

# currentconnection

LAKE OF BAYS ASSOCIATION NEWSLETTER VOLUME 32, NUMBER 1

SPRING 2021

The purpose of the Lake of Bays Association is to promote, sustain and enhance a clean and healthy natural environment, a well-serviced community and a safe and peaceful Lake of Bays.



## ELECTRICITY PRICING

### The fight to retain the Seasonal Class continues

by Ian White,  
LOBA Membership, Nominations and  
Volunteer Relations Chair

Recently, the Ontario Energy Board (OEB) ruled that the Seasonal Residential rate group of Hydro One customers did not conform with the proper definition of a customer group for rate determination purposes. The issue had been debated for several years, and strong appeals have been put forward by the Federation of Ontario Cottagers' Associations (FOCA) and other interested parties.

Previously, OEB had ruled that delivery charges—those are the costs of installing and maintaining the lines, poles and transformers needed to reliably provide power to customers—should be fully fixed, as costs are incurred regardless of the amount of electricity used by any one customer in any given period.

Previous to this decision, part of the delivery cost was variable, and became a component of the cost of a kWh used.

When this change was made, the new rates reflected a phased-in reduction of delivery charges in the per kWh price and an increase in the fixed delivery charge. OEB also asserted that Seasonal customers were to be moved to the appropriate Residential group on the basis of density; Urban, R1 (Rural 1, medium density) or R2 (Rural 2, low density). Low-density customers, such as farms and many

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Pressure is mounting in Muskoka to push water levels lower. The Muskoka River Water Management Plan (MRWMP) [muskokawaterweb.ca/water-101/water-quantity/mrwmp](http://muskokawaterweb.ca/water-101/water-quantity/mrwmp) calls for a seasonal drawdown in fall and it makes sense that lowering levels even more will make room for bigger spring floods. Sounds simple enough, but how is lake health affected by our tinkering? Lake ecosystems are complex and chain reactions can result from one small manipulation.

The MRWMP currently includes some protection for spawning fish. But after recent spring floods, some say its worth losing some fish to protect shoreline structures.

The problem is that lake drawdown can leave eggs high and dry, causing mortality. Lake trout return to their shallow spawning grounds every year in the big Muskoka lakes. These areas have specific depths and slopes, specific rock sizes, and aeration from waves and currents that trout need for spawning.

Lake trout isn't the only species like this. Walleye have specific shoreline or stream spawning grounds while pike and muskie need access to shoreline wetlands right after ice-out.

So what's the big deal if we compromise some sportfish? These species are at the top of the food chain and are important parts of

## Drawdown Ecology

by Kevin Trimble

*“Why can't we just lower the lakes?”*

a complex ecological engine that maintains Muskoka's world class environment and economy. If their numbers drop, a domino effect can occur, starting, for example, with a population explosion in their prey fish, which in turn eat more tiny zooplankton and bugs so less algae get consumed. This could alter water quality.

Continued page 3

**below:** Lake trout return to their shallow spawning grounds every year in the Muskoka lakes. Lake drawdown can leave their eggs high and dry.



Electricity continued from page 1


**electricity pricing**

cottage areas, are expensive to serve because they require more metres of line and more poles per customer than in urban areas. Hydro One's actual cost to serve a low density R2 customer is as much as three times greater than an urban customer. Currently, Hydro One has approximately 154,000 Seasonal customers. Using the existing classification rules, approximately 84,000 Seasonal customers will be reclassified as R2. Most Seasonal LOBA members will be moved to this R2 group.

**Most Hydro One  
residential and farm  
customers are located  
in rural areas.  
The cost to maintain  
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them is high.**

You may be aware that most of Hydro One's residential and farm customers are located in rural areas. The cost to maintain delivery equipment to them is high. For several decades, the Ontario Government has maintained legislation that is responsible for the Rural and Remote Rate Plan (RRRP). This plan reduces the delivery cost for R2 permanent residents, making it similar to that paid by an Urban customer.

But Seasonal customers are not eligible for RRRP support. The subsidy provided currently to the 750,000 R2 customers is funded by all Hydro One customers. FOCA and other groups have worked for several years to maintain the Seasonal group. If it is to disappear, we need to appeal to the Ontario government to even out the rates, as is the case in almost every jurisdiction in Canada and USA.

