



Date: 20 April 2018

To: Kirstin Maxwell, Manager of Planning, Town of Huntsville

From: Lake of Bays Association Board of Directors

CC: Lake of Bays Association members (via Newsflash)
Lake of Bays Heritage Foundation
Melissa Markham, Director of Planning, Township of Lake of Bays
Melissa Halford, Manager of Planning, District of Muskoka

Re: Z/11/2018/HTE (2596701 Ontario Inc.) Langmaid's Island Corp.
Z/12/2018/HTE (2596701 Ontario Inc.) Langmaid's Island Corp.

The Lake of Bays Association is a not-for-profit volunteer association with 1200 members who are both permanent and seasonal residents of the Lake of Bays community, including the portion of Lake of Bays that lies within the Town of Huntsville boundary. Our purpose is to *promote, sustain and enhance a clean and healthy natural environment, a well serviced community and a safe and peaceful Lake of Bays.*

The Lake of Bays Association (LOBA) Planning Committee has reviewed the Planning Justification Report and related studies for the two proposed waterfront landings on 3393 South Portage Road and 4215 South Portage Road to service the proposed development of Langmaid's Island. Contained herein are our preliminary comments – LOBA will submit more detailed comments for the statutory public meeting.

Given that the parking and docking facilities provided by these two waterfront landings is directly related to the Plan of Subdivision for Langmaid's Island, we have also attached a copy of our letter (22 March 2018) to the District of Muskoka and Township of Lake of Bays (and copied to you) expressing our concerns with the proposed Plan of Subdivision.

It is our contention that the responsible preservation of the values for which Langmaid's Island is recognized in the Township of Lake of Bays Official Plan as a Natural Heritage Area, should result in

a reduced development density that will directly impact parking, docking and shuttle requirements. Therefore, this development proposal must be considered in its totality rather than evaluating applications for the waterfront landings in isolation and on their own merit. It is also important that each component of the Langmaid's Island development proposal be compatible with the surrounding community. Therefore, we offer the following comments and questions that relate specifically to the proposed waterfront landings.

3393 South Portage Road

1. Number of parking spaces

Based on the sketch provided, the size of the parking area may not accommodate **20 parking spaces**. There is no apparent access in and out of the row of parking closest to South Portage Road. LOBA fully supports the use of a permeable surface for the parking lot (we do not support a paved parking area), however, the experience with a similar parking lot at the Norway Point public access point demonstrated that when parking spaces are not clearly identified (as would be the case on a paved lot with painted lines) people do not park in tidy rows as indicated on a planning sketch. Therefore, the number of parking spaces as planned is optimistic at best.

2. Shoreline Setback

It appears from the sketch provided that the area cleared for the parking lot infringes on the 20 m setback from the high-water mark.

3. Entrance

The location of the entrance is on the eastern border of the lot that is closest to a blind corner of the road, posing a safety concern. It should be noted that Canada Post no longer delivers mail to the mailbox on this corner due to safety concerns. South Portage Road is a popular pedestrian and cycling route, compounding safety concerns with this corner.

4. Trailer storage

The sketch does not indicate any area for storage of boat trailers.

5. Lighting

The applicant does not specify what type of lighting (other than down lighting) will be used. Even down-lighting, when placed on tall poles and left on all night, negatively impacts neighbours on all sides.

4215 South Portage Road

1. Number of parking spaces

Based on the sketch provided, the size of the parking area may not accommodate **104 parking spaces**. There is no apparent access to the row of parking spots closest to the road, or for the six spots in the second row at the east end of the lot allocated for island residents. As noted for 3933 South Portage Road, the permeable surface, which is absolutely necessary for this parking lot, is unlikely in practice to accommodate the number of cars proposed, as cars will not be parked in neat and tightly aligned rows.

2. Waterfront

We question whether a 194' waterfront is adequate to **safely** accommodate recreational activities for six resort cottages (i.e. swimming and paddling activities for families with children), with a shuttle service that provides transport to and from the island for the occupants of 104 cars.

3. Access to waterfront from the parking area

The driveway from the parking area to the waterfront appears to be a single lane roadway. This will present significant congestion for cars loading and unloading at peak times if the lot is meant to serve 104 cars.

4. Trailer storage

The sketch does not indicate any area for storage of boat trailers.

5. Lighting

The applicant does not specify what type of lighting (other than down lighting) will be used. Even down-lighting, when placed on tall poles and left on all night, negatively impacts neighbours on all sides and in this case the resort cottages also.

