5.3 Resort Recreational District

5.3.1 Development Concept

East Ferris is endowed with two major water bodies, Trout Lake and Lake Nosbonsing. These water bodies have attracted substantial residential and recreational development over the years and are largely developed. This development, in turn, has had an impact on water quality. This district is expected to meet 10-15 % of the future housing requirements of the municipality.

The Plan recognizes that these lakes play an important role in the rural settlement pattern of the Township as well as provide opportunities for commercial recreational activities. This capability is primarily based on the interpretation of Canada Land Inventory land capability classification for outdoor recreation foremost of which is lodging. The intent of the Plan is to ensure that new development and redevelopment is controlled so that over the long term water quality will improve and the attributes and amenities of these lakes are conserved. Limited new development is anticipated and will be based on the ability of the land and water areas to accommodate the impacts of waste disposal and water oriented recreational activities on the natural environment.

The reader of this Plan should consider both the policies of this Section and the Lakeshore Protection policies of this Plan as follows.

5.3.2 Resort Recreational District - Lakeshore Protection Policy

1. Introduction

Council recognizes that both Lake Nosbonsing and Trout Lake are valuable recreational and environmental resources and as such should be protected from development that might cause further deterioration of their water quality. This Plan further recognizes that the Township of East Ferris has an obligation to adjacent municipalities who share the lakes with them as well as the existing residents and tourist camp operators located on these lakes, to protect the lakes by advocating a sensible land use policy for the use of the shore land and surrounding environment. (Reference should also be made to Sections 4.2.3 - Shoreline Structures, 4.19 - Sewage Disposal and Water Supply, 5.3.9 Seasonal to Permanent Conversions and 5.10 - Natural Heritage Features of this Plan for policies which supplement the policies of this Section of the Plan.)

5.3.3 Lake Protection Policy - Trout Lake

1. General

Numerous studies of Trout Lake have been conducted over the years. Two landmark studies of Trout Lake and its watershed have been completed to determine lake and watershed management strategies. The "Trout Lake Watershed Management Study" was completed for the North Bay-Mattawa Conservation Authority in conjunction with the Township of East Ferris and the City of North Bay in 1989. The "Trout Lake Pollution Control Plan" was completed by the City of North Bay in conjunction with the Ministry of the Environment in 1990. Planning policies for Trout Lake and its watershed are based generally on information provided by these two studies. Council recognizes that Trout Lake is a valuable community resource in that it is the sole source of drinking water for the City of North Bay as well as for private systems which draw their water directly from the lake. The key element in a multibarrier approach to providing safe drinking water for all users is source protection, involving the development and

enforcement of effective lake and watershed assessments, protection policies and programs. This water body is a significant recreational resource at the fringe of the urban area which offers unique opportunities not found in such close proximity to most Canadian communities. The shoreline of this water body has a special aesthetic appeal for the development of seasonal and permanent residential uses, and the general population wishes to see that special care is taken through strict lake and watershed development controls to maintain or improve its existing level of water, aesthetic and fishery quality. Further, Council recognizes that Trout Lake is an intricate system of living and non- living components which represents a highly valued community resource. The lake is oligotrophic, which means that it is a fragile resource which is highly sensitive to disturbances in the watershed due to human activity. It is imperative that individuals living near or using Trout Lake continue to act responsibly to minimize the impact of their activities on the shoreline, lake water quality and the fishery. It is also important for the shoreline and watershed property owners to note that individual actions taken on their land, whether by development or redevelopment have an impact on the quality of water in the Trout Lake ecosystem. The cooperation of property owners is essential to maintain and improve water quality, lake aesthetics, fisheries and other benefits upon which the community depends. The largest potential impact to the lake may come from redevelopment of existing lots and parcels of record which are undersized or do not meet current development standards including required setbacks and vegetative buffer zones. Phosphorus is recognized as the basic nutrient that causes eutrophication in Trout Lake. Eutrophication is the main threat to water quality. Eutrophication is at least partially controllable through planning policy. Council recognizes that all lands located within the Trout Lake watershed are connected to Trout Lake by surface and ground water drainage and that all uses in the watershed directly or indirectly influence Trout Lake.