To read more about this issue and the advocacy work FOCA has undertaken visit their website at [foca.on.ca/electricity-pricing/](http://foca.on.ca/electricity-pricing/). You can sign up for their Electricity Updates on the same webpage. 



It goes without saying that 2020 was a vastly different year than we have ever experienced. For many members, their home on Lake of Bays became their refuge, workplace, and virtual classroom. We encourage our members to continue to follow health and safety protocols, support local businesses and reach out to support those in need in our community. We also send our heartfelt thanks to all of those who provide front line and essential services within the Lake of Bays and Huntsville communities. We look forward to more positive news in 2021 and hope that we can meet in person soon.

Despite the pandemic, we have been extremely busy at LOBA and I would hazard to say that holding meetings virtually has made it easier for us to connect and work on issues. We held both our Annual General and Winter Open Board meetings virtually and welcomed many members and municipal politicians. At our January 23 Open Board meeting, over 80 members and guests (highest attendance ever) heard updates from LOBA and Township Mayor Terry Glover, and presentations from Friends of the Muskoka Watershed's Paul Grinnell and OPP Sergeant Dave Moffatt. As evidenced by the many questions and comments about boating and safety following from Sgt. Moffatt's presentation, we recognize these are important issues for our members. LOBA will continue to work locally on boating safety and support organizations like Safe Quiet Lakes, [safequiet.ca](http://safequiet.ca).

Development activities around Lake of Bays continue to be a priority for our association. The Lake of Bays Association, jointly with the Lake of Bays Heritage Foundation (LBHF), retained planning and legal consultants to guide our analysis of the Langmaids Island development applications and assist us in preparing our witness statements in preparation for the Local

# president's report

Mary Ann Peden



Planning Appeals Tribunal (LPAT) hearing, which commenced on February 1—see details on **page 6**. We deeply appreciate the generous financial support received from our members to the Langmaid's Protection Fund, managed jointly by LOBA and LBHF. If you still wish to donate go to [lakeofbaysheritage.ca/donate](http://lakeofbaysheritage.ca/donate).

## What else have we been up to?

■ LOBA has provided input on the Township of Lake of Bays Community Planning Permit System By-law review, which will consolidate the current Development Permit System and Comprehensive Zoning By-laws, **page 6**. We very much appreciate Mr. Bob Lehman's involvement and expertise in this matter.

■ Township staff tabled a report in August 2020 regarding Short Term Rentals and asked for more time to study this issue. They will be making recommendations to Township Council later in the spring of this year.

■ Internet access continues to be a priority for the Township and has become even more critical with the increased need for reliable internet service during the pandemic. LOBA is monitoring potential infrastructure funding from the Federal Government to improve internet service in some parts of our community.

Continued next page



*President's continued from page 2*

■ Proposed changes to Hydro rates are being closely watched by the Federation of Ontario Cottagers' Associations and LOBA, **page 1**.

■ LOBA, in conjunction with Muskoka Lakes Association, Georgian Bay Association and several other area lake associations sent a letter to District Chair John Klinck and the "Municipal Modernization Committee" to support several initiatives—see our report on the Municipal Modernization initiative on **page 7**.

■ Our water-testing program, one of the core environmental programs for LOBA, had to be cancelled last summer. However, the experts at Hutchinson Environmental Services, who assist with the analysis of our water-testing data, have assured us we need not be concerned as LOBA has long-term information and excellent water quality. Our long-time Water Quality Manager Deb Cumming has decided to retire after 20 years of dedicated volunteer work and we thank her for her many years of service.

Read more about the water-quality program on **page 4**.

■ Our communications team has been hard at work getting the 2021 Yearbook ready with many interesting articles and information. We are sad that Jane Dupere has stepped down from the board, but very happy she continues to support us as Design Editor for the Yearbook, Current Connection newsletter and other communications. I also want to thank Kristy Pankhurst for her work with social media—she does a terrific job keeping LOBA in the news on Facebook, [facebook.com/lobaontario/](https://facebook.com/lobaontario/) and Instagram, [instagram.com/lakeofbayassociation/](https://instagram.com/lakeofbayassociation/).

