

### Staff Report PLAN-2022-81

Planning Committee April 14, 2022

TO: Chair Bridgeman and Members of Planning Committee

AUTHOR: Sam Soja, Senior Planner

SUBJECT: ZBA-68/21, By-law 2021-207, (SKELETON LAKE MARINA LTD.)

Lot 28, Concession B, Lot 13, Plan 16, (Watt), Civic Address: Not Assigned, Roll #: 2-20-036; and Part of Lot 29, Concession B, Parts 1 and 2, Plan 35R-14298, (Watt), Civic Address: 1008

Skeleton Lake Road, Roll #: 2-20-035

#### RECOMMENDATION

THAT Zoning By-law Amendment Application ZBA-68/21, By-law 2021-207 (SKELETON LAKE MARINA LTD.) be APPROVED, subject to:

• the property and proposed development being made subject to Site Plan Control.

### REPORT HIGHLIGHTS

This report provides an overview and analysis of Zoning By-law Amendment Application ZBA-68/21, By-law 2021-207.

### **BACKGROUND**

The purpose and effect of the proposed zoning by-law amendment application is as follows:

Table 1: Summary of Rezoning

Proposal	Permitted Uses in Existing RUR Zone	Permitted Uses in Proposed WC2 Zone
To Rezone Lot from Rural Residential (RUR) to	Main Uses  Bed & Breakfast	Main Uses
Waterfront Commercial –	Conservation	●Manna
Marina (WC2)	Residential Dwelling	Accessory Uses
	Unit ●Open Space	Artist Studio     Convenience Store
	Recreation	Cultural Centre
	<ul><li>Rooming Houses</li></ul>	Residential Dwelling Unit
		<ul> <li>Home Based Business</li> </ul>

Accessory Uses  Residential Secondary Dwelling Unit Home Based Business	<ul> <li>Open Space Recreation</li> <li>Parking Areas <sup>1</sup></li> <li>Parking Spaces <sup>1</sup></li> <li>Retail Store</li> <li>Restaurant</li> <li>Storage Facilities</li> <li>Office</li> </ul>
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**Note:** <sup>1</sup> Draft By-law 2021-207 restricts permitted uses within the area shown hatched on Schedule I to an accessory parking area and parking spaces.

Table 2: Summary of Exemptions

	Sections	Description	Permitted	Relief	Proposed <sup>1</sup>	Proposal
Α	2014-14 4.2.2	Permitted Accessory Uses	-	-	-	Restrict Permitted Uses to a Parking Area and Parking Spaces
В	2014-14 4.2.8 a. i.	Maximum Dock Length	80 ft.	160 ft.	240 ft.	Permit a Dock Addition

# **Property Details**

Official Plan Designation: Waterfront

Zoning By-law 2014-14: Rural Residential (RUR) and Waterfront Commercial –

Marina (WC2)

Schedule No.: 17

Access: Skeleton Lake Road 3 (Public Year Round Municipally

Maintained)

Neighbouring Uses: Waterfront Residential, Rural, Rural Residential, Public

Open Space/Public Boat Launch

Original Shore Road Allowance: Not Applicable

Fisheries Resource: Type 1 (Significant), Type II (General)

Civic Addresses: Northerly Lot – Address not assigned

Southerly Lot – 1008 Skeleton Lake Road 3

Lake/River Category: Skeleton Lake (Category 2)

### **Site Characteristics**

Staff conducted a site visit on March 29, 2022. The subject land consists of two abutting properties that are both owned by the applicant (Refer to Figures 1-11).



Figure 1: Aerial photograph (spring of 2008) of the subject land. For illustrative purposes, the boundaries of the northerly and southerly lots are is outlined in yellow and blue. The approximate extent of the proposed dock extension is shown in red (for illustrative purposes). The public dock and boat launch is to south of the southerly lot and adjacent to Highway 141.