It is the intent of Council that this Plan strictly control or limit the nature and extent of development along the shoreline of Trout Lake, including second tier or back lot development, development on islands in Trout Lake, development along watercourses flowing into Trout Lake and development in the Trout Lake watershed in general. It is the objective of these controls to maintain or improve the existing level of water quality, aesthetic and recreational quality to improve the lake's fishery. It is also the objective of these controls to minimize the disturbance of shoreline ecosystems and where there are adverse affects from development, to restore natural ecosystem functions. While maintaining this commitment to protecting the water quality of Trout Lake, limited residential development or the commercial equivalent will be permitted based on the exercise of appropriate controls on the siting of buildings and structures, including tile beds, and the use of the best available technology for phosphorus removal. It is also the intent of Council to establish a water quality objective for Trout Lake to identify the limits beyond which additional development along the shoreline and designated watercourses of Trout Lake will not be permitted. The objective shall consist of a water quality level for phosphorus and shall consist of a water quality level for dissolved oxygen to protect water quality and maintain the habitat necessary for the survival of lake trout. Should these levels be exceeded, the policies contained in this Plan pertaining to development in the Trout Lake watershed will be immediately reviewed. Based on existing water quality levels, the creation of approximately 20 new lots along the shoreline of Trout Lake or the bank of any designated watercourse flowing into the lake as identified on Schedule "D" and the development or redevelopment of existing parcels of record may be allowed, subject to the development controls and policies set out in this Plan. It is anticipated that there will be no adverse effect on the water quality of Trout Lake.

The Trout Lake watershed has been identified with an overlay designation as illustrated on Schedule ‘D’. The overlay designation provides an additional level of protection to these areas. The uses permitted shall be those permitted by the underlying land use designation provided

that the use also complies with the policies of the overlay designation. Whenever a policy in this Section conflicts with another policy contained in this Plan, the more stringent policy shall govern and apply unless specifically stated otherwise. Portions of certain watercourses which flow into Trout Lake have been designated separately on Schedule 'D'. This designation has been applied to those portions of watercourses with significant potential for impact on the water quality of Trout Lake. Lands with frontage on a designated portion of a watercourse will be treated in the same manner as those lands which front directly on the shores of Trout Lake.

2. Development Policies for Trout Lake

Consideration may be given to development proposals for lands within the Trout Lake watershed provided that such proposals are consistent with the following;

A) Water Quality Objectives

The creation of new lots where the on-site subsurface sewage disposal tile bed would be situated within 300 lineal meters (984.3 ft.) of Trout Lake or the bank of a designated watercourse flowing into Trout Lake as identified on Schedule "D" will be permitted provided that the water quality objective for Trout Lake is not exceeded. The minimum water quality objective for Trout Lake is to maintain a measured average long term ice free phosphorus concentration below 7.0 mg/L and to maintain a measured mean (average) hypolimnetic dissolved oxygen concentration above 8 mg/L.

B) Monitoring

Monitoring of the water quality of Trout Lake will be carried out on an ongoing basis by the appropriate agency in association with other partners in lake protection. In order to provide useful historical sampling data for effective management of the lake, Council shall continue to cooperate with other partners and commit reasonable resources to the tasks of a regular water quality sampling of Trout Lake.

C) Lot Creation Quota

The creation of new residential lots shall be phased over a period of time as follows: a maximum of 5 new lots will be permitted in each year (from requirement). Should either of the measured water quality objectives for phosphorus or dissolved oxygen be exceeded or there is a clear trend indicating that they will be exceeded, then no new lots shall be created along the shoreline and designated watercourses of Trout Lake.

D) Lot Size and Frontage

The minimum lot size for new lot creation shall be 0.6 ha (1.5 ac.) and the minimum lot frontage shall be 45 m (147.6 ft.) In conjunction with the requirements of Section 4.19 of this plan. Lots shall be properly proportioned, e.g., have sufficient depth, to accommodate the safe installation of a sewage disposal system.