LOBA enjoys an excellent working relationship with Township of Lake of Bays Councillors, Mayor and Staff. We communicate regularly to discuss issues of importance to our members and look forward to continuing to work collaboratively with our municipal partners.

I want to express my gratitude to our members who continue to be steadfast in their support of LOBA; to our Area Stewards and the vital work they do engaging with our community—even if it is at a social distance, by telephone or online; to our many other volunteers who work in water-quality testing, communications, environment, planning, development and government relations and other teams; to our staff Lili Davis-Burchat and Bev Govan; and to my fellow Board members for their hard work and commitment. We welcome five new board members, Bruce Creighton, Sylvain Desjeans, Paul Gleeson, Susanne Gossage and Anne Swan. Volunteers are always welcome, a great way to get involved and support this beautiful, unique place we call Lake of Bays and make some friends along the way. I sincerely hope that everyone stays healthy and safe in these challenging times and see you at Lake of Bays soon. ☺

## Drawdown Ecology *continued*

And it's not just about the top predators. Many other aspects of the lake ecosystem are affected by artificially altering water levels. Shallow shoreline areas, or littoral zones, are the only part of a lakebed getting direct sunlight, so a lot of production happens there. There are microscopic plants and animals, wetland vegetation, insects, worms, mussels and crayfish in littoral zones. They move and store energy and nutrients, keeping the system complex and stable, preventing algae and bacteria from taking over.

One water level drawdown is a temporary flood fix, which can leave the littoral zone stranded high and dry. Doing it regularly would move the littoral zone permanently deeper in the lake, changing its slope, substrates, or currents. Either way, biological production will be affected. Artificial drawdowns can also kill or alter shore-

**Shallow shoreline areas, or littoral zones, are the only part of a lakebed getting direct sunlight, so a lot of production happens there.**

line vegetation and wetlands which are critical to lake ecosystems. Any combination of these biological impacts could destabilize an ecosystem and lead to water quality problems, such as blue-green algae blooms.

There are also many physical and chemical processes occurring along our lake-shores. Erosion, sediment movement and nutrient storage or release are all-natural processes driven by wind and wave action, freeze-thaw cycles and natural water level fluctuations. All of the physical and biological processes in our lakes have adapted to water level fluctuations to maintain the high-quality environment we expect. If we

knock one element out of sync, the whole system can be affected. We need to remember that lakes are not swimming pools that are easily cleaned. We could also accidentally leave summer water levels too low if we guess wrong.

If we improve our understanding of the potential domino effects (through Integrated Watershed Management—[muskokawatershed.org/wp-content/uploads/IWMP-WhitePaper-Jan2020.pdf](https://muskokawatershed.org/wp-content/uploads/IWMP-WhitePaper-Jan2020.pdf)) we might find that it's worth the risk to tamper with drawdowns. But we already know that this won't improve flood mitigation much, since our dams and MRWMP weren't designed to handle floods. If we don't understand all of the risks, it's like throwing a dart at a dart board while blindfolded, and the dart board is our highly valued lake environment. ☺

**Kevin Trimble is Past Chair of the Muskoka Watershed Council. He is a consultant living near Port Carling.**

# testing the water

by Caroline Konarzewski

## *Always a Priority for Lake of Bays Association*

Covid-19 disrupted so much in 2020, including the Lake of Bays Association water-quality testing program. For the first time in more than 50 years, LOBA volunteers did not sample our waters. However, scientists at Hutchinson Environment Sciences (HES), the company which has been analyzing our water-quality data for 20 years, assure us that a one-year hiatus will not affect the long-term quality and integrity of our data. Lake of Bays has a long history of excellent water quality, and we plan to reinstate the program in 2021 provided it is safe to do so.


The province-wide Lake Partner Program (LPP) was also cancelled in 2020. The eight LPP Lake of Bays volunteers are prepared to test in 2021, once they get the green light. A few were able to safely perform water-clarity testing last summer and we thank them sincerely. Those results will be considered by the LPP.

A big change for the LOBA water-quality testing program in 2021 is the retirement of Deb Cumming, who has managed the program as a volunteer for 20 years. During her tenure, Deb has worked with HES to establish the best testing sites on the lake and ensure we are testing for the right things.

