

THE DISTRICT MUNICIPALITY OF MUSKOKA

BY-LAW 2022-24

Being a by-law to adopt Amendment 49 to  
the Muskoka Official Plan (Resort Village of  
Minett)

WHEREAS the Community and Planning Services Committee has recommended to the Council of The District Municipality of Muskoka that Amendment 49 to the Official Plan of the Muskoka District Area ("Official Plan Amendment 49") be adopted;

AND WHEREAS the Council of The District Municipality of Muskoka has fulfilled the applicable requirements of Sections 17(15) to 17(21) of the Planning Act, R.S.O. 1990, as amended;

AND WHEREAS the Council of The District Municipality of Muskoka is satisfied that the proposed Official Plan Amendment 49 attached hereto is suitable for adoption;

AND WHEREAS pursuant to Section 17(9) of the Planning Act and O. Reg. 525/97 amendments to the Official Plan of the Muskoka District Area do not require the approval of the Minister of Municipal Affairs and Housing;

AND WHEREAS it is desirable to adopt the proposed Official Plan Amendment 49;

THEREFORE the Council of The District Municipality of Muskoka enacts as follows:

1. The proposed amendment to the Official Plan of the Muskoka District Area consisting of the text as attached hereto as Schedule "A" shall be and is hereby adopted as Official Plan Amendment 49.
2. The Commissioner of Community and Planning Services, or their delegate, shall be and is hereby authorized, directed and empowered to give notice of the decision in accordance with Section 17(23) of the Planning Act and sign all such declarations as may be necessary to comply with O. Reg. 543/06 and Section 17(28) of the Planning Act.
3. Official Plan Amendment 49 shall come into force and take effect in accordance with the provisions of the Planning Act.

**Enacted and Passed** this 18th day of July, 2022.

THE DISTRICT MUNICIPALITY OF MUSKOKA

Per:

  
District Chair J. Klinck

  
District Clerk A. Back

Schedule "A"

AMENDMENT 49  
TO THE MUSKOKA OFFICIAL PLAN  
(Resort Village of Minett)

SECTION 1: TITLE AND COMPONENTS OF THE AMENDMENT

Section 5 herein and Schedules "A" and "B" constitute Amendment Number 49 to the Official Plan for the District of Muskoka.

Sections 1 to 4 herein do not constitute part of the formal amendment but provide background information respecting the Amendment.

SECTION 2: PURPOSE AND BACKGROUND OF THE AMENDMENT

2.1 PURPOSE

The purpose and effect of Muskoka Official Plan Amendment 49 is to:

- a) Revise the boundary of the Minett Special Policy Area on the Schedules to this Plan in accordance with Schedule "A" attached to this Amendment;
- b) Include references to the Resort Village of Minett Special Policy Area in the servicing and other sections of this Plan as appropriate;
- c) Establish the long-term role and function of the Minett Resort Village in the context of overall growth and development in the Township of Muskoka Lakes and District;
- d) Replace Section J5.4 of the current Official Plan; and,
- e) Include a new Schedule "B2- Minett Special Policy Area Service Areas" into the Official Plan setting out where Full Service and Future Service Areas are located in accordance with Schedule "A" attached to this Amendment.

2.2 BACKGROUND

Local Official Plan Amendment (OPA) 34 was adopted by the Township of Muskoka Lakes in January 2007, approved with modifications by the District of Muskoka in May 2007, and ultimately approved with further modifications by the OMB in 2008. This OPA re-designated Minett from a "Community" to a "Resort Village" designation, in recognition of its historical land uses, character, and development plan.

The Township of Muskoka Lakes initiated an Official Plan Review in 2019. Prior to the Official Plan Review, the Township passed an Interim Control By-law (ICBL) 2018-66 restricting development in Minett while undertaking studies informing its review of land use policies for the Resort Village of Minett.

An integral component of the land use review was the establishment of the Minett Joint Policy Review Steering Committee (MJPRSC) by both District and Township Councils. A final report from MJPRSC was submitted in January 2020 and reconfirmed in June 2020 once two studies commissioned by the MJPRSC were completed. As a result of the recommendations from the MJPRSC and requests from affected landowners, a further Working Group was established for the purposes of refining the MJRPRSC policy directions through a collaborative process.