E) Setbacks

It is the intent of Council to discourage the creation of new lots where the setback for on-site subsurface sewage disposal beds from the shoreline of Trout Lake or the bank of the

designated portion of a watercourse flowing into Trout Lake is less than 60 m (196.8 ft.). On existing lots of record, the minimum setback for on-site subsurface sewage disposal tile beds from the shoreline of Trout Lake or the bank of a designated watercourse flowing into Trout Lake as identified on Schedule "D" shall be 60 linear metres (196.8 ft.).

Minor variances to the minimum setback for on-site subsurface sewage disposal beds may be considered provided such applications are accompanied by a report prepared by a competent professional engaged in the science and design of subsurface sewage disposal systems that clearly indicates that a minor variance is justified, but in no case shall a minimum setback of less than 30 m (98.4 ft.) be approved.

F) Zoning

Applications to amend the Zoning By-Law in order to permit the conversion of seasonal dwellings to permanent dwellings may be approved on Trout Lake in accordance with Section 5.3.9 of this Plan.

G) Non-Residential Uses

Any application for a non residential use within 300 m (984.2 ft.) of Trout Lake shall be reviewed in consultation with the North Bay-Mattawa Conservation Authority. Further to Section 5.3.3 (3) above, non residential lots may be created provided the impact on the water quality objectives is not greater than the equivalent number of residential lots. Where non residential lots are created, this equivalent number shall be deducted from 20 or whatever residual number of lots remains on the date the application is accepted by the municipality.

H) Phosphorus Removal Technology

All new development within 300 m (984.3 ft.) of Trout Lake shall utilize a sewage disposal system which incorporates the best available technology Township of East Ferris Official Plan May 26, 1999 File P-840 47 for phosphorus removal as approved by the province.

I) Consents

Consents for lots within the Trout Lake watershed shall be reviewed in accordance with the policies contained in Section 8.16.2 of this Plan.

J) Plans of Subdivision

Applications for plans of subdivision or condominium of more than five lots or dwelling units within the Trout Lake watershed shall be accompanied by a Servicing Options Statement and a Hydrogeological Assessment of the environmental implications associated with the proposed development. The Hydrogeological Assessment will describe the prevailing hydrogeological conditions with regards to subsurface soil and groundwater conditions, available recharge, water quality and flow patterns. The hydrogeological report will also determine the anticipated impacts of the proposed services on the shallow groundwater regime and on the adjacent lake or water courses. The proposed creation of these new lots or dwelling units will only be considered where there is no significant adverse effect on the water quality and where the net increase in potential phosphorus export from the existing land use is less than 0.75 kg (1.6 lb.) per lot or dwelling unit per year (see also Sections 4.19, 5.3.3.2(A) and 8.16).

K) Vegetative Buffer

It is the intent of Council to require the establishment and/or retention of a natural vegetative buffer on lands within 15 m (49.2 ft.) of the shoreline of Trout Lake or a designated watercourse. In situations where the natural vegetative buffer will be reduced to accommodate the expansion of an existing building, the replanting of an area equivalent or greater than thearea required for the expansion, will be required (see illustration).

L) Management Controls

The above policies will remain in effect until effective management controls are in place. Effective management will be achieved when predicted average nutrient loadings will maintain or reduce existing nutrient levels in Trout Lake. This shall occur under a scenario where all existing lots of parcels of record are developed and a steady state nutrient loading is occurring.

5.3.4 Lakeshore Protection Policy - Site Plan Control

1. Area of Application

All lands within the Trout Lake Watershed Overlay Designation shall be designated as a Site Plan Control Area (see also Section 8.15).

2. Application Requirements

When an application is received for the development or redevelopment of a lot or parcel of record or for the disposition of a shoreline road allowance within the Site Plan Control Area, the application shall be complete and shall be accompanied by a site plan which shows:

A) The location of all existing or proposed buildings, structures, accessory buildings and sewage disposal systems with an indication of accurate dimensions and setback distances from lot lines and from an abutting watercourse or lake; and

B) The approximate location of all natural and artificial features on the subject land (e.g., roads, drainage ditches, wells, watercourses, banks, slopes, wetlands, wooded areas etc.).