The northerly lot is vacant. The majority of the property contains a natural forest. Approximately a quarter of the property is cleared of vegetation and it appears it is used by the marina operation on the abutting property to the south. The topography of the lot is generally level, except for the northeast corner of the lot which begins to slope upwards steeply to the northeast.

The southerly lot fronts onto Skeleton Lake and contains a commercial marina building, parking areas used for parking and boat storage, and several docks. The property slopes gently towards the shoreline and has been cleared of vegetation to facilitate the marina operation.



Figure 2: North facing view of the northern portion of the northerly lot on which the parking area is proposed. Skeleton Lake Road 3 is visible on the left (west) side of the photograph.



Figure 3: East facing view from the northerly lot on which the parking area is proposed. Part of the lot has been cleared of vegetation and additional clearing will be required.



Figure 4: Southeast facing view from the northerly lot on which the parking area is proposed. Stored boats and the marina building located on the southerly lot are visible in the background.



Figure 5: West facing from the northerly lot towards the Skeleton Lake Road 3. An existing entrance with a chain-link fence is visible at the centre of the photograph.



Figure 6: West facing view of the marina building.



Figure 7: East facing view from the marina building towards the shoreline on Skeleton Lake.



Figure 8: East facing view of the marina's docks. The dock that is proposed to be extended is visible at the centre of the photograph.



Figure 9: Southwest facing view of the marina's docks. The dock that is proposed to be extended is visible at the centre of the photograph.



Figure 10: East facing view from the adjacent Township owned property. The municipal dock is visible in the foreground near the centre of the photograph. The marina's docks are visible on the left (north) side of the photograph.

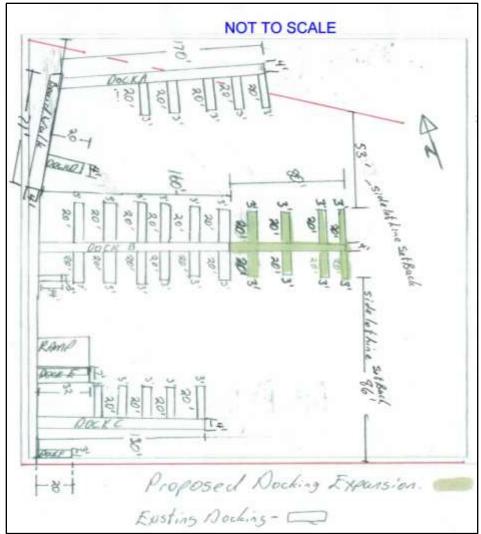


Figure 11: Sketch showing the existing and proposed docks.

### **ANALYSIS**

# Zoning By-law Amendment ZBA-68/21, By-law 2021-207

Proposed Rezoning: Northerly Lot from Rural Residential (RUR) to Waterfront Commercial – Marina (WC2)

Staff have no concerns with the requested rezoning of the northerly lot. In making this determination, staff have considered the following:

- The applicant, Skeleton Lake Marina Limited, owns both abutting lots that comprise the land that is subject to this application. As a result of increased demand for marina docking and associated parking from owners of properties on Skeleton Lake that are only accessible by water, the marina is interested in expanding to provide additional docking and parking services.

The applicant intends to construct a gravel parking area to provide parking spaces for clients of the marina. Rezoning the property from Rural Residential (RUR) to Waterfront Commercial – Marina (WC2) will result in both abutting commonly owned properties being in the WC2 Zone. However, given that parking is the only use that is proposed on the northerly lot, a purpose of By-law 2021-207 is to restrict uses to only permit a parking area. All other accessory uses will be prohibited.

