

Land Use Planning Provisions for Fox Lake based on the Lake Plan for Fox Lake

for incorporation into the Town of Huntsville's Official Plan

November 2017

1. Background

- 1.1** Fox Lake is a small lake with an area of 140 hectares (350 acres), approximately 10.7 kilometres of shoreline and a mean depth of 5.7 metres. Part of the western arm of the North Muskoka River Watershed, Fox Lake's source water comes primarily from the Buck River to the north controlled by the Buck River (Campbell) Dam. Fox Lake drains south through the Fox Tail, controlled by the Fox Lake (Hoodstown) Dam, to Lake Vernon and on to Huntsville.
- 1.2** The Fox Lake community comprises the shoreline and back lots surrounding Fox Lake, the Buck River from its mouth upstream to the Campbell (Buck River) Dam and the Fox Tail from its mouth downstream to the Hoodstown (Fox Lake) Dam. It includes year-round and seasonal residents and two summer camps.
- 1.3** The Fox Lake Association adopted a Lake Plan in 2009 that provides a stewardship approach for members of the lake community to work cooperatively to maintain the health and quality of the lake and the surrounding environment.
- 1.4** The small size and unique shape of Fox Lake, which includes several narrow water bodies and islands, create constraints that make the lake particularly vulnerable to overdevelopment.

2. Vision Statement

- 2.1** Fox Lake is envisioned to be a community of neighbours who share common values, respect each other's choices and work together to achieve common goals in the tradition of a small cottage lake in a rural Muskoka environment.
- 2.2** The community and its stakeholders want the area to reflect the natural, rural and waterfront characteristics for which people have traditionally come to the area. They are concerned about the natural environment and want the lake, the shoreline and the surrounding landscape to remain a relatively natural and healthy environment for wildlife and fish as well as for the use and enjoyment of the Fox Lake community.
- 2.3** A life style is envisioned that includes traditional water-related activities, accommodates a variety of recreation and life style interests and is concerned about safety and the intrusion of urban features such as traffic, excessive clearing of natural vegetation, noise and light pollution.

3. Policies

To achieve the Fox Lake vision, the Fox Lake community has identified four priority areas that are essential to maintaining and protecting the unique character and natural features of the lake. These priority areas are: restriction of development intensification, protection of shoreline, management of boat traffic and preservation of sites of unique heritage and environmental significance.

3.1 Restrict Development Intensification to Protect Shoreline Buffer, Water Quality, Water Safety and the Aesthetic Natural Environment

3.1.1 Background

- Fox Lake has reached its capacity for development. The southern basin of the lake is over developed as a result of early development when building on small lots was permitted. There are currently over 30 lots with 50 to 100 feet of waterfront. If the current 200 foot waterfront requirement had prevailed at the time of subdivision, only 10 residences would have been constructed on this portion of the shoreline. The rest of the shoreline has been almost completely developed, guided by the minimum 200 feet of waterfront.
- There are few vacant shoreline lots on Fox Lake and several of those listed by MPAC are too small to develop. Recently, lots have been developed along the Fox Tail shoreline and a plan to subdivide a large lot for development on the Buck River shoreline has been proposed.
- Existing development is intensifying land use as residences/cottages are being expanded or replaced with much larger homes.
- More than 25 residences are now occupied year round.
- There are growing challenges of boat congestion in peak season. The average number of boats on the lake increased by 64% between 2014 and 2017.¹ The size and shape of the lake limits the open water space for boat recreation to an estimated 286 acres.
- The lake is under stress environmentally with ever increasing shoreline erosion and loss of habitat. The community's use and enjoyment of the lake is undermined by loss of the aesthetic natural shoreline and growing boat safety risks.

3.1.2 Policy

- The frontage requirement for new lot creation on Fox Lake shall be not less than 90 metres (300 feet)²
- The frontage requirement for a new lot on the Buck River shall be not less than 120 metres (400 feet) and shall have significantly increased setbacks

¹ Fox Lake Boat Survey, 2014, 2015, 2016. 2017. Average count of all boats visible from the lake in the water or onshore on the July and August long weekends.

² Lake Menominee has minimum frontage for new lot creation of 120 meters (400 feet). It is smaller than Fox Lake (240 acres vs our 350) with a shoreline of 6.8 kilometers. Peninsula Lake also requires 120 meters of frontage.