3. Site Plan Control Guidelines

The application will be reviewed against a set of Site Plan Control Guidelines. The Site Plan Control guidelines shall determine if additional studies are necessary to support the application and a Site Plan Control agreement. The Site Plan Control guidelines will provide Township staff with checklists and explanatory text in order to develop appropriate Site Plan Controls respecting the following:

A) The siting of septic system components;

B) The siting of water supplies particularly drilled or dug wells;

C) Proposed site drainage;

D) House and/or building siting;

E) Requirements for the protection, conservation and/or revegetation; and

F) site grading and replacement of fill.

4. Natural Vegetative Buffer

When a Site Plan Control Agreement is required (under Section 5.3.4), for development or redevelopment on lands which front on Trout Lake or on a designated watercourse, a natural vegetative buffer of not less than 15 m (49.2 ft.) in depth along the shoreline or watercourse shall be identified on the site plan. The cutting or removal of trees, shrubs or ground cover will not be permitted within the natural vegetative buffer except for the removal of dead or diseased trees, debris or noxious plants or where a landscaped corridor not greater than 9 m (29.5 ft.) in width is required for access between the dwelling and shoreline. Council may require that a professional competent in shoreline landscaping be engaged to prepare a shoreline vegetation management plan suitable for conserving and sustaining the natural environment. (See illustrations)

5. Site Plan Control - Additional Information

Where deemed necessary, in accordance with the Site plan Control guidelines, Council, or its designate, may require additional site information, which may include:

A) A soils report which identifies site soil characteristics including soil type, depth, leaching characteristics, depth to water table, and mitigation measures for any soil deficiency related to a proposed use. The soils report may also address slope stability and erosion concerns based on the nature of the proposal and existing site conditions. This report should be verified by a soils analyst or consultant with demonstrated competence in soils analysis. This study should be sent to the North Bay-Mattawa Conservation Authority for review and comment;

B) A groundwater or surface water quality impact study which shows the impact of the proposed use on water quality and how this impact can be effectively be minimized:

C) A fisheries habitat assessment of the existing shoreline or stream with recommendations on how the existing habitat conditions can be preserved and/or enhanced; and

D) a screening plan showing how the proposed uses will be screened from view or how the existing aesthetic landscape of the waterfront will be preserved or enhanced.

5.3.5 Lakeshore Protection Policy - Lake Nosbonsing

1. General

Council recognizes that Lake Nosbonsing is a major resource for the Township of East Ferris as it supports extensive recreational and tourism uses and opportunities as well as a large number of seasonal and permanent residences. Council further recognizes that all lands located within the Lake Nosbonsing Watershed are connected to Lake Nosbonsing by surface and groundwater drainage and that all uses in the watershed directly or indirectly influence Lake Nosbonsing.

Planning policies for Lake Nosbonsing are based on recommendations outlined in the "Lake Nosbonsing Watershed Management Study, 1993". Council recognizes that Lake Nosbonsing is a productive lake ecosystem which is a highly valued community resource. Much of the Lake is mesotrophic which means that it can support a highly productive recreational fishery and provides other recreational opportunities to residents. The western basin of the lake is eutrophic, which means that the recreational opportunities are lower and that the fishery may be at risk. It is imperative that individuals living near or using Lake Nosbonsing continue to act responsibly to minimize the impact of their activities on the shoreline, the lake water quality and the fishery. In addition, it is necessary that measures be introduced to reduce current loadings of phosphorus into the watershed. It is the intent of Council to ensure that special care is taken through lake and watershed development controls to maintain or improve the existing level of water, aesthetic and fishery quality of Lake Nosbonsing. While maintaining a commitment to protecting the water quality of Lake Nosbonsing, limited residential and non residential development will be permitted based on the exercise of appropriate controls on the siting of buildings and structures, including tile beds, and the best use of available technology for phosphorus removal. Stewardship of the shoreline ecosystem as a resource is a mutual responsibility of the property owner and the municipality or the Crown. This means that the shoreline should be left in its natural state as much as is possible in order to conserve the importance of the ecological functions of both aquatic and terrestrial flora and fauna. With the exception of the East Basin of Lake Nosbonsing which has some very limited additional capacity for shoreline development, the creation of new lots along the shoreline of the Lake would cause phosphorus levels to exceed acceptable water quality standards.