- The Township's Official Plan is generally supportive of the expansion of commercial businesses such as marinas in recognition of their important economic function in the Muskoka economy. Policy B.11.7 recognizes marinas as Employment Areas and the Official Plan also directs that marinas may include accessory uses that are complementary to the primary marina use.
- Although an exact lot size has not been provided, the property appears to have a lot area of slightly less than 1 acre and the proposed parking area comprises approximately 70% of the lot. To ensure the vegetation along the northern boundary of the lot continues to provide a buffer between the parking area and the neighbouring residential use, and to address stormwater management, staff have recommended a condition of approval requiring that construction of the parking area be made subject to the Township's Site Plan Control process. If comments from the neighbours to the north are submitted, consideration of any concerns will be important.
- The parking area, as shown on Schedule II to draft By-law 2021-207, complies with all setback requirements.
- Available natural heritage mapping shows that part of the northerly lot is located within the Beaumont Bay Carbonates Heritage Area, which includes land on both sides of Skeleton Lake's Peninsula Bay, and an additional area to the south of Highway 141. This Heritage Area is significant due to erratics of a certain type of limestone (Ordovician Limestone) and is defined by steep cliffs supporting White Birch and Trembling Aspen with forests dominated by Sugar Maple, White Birch, and Red Maple. The sensitivity of the area is related to the combination of geological features that support high quality forest stands, and a diversity of flora and woodland fauna, including regionally rare and uncommon species. The recommended condition of approval that the property be made subject to Site Plan Control will enable retention of the vegetation in the Heritage Area.

Given that the proposed parking area is located outside of the delineated boundary of the Heritage Area, and given that part of the proposed parking area is already open, staff have not required the completion of a Scoped Environmental Impact Study (EIS).

- It is the applicant's intention for the lot containing the proposed parking lot to merge with the lot to the south and a Deeming By-law Application has been submitted to the Township to request that the northerly lot be deemed to not be a lot on a Plan of Subdivision under Section 50(4) of the Planning Act.

If Committee recommends approval of the Zoning By-law Amendment, the submitted Deeming By-law Application will be scheduled to be considered by Council at the May 11 Council Meeting; the same meeting at which By-law 2022-207 will be considered for ratification.

Proposed Exemption "A": Permitted Accessory Uses

Staff have no concerns with the requested exemption. In making this determination, staff have considered the following:

• The applicant's agent has advised staff that only an accessory parking area use is required to be permitted on the northerly property. In the Waterfront Commercial – Marina (WC2) Zone a number of accessory uses are permitted 'as of right' (refer to Table 1). However, compared to a parking area, some of these uses, such as Convenience Store, Cultural Centre, Retail Store, Restaurant, Office and Residential Dwelling Unit, could potentially be more intensive. Given that only an accessory parking area use is contemplated on this property, prohibiting other accessory uses seems appropriate from a planning perspective and staff have no concerns with the exemption.

Proposed Exemption "B": Maximum Dock Length

Staff have no concerns with the requested exemption. In making this determination, staff have considered the following:

 As noted elsewhere in this report, the Township's Official Plan is generally supportive of the expansion of marina operations. However, for dock expansion proposals that involve the accommodation of 15 or more boats or commercial docking facilities on a narrow waterbody, Section 5.29 of the Official Plan requires the completion of a satisfactory Boating Impact Assessment as a prerequisite for development.

In this case, based on the sketch provided by the applicant (Refer to Figure 10), the existing docks at the marina can accommodate approximately 50 boats. To satisfy an increase in demand for docking, the construction of a further 14 boat slips is now proposed. As the proposal will add less than 15 boat slips, and the property does not front onto a narrow waterbody as defined by the Township's Official Plan, the completion of a Boating Impact Assessment is not required. However, it noted by staff that if approval is granted for 14 additional boat slips, a future planning application to permit more boat slips would automatically trigger the requirement for such an assessment.

The majority of the existing boat slips are located along three prominent "fingers" of docks that extend out into Skeleton Lake, labelled as Docks A, B and C on Figure 10. Dock A is located in close proximity to the shoreline of the neighbouring waterfront property to the north and a further extension of this dock could result in potential navigation and compatibility concerns. Dock C is located in close proximity to the adjacent municipally owned dock and boat launch on the abutting property to the south and a further extension could also result in these concerns.

The proposed dock extension involves an increase in length of Dock B. Of the three docks, this centrally located dock appears to be the most appropriate candidate for an extension. Dock B currently has a length of 160 feet and the addition of 14 new boat slips will increase the dock length by 80 feet to a total length of 240 feet.

