



Date: 2025-08-18

To: April Best-Sararas, Director of Planning, Township of Lake of Bays
Mayor and Councillors, Township of Lake of Bays

Re: Township of Lake of Bays Draft Official Plan

The Lake of Bays Association (LOBA) represents 1,200+ waterfront property owner families who support a balanced approach to development that protects the natural shoreline of Lake of Bays. Thank you for providing LOBA with the opportunity to comment on the draft Township of Lake of Bays Official Plan (OP).

While LOBA supports many new elements of the draft OP, further improvement to the OP is needed to protect the natural shoreline environment, water quality and visual beauty of the lake, and prevent overdevelopment of the shoreline.

1.0 Introduction

Strengths of the Draft Official Plan

LOBA commends the Township and its consultants for the recently released Draft OP. The Draft is well-structured and accessible, with policies that are clearly articulated and straightforward. Its content accurately reflects the Township of Lake of Bays' Vision, as developed in collaboration with the community.

Section 1.2.2, 1-14, outlining the Purpose of the Plan, highlights numerous objectives shared by both the Township and LOBA, and LOBA acknowledges how these goals correspond with the Township's Vision. In alignment with the Township, LOBA supports a commitment to "orderly growth that is environmentally, socially and economically sustainable" and endorses the prevention of "overdevelopment of waterfront areas," striving for a balance between progress and tradition.

LOBA also appreciates the addition of the sections of the Draft Official Plan that address current issues such as adaptation to climate change, wildfires, and reconciliation. We acknowledge that issues that have been of concern, such as dock size, have been addressed and we are

encouraged by policies relating to the use of a subdued colour palette and the potential banning of herbicides and pesticides.

This letter is focused on residential waterfront issues, but we do appreciate and support the thoughtful and progressive attention given in the Draft OP to the development of the communities on the lake.

Definitions

Definitions are addressed in Section 1.5 only by adopting those found in the Provincial Planning Statement (PPS). This reference to another document does not provide transparency and clarity to non-planners, who are unlikely to turn to the Provincial Planning Statement for guidance. The definitions found in the PPS should be included in the OP itself or through live links.

Development and Redevelopment

Redevelopment of existing waterfront properties with larger dwellings has been correctly identified in the *Research Report on Shoreline Development and Water Quality* at page 17, as a trend with real impact on lakes:

Cottage development and redevelopment in the Township has increased in intensity with larger cottages, more permanent residency, short-term rentals, manicured lawns, and extensive landscaping, all of which present more impacts on adjacent waterbodies than more modest and traditional cottage development.

The OP deals to some extent with these new challenges to our lake's shoreline, but the policies need to be clearer and stronger in order to effectively respond to this trend.

Under the Provincial Planning Statement, the terms development and redevelopment are defined separately. Development is defined to mean new development, whereas redevelopment is defined as "the creation of new units, uses or lots on previously developed land in existing communities". The OP must set standards for both development and redevelopment. This can best be accomplished by ensuring it is clear that development standards apply to redevelopment as well.

2.0 General Policies

Population Growth

Section 2.1 Growth Management explains well why the focus for growth around the lake should be the Baysville Urban Area, supported by its municipal water and sewage services.

The discussion also shows that there will be some increase in waterfront residential density. This raises two issues that have implications for the OP. First, the growth in waterfront

residents will result in more new development applications and more applications to redevelop existing properties. The draft OP needs to have robust provisions in place to respond to waterfront development and redevelopment pressures. Second, the growth in waterfront residents, particularly permanent residents, will increase demand for services, such as waste management, which the Township should consider in its planning.

We note that the population projections seem to need refinement. As set out in Section 2.1, over the next 25 years population is projected to increase by 2,050 permanent residents and 380 seasonal residents for a total increase of 2,430. Therefore, on average there will be 82 new permanent residents and 15 new seasonal residents per year. Section 2.5 1) states 615 new permanent housing units will be needed by 2051, which implies 3.33 persons per household ($2050/615=3.33$). Using the average annual increase of 82 people per year, this would result in 25 ($82/3.33=25$) new units required per year versus the 40 units stated in Section 2.5 1). What supports the estimate of 40 units per year? Similarly, there is no full explanation for the estimate of 155 affordable new ownership units in 2.5.1 3). Based on the earlier assumption of 615 new permanent housing units needed by 2051, this would imply 111 units ($615 \times 18\%$) need to be affordable, which is significantly below the assumption in the Draft Official Plan.

