

19 September 2013

Township of Carling  
2 West Carling Bay Road  
R.R. # 1  
Nobel, On  
P0G-1G0

Attention: Maryann Weaver

Subject: Deep Bay Watershed and Lake Management Plan

As follow-up to the Carling Township Committee Meeting of 6 September 2013, the Deep Bay Association would like to take this opportunity to comment with the following positions that were outlined by John Jackson:

1. Water quality is the major concern of the residents of Deep Bay as evidenced by the Carling Township community survey of February 2011 (the "Survey") and was the driving force of the Lake Plan and its contents.
2. The application of the Lake Capacity Model is inappropriate for Deep Bay because it is not an inland lake. Deep Bay is an embayment of Georgian Bay as emphasized by the Schiefer report "Water Quality Survey of Deep Bay, 2005" and as reflected in the Lake Plan at 3.2 – Deep Bay Characteristics.
3. We are in agreement with the current policy for governing new development on Deep Bay based on the non- impact designs of septic systems that are enforced under site plan control as was the case in the BackGlanz development.
4. Additionally to the comments made by Mr. Jackson, we fundamentally reiterate the importance of septic systems re-inspections and remediation of faulty septic systems as stated in the Lake Plan at 2.3 – Overview of Principles. We would like the Official Plan to require the Township to make its best efforts in respect of this need.
5. Our position on the current recreational capacity policy guidelines section 21.05.02 of the Official Plan is that we do not support further implementation of regulations at this time as set out in 2.3 (Overview of Principles) of the Lake Plan.
6. In reference to Aesthetic Controls, in the Survey, residents and users of Deep Bay expressed the view that they are in favour of protecting the health and natural beauty of Deep Bay. We support the Aesthetic controls as outlined in the Official Plan, but we do not see the need for further By-Laws to implement them at the current time.
7. Finally, we request the complete 3 page Executive Summary of the Deep Bay Watershed and Lake Management Plan as written to be part and parcel of the Carling Township Official Plan.

We look forward to working together with the Township to incorporate the Deep Bay Watershed and Lake Management Plan into the Official Plan.

Thank you  
Sincerely yours,  
Deep Bay Association  
Gary Bauer

Township of Carling



**AGENDA**  
**COMMITTEE OF THE WHOLE**

**Council Chambers**  
**#2 West Carling Bay Rd., Nobel, ON**  
**10:00 a.m.**  
**Friday, September 6, 2013**

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**10:00 a.m. DEEP BAY ASSOCIATION. LAKE MANAGEMENT PLAN.**

Pages: 1-7

**10:30 a.m. MUNICIPAL INSURANCE RENEWAL PROPOSAL**

Documents to follow.

**10:45 a.m. PUBLIC WORKS:**

- 1. TRANSFER STATIONS – CLEAR BAG POLICY**
- 2. PROPOSED TRAFFIC CALMING MEASURES – SAND BAY RD.**

Pages: 8-26

- 3. SWIM PROGRAM FINAL REPORT 2013**

Pages: 27-31

**11:30 a.m. CARLING WATER ACCESS POINTS**

**12:00 p.m. LUNCH**

**12:30 p.m. CLOSED SESSION**



June 19, 2013

Township of Carling  
2 West Carling Bay Road  
R.R. #1  
Nobel, On  
P0G 1G0

Attention: Maryann Weaver

Subject: Deep Bay Association – Lake Management Plan

Thanks Maryann for sending me a copy of the DBA Lake Plan. I had a quick read and would comment as follows.

1. In general, the purpose and philosophy of the Deep Bay plan share the same principles of Carling's official plan.

Section 27.07.2.5 of the official plan states:

**“Council supports a community-based Lake Plan for Deep bay which may be incorporated into this Plan. New major developments will be discouraged until this Lake Plan is developed.”**

The Lake Plan is not quite complete and although the outstanding items appear somewhat minor and technical in nature, it would seem that a formal recognition of the Lake Plan in the Official Plan should only take place when it becomes finalized and is endorsed by the Deep Bay Association.

2. The authors of the Lake Plan have been very thorough and there is a lot of technical information that will form a strong basis for understanding the dynamic relationships between the many factors and forces that influence a lake community. The Lake Plan properly recognizes the ever changing nature of a lakes character and the information needed to consider the ongoing dynamics of this character. The Plan is also careful not to put forward judgements about the three components that most often arise when referring to lakeshore development.