The Working Group meetings resulted in Local Official Plan policy proposals in August 2020. The updated policies re-affirmed the role and function of Minett within the Settlement Pattern of the District of Muskoka and remained consistent with the overall land use and development policies of the Muskoka Official Plan. The proposed general policies require further refinement through an update to the comprehensive zoning by-law as well as plans addressing and providing detail on a variety of matters related to the ultimate development plan, including servicing.

The District of Muskoka indicated in December 2020 that they would not be able to support significant residential development in the Minett Resort Village on the basis of private communal services. On the basis of this decision, a draft Amendment to the Township of Muskoka Lakes Official Plan (OPA 56) was prepared and presented at a public meeting under the Planning Act on May 28, 2021. OPA 56 was then adopted by Township Council on December 15, 2021.

There is a need to update the District of Muskoka Official Plan to ensure that it complements and provides appropriate direction to the Township of Muskoka Lakes on the implementation of the development plan for the Minett Resort Village, while having regard to District interests.

### SECTION 3: LAND SUBJECT TO THE AMENDMENT

- 3.1 The lands subject to this amendment include Part of Lots 22-23, Concession 10, Part of Lots 22-25, Concession 11 and Part of Lots 22-25, Concession 12, all in the former Township of Medora, now in the Township of Muskoka Lakes, in The District Municipality of Muskoka, all of which constitute the "Resort Village of Minett", referred to herein as "Minett".
- 3.2 The land subject to this Amendment is more particularly shown on Schedule "A".

### SECTION 4: IMPLEMENTATION AND INTERPRETATION

The changes to the Muskoka Official Plan as described in this Amendment shall be implemented in accordance with the applicable policies in Section A (Plan Basics: Applicability, Purpose and Organization of the Official Plan) and Section M (Implementation and Administration) of the Plan.

### SECTION 5: THE AMENDMENT

- 5.1 Amend Schedules 'A', 'C1', 'C2', 'D', 'E1', 'E3', 'F' and 'G' by revising the boundaries of the Minett Special Policy Area as set out in Schedule 'A' to this Amendment;
- 5.2 Amend Appendices 'C' and 'D' by revising the boundaries of the Minett Special Policy Area as set out in Schedule 'A' to this Amendment;
- 5.3 Amend 'Schedule B: Urban Service Areas' to re-name as 'Schedule B1: Urban Service Areas';
- 5.4 Insert a new 'Schedule B2: Minett Special Policy Area Service Areas' as set out in Schedule 'B' to this Amendment;
- 5.5 Amend Section A6 by modifying sub-section b) so that it says: 'Schedule B1 - Urban Service Areas';

- 5.6 Amend Section A6 by adding a new sub-section c), as follows: 'c) 'Schedule B2 - Minett Special Policy Area Service Areas'; and by re-numbering existing sub-section c) and the remaining sections accordingly;
- 5.7 Amend Section D2 b) by adding the following sentence at the end: 'The Minett Special Policy Area is also a settlement area where municipal sewage services and municipal water services are to be provided';
- 5.8 Amend Section D10 by adding the following at the end of the first sentence: 'or within the Minett Special Policy Area as set out in Section J5.4 of this Plan';
- 5.9 Amend Section D11 by replacing the words 'Urban Centre or Community Area' in the first sentence with the words 'Urban Centre, Community Area or the Minett Special Policy Area';
- 5.10 Amend Section D11 by replacing the words 'Urban Centre or a Community Area' in the second sentence with 'Urban Centre, Community Area or the Minett Special Policy Area.';
- 5.11 Amend Section D15.1 vi) to insert "and the "Minett Special Policy Area" after the words "Hidden Valley Recreational Lifestyle and Resort Special Policy Area";
- 5.12 Amend Section D15.2 c) by changing the reference to 'Schedule B' in the first sentence to 'Schedule B1';
- 5.13 Amend Section D15.2 c) by adding the following new second sentence: 'For the Minett Special Policy Area, the service areas inclusive of Full Service Area and Future Service Areas is shown on Schedule B2';
- 5.14 Amend Section D15.2 d) by changing the reference to 'Schedule B' to 'Schedules B1 and B2';
- 5.15 Amend Section D15.3 a) by changing the reference to 'Schedule B' in the first sentence to 'Schedule B1';
- 5.16 Amend Section D15.4 by changing the reference to 'Schedule B' to 'Schedule B1';
- 5.17 Amend Section J4.1 a) by replacing 'Urban Centres, Community Areas or Rural Areas' in the first sentence with 'Urban Centres, Community Areas, Rural Areas or the Minett Special Policy Area';
- 5.18 Amend Section K2 f) by replacing 'Urban Centres and Community Areas' in the first sentence with 'Urban Centres, Community Areas and the Minett Special Policy Area';
- 5.19 Amend Section M14.2 a) by replacing 'Urban Centres and Community Areas' in the first sentence with 'Urban Centres, Community Areas and the Minett Special Policy Area';
- 5.20 Amend Section M14.2 a) by replacing 'Urban Area or a Community Area' in the second sentence with 'Urban Centre, Community Area and the