Climate Change

LOBA strongly supports the draft OP's focus on climate change and adaptive design for climate change. Climate change is a gathering major threat to the environment of Lake of Bays, and it is only responsible for the Township to contribute to reducing climate change and also to prepare for its effects.

In Section 2.3 Climate Change, and Section 7.1.4 Wildland Fire, there should be recognition that climate change is producing an increasing number of forest fires. The OP should then set out measures that will respond to this growing risk.

Section 2.3.1 2) should read

Development and redevelopment will be designed to maintain, fit into and use the natural characteristics and features of individual sites.

The Section 2.3.1 2) e protection of ridgelines and skylines should be augmented with a provision that protects steep slopes and cliff faces. These natural elements are protected in other parts of the draft OP, and that protection should be carried through in 2.3.1 2) e as well.

Preserving Dark Skies

The draft OP Section 2.3.1 7) d empowers the setting of design standards that require Dark Sky complaint practices. A waterfront property that is not dark sky compliant has an especially negative impact. The light emitted by exterior waterfront lighting reflects off the water and shines across the lake. To fully implement the dark skies design standard, LOBA recommends

compliance with dark sky standards be listed in Section 3.6.2.3 12) as one of the design principles to be implemented in waterfront development and redevelopment.

A further challenge to dark skies is new dwellings designed with large amounts of glass walling. LOBA supports public education about containing the interior lighting of waterfront properties.

Additional Residential Units and Garden Suites

The draft OP Section 2.5.2 allows Additional Residential Units on municipal water and sewage services, and in the Community and Rural areas, but not in Waterfront areas. This is appropriate to allow housing intensification in the Township without the risk of overdevelopment on the waterfront.

As LOBA understands Section 2.5.3, Garden Suites, such suites, even if not portable, are permitted in Waterfront Residential areas, which is reasonable as such suites can be very helpful in allowing seniors and others requiring support with activities of daily living to reside very near supportive family members who are permanently resident on the waterfront **and** given the important condition stated in Section 2.5.3 3) c that such suites are not rentable and are time-limited to ensure the use ceases when the need for it passes. The Township will need to be ready to enforce the requirements of Section 2.5.3 3).

Open Space Strategy and Public Easements/Rights of Way

Public shoreline paths are a precious part of the Township's Open Spaces. The few existing trails allow the public to walk along the beautiful shoreline of the lake. These paths are on public easements and rights of way, which should be preserved so that the public can continue to use and enjoy them. Concerning Section 2.6, Open Space, LOBA supports a comprehensive open space strategy that includes an inventory of existing open space. Such an inventory should include public easements and rights of way along the shoreline. The OP should include a statement that public easements and rights of way that create open space should be preserved.

3.0 Land Use Policies

Waterfront: Protection

While the context statement for Section 3.6 is very good as far as it goes, it stops short of setting out the recent trend of redevelopment - larger cottages with extensive landscaping - as described in the Research Report at p.17 referenced above. The context statement should be expanded to include that description and the real negative impact of this trend on the natural beauty and protection of the shoreline of Lake of Bays.

The OP should state that the provisions setting standards for changes in the waterfront as set out in 3.6.2.1 and 3.6.2.3 and esp. 3.6.2.3 12) apply to both development **and** redevelopment. This would make it clear that these standards apply to both, as they must in order to protect the waterfront from overdevelopment. This is consistent with the Community Planning Permit bylaw which addresses both development and redevelopment.

Character: Building Materials

The draft OP 3.6.2.3 12) i addresses, for the first time, the colour palette of building materials. This is long overdue because the colour palette of dwellings and structures can make the difference between development blending into the panorama of the shoreline and being glaringly intrusive. The draft states that:

Building materials are encouraged to be low contrast colours and natural materials such as stained wood and earth-tone paints that imitate natural vegetation.

But there is little justification for building materials to be high contrast with the natural environment. The words “are encouraged to be” should be replaced with “should be”.

Character: Vegetation Buffers

The Section 3.6.2.3 15) increase of the shoreline frontage vegetation buffer to 20 metres is a positive change that better protects the lake’s littoral zone.