Boat Traffic and Shuttle Service Operating out of 4215 South Portage Road

The Planning Justification Report (PJR) for 4215 South Portage Road references the Boating Impact Assessment (BIA) provided by Michalski Nielson Associates Ltd. (January 2018) which recommends "mitigation measures" and concludes that with these measures in place, there are "no concerns that the additional boat traffic will negatively impact boating safety, the enjoyment of boaters or cottagers, or otherwise negatively impact this area" (page 20). LOBA does not agree with this conclusion and offers the following comments and concerns about the boating impacts of this proposed development application on boat traffic in the Narrows and Little Whiskey Bay.

1. Safety

The BIA's own data shows that the proximity of the island to mainland at the Narrows creates an existing overcapacity situation and the Shuttle and new islanders' boats is acknowledged to increase the frequency of safety issues (page 17). The BIA does not include paddling craft and swimmers in the safety assessment because it is assumed that these activities take place within

30 m of the shoreline, yet “the Gap” in the Narrows at Whiskey Point is only 52 m which means that anyone passing through the Gap will be within 30 m of shoreline. The Narrows is a popular destination for canoes and kayaks and also accommodates seven (7) residences with shoreline activity areas. Non-motorized vessels and swimmers must be factored into the safety implications of increased boat traffic in the Narrows.

2. Enjoyment of cottagers and boaters

The BIA estimates that the Shuttle service will be expected to generate one in-and-out trip on a busy weekend day for each cottage being serviced and predicts that 66% of these would travel through the Narrows. Including islanders using the short-term docks this “amounts to about 22 new in-and-out boat trips per day on a busy weekend day during the peak boating season, distributed over the period 9 a.m. – 5 p.m.” (page 17) passing through the Narrows. It should be noted that 22 in-and-out trips equals 44 pass-throughs over an eight-hour period, which means that the Shuttle and islanders boats will pass through the Narrows every 11 minutes between 9 a.m. – 5 p.m. (44 trips/8hours = 5.5 trips per hour). It should be noted that the BIA is a desktop assessment that does not use actual observed boat traffic in describing existing boat traffic in the Narrows: the estimates are based on other studies which do not reflect the context of Langmaids Island and the Narrows. Further, the BIA fails to add existing boat traffic estimates to their increased traffic data. The BIA also does not address the likely situation where one person will take the shuttle to access their property and then use their own boat on repeated trips to pick up family members and guests at various arrival times. The BIA also assumes pass-throughs over an eight-hour period and does not address frequency of trips at peak times (Friday and Sunday evenings), nor does it address operation of the shuttle in the Narrows past sunset when many people will arrive on a Friday night, particularly on holiday weekends. The BIA also neglects to include boat trips resulting from contractors and tradespeople during construction of cottages on the island. A realistic look at the actual boat traffic generated by this proposal suggests that the enjoyment of cottagers and boaters in the Narrows will be negatively impacted.

3. Mitigation measures & speed limits

The BIA recommendations include; training for the shuttle driver, signage at the landings requiring all users to travel at a speed of 10 km/hour through the Narrows and Little Whiskey Bay and enforcement of fines by the association (being created by the owners on Langmaid’s Island) in the event of serious or repeat offenses. Inquiries by LOBA to the appropriate authorities provided the following information:

- Boating speed limits are governed by Transport Canada and the regulation is that boat speed must be less than 10 km/hour within 30 m of shore. Therefore, the speed restrictions suggested in the BIA for Little Whiskey Bay and the Narrows are not applicable anywhere except in the Gap at the south end of the Narrows.
- Neither the Township of Lake of Bays, nor the Town of Huntsville have jurisdiction on boating speed limits (although they can apply for signage in areas that qualify – such as the Gap).
- Only the OPP can enforce speed limits, and the OPP can only enforce speed limits that apply to all boats, meaning they cannot enforce speed limits that may be posted at the landing but do not comply with Transport Canada restrictions. To suggest that an Association of property owners who are using the shuttle for access to their property be

the monitoring and enforcement agency for speed limits that are not supported by legislation is not a reasonable mitigation measure.

- It should also be noted that Transport Canada will not support/approve *Make No Wake* signage as such a speed category does not exist.

4. **Environmental impact**

Neither the Environmental Impact Study (EIS) by Riverstone Environmental, nor the Boating Impact Assessment (BIA) addresses the environmental impact of increased boat traffic and wave action on the Type One Fish Habitat that is identified in the Narrows and designated as Environmental Protection in the development proposal.

Thank you for this opportunity to provide preliminary comments. We hope that you take them into consideration in your approach to reviewing the Langmaid's Island development application.

Attachment (1): 2018-03-22 LOBA Comments to TLoB and DM