In accordance with Policies B.13.3, B.13.4 d), and B.13.5 of the Township's Official Plan, it is important to consider matters such as fish and wildlife habitat, the natural flow of water, cumulative dock width, and privacy including impacts on the immediate view of surrounding properties. In this case, the dock extension is located in Type II (General) Fish Habitat, the location of the docks do not appear to impede water flows, the cumulative dock width will not increase, and significant impacts to views and privacy are not anticipated. The adjacent shoreline property to the north would be most impacted by the extension; staff did not observe this neighbour's dock during the recent site visit. It is also noted that Docks A on Figure 1 project across the subject property's lot line projection. Although the main shoreline activity area for this neighbouring property appears to be located to the northeast of the marina's docks and facing away from the marina's shoreline, if comments form the owners are submitted, they should be considered and addressed as necessary.

Property owners in the area or Committee may have concerns relating to potential for increased boating activity, resultant noise, wake, etc. in a busy and narrow channel leading to the main body of Skeleton Lake. Accordingly, Committee may wish to consider a reduction in dock length. However, it does not appear that the proposed dock increase will impede navigation. Also, increased boating activity appears to be occurring on a number of lakes in the Township, and it should be noted that providing dockage is not necessarily the cause of that activity increase, but simply provides a place to dock the boats. For example, increased utilization of the adjacent municipal docks may occur, or more boat storage on land constructed at the marina, both as of right, presumably increasing boating activity without the proposed dock expansion. Ultimately, Council does not have the authority to control the amount of boating activity over water.

Within the Waterfront Commercial – Marina (WC2) Zone, the total cumulative width of docks shall not exceed 75% of the lot frontage. In this case, the subject property has a straight line frontage of  $\pm$  235 feet which allows for a maximum cumulative

dock width of 176 feet. While the existing docks appear to approach this maximum and possibly exceed it by a small margin, it should be noted that the proposed dock extension will not result in a further increase to cumulative dock width.

Within the Waterfront Commercial – Marina (WC2) Zone, to qualify as a "building lot" properties are required to have a lot area of 2 acres and a minimum lot frontage of 250 feet unless a lessor frontage existed when the minimum lot size requirements came into effect. Given that the lot frontage of  $\pm$  235 feet predates the lot frontage requirement and site specific By-law 90-203 provides an exemption from the minimum lot area requirement, this marina property is a "building lot".

# **General Analysis**

Additional general planning analysis is included in Table 1 of the Appendix and general planning policy documents are considered in Table 2 of the Appendix.

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# **APPENDIX**

Table 1: General Planning Analysis

	Planning Analysis
Consideration	Comment
Species at Risk (SAR)	SAR may be encountered in the area. More information regarding SAR can be found at <a href="www.ontario.ca/SpeciesAtRisk">www.ontario.ca/SpeciesAtRisk</a> . Property owners should consult the Ministry of the Environment Conservation, and Parks (MECP) to ensure any proposed development will not have any adverse impacts on SAR or SAR habitat. Given the nature of the applications and the applicant's statutory obligations under the Endangered Species Act, 2007, an evaluation of potential habitat of endangered and threatened species and impacts has not completed, however, one can be requested by Committee if desired.
Fish Habitat	The majority of the near-shore area of the subject land is identified as Type II (General) Fish Habitat and one section of the shoreline, confined to an area extending approximately 50 feet into the waterbody, is identified as Type I (Significant) Fish Habitat. Given statutory obligations under the Fisheries Act, it is the responsibility of applicants to confirm, through a self-assessment, if any future development/redevelopment will trigger a requirement for a review by the Department of Fisheries and Oceans (DFO) as laid out in Guidelines for Projects Near Water ( <a href="http://www.dfo-mpo.gc.ca/pnw-ppe-index-eng.html">http://www.dfo-mpo.gc.ca/pnw-ppe-index-eng.html</a> ). An evaluation of potential impacts to fish and fish habitat has not been completed, however, one can be requested by Committee if desired. It is noted that the proposed docks are floating structures that will be located in Type II (General) Fish Habitat.
Site Plan Control	The subject property is zoned Waterfront Commercial (WC2) and is automatically subject to Site Plan Control. While the construction of a parking area and docks does not trigger the Site Plan Control process, staff have included a condition of approval requiring that construction of the parking area be made subject to Site Plan Control to ensure the vegetation at the north end of the property is retained and, if required, to address stormwater management.
Past Planning Approvals	<ul> <li>Zoning By-law Amendment ZBA-105/90, By-law 90-203 (Hookings): Approved in November 1990 to provide exemptions from the minimum lot area requirement of 2 acres and the minimum side yard setback requirement of 30 feet to permit the construction of a boat storage facility within 10 feet from the side lot line.</li> <li>Site Plan Agreement SPA-36/05 (Skeleton Lake Marina Ltd.) was registered in April 2006 as Instrument #368142. An application to amend the site plan agreement was submitted in July 2007, but it appears that the amending agreement was never finalized.</li> </ul>