She has refined and fine-tuned the program to what it is today. We would not have our vast knowledge base of water-quality information on Lake of Bays without her passionate and tireless efforts, and those of her team of volunteers. While her shoes are big to fill, we thank her for her years of guidance.

To find a replacement for Deb and to make recommendations on changes to the program, a nine-person Water-Quality Steering Team has been established. The team has recommended that Kieran Molony be appointed Water-Quality Manager. The Molony family has been cottaging on the lake for many decades and Kieran has spent summers here since he was a toddler. Kieran is now studying ecosystem health at Western University. He is passionate about monitoring and protecting the water quality of our lake and we are excited that he has agreed to take on this position.

Working with recommendations from HES and other water experts in the area, this team is helping to establish a water-quality program that will carry us through the coming decade. Beginning this summer, Kieran will be heading the LOBA team of volunteers to check water clarity and collect lake water samples to be tested for total phosphorus levels. Testing for bacteria will also be carried out. Benthic testing (looking for small invertebrates in the water) is being considered. All these tests will help to build on our existing water-quality database, further our understanding of our lake water and alert us if problems should arise.

If you happen to see Kieran or one of the water samplers leaning over the sides of their boats collecting water samples, please say hello and cheer them on. 

**Thanks Deb Cumming  
for 20 years of dedicated  
volunteer service.**

~

### BLUE-GREEN algae bloom

During the summer of 2020 we were shocked to learn that a blue-green (cyanobacteria) algae bloom was found in Ten Mile Bay. It was thanks to an observant shoreline resident that this bloom was reported. Because cyanobacteria blooms have the potential to produce toxins, warnings were sent out by the Simcoe Muskoka District Health Unit, signs were posted in the immediate area and LOBA sent out a Newsflash advising that precautions needed to be taken where an algae bloom is visible:

As we reported in the last Current Connection newsletter it was thankfully a small bloom that disappeared quickly. All warnings and precautions were lifted once the bloom was declared resolved at the end of September. However, that does not mean this bloom was not a serious event. The District of Muskoka has now listed Lake of Bays as vulnerable. As such, the District will be testing our water in each of the next two or three years instead of the routine every third year. The Muskoka Watershed Council has been conducting preliminary algal testing in a small number of lakes in Muskoka. There is the possibility that this program will be expanded to include other lakes in 2022. LOBA is working towards having Lake of Bays included in this expanded algal testing program.

All blue-green algae blooms are serious. If you see an algal bloom that you suspect is cyanobacteria, please call the Ontario Spills Action Hotline at 1-866-663-8477. Please let LOBA know at the same time—[executivecoord@loba.ca](mailto:executivecoord@loba.ca).


**DO NOT** use lake water for drinking or cooking even if it's filtered

**DO NOT** use the lake water for the preparation of infant formula

**DO NOT** allow pets or livestock to drink or swim in the water

**BE CAUTIOUS** about eating fish caught in water where blue-green algae blooms occur

**AVOID** swimming and other water sport activities

**DO NOT** boil or use herbicides, copper sulphate or other algaecides that may break open algae cells and release toxins into the water 



**Definition:** *a vessel used for pleasure, recreation or daily living*

Last summer LOBA received several reports from members who had been asked by the OPP Marine Patrol to provide proof of ownership/vessel license during a routine vessel check. In a number of cases, the boater was surprised and said that they had never been asked for this documentation before, and in some cases, they did not have the required document. LOBA decided to make inquiries to help clarify the regulations.

A Pleasure Craft Licence is a document with a unique licence number for a pleasure craft. The number serves as identification for the vessel and allows search and rescue personnel to access important information in an emergency. At this time, no fee is required to get this licence, although that may change.

Sergeant Darcy Jibb of the Bracebridge OPP Detachment advised us that the requirement that all vessels with an engine that produces greater than 9.9 hp be licensed, have the license number affixed to the hull of the vessel at the bow and that the operator carry proof of the vessel license with up-to-date owner name and address; is a long-standing regulation. However, previously, it was seldom enforced because the boat registration system was a paper file located in Barrie and officers could not easily verify the information. Digitization of the boat registration data has enabled the Marine Patrol to include proof of ownership in their on-water spot checks. "Think about it in the same way that you would your car, and make sure you have your proof of ownership on board", says Sgt. Jibb. He notes that a photocopy of the documentation is permitted, and even

recommended. The fine for not having a copy of the license on board, operating an unlicensed vessel, or failing to transfer the license into the new owner's name is \$305.