The division between the East Basin and West Basin of Lake Nosbonsing has been identified on Schedule ‘D’ as the "East-West Basin Division." The division has been identified to indicate those parts of Lake Nosbonsing where different development policies will apply in recognition of differences in existing levels of water quality. Portions of certain water courses which flow into Lake Nosbonsing have been designated separately on Schedule ‘D’. For the purpose of this Plan, the division between the East Basin and the West Basin of Lake Nosbonsing is more particularly described as the height of land on Shield’s Point or the south shore respectively, which divides the flow of surface/ground water between the two basins. This designation has been applied to those portions of watercourses with significant potential for impact on the water quality of Lake Nosbonsing.

2. Development Policies for Lake Nosbonsing

Consideration may be given to development proposals for lands within the Lake Nosbonsing watershed provided that such proposals are consistent with the following;

A) Lot Creation

No new lots shall be created by consent, plan of subdivision or condominium where the on site subsurface sewage disposal tile beds would be set back less than 300 linear metres (984.3 ft.) From the shoreline of the West Basin of Lake Nosbonsing. This restriction shall remain in effect until such time that technologies which can effectively reduce impacts on the water quality of the Basin to an acceptable limit are available, proven and implemented. (This restriction also applies to the establishment of additional residential units). New lot creation may be permitted along the shoreline of the East Basin of Lake Nosbonsing, East of Shield’s Point, in conjunction with the requirements of Sections 4.19, 5.3.5 and 8.16 of this plan.

B) Lot Size and Frontage

The minimum lot size for new lot creation along the shoreline of the East Basin of Lake Nosbonsing, east of Shield's Point, shall be approximately 0.6 ha (1.5 ac.) and the minimum lot frontage shall be 45 m (147.5 ft.) In conjunction with the requirements of Section 4.19 of this Plan. Lots shall be properly proportioned, e.g., have sufficient depth, to accommodate the safe installation of a sewage disposal system. New lots granted in accordance with Section 8.16.2 (18) (b) shall be a minimum of 1 ha (2.47 ac.) in area with a minimum frontage of 90 m (295.2 ft.).

C) Setbacks

It is the intent of Council to discourage the creation of new lots where the setback for on-site subsurface sewage disposal tile beds from the shoreline of the East Basin of Lake Nosbonsing, east of Shield's Point, is less than 60 linear metres (196.8 ft.). On existing lots of record, the minimum setback for on-site subsurface sewage disposal tile beds from the shoreline of Lake Nosbonsing or the bank of the designated watercourse flowing into Lake Nosbonsing shall be 60 linear metres (196.8 ft.). Minor variances to the minimum setback for on-site subsurface sewage disposal tile beds may be considered provided such applications are accompanied by a report prepared by a competent professional engaged in the design of subsurface sewage disposal systems that clearly indicates that a minor variance is justified, but in no case shall a minimum setback of less than 30 linear metres (98.4 ft.) be approved.

D) Zoning

Applications to amend the Zoning By-Law in order to permit the conversion of seasonal dwellings to permanent dwellings may be approved on Lake Nosbonsing in accordance with Section 5.3.9 of this Plan.

E) Non-Residential Use

Any application for a non residential use within 300 m (984.2 ft.) of Lake Nosbonsing shall be reviewed in consultation with the North Bay-Mattawa Conservation Authority.

F) Consents

Consents for lots within the Lake Nosbonsing watershed shall be reviewed in accordance with the policies contained in Section 8.16.2 of this Plan.

