

September 3, 2025

Muskoka Lakes Association comments

Proposed additions in red and proposed deletions in ~~red-strikeout~~. Comments in green.

DRAFT dated May 7, 2025

MINISTERIAL ZONING ORDER Ontario Regulation (/25)

Being a Zoning Order for Lands Specified herein,
In the Town of Gravenhurst
In the District Municipality of Muskoka.

WHEREAS in accordance with the provisions of the Planning Act of Ontario, in particular Section 47 thereof, the Minister of Municipal Affairs and Housing, may make an Order,

AND WHEREAS the Province through Infrastructure Ontario has entered into an agreement to sell certain lands conditional upon the issuance of a Minister's Zoning Order, amongst other matters,

AND WHEREAS the development proposed on the lands subject to the aforementioned agreement is dependent upon certain additional lands being disposed of by the Province through the Ministry of Natural Resources and Forestry,

NOW THEREFORE THE FOLLOWING IS ORDERED;

Applicable Base Bylaw

1. In this Order, Zoning Bylaw means the Comprehensive Zoning Bylaw of the Town of Gravenhurst, being Bylaw 2010-04, as amended.

Application and Components

2. This Order applies to the lands generally described as being Part of Lots 22 and 23, Concession 6; and Part of Lots 22 and 23, Concession 7; and