Public and Agency Comments

The following comments had been received at the time of writing:

- A submission in opposition has been received from Deirdre and Gil Broude, the owners of a property approximately 1,800 feet to the northeast of the proposed docks at 2324 Highway 141, Unit 33.
- The Township's Development Services Department has no objections.
- Comments from the Township's Public Works Department were forthcoming.
- Comments from the District of Muskoka were forthcoming.

# Table 2: Planning Policy Considerations

### **Provincial Policy Statement**

The Provincial Policy Statement, 2020 (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The subject lands are identified as Rural Lands in the PPS and the application is consistent with the relevant policies.

### District of Muskoka Official Plan

The subject lands are designated Waterfront in the District of Muskoka Official Plan. The District is a commenting agency with respect to District and Provincial interests. District comments were forthcoming at the time of writing.

### Township of Muskoka Lakes Official Plan

The subject land is within the Waterfront Designation of the Township's Official Plan.

The following policy excerpts from the Official Plan are especially relevant to this application:

Section B.2.1 (Waterfront – Principles) of the Official Plan states: The Waterfront setting consists of open space and low density residential land uses on mainland and island shorelines; interspersed with some commercial development, primarily resorts and marinas; amongst a predominantly forested landscape. This character is recognized and all development shall have regard to such character.

Section B.3.7 (Waterfront – Goals) of the Official Plan states: To encourage the redevelopment and expansion of commercial businesses such as marinas and resorts and to recognize their important economic function.

Section B.4.2 (Waterfront – Objectives – Character) of the Official Plan states: To ensure that built form does not become concentrated or dominate the Waterfront to the detriment of natural form.

Section B.4.17 (Waterfront – Objectives – Development) of the Official Plan states: To support the continued and enhanced viability of resorts and marinas, other commercial uses, and residential uses as important elements in the Muskoka economy.

Section B.5.3 (Waterfront – General Development Policies – Character) of the Official Plan states: Waterfront character evolves over time. Traditionally, tourist commercial as well as residential development has contributed to the character and economic viability of the Township of Muskoka Lakes. This development, dating back to the steamship era of over a century ago, remains a part of the present character of the waterfront. Development shall be encouraged to maintain and improve the historic connections of the waterfront. Resorts and marinas shall be encouraged to develop and expand in a manner that complements the Township.

Section B.5.8 (Waterfront – General Development Policies – General Development Standards) of the Official Plan states: Waterfront lots should be of sufficient dimension and size to accommodate the use proposed, related structures, and services within acceptable standards. As such, a variety of lot sizes, water frontages, setbacks, and structural limitations are expected in recognition of the natural and built influences in the Waterfront.