G) Plans of Subdivision

Applications for plans of subdivision or condominium of more than five lots or dwelling units within the Lake Nosbonsing watershed shall be accompanied by a Servicing Options Statement and a Hydrogeological Assessment of the environmental implications associated with the proposed development. The Hydrogeological Assessment will describe the prevailing hydrogeological conditions with regards to subsurface soil and groundwater conditions, available recharge, water quality and flow patterns. The hydrogeological report will also determine the anticipated impacts of the proposed services on the shallow groundwater regime and on the adjacent lake or water courses. The proposed creation of these new lots or dwelling units will only be considered where there is no adverse effect on the water quality and where the

net increase in potential phosphorous export from the existing land use is less than 0.75 kg (1.6 lbs) per lot or dwelling unit per year (see also Sections 4.19, 5.3.5.2(A) and 8.16.1). On the West Basin of Lake Nosbonsing, West of Shield's Point, on-site subsurface sewage disposal tile beds shall be set back a minimum of 300 linear metres (984.3 ft) from the shoreline of the Basin and on the East Basin of Lake Nosbonsing, East of Shield's Point, on-site subsurface sewage disposal tile beds shall be set back a minimum of 60 linear metres (196.8 ft) from the shoreline of the Basin or the bank of a designated watercourse identified on Schedule "D" to this plan.

H) Vegetative Buffer

It is the intent of Council to require the establishment and/or retention of a natural vegetative buffer on lands within 15 m (49.2 ft.) of the shoreline of Lake Nosbonsing or a designated watercourse. In situations where the natural vegetative buffer will be reduced to accommodate the expansion of an existing building, the replanting of an area equivalent or greater than the area required for the expansion, will be required. (See illustrations)

I) Management Controls

The above policies will remain in effect until effective management controls are in place. Effective management will be achieved when predicted average nutrient loadings will maintain or reduce existing nutrient levels in Lake Nosbonsing. This shall occur under a scenario where all existing lots of parcels of record are developed and a steady state nutrient loading is occurring.

3. Site Plan Control

The provisions for Site Plan Control set out in Section 5.3.4 above shall have similar application to development or redevelopment on Lake Nosbonsing.

5.3.6 Lakeshore Protection Policy - Lake Nosbonsing Wetlands

1. General

The Shoreline wetlands of Lake Nosbonsing are critical components of the lake's ecosystem. They serve as rearing areas for fish, refuges for wildlife, traps for nutrients from inflowing streams, maintain special vegetative communities and contribute to landscape quality. Major wetlands bordering Lake Nosbonsing include an area north of the Astorville embayment (Astorville Wetland Complex), the mouth of Depot Creek (Depot Creek Wetland), adjacent to South Bay (South Shore Road Wetland in Bonfield Township) and adjacent to Railway Bay (Quae Quae Wetland Complex). (See Appendix 2 for illustration of wetland areas.) The above noted Lake Nosbonsing Wetlands have been designated on Schedules 'A and D'.

2. Development Policies

Within the Lake Nosbonsing Wetlands, development shall be restricted to open space, forestry and agricultural uses, excluding structures and development which requires major land form modification. (See also Section 5.10.)

5.3.7 Lakeshore Protection Policy - By-Law to Regulate Septic Tanks

It is recognized that the potential impact to the water quality of Trout Lake and Lake Nosbonsing from private sewage disposal systems can be reduced by the periodic pumping out of septic tanks to remove solids. It is the intent of Council to regulate its municipal by-law which requires the septic tank of every private sewage disposal system on any lot which fronts on Trout Lake or lake Nosbonsing or a designated watercourse flowing into those lakes to be pumped out on a regular basis as set out in the said by-law. Council will continue to monitor the impacts of septic tanks on water quality in both lakes.

5.3.8 Resort Recreational District - Permitted Uses

1. Scope of Uses

The Resort Recreational District designation of land will mean that the predominant use of land shall be for permanent residential dwellings, seasonal dwellings and recreational oriented commercial uses.