However, for the purpose of Council understanding how the Official Plan should be interpreted or altered to reflect the aspirations of the Lake Plan, these components should be given a little more consideration to assist and guide council. These include: Lake Capacity as it relates to water quality; Lake Capacity as it relates to lake surface to dwelling unit ratio; and shoreline aesthetics.

3. **Water Quality**

The Lake Plan has a very extensive and thorough discussion on the issue of water quality, its various components and how policies should be, or could be applied respecting any new development.

The relevant policy in the official plan states:

- “21.04.3 The Municipality supports the lakeshore capacity model of the province and this Plan will only permit development along its recreational waterbodies that complies with the most current water quality objectives.**
- 21.04.4 The most significant impact on water quality is the increased level of phosphorus that enters the waterbody. It is recognized that there is a relationship between development adjacent to a waterbody and the potential for increased phosphorus loading into the waterbody.**
- 21.04.5 The Township of Carling will require the establishment of regulations and development design criteria that represent best management practises that minimize or mitigate against the loading of phosphorus into waterbodies.**
- 21.04.6 These practises to mitigate against the loading of phosphorus into recreational waterbodies will include but not be limited to:**
- (a) increased setbacks of septic systems from the shoreline;**
  - (b) use of septic system design techniques that minimize or reduce nutrients from entering the waterbody on lakes that have remaining capacity. Septic removal technology cannot be used on lakes that are at capacity;**
  - (c) preserving natural vegetation buffers between development and the shoreline;**
  - (d) using new innovative technologies in septic system installations that minimize nutrients entering the waterbody;**
  - (e) encouraging property owners of existing septic systems to upgrade existing systems to current standards;**
  - (f) undertaking regular inspections and re-inspections of septic systems; and,**
  - (g) encouraging continued support and efforts with other levels of government to research, establish and promote more appropriate sewage disposal systems for shoreline development.**

**21.04.7 An assessment of carrying capacity will be required for all inland lakes where the current phosphorus concentration (based on spring sampling) is modelled or measured 50% above the pre-development background concentration. If the lake is determined to be at capacity, it is closed to new development unless it can meet the criteria outlined in section 12.01.5.”**

The official plan applies an approach to Deep Bay that treats it as an inland lake.

There has been an assessment of the water body and it appears that Deep Bay is a “poor” fit to the “background plus fifty percent” approach to residual capacity (Michalski). As the Lake Plan describes, the baseline plus fifty percent is not always relevant to shallower, warm water lakes.

The dilemma for Council is the development potential on the shoreline, although limited, has the ability to generate a significant number of new lots at the current zoning by-law standards. A copy of the land use map illustrates the lands that have land division rights based strictly upon frontage standards.

The current policy for governing new development on Deep Bay based upon water quality, directs that as long as septic systems are designated as “non impact”, this component may be eliminated as a constraint.

#### **4. Recreational Capacity**

There has historically been a perceived correlation between the number of cottages around a lake. This relationship continues to be recognized in Carling’s official plan.

##### **“21.05 Recreational Capacity**

**21.05.1 The waterbodies of the Township of Carling are a major recreational resource that should be accessible and available for the enjoyment of all members of the public, residents and visitors alike, with each sharing equally in ensuring their proper management.**

##### **21.05.2 Inland Waterbodies and Substantially Enclosed Bays**

**21.05.2.1 Inland Waterbodies and substantially Enclosed Bays have a physical capacity to accommodate waterfront development and the related activities including boating, fishing and swimming.**

**21.05.2.2 Recreational carrying capacity is a measure of the number of users that can be accommodated on the surface of a lake while maintaining the recreational amenity of the waterbody. For this reason, measurements of recreational carrying capacity shall be based on the size of the recreational waterbody.**

**21.05.2.3 Guidelines for the calculation of recreational carrying capacity are based on the following formula:**

- i) **Net surface area is calculated by reducing the total lake surface area by the surface area within 30 metres of the shoreline.**
- ii) **A density of one residential unit for every 1.6 hectares and one tourist accommodation unit for every 0.8 hectares of net surface area shall be permitted.**
- iii) **Distinct bays having connections to a larger portion of a waterbody less than 60 metres wide shall be considered as a separate waterbody for the purpose of the capacity calculation.**

**21.05.2.4 In order to minimize the impact of development on carrying capacity of a waterbody the Township will consider restrictions on docks, access, and/or boating regulations.”**

The Lake Plan discusses some of the background to the recreational carrying capacity model.