- The frontage requirement for a new lot on the Fox Tail shall be not less than 120 metres (400 feet)
- Linear residential development shall be preferred and no cluster development or multi-unit shoreline development shall be permitted
- Any development upstream of the lake shall be assessed with regard to its impact on the water quality of Fox Lake
- Dark night skies shall be protected by encouraging night sky sensitive lighting as part of building plans and site plan agreements

3.2 Protect the “Ribbon of Life” and Preserve the Natural Shoreline and Wetlands

3.2.1 Background

- The Fox Lake Land Use Survey for 2013 reflects the long term loss of aquatic vegetation due to high summer water levels, a substantial (see section 3.1) increase in wave action and wake damage due to increased boat traffic, changes in nutrient load, clearing of vegetation by residents and most recently, consumption by geese and deer.
- The Muskoka Watershed Council reported that the backshore was 72% natural in 2013, down from 75% in 2003. The Council has set 75% as the threshold marker for the health of a lake. This decline is attributable to the removal of trees and undergrowth within the shoreline buffer on many properties.
- Unbuffered lawns (which attract geese) increased by 27% between 2003 and 2013, and thinned forest in the back shore space between the waterline and the dwelling increased by 47%.
- An unauthorized land fill in the wetlands at the mouth of the Buck River reduced wetlands by 12%.
- The lake is impounded by two dams controlled by the Ministry of Natural Resources and Forestry. The controls maintain summer water levels higher than historical averages and generate wide fluctuations in water levels which have negative impacts on wildlife nesting and shoreline erosion.

3.2.2 Policy

- The Town’s by-laws limiting the clearing of natural vegetation in the shoreline buffer including the near shore (littoral zone) and back shore (riparian zone – the 20 to 30 meter building set back) shall be strictly enforced.
- The setback or shoreline buffer along the Buck River shall be extended to preserve the pristine natural environment along the river with access to the waterfront limited to a .5 meter footpath.
- Boathouses, boat ports and other in-water structures including crib docks shall not be permitted below the high water mark. Small docks supported by posts or floats shall be permitted on the lake and the Fox Tail, but not on the Buck River.
- The creation of new shoreline land, reconfiguration of shoreline areas or the disruption of wetlands by dredging or adding fill shall be strictly prohibited.

- The visibility and character of the rock pile and surrounding wetlands in the north bay shall be maintained.
- The natural character, heritage features, sensitive shoreline and wetlands along the Buck River and Fox Tail shall be maintained.
- High profile development above the tree line and visible from the lake shall be discouraged on backlots and heights of land, especially on Mount Ararat.
- Efforts to reduce high water levels and frequent water level fluctuation to reduce shoreline erosion shall be supported.

3.3 Manage Boat Traffic to Enhance Safety and Reduce Shoreline Erosion

3.3.1 Background

- As mentioned in 3.1.1, boat congestion is a major challenge during peak season as the number of boats on the lake increased by 64% between 2014 and 2017 from 222 to 364.
- Risks to boat safety are rising due to the rapid increase in the boat density on the lake in the summer, the inherent conflict of interest between fast and slow boats and motorized and non-motorized boats, and the fixed amount of water space available for water recreation on a small, narrow lake with three islands and several deep bays.
- Shoreline erosion from wake damage is increasing with the increasing traffic of wake boats, personal water craft and high speed power boats.
- While public education on boat safety can and should be improved by the FLA and all levels of government, the main policy responses within the jurisdiction of the Town of Huntsville that can contribute to managing the number and impact of boats on the lake are to limit new development as set out in 3.1.1 as well as the following:

3.3.2 Policy

- “No Wake” zones shall be posted and maintained in the Buck River and the Fox Tail.
- No public or commercial boat launch site shall be permitted on the lake.
- Public water access points shall not be developed with the exception of the two heritage portage routes.
- No marina or boat rental facility shall be permitted.

3.4 Preserve Unique Sites of Cultural, Historic and Environmental Significance

3.4.1 Background

- The Buck River is largely a Natural Resource Zone. It meanders from the Campbell Dam to Fox Lake for 4.6 kilometers (2 kms in a straight line) bordered by wetlands and vegetation that provide significant wildlife habitat. It is regarded as one of the few remaining examples of pristine wilderness in Muskoka and functions as part of the natural heritage system in the area.
- A 1997 North Fox Lake Subdivision Agreement designed to buttress the zoning protection of the river by shifting development to lake front lots and restricting river

front development to one large lot was overturned in 2016 to allow the subdivision of the riverfront lot into four smaller lots with a recommended site-specific by-law that restricted land clearing to 5%, increased the setback, prohibited docks and limited waterfront access to a single 0.5 meter pathway.

- Despite growing interest in “active transportation” in Muskoka, canoe and kayak tripping on the Fox-Buck route has fallen sharply in the past two decades due to the loss of the Vernon-Fox portage to the Hoodstown subdivision, and the loss of clean, safe camping and picnic sites along the route.
- One of the three crown islands on the lake, Rock or Robinson Island in the southeast bay, is almost denuded of vegetation due to overuse by large groups of overnight campers from one of the summer camps on the lake.

3.4.2 Policy

- Past decisions to set aside land for conservation shall be respected.
- The pristine wilderness character of the Buck River shall be protected.
- The portage around the Buck Lake (Campbell) Dam shall be protected for public use.
- The portage around the Fox Lake (Hoodstown) Dam shall be restored either by land easements from the four property owners, or by creating a safe pathway dedicated to non-motorized traffic up to and along the road allowance for Muskoka Road 45, as proposed to the Public Infrastructure and Protective Services Committee in July, 2015.
- The three islands, which are Crown land, shall be protected and, in the case of the southeast island (Rock or Robinson’s Island), rehabilitation efforts shall be supported.