Minett Special Policy Area'; and

5.21 Amend Section J5.4 by deleting in its entirety and replacing with the following:

J5.4 MINETT

J5.4.1 PLANNED FUNCTION

Minett is a settlement area within the Township of Muskoka Lakes that contains a number of resort commercial properties, commercial uses, and residential properties located on the western shoreline of Lake Rosseau.

The character of Minett is rooted in its history as a resort community that dates back to the 1860's. Despite a decline of tourist and service commercial uses throughout Muskoka, the importance and function of Minett as a resort node and gathering place have been consistently recognized in Township and District planning policies. Within the Township of Muskoka Lakes, Minett has grown to become a significant resort and tourist commercial node, with some permanent residential development and commercial services supporting these uses. Servicing within Minett was historically comprised of a combination of private **communal sewage services** and private **communal water services** and **individual on-site water services** and **individual on-site sewage services**, with **development** in the areas of Minett without **municipal water services** and **municipal sewer services** limited until such services were available.

On the basis of a comprehensive planning process undertaken by the District and Township between 2018 and 2021, Minett is planned to continue its evolution into a four-season tourist commercial and recreational resort area that includes permanent and seasonal residential uses, with all **development** ultimately intended to be on **municipal water services** and **municipal sewer services**.

J5.4.2 NATURE AND FORM OF DEVELOPMENT

Permitted uses in Minett shall seek to support the resort commercial function of the area, and may include residential, commercial, small-scale industrial, institutional and staff accommodation uses, in accordance with the policies of the Area Municipal Official Plan.

**Development** and redevelopment in Minett shall:

- i) Respect and be compatible with the surrounding environment;
- ii) Not result in adverse impacts on the water quality of Wallace Bay and Bruce Lake, as demonstrated through appropriate studies;
- iii) Minimize disruption to, and on, existing topography and vegetation of the area when viewed from the water;
- iv) Maintain, improve, and/or restore the health of existing **natural heritage features and areas** such as streams and **wetlands**, where these features exist and where possible;
- v) Integrate sustainable development practices that maintain or enhance ecological and economic resiliency;
- vi) Exhibit a high-quality built form that enhances pedestrian amenity;
- vii) Incorporate landscaping that softens the impact of built form and utilizes

native species where practical and appropriate;

- viii) Conserve the natural landscape and retain or restore vegetation, particularly along the shoreline; and
- ix) Preserve mature tree canopy where possible throughout the Resort Village for aesthetic reasons and for its cooling effect and stormwater retention properties.

#### J5.4.3 INTENSITY OF DEVELOPMENT

The gross floor area for **development** and/or redevelopment within the Full Service Area shown on Schedule B2 shall not exceed 157,935 square metres. The Area Municipal Official Plan shall allocate permitted gross floor area to the land use designations established by the Area Municipal Official Plan as appropriate.