It turns out that while the general concern over lake densities is theoretically problematic, in practise, it tends not to be the case. The original model was developed in a different era (gas was cheap, demographics were reversed, land was cheap). Today, very little pleasure boating takes place comparatively speaking. It has also been recognized that peak boating periods (long weekends in the summer) often deters many from boating during these busy times.

Using the above official plan policy guidelines, it would appear that Deep Bay is well over capacity. Howe does DBA wish this policy to be applied?

5. **Aesthetic Controls**

The official plan has a number of general policies that support the preservation and protection of the natural landscape along the shoreline of the various waterbodies. This is a common theme in the Lake Plan.

**“7.04.7 In Carling Township, the predominant principle in its vision or philosophy will be to avoid or eliminate “over development” in all areas. “Over development” is interpreted to be the introduction of artificial structures or activities to an extent that is significant enough to alter the character of an area or neighbourhood in the municipality or would cause significant damage to the environment, particularly the shoreline. Preserving the water quality of the municipality’s recreational waterbodies is the single highest priority for Carling Township when considering waterfront development.**

- 8.01** The goal of the Official Plan for the Township of Carling is to preserve the high quality of the natural and physical environments that generate a high level of appeal for residents and visitors to the Township. Preserving the water quality of the municipality's recreational waterbodies is the single highest priority for Carling Township when considering waterfront development.
- 9.01** To maintain, protect and enhance the natural environment within the Township by requiring development or redevelopment to adhere to the principles of sustainable development. Sustainability is defined to ensure that there are minimal or no adverse impacts on the natural resources of the municipality and that the management of environmental resources is considered for future as well as existing inhabitants of the Township. Preserving the water quality of the municipality's recreational waterbodies is the single highest priority for Carling Township when considering waterfront development. When considering impacts on the natural resources, such impacts will be viewed from a cumulative perspective as more than one "minimal" such impact may become adverse.
- 21.03.2** It is the policy of the Township of Carling that the natural landscape should dominate the character of the waterfront. Regulations on built form shall be devised to ensure this dominance and restrictions will be put in place to protect tree cover and other natural vegetation along the shoreline. In particular, the removal of excessive numbers of trees and the planting of lawns within 20 metres of the shoreline will be discouraged.
- 21.06.1.1** The principle objectives of the policies for development in the waterfront area of the Township of Carling are to preserve, maintain and enhance the natural features of the shoreline and ridgelines.
- 21.06.1.2** In order to preserve the natural character of the shoreline, the following principles should be applied:
- (a)** preserve as much of the natural landscape as possible;
  - (b)** maintain natural vegetation buffers of an effective depth along the shoreline;
  - (c)** impose strong, but reasonable, building restrictions near and adjacent to the shoreline;
  - (d)** apply aesthetic controls to ensure there is minimum visual impact on the natural shoreline conditions and aesthetic qualities of the waterfront;
  - (e)** limit blasting along the shoreline;
  - (f)** adopt the principles associated with "dark skies";
  - (g)** limit dredging and filling; and
  - (h)** promote revegetation of disturbed areas along the shoreline.

**21.06.3.1 There are a number of structures that have been traditionally located at or near the shoreline of waterfront properties. However, the placement of these structures on the waterfront is inconsistent with the shoreline development principles for Carling Township.”**

The Lake Plan does not provide any sense of the direction it may desire in terms of implementing these aesthetic control measures.

It is recognized that the Township must be conscious of the balance between adding new regulations or controls in contrast to criticisms of over-governing. This is a view that often comes forward in surveys and development reviews. However, Council may be interested in knowing the community’s position on:

- site plan control;
- site alteration;
- architectural control;
- tree cutting restrictions;
- vegetative buffers;
- dredging/blasting;
- filling.