Section B.5.29 (Waterfront – General Development Policies – Boat Impact Assessments) of the Official Plan states: Boat impact assessments shall be prerequisite for development or redevelopment where boating may be concentrated for the following situations:

- a) the cumulative establishment of docking or mooring facilities from the date of adoption of this Plan, accommodating fifteen (15) or more boats;
- b) commercial docking or mooring facilities on a narrow waterbody; or,
- c) the establishment of any use governed or to be governed under the boat livery provisions of the Municipal Act, S.O. 2001, c25 or similar provisions.

Terms of Reference for Boat Impact Assessments can be found in Implementation Section F.23.

Section B.5.53 (Waterfront – General Development Policies – Land Use Compatibility) of the Official Plan states: Where two different types of land uses are proposed (i.e. commercial/residential) adjacent to one another, the Township may require the preparation of additional reports as part of a complete application package to justify the development, including, but not limited to: noise assessment; tree preservation/landscape plan; traffic study; shadow study; market feasibility study;

and/or odour assessment; to satisfy the Township that no negative impact will result from the development.

Section B.5.54 (Waterfront – General Development Policies – Visual, Scenic, and Aesthetic Qualities) of the Official Plan states: Development shall have regard to compatibility of uses in the area and, where necessary, shall have provisions for buffering, screening, limiting built size, increasing setbacks, and lot dimensions, among others.

Section B.7.3 (Waterfront – Natural Areas) of the Official Plan states, in part: Development and site alteration shall not be permitted in:

a) Significant habitat of endangered species and threatened species.

Section B.7.6 (Waterfront – Natural Areas) of the Official Plan states, in part: Natural Areas where development may be permitted, subject to an Environmental Impact Study (EIS) demonstrating that there will be no negative impact on the Area's features or functions and which may be subject to site plan control, are as follows:

- a) areas within and adjacent to significant fish habitat in accordance with Provincial and Federal regulation;
- b) development adjacent to significant habitat of threatened or endangered species.

Section B.7.15 (Waterfront – Natural Areas – Heritage Areas) of the Official Plan states: Heritage Areas, as defined by the Natural Heritage Evaluation of Muskoka, can be identified as areas where natural or man made features which contribute significant historical, geological, biological, archaeological, scenic or other heritage value occur. Certain areas of the Township have been identified as Heritage Areas and are noted on Appendix B.

Section B.7.16 (Waterfront – Natural Areas – Heritage Areas) of the Official Plan states: Where Heritage Areas are identified, regard shall be had for their protection in evaluating development proposals.

Section B.7.17 (Waterfront – Natural Areas – Heritage Areas) of the Official Plan states: Development on lands adjacent to Heritage Areas shall not adversely impact on the heritage value of the area.

Section B.11.3 (Waterfront – Commercial Development Policies – Forms of Development) of the Official Plan states, in part: Tourist commercial development in the Waterfront shall generally take one of the following forms:

c) marina commercial development consisting of a building, structure, or place located on a waterway which provides facilities such as docking, storage for

boats and boat accessories, services, and repairs, and may include accessory uses that are complementary to the primary marina use; and,

Section B.11.4 (Waterfront – Commercial Development Policies – Forms of Development) of the Official Plan states, in part: Limited expansion, enlargement, or redevelopment of existing commercial establishments shall be permitted to approved limits detailed in the implementing comprehensive zoning by-law, as of the date of adoption of this Plan.

Section B.11.6 (Waterfront – Commercial Development Policies – Forms of Development) of the Official Plan states, in part: Expansion, enlargement, or redevelopment of commercial establishments beyond the approved limits, as established in zoning, requires an amendment to the implementing comprehensive zoning by-law and is subject to site plan control. Consideration of proposals shall take into account the suitability of the site and the ability of the surrounding area to accommodate and sustain the expansion, enlargement, or redevelopment. Proposals shall maintain the general intent of the Plan and the following guidelines will be used in their evaluation:

- a) the property is of sufficient dimension and size to accommodate the proposal. Specific densities will be established in the amending zoning by-law;
- b) the proposal should blend in with the waterfront setting and terrain, taking into account such issues as slope, vegetative cover, aesthetics, compatibility, and access;
- d) access routes shall have the capacity or be upgraded to handle additional traffic; and,
- e) the effect of the proposal would comply with the intent of any water quality policies of this Plan or the District of Muskoka Official Plan.