The total equivalent unit count within the Full Service Area shown on Schedule B2 shall not exceed 2,020, with unit as defined in the Area Municipal Official Plan. The Area Municipal Official Plan shall allocate permitted units to the land use designations established by the Area Municipal Official Plan as appropriate.

#### J5.4.4 DEVELOPMENT POLICY

All **development** in Minett shall occur in accordance with the policies of this Plan (unless modified by this Section of the Plan) and as detailed in the Area Municipal Official Plan. In this regard, the Area Municipal Official Plan shall:

Set out the maximum percentage of the total number of units that are permitted to be resort-related residential dwelling units on those lands designated in the Area Municipal Official Plan as Village Core and Resort Commercial One and Resort Commercial Two;

Require the **development** of a reasonable amount of resort, commercial and tourism amenities in the first phase and in subsequent phases of **development** on those lands designated in the Area Municipal Official Plan as Village Core and Resort Commercial One and Resort Commercial Two to ensure the Minett Resort Village is commercially viable and attractive to the travelling and vacationing public;

Establish general **development** policies that deal with such matters as character, density of **development**, transportation/access, boat docking, servicing, stormwater management and sedimentation and employment;

Establish environmental and resource policies dealing with **wetlands**, area of use limitations and shorelines that will apply when considering applications for **development** in Minett;

Establish land use designations and set out the permitted uses in each along with any other necessary general **development** policies; and

Identify the studies and other matters that are required to be satisfied before **development** can occur in accordance with this Plan and the Area Municipal Plan.

#### J5.4.5 SERVICING

All **development** in the Full Service Area shown on Schedule B2 shall be on **municipal water services** and **municipal sewer services** in accordance with this Plan.

Notwithstanding Section J5.4.4 a), where **municipal sewage services** and **municipal water services** are not immediately available, the reconstruction of existing buildings is permitted, along with minor additions in accordance with the Area

Municipal Official Plan. The **development** of other buildings and structures not requiring potable water and which do not generate effluent (such as minor accessory and storage buildings) may also be permitted.

**Development** on existing private **communal sewage services** and private **communal water services** within Minett are required to be connected to **municipal sewage services** and **municipal water services** when they are available.

Within the Future Service area shown on Schedule B2, **individual on-site sewage services** and **individual on-site water services** may be permitted to allow for:

- i) Minor **development** and redevelopment on existing lots of record; and,
- ii) Minor infilling and minor rounding out of existing **development**;

provided that site conditions are suitable for the long-term provision of such services with no **negative impacts** and where such services are designed and installed in a manner that facilitates future connection to **municipal sewage services** and **municipal water services**.

#### J5.4.6 TRANSPORTATION

There are two District Roads in the Minett Resort Village: District Road 7 (Peninsula Road) and District Road 28 (Juddhaven Road). Proposals to modify the location of one or both of these roads may be considered by the District of Muskoka if justified through the preparation of the appropriate technical supporting studies by a qualified professional (i.e. an Integrated Transportation Plan and Traffic Impact Study), with such studies prepared to the satisfaction of the District of Muskoka. If the District of Muskoka supports the proposed changes, all works required to reconstruct the road to the approved standards will be the responsibility of the proponent and the reconstructed right-of-way shall be dedicated to the District of Muskoka at the sole cost of the proponent.

#### J5.4.7 EXCEPTIONS

Notwithstanding Section C2.6.4.2 c) of this Plan, flexibility with respect to requiring 15 metre waterfront vegetative buffers is permitted only for recreational and other amenities, including a proposed wellness centre, and does not apply to any form of commercial or residential accommodation.