It is the responsibility of the new owner of a vessel to apply for the Pleasure Craft Licence. For the many boaters on the Muskoka Lakes who have older boats with no record of their purchase or transfer in ownership, Transport Canada has instructions on how to register your boat. To that end, the following is a summary of Transport Canada requirements and how to register your boat so that you will be prepared for a spot check next summer. Currently, there is no fee to get this licence.

**"Think about it in the same way that you would your car, and make sure you have your proof of ownership on board"**

You can apply for a Pleasure Craft Licence online or by mail by going to [tc.canada.ca/en/marine-transportation/marine-safety/licensing-pleasure-craft](https://tc.canada.ca/en/marine-transportation/marine-safety/licensing-pleasure-craft) to access the forms. You will need the following documents:

- The completed application form
- A signed photocopy of a valid piece of government-issued identification for each owner whose name appears on the pleasure craft license (both sides)
- A copy of the bill of sale or other proof of ownership (see below)
- A current full side-view colour photograph of the pleasure craft.

If you do not have a bill of sale/purchase agreement for the boat, you can provide other proof of ownership: such as a statutory declaration; will or bequest; separation or divorce agreement; or court judgement.

After you receive your Pleasure Craft Licence, carry the license (or a photocopy) on board the vessel at all times and display the number of both sides of your boat's bow in block characters, at least 7.5cm high and in a contrasting colour to the bow.

Currently, a Pleasure Craft Licence that was issued or updated after 2010 is valid for 10 years. At the end of that period, you must renew your licence. If you change your name, address, or particulars of the pleasure craft after you obtain a Pleasure Craft Licence, you must update your licence.

For any questions about the Pleasure Craft Licensing program, please call the Boating Safety Infoline at 1-800-267-6687 or by e-mail at [obs-bsn@tc.gc.ca](mailto:obs-bsn@tc.gc.ca).

## Transport Canada's proposed changes

Transport Canada is proposing changes to the Pleasure Craft Licensing process as follows:

- Bringing grandfathered Pleasure Craft Licenses (with no expiry) into a five-year validity period.
- Reducing the ten-year validity period for licenses to five years. Upon applying for a new, renewal or updated license, the validity will be reduced from ten to five years.
- Expanding the applications of the Small Vessel Regulations to include: all pleasure craft equipped with motors of 10 hp or more, including personal watercraft, which are principally maintained or operated in Canada, and; all pleasure craft (including all power-driven and sail-alone vessels) above 6 metres in length, with the exception of human-powered (e.g., kayak, canoe, dragon boats).
- Reducing the timeframe for owners to notify of a name or address change from 90 to 30 days and specify 30 days for the buyer to notify of a sale or transfer of a vessel.
- Allowing for easier cancellation of a Pleasure Craft Licence. This gives Transport Canada the ability of cancel a license if: the holder of a lifetime PCL fails to apply; a PCL holder fails to renew a PCL, or; a PCL holder wishes to remove their pleasure craft from service.
- A \$15 fee to process an application to obtain a new, renew, transfer, or duplicate a Personal Craft Licence.

LOBA will let our members know when/if these proposed changes are approved.

**Have a safe 2021 boating season. ☑**



# Langmaid's Island Development appeal hearing underway

by Wendy Gibson

Over the past three years, LOBA has kept our members apprised of the development proposal for Langmaid's Island, our concerns about it, and the position we have taken as a party, jointly with the Lake of Bays Heritage Foundation (LBHF), in the appeal to be held with the Local Planning Appeal Tribunal (LPAT). By the time you receive this newsletter, the hearing will likely be finished or close to, but it is unlikely a judgement will have been made. Here is some background to the appeal, our team and the Langmaid's Protection Fund.