However, the draft OP’s vegetation buffer requirements are also for the purpose of preserving the natural beauty of the lake, and this requires a stronger policy. The draft OP standards only protect the appearance of the shoreline from the visual impact of dwellings when the property is fairly flat. Dwellings located up on the slopes of waterfront properties on Lake of Bays can be very visible, to the point of dominating the landscape and significantly detracting from the natural beauty of the lake. The draft OP should be augmented by a new provision that gives the Township the authority to require a vegetative buffer in front of dwellings that are behind the required setback but are highly visible from the lake due to being on sloped land.

LOBA supports the requirement in Section 3.6.2.5.2 5) that developments on islands now require a lot greater than 0.8 hectares.

LOBA does not support the reduction of backlot size set out in Section 3.6.2.5.2 10). Backlot size has previously been reduced from 10 to 7 acres, over LOBA’s objection, and a further reduction continues a trend that can adversely affect the natural rural character of land adjacent to waterfront properties. Increased back lot development could have an adverse impact on the health of the lakes in the Township.

Waterfront Commercial Resorts

The draft OP 3.6.2.5.3 14) states that all resort developments are to be in accordance with the Resort Development policies in the District Municipality’s OP. LOBA has been participating in the District’s ongoing review of those policies and is generally supportive of the new draft Resort Policy that has recently been released for comment, although there should be flexibility to allow resorts that are no longer commercially viable to be downzoned to waterfront residential zoning.

4.0 Natural Environment

Shoreline Protection

LOBA strongly supports the strengthening of shoreline protection and welcomes the Section 4.2 statement that the ribbon of life should now be 20 to 30 metres. This recognizes the vital importance of the littoral zone to the health and beauty of the lake. The setback of buildings to 30 metres is needed to properly protect the lake. Changing permitted additions within lesser setbacks to those that are minor does carry through the protective intent of the section, as does requiring that 75% of the shoreline is to be in a natural state to a target depth of 30 metres.

Boathouses

Boathouses have a large physical and visual impact on the shoreline. LOBA understands that the size of boathouses is regulated by the Community Planning Permit By-Law. But the intended use of boathouses is also addressed in the OP. Section 4.2 11) should state that the primary use of boathouses is the storing of boats and marine equipment. Also, the draft OP prohibition on dwellings or sleeping cabins within or over boathouses should be extended to prohibit any form of kitchen or washroom, which will provide the absolute clarity that supports compliance and enforcement.

The clear prohibition in Section 4.2 12) that boathouses are not permitted to extend into the water beyond the maximum in the CPP is a real improvement over the “generally not permitted” phrasing in the prior version.

9.0 Implementation

Non-conforming uses

The Section 9.3.1 4) wording is now tighter than the prior J27 wording. This is appropriate to avoid approvals that effectively allow non-conformance without close consideration of its impact.

Non-Complying buildings

The draft OP language in Section 9.3.6 3) deals with the enlargement, repair and renovation of non-complying buildings and structures. There are two changes needed.

First, this section does not deal with “tear downs”. If a non-complying building or structure is torn down, the new building or structure is a redevelopment and should meet all the requirements under Section 3.6.2.3 including a normal setback. That should be stated explicitly in 9.3.6 in order to deal with the repeated problem of routinely allowing the use of the historical non-complying setback to be the presumed basis for redevelopment, without taking into full account that this results in large new builds being located intrusively close to the water. An exception to the requirements of Section 3.6.2.3 should be made to allow the new dwelling to have the same footprint and dimensions as the preexisting non-complying building. This

exception will allow owners of non-complying dwellings to replace them with a substantially similar new dwelling.

Second, 9.3.6 3 a) deals with an increase in the extent of non-compliance of a building by saying the non-compliance cannot be further increased unless permission is granted. But there is no standard for deciding whether to give permission. There should be a standard and it should be that the addition is minor. Major additions to non-complying buildings should not be permitted because they result in further violation of the setback standards that are appropriate for waterfront properties. Permitting minor additions only would be consistent with the shoreline protection provision in 4.2 3) c that only allows minor additions to dwellings that have a lesser setback than normally required. Also, the ambiguity of the “floor area” restriction, should be addressed by defining the term.

The Lake of Bays Association appreciates the opportunity to comment on the draft Official Plan and your attention to these submissions.

Sincerely,

Paul Gleeson
President

Tim Hadwen
Chair, Planning, Development & Government Relations Committee

Copies:

Dave Welwood, J.L Richards and Associates

Lake of Bays Association, Board of Directors

Lake of Bays Association, Planning, Development & Government Relations Committee