2. Physical Constraints

The Plan should not be interpreted as allowing the complete development of the entire area designated for Resort Recreational uses. Certain areas may be entirely unsuited to development because of poor drainage or impermeable bedrock, while others may have development constraints such as thin soil cover over bedrock.

3. Zoning

The implementing Zoning By-Law shall recognize the existing zoning of lands for the permanent dwellings (in existing on January 11, 1989) within the Lakefront Residential (RL) Zone and provide for the rezoning of lands to permit seasonal to permanent residential conversions and of existing lots of record which comply with the criteria set out in Section 5.3.9. The By-Law shall also provide zoning standards for new lots created in accordance with Section 8.16.2(18)(b) of this Plan. Zoning Standards that reflect the locational criteria set out in Sections 5.3.3 through 5.3.12 shall also be established.

5.3.9 Resort Recreational District - Seasonal to Permanent Conversions

Amendments to the zoning by-law to permit the conversion of seasonal dwellings to permanent dwellings may be approved providing Council is satisfied that:

1. The lot, building and construction standards applying to permanent homes can be met;

2. An adequate supply of potable water and an acceptable method of sewage disposal can be provided;

3. The lot fronts on a year round publicly maintained road or there is a legal right-ofway registered on title of sufficient width and bearing capacity to accommodate vehicular traffic which right-of-way provides access from the lot to a year round publicly maintained road;

4. The lot size will meet the requirements of the implementing Zoning By-Law;

5. The conversion will not, in Council's opinion, require an undue extension of services at public expense;

6. The applicant has demonstrated that the existing or proposed sewage disposal system meets the requirements of the Building Code. More particularly, the capacity of the sewage disposal system shall be designed to accommodate the sewage flow and/or size of the dwelling;

7. The existing or proposed septic (tile) bed area shall generally be established at a minimum setback of 60 m (196.8 ft.) from the shoreline of the lake as measured from the shortest horizontal distance and in no case shall a minimum setback of less than 30 m (98.4 ft) be approved. An application to reduce the setback requirement to less than the 60 m (196.8 ft.) setback shall be accompanied by a report prepared by a qualified professional in the practice of the science and design of sub-surface sewage disposal systems justifying the extent of the proposed reduction.

8. The sewage disposal system incorporates the best available technology for phosphorous removal acceptable to the public body having approval authority; and

5.3.10 Resort Recreational District - Residential Uses

1. Subdivisions

New residential subdivisions should be designed so as to avoid the complete development of the shoreline with a single row (tier) of lots. A comprehensive design of larger areas shall be encouraged, ensuring that where appropriate, adequate provision has been made for the development of park and/or recreational facilities as well as public access to water. Where the developer is unable to provide direct access to the waterfront and deed shore land for public open space purposes, as part of the 5% park land conveyance, Council shall assess the possible impact of the proposal on existing facilities in the area. Where deficiencies exist and these can be alleviated through co-operation with the developer either on site or in a nearby location oriented to the water, favourable consideration may be given to such plan of subdivision.

2. Development Criteria

Subdivisions in the Resort Recreational District shall have regard to the policies of Sections 5.3.2 through 5.3.7 - Lakeshore Protection Policies, and where there is a conflict, the more stringent standards shall apply. The following additional development criteria shall apply in considering applications for subdivisions:

A) The need for the proposed subdivision based on substantiating the housing supply and demand; (see also Section 4.10)

B) The physical suitability of the land for the proposed use with respect to the susceptibility of the site to flooding or erosion, the suitability of the site for building purposes and, in the case of a site abutting a narrow water body or channel, the capability of the water body to accommodate accessory boat houses, docking facilities and shoreline structures (see also Section 4.2.3) without interfering with boat traffic and safe navigation;

C) The lake development capacity;

D) The compatibility of the proposed subdivision with adjoining uses and the effect of such development on the surrounding area;

E) The lot size which shall be a minimum of 0.6 ha (1.5 ac.) with a minimum corresponding lot frontage of 45 m (147.6 ft.);

F) The requirements for servicing set out in Section 4.19 shall be met;

G) The subdivision shall have frontage on and direct access to a year round publicly maintained road. Development of subdivisions on islands shall only be permitted where Council is satisfied that there is public access on the main land, that there is adequate parking for each lot in the subdivision, that there is adequate boat docking and that provision is made for garbage removal and disposal.