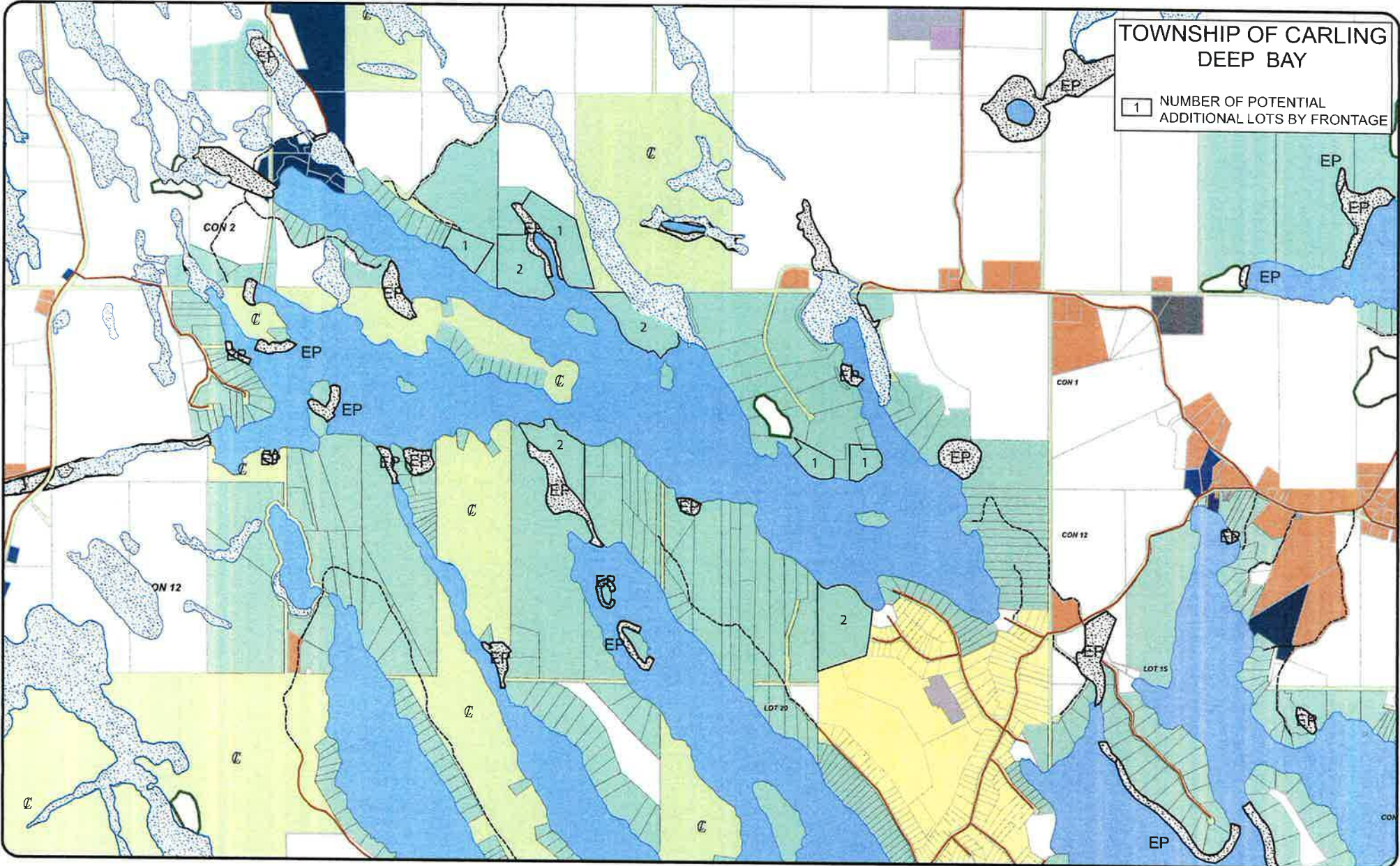
Presently, Council does not aggressively deploy these control measures but it undoubtedly would benefit from the associations thoughts on these matters.

Overall, the Lake Plan is thorough and well written. The association and participants should be highly commended.

Regards.

  
John Jackson





TOWNSHIP OF CARLING  
DEEP BAY

1 NUMBER OF POTENTIAL  
ADDITIONAL LOTS BY FRONTAGE

0 200 400 800 1,200 1,600  
Meters