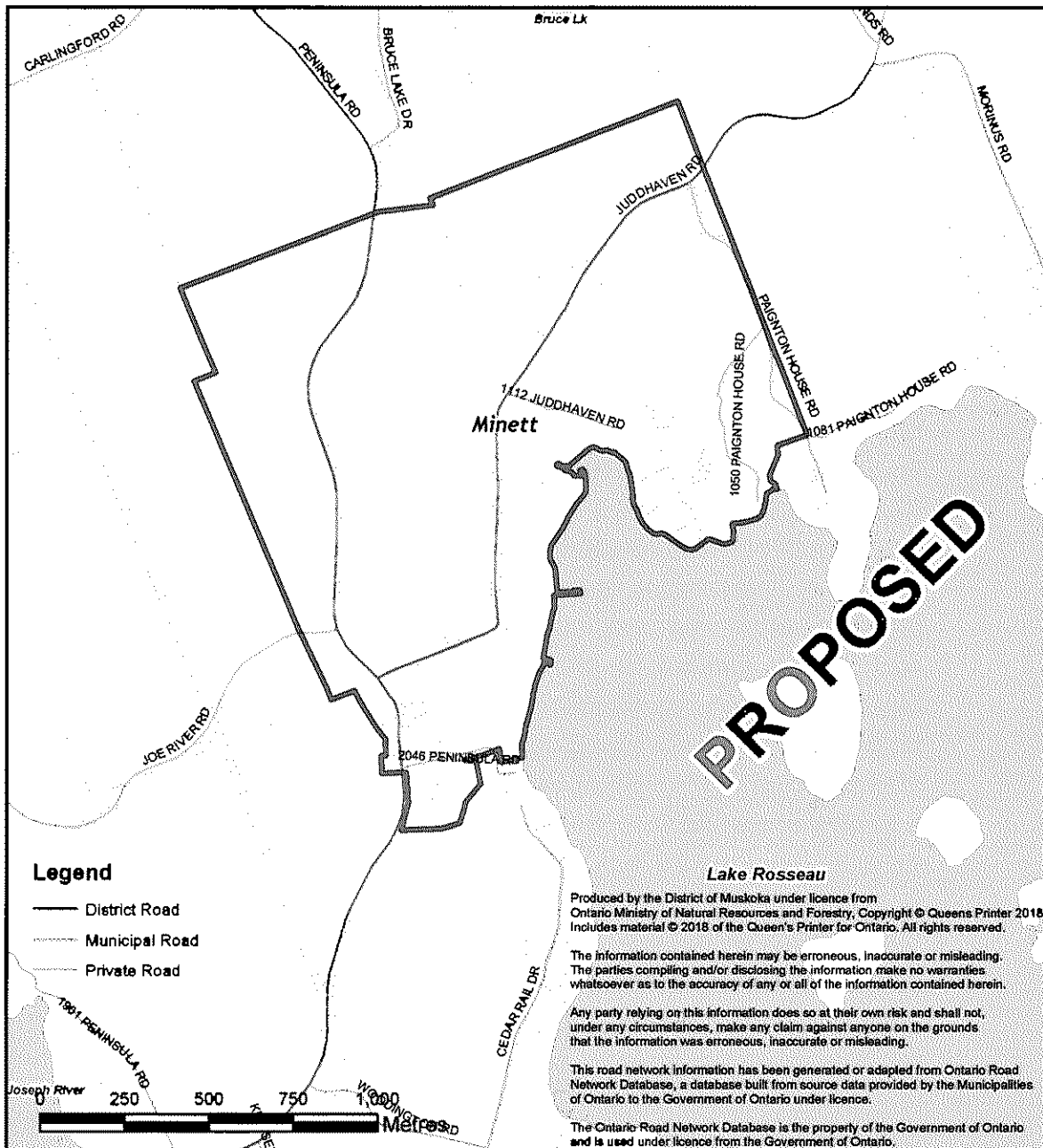
Notwithstanding Section C2.6.4.2 f) of this Plan, shoreline structures, open decks, minor accessory structures and recreational and other amenities, including any portion of a proposed wellness centre that is two or less storeys in height, are not required to be set back 20 metres from the shoreline. A lesser setback shall not be permitted for any form of commercial or residential accommodation. In addition, structures deemed to be legal non-complying by the Area Municipality that are being re-constructed in-situ are exempt from Section C2.6.4.2 f).'



April 1 2022

Scale 1 : 15,000

### Schedule 'A' to Official Plan Amendment 49 (Resort Village of Minett) Minett Special Policy Area Boundary







June 8 2022

Scale 1 : 15,000

### Schedule 'B' to Official Plan Amendment 49 (Resort Village of Minett) Minett Special Policy Area: Service Areas