3. Single Lot Development

Single lot development for seasonal or permanent residential uses may be permitted subject to meeting the requirements of Sections 4.19, 5.3.2 through 5.3.7 and Section 8.16.2 of this Plan. Lot size shall be a minimum of 0.6 ha (1.5 ac.) with a corresponding frontage of 45 m (147.6 ft.) unless more stringent standards apply. The general design principles set out in Section 5.3.10 (2) above shall apply for mainland or island development and in addition, natural vegetation and amenities shall be conserved.

4. Recreational Vehicles

Recreational vehicles shall be permitted in accordance with the above policies and the policies of Section 5.2.10 of this Plan.

5.3.11 Resort Recreational District - Recreational Commercial

1. Permitted Uses

Recreation oriented commercial uses shall include fishing and hunting camps, lodges, housekeeping cabins and cottages together with retail and service uses accessory to such uses and located on the same or an adjacent property, recreational vehicle parks, private or public camps together with retail and service uses accessory to such camps and located on the same or an adjacent property, private clubs (other than water ski, power boat, motor car, motor cycle or shooting clubs) and other commercial uses associated with recreation including retail and service uses, marinas, boat sales, rental and servicing. Accessary uses shall include an attached or detached single dwelling unit for the resident owner/operator.

2. Development Criteria

It is the intent of the Plan to permit recreation oriented commercial facilities tolocate in the Resort Recreational District designation subject to the following criteria:

A) That the site has a minimum frontage of 150 m (492.1 ft.) when located on a lake or a minimum frontage of 60 m (196.8 ft.) when located on a public road and no portion of the site abuts a lake;

B) It shall be clearly demonstrated to the satisfaction of Council that the need for the proposed commercial use is justified in the area in question, e.g., marketing evidence or business plan;

C) That such uses are permitted only by an amendment to the Zoning By-Law;

D) That adequate buffering shall be provided between the commercial use and nearby residential areas. The land in such a buffer area shall be devoted to no other purpose than landscaping;

E) That adequate provision shall be made for boat docking, garbage disposal and off-street parking of vehicles generated by the proposed use;

F) That on-site servicing comply with Section 4.19.

G) That facilities for the sale of gas and oil and for the fuelling of marine craft shall be provided at a separate pier or dock area from where other craft are docked and meet the requirements of the Gasoline Handling Code or Propane Code;

H) That lighting poles and other surface utilities shall be carefully sited and advertisements or signs shall be well designed in order to maintain the appearance and amenity of the area;

I) that the applicant enter into a Site Plan Control Agreement under the Planning Act (see Section 8.15).

3. Existing Uses

Existing recreational commercial uses may be zoned to permit such uses to continue in their established location.

4. Recreational Vehicles

The provisions of Section 5.2.10 (2) shall apply to the development of recreational vehicles in the Resort Recreational District.

5.3.12 Resort Recreational District - Public Recreational Uses

1. Permitted Uses

The development of recreational facilities of an active or passive nature by the Township or other public agencies shall be permitted in the Resort Recreational District designation provided that such recreational uses do not provide for seasonal or permanent residential facilities.

2. Development Criteria

The following development criteria shall apply:

A) That adequate public access to the water is provided;

B) That adequate parking and access from a public road be provided;

C) That such development shall be compatible with adjacent uses and where necessary, adequate screening shall be provided between recreational uses and adjacent residential development; and

D) That the lot size and frontage is adequate for the intended use.

5.3.13 Resort Recreational District - Zoning

Permitted uses in the Resort Recreational District may be placed in as many zones as may be required to implement the policies established for the Resort Recreational District. Zoning categories are intended to reflect the locational criteria set out above as well as to establish standards appropriate to the scale of rural development, e.g., lot size, setbacks, lot coverage, parking, landscaping or buffering etc.