## the appeal

The appeal will be heard virtually by an LPAT "member" starting February 1, 2021. Twenty-five days have been set aside for the hearing and an 18-day workplan has been developed. The estimated cost to LOBA/LBHF for the appeal is \$100,000. The reason for this high cost is that this is a complex case with Official Plan and Zoning By-law amendments involving three parcels of land in two municipalities. The island itself is a natural heritage property. There are five parties to the appeal—Langmaid's Island Corp., who filed the appeal, as well as the Township of Lake of Bays, Town of Huntsville, private

citizen Kelly Zytaruk and LOBA/LBHF. There are 16 witnesses to be heard, each of whom can be cross-examined by the other parties. Parties, including our legal counsel and planners, are expected to be in attendance for the entire duration of the hearing.

## our team

The Boards of Directors of both LOBA and LBHF recognized from the beginning that it made sense to pool resources. An ad-hoc LOBA/LBHF committee was set up in 2018. Members from LBHF are Judith Mills (President), Jim Cade, Margaret Casey and Mark McLean (Directors) and from LOBA Wendy Gibson (Director), Mary Ann Peden (President) and Lili Davis-Burchat (Executive Coordinator). This team has been tasked with managing the LOBA/LBHF response to the development proposal, including hiring professional consultants, with each of us reporting and responsible to our respective boards. It was agreed that all expenses would be split evenly.


The professional consultants who have guided us through this complex process since 2018 and represent us at the hearing are: **Harold Elston**, Barrister & Solicitor: specializes in municipal, planning, and environmental law, out of Collingwood and Bracebridge.

**Dr. Derek Coleman**, Ages Consulting: ecologist, forester, and registered professional planner with over 50 years of experience with a focus on assessing ecological impacts and environmental policy in both the public and private sector.

**Stephen Fahner**, Northern Vision Planning: land use planner with 30 years experience, including as Director of Planning for the Township of Muskoka Lakes.

## langmaid's protection fund

Until recently, LOBA and LBHF have covered expenses from existing resources—for LOBA, the Action Fund exists for exactly this type of scenario. Thank you for your donations!

When it became apparent there was a need to raise additional funds for this specific cause, it made sense to direct all donations to the LBHF's Langmaid's Protection Fund so that the two organizations would not be competing for donations and so that charitable donation tax receipts could be issued to donors. The Langmaid's Protection Fund is now jointly administered by LOBA and LBHF. 

LOBA has made the proposed over-development of Langmaid's Island a priority for more than two years. Please assist us in defending the municipal Official Plan policies that are in place to preserve one of the last natural, largely undeveloped islands left on Lake of Bays and donate today at [lakeofbaysheritage.ca/donate](http://lakeofbaysheritage.ca/donate).

## The Township of Lake of Bays introduces a progressive planning system

The Township of Lake of Bays has been developing a Community Planning Permit System (CPPS) By-law which will replace the current Development Permit By-law and Zoning By-law and apply across the Township. Bob Lehman, a LOBA member and professional planner has provided his services on our behalf to review and comment on the proposed new by-law—thank you Bob.

## The Community Planning Permit System

by Fraser Govan, Chair Planning, Development and Government Relations Committee

The concept of land use regulations is not new and in fact we've had regulations in place across Ontario for at least 80 years. Land use regulations cover such things as:

- Where buildings or structures may be located
- Permitted types of uses and dwellings (residential, resort, marina, farm, commercial, etc.)

■ Standards for lot size, coverage, parking, building height, yard setbacks, etc.

■ Site alteration, landscape (grading, blasting, filling, etc.)

■ Vegetation and tree removal, retention, replanting

■ Waterfront and shoreline uses (docks, boat house structures, firepits, etc.)

■ Lot and shoreline area coverage, including patios, decks, permeable walkways, buffers

■ Other provisions necessary to ensure proper & reasonable development.

The Community Planning Permit System is a relatively new planning system in Ontario which is designed to combine and replace the

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*Planning continued from page 6*

traditional zoning, site plan, and minor variance processes into one streamlined process. It is driven by Provincial policy, legislation, and regulations. Lake of Bays has been a forerunner in implementing this progressive and advanced planning methodology. Kudos to Township Planning staff for all their work. We expect to see a final draft by-law before Council this spring or summer.

### Community Planning Permit Areas

The CPPS divides the Township into three Planning Permit Areas with are similar to zones in a zoning by-law. For each Planning Permit Area, there is a list of permitted uses as well as a list of discretionary uses, a table of development standards with applicable Staff and Council variations, and additional provisions for permitted or discretionary development.