Section B.11.7 (Waterfront – Commercial Development Policies – Forms of Development) of the Official Plan states: All lands upon which resorts, marinas, waterfront contractors, retail, service commercial, and/or light industrial uses are located or permitted, shall be referred to as the Employment Areas of the Township.

Council recognizes that Employment Areas contribute substantially to the economic base of the Township. As such, Council supports the retention of all Employment Areas and operations in order to facilitate proper redevelopment and/or expansion. The conversion of Employment Areas to Non-Employment Areas shall be permitted through a comprehensive review, only where it has been demonstrated that the land is not required for employment purposes over the long term and that there is a need for the conversion.

Section B.11.20 (Waterfront – Commercial Development Policies) of the Official Plan states, in part: New marina development shall meet the following minimum lot requirements:

- a) a lot area of 0.8 hectares (2 acres);
- b) a water frontage of 75 metres (250 feet);
- c) a natural buffer to ensure compatibility with adjacent residential uses;

Section B.11.21 (Waterfront – Commercial Development Policies) of the Official Plan states: Marinas shall be encouraged to expand in a manner to provide additional boat storage thereby alleviating the pressure for docking facilities. Valet service in lieu of dock expansion is encouraged.

Section B.13.3 (Waterfront – Shoreline Structures) of the Official Plan states: Buildings, structures, or works extending beyond the normal or controlled high water mark or located at the shoreline shall be designed and located in a suitable manner so as to have regard for the following matters:

- a) critical fish and wildlife habitat;
- b) the natural flow of water;
- c) potential damage from flood and ice heaving;
- d) privacy; and,
- e) other shoreline, resource development, and environmental policies.

Section B.13.4 (Waterfront – Shoreline Structures) of the Official Plan states, in part: To maintain a balance of natural and built form, the maximum cumulative width of shoreline structures, including all docks, shall be the lesser of 25 percent or 23 metres (75 feet) of the lot's water frontage, with the exception of the following:

d) marinas which shall be limited to 75 percent;

Section B.13.5 (Waterfront – Shoreline Structures) of the Official Plan states: Shoreline structures shall not impede the immediate view of surrounding properties, as defined by the extension of property lines onto the water.

Section F.1.6.5 (Implementation – Zoning By-laws – By-law Administration) of the Official Plan states: In considering exemptions/minor variances to the Comprehensive Zoning By-law, Council shall consider, among others, the following matters:

- Cumulative impact on such matters as the environmental, visual/aesthetics, and lake character,
- Impact of decisions on future development in the Township,
- Habitable vs. non-habitable space,
- Setback from the lake,
- Size of building not in compliance with by-law (subject to the application),
- Whether the structure contains walls (i.e. Boatports, carports),
- Buffering from lake,
- Buffering from neighbouring properties,
- Terrain and possible building locations,
- Location of buildings on neighbouring properties,
- Visual impact,
- Impact on the natural shoreline.

Section F.23.1 (Implementation – Boat Impact Assessments) of the Official Plan states: Boating impact assessments are designed to quantify and qualify the effect of the addition of marine vessel traffic on recreational waters. The following provides a checklist of issues to be addressed in a boating impact assessment on waters in the vicinity of the proposal, among other matters:

- a) proposed docking and mooring facilities;
- b) location and number of nearby docking and mooring facilities for marinas, resorts, boat launching sites, and other sites where boating may be concentrated;
- c) expected frequency and distribution of marine traffic between proposed and nearby docking and mooring facilities and the main boat channel;
- d) reported accidents or other occurrences;
- e) constraints and influences to navigation, safety, recreational uses, and environmental concerns of the water resource; and,
- f) analysis of the projected impact of the proposal on the recreational water resource and methods to reduce any significant adverse impacts.