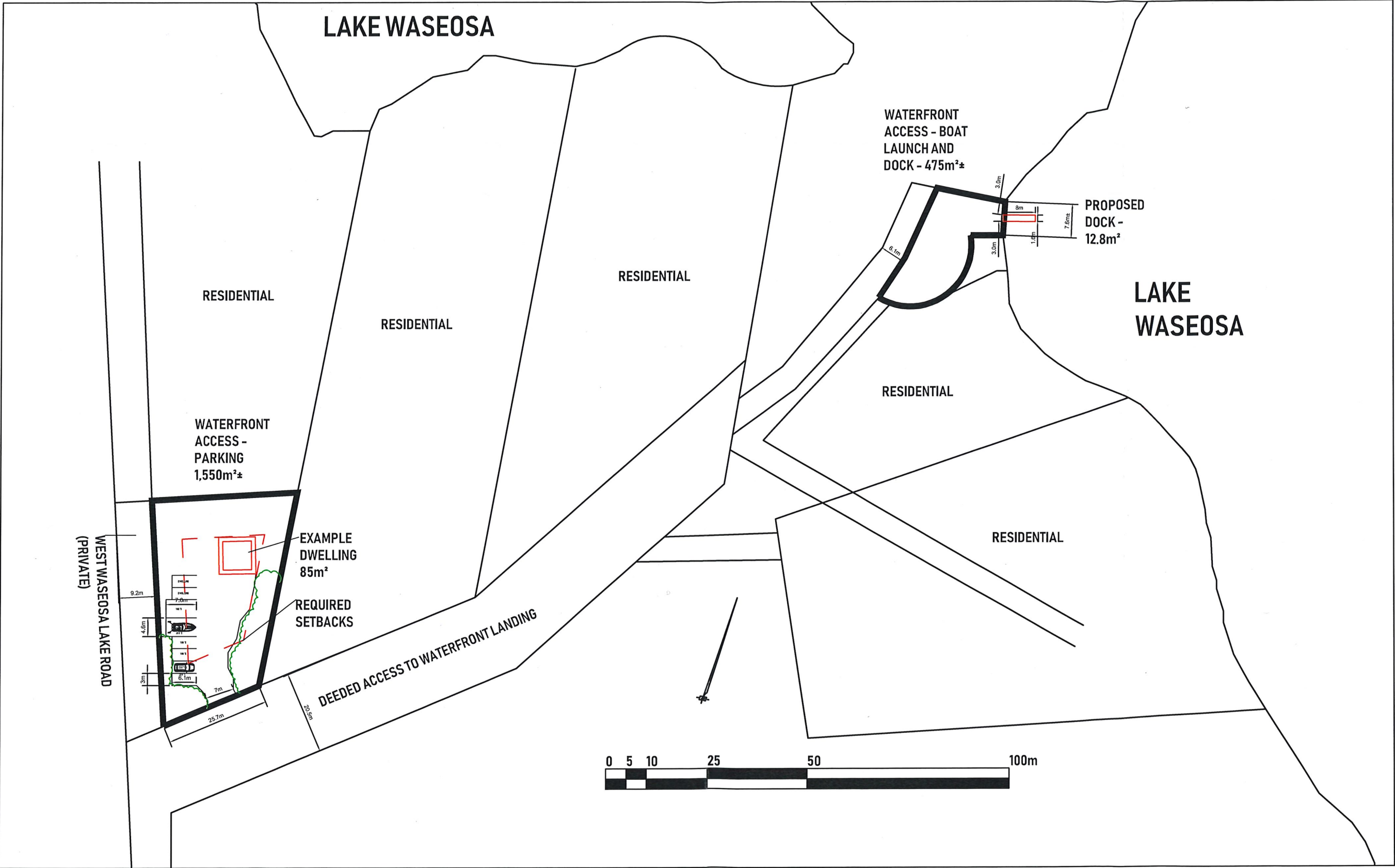
PROJECT:	DETAIL 2 – WATER ACCESS		LEGAL DESCRIPTION:	PART OF LOT 10, CONCESSION 11 FORMER TOWNSHIP OF CHAFFEY TOWN OF HUNTSVILLE DISTRICT MUNICIPALITY OF MUSKOKA	
CLIENT:	ROWLAND		LOCATION:	143 AND 207 WEST WASEOSA LAKE ROAD	
 <div> <b>WAYNE SIMPSON &amp; ASSOCIATES</b>            PLANNING AND DEVELOPMENT CONSULTANTS            3-78 KING WILLIAM STREET            HUNTSVILLE, ONTARIO P1H 1E4            TEL: (705) 786-2222 FAX (705) 786-9084  <a href="mailto:info@wjsplanning.ca">info@wjsplanning.ca</a> </div>			DATE:	NOVEMBER 26, 2018	
			SCALE:	METRIC	
			REVISION No.:		
			WSA FILE No.:	1650	
			FILE NAME:	TREASUREISLANDACCESS.dwg	



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PROJECT:      DETAIL 2 – WATER ACCESS		LEGAL DESCRIPTION: PART OF LOT 10, CONCESSION 11 FORMER TOWNSHIP OF CHAFFEE TOWN OF HUNTSVILLE DISTRICT MUNICIPALITY OF MUSKOKA	 WAYNE SIMPSON & ASSOCIATES PLANNING AND DEVELOPMENT CONSULTANTS 3-78 KING WILLIAM STREET HUNTSVILLE ONTARIO P1H 1E4 TEL: (705) 719-6666 FAX: (705) 789-9094 Info@waspplanning.ca	DATE:      NOVEMBER 26, 2018
CLIENT:      ROWLAND	LOCATION:      143 AND 207 WEST WASEOSA LAKE ROAD	WSA FILE No.:      1650	SCALE:      METRIC	
			REVISION No.:	
			FILE NAME:      TREASUREISLANDACCESS.dwg	



PROJECT:

CONCEPTUAL SKETCH

CLIENT:

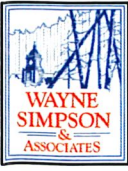
ROWLAND

LEGAL DESCRIPTION:

PART OF LOT 10, CONCESSION 11  
FORMER TOWNSHIP OF CHAFFEY  
TOWN OF HUNTSVILLE  
DISTRICT MUNICIPALITY OF MUSKOKA

LOCATION:

143 AND 207 WEST WASEOSA LAKE ROAD



WAYNE SIMPSON & ASSOCIATES  
PLANNING AND DEVELOPMENT CONSULTANTS

3-76 KING WILLIAM STREET  
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TEL: (705) 789-9092 FAX: (705) 789-9094  
info@wsaplanning.ca

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DATE:

NOVEMBER 26, 2018

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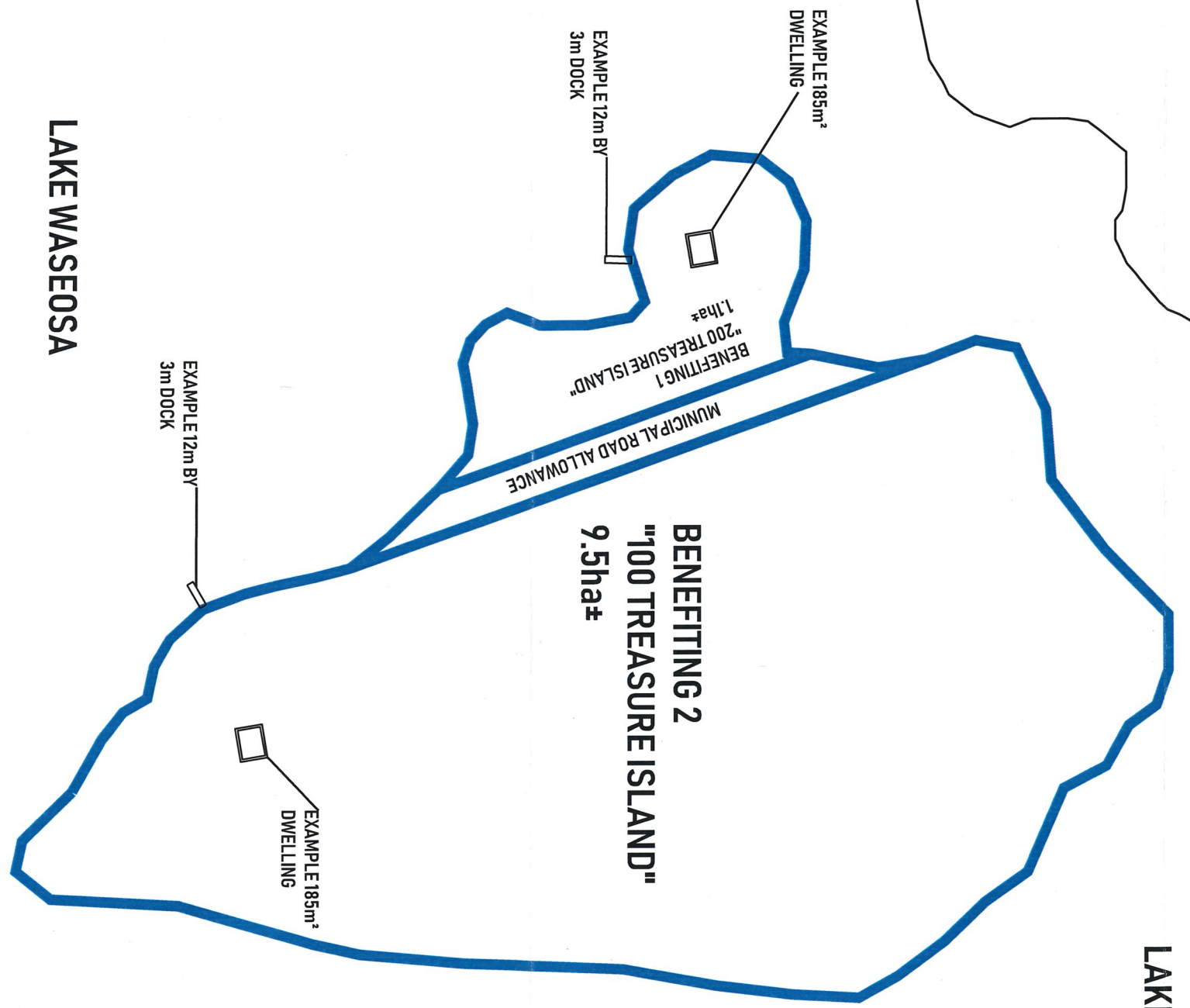
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RESIDENTIAL

LAKE WASEOSA

RESIDENTIAL



PROJECT: <b>SKETCH FOR CONSENT</b>		LEGAL DESCRIPTION: PART OF LOT 11, CONCESSION 11 & 12 FORMER TOWNSHIP OF CHAFFET TOWN OF HUNTSVILLE DISTRICT MUNICIPALITY OF MUSKOKA		DATE: NOVEMBER 26, 2018	
CLIENT:	ROWLAND	LOCATION:	TREASURE ISLAND	SCALE: METRIC	
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		FILE NAME: TREASUREISLANDACCESS.dwg			

WAYNE SIMPSON & ASSOCIATES  
PLANNING AND DEVELOPMENT CONSULTANTS  
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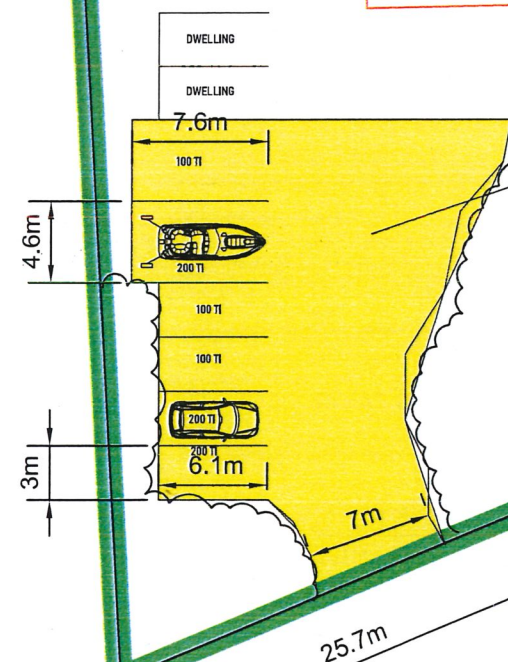
WEST WASEOSA LAKE ROAD  
(PRIVATE)

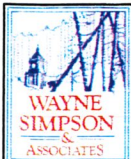
RETAINED  
LANDS  
1,550m<sup>2</sup>±

EXAMPLE  
DWELLING  
85m<sup>2</sup>

PROPOSED  
EASEMENT FOR  
ACCESS

DEEDED ACCESS TO WATERFRONT LANDING



<b>PROJECT:</b> SKETCH FOR CONSENT	<b>LEGAL DESCRIPTION:</b> PART OF LOT 10, CONCESSION 11 FORMER TOWNSHIP OF CHAFFEY TOWN OF HUNTSVILLE DISTRICT MUNICIPALITY OF MUSKOKA	 <b>WAYNE SIMPSON &amp; ASSOCIATES</b> PLANNING AND DEVELOPMENT CONSULTANTS 3-76 KING WILLIAM STREET HUNTSVILLE, ONTARIO P1H 1E4 TEL: (705) 789-9092 FAX: (705) 789-9094 info@wsaplanning.ca	<b>DATE:</b> NOVEMBER 26, 2018
<b>CLIENT:</b> ROWLAND	<b>LOCATION:</b> 143 AND 207 WEST WASEOSA LAKE ROAD		<b>SCALE:</b> METRIC
			<b>REVISION No.:</b> 1
		<b>WSA FILE No.:</b> 1650	<b>FILE NAME:</b> TREASUREISLANDACCESS.dwg





































# THE DISTRICT MUNICIPALITY OF MUSKOKA

PLANNING AND ECONOMIC DEVELOPMENT DEPARTMENT  
70 PINE STREET, BRACEBRIDGE, ONTARIO P1L 1N3  
Telephone (705) 645-2231 OR 1-800-461-4210 (705 area code) Fax (705) 646-2207  
[www.muskoka.on.ca](http://www.muskoka.on.ca)

January 7, 2019

Tanya Calleja, Clerk  
Town of Huntsville  
37 Main Street East,  
Huntsville, Ontario  
P1H 1A1

VIA EMAIL ONLY

Dear Ms. Calleja:

Re: CONCURRENT COMMENTS  
Consent Applications B/76/18/HTE (Ball, Gailits, Rowland)  
Zoning Amendment Application Z/66/18/HTE  
Part of Lots 10 & 11, Concession 11  
Chaffey, Town of Huntsville

**Recommendation**

District staff would not be opposed to the above noted applications provided the appropriate development control techniques are used to implement the recommendations of the Scoped Environmental Impact Study prepared by FRI Corp. Ecological Services, dated November 2018, regarding building envelopes, docking envelopes and construction mitigation measures.

Notice of Committee and Council's decisions respecting the above noted applications is requested.

**Analysis**

The subject properties are located within the "Waterfront" designation of the Muskoka Official Plan (MOP). It is our understanding that the above noted applications would establish an easement for parking and access in favour of the two island properties on Treasure Island. We also understand that the island properties will be rezoned from Conservation Holding (C-H) to Shoreline Residential Five (SR5) to permit each island property to be developed with one single detached dwelling. We further understand that the mainland property will be rezoned to permit a reduced side yard setback for a dock and to recognize the property as a waterfront landing.

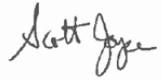
The Ministry of Natural Resources and Forestry has identified "Type 1" and "Type 2" fish habitat along the frontage of Treasure Island. In support of the applications, a Scoped Environmental Impact Study prepared by FRI Corp. Ecological Services, dated November 2018, was prepared. The report identifies potential building envelopes, docking envelopes and construction mitigation measures to avoid impacts to natural heritage features and species at risk which can be implemented through appropriate development control techniques.

Although a species at risk assessment has been completed, it does not appear that the Ministry of Natural Resources and Forestry (MNRF) was consulted on the appropriateness of the outcomes. Therefore, District staff would also recommend that the MNRF be contacted to

*Managing Our Legacy Together*

ensure that the proposed development will not have any negative impacts on species at risk or their habitat.

Yours truly,

A handwritten signature in black ink, appearing to read "Scott Joyce", is positioned above a thin horizontal line.

Scott Joyce, BAA, MAES, MCIP, RPP,  
Planner