There is a greater level of flexibility for site planning and minor variances integrated into a CPPS than a Zoning By-law.

### Three Planning Permit Areas

**1. Waterfront Planning Areas:** those lands beyond a community designation, which generally extend inland 150 metres from any lake greater than eight (8) hectares in area, or the Muskoka, Oxtongue, Big East and Black Rivers.

**2. Community Settlement Areas:** Baysville, Dorset, Dwight, Hillside, and Echo Valley.

**3. Rural Areas:** the hinterland beyond the boundaries of the community and waterfront designations, as well as land which is not subject to any other designation of this Bylaw.

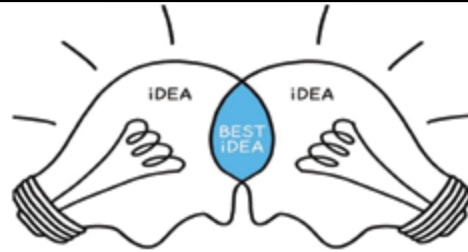
### Approvals

When development is proposed that doesn't comply with the by-law standards, two levels of approval may be required:

**Class 1- Staff approval:** allows Council to delegate a degree of approval authority to staff. For these minor variations, notice to neighbours is not required and the process will be streamlined.

**Class 2- Council approval:** notice to neighbours of a public meeting will be given. Appeals to the Local Planning Appeal Tribunal (LPAT) of a Council decision may be made by an applicant, but not third parties.

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# Municipal Modernization

## District Municipality of Muskoka reviews council structure

*by Fraser Govan, Chair Planning, Development and Government Relations Committee*

The Provincial Government has mandated that regional municipalities like Muskoka review, among other things, the number of members on District Council. The District is made up of six lower tiers each of which is represented at District Council. The lower tiers are the three towns of Bracebridge, Gravenhurst, and Huntsville; and the three townships of Georgian Bay, Lake of Bays and Muskoka Lakes. The current review includes:

- Number of District councillors (currently 22 plus Chair);
- How councillors are apportioned to lower-tier municipalities;
- How to accurately count both permanent and seasonal populations, and;
- How changes will affect both levels of government.


These issues are both complex and sometimes divisive. The District has been granted an extension to March 31, 2021 to make recommendations.

### History of District Council

The current District Council composition is based on a formula developed in the late 1960s when the District was being formed. Back then, seasonal residents were felt to spend only about half their time in the District, so seasonal residents were counted at 50% of permanent residents. This resulted in the towns with their mostly permanent population having 12 councillors and the townships with their more seasonal populations being allocated 10. This inequity has caused division over the years, particularly on financial matters like OPP funding allocation. The population has changed over the past 50 years with the seasonal population growing, spending more time at their seasonal residences and becoming increasingly active in local communities. According to the last census there are 60,000 permanent residents and according to estimates there are 81,000 seasonal residents currently in Muskoka.

### Current Proposal

Currently, there is agreement at District Council that the seasonal and permanent populations should be counted the same. At the time of writing a motion has been proposed for three representatives from each lower tier for a Council size of 18 plus the Chair. This would eliminate the uneven representation between towns and townships. The current motion does not call for weighted voting but does suggest that some issues would require a super majority—12 out of 18 votes—to pass. Recommendations are still being considered and voted on. A public meeting is to be held on February 4.

LOBA has advocated strongly for equal counting of seasonal and permanent residents, equal representation from each lower tier, and no weighted voting. We have questioned the need for super-majority motions and asked whether this again introduces an inequity between towns and townships. 



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Timelines for approval in the CPPS are shorter than former zoning, minor variance, and site plan control processes. Once an application for a CPPS permit is received by the Township and is deemed complete, there is a 45-day window for the Township to make a decision. A CPPS permit may be required prior to the issuance of a Building Permit.

For more information, refer to the most recent draft of the CPPS by-law at [lake-of-bays.civicweb.net/document/69286](http://lake-of-bays.civicweb.net/document/69286), or contact Planning Services at the Township of Lake of Bays.

The Town of Huntsville is also at the early stages of developing a CPPS. For more information, visit their website at [huntsville.ca/en/home-property-and-planning/community-planning-permit-bylaw.aspx](http://huntsville.ca/en/home-property-and-planning/community-planning-permit-bylaw.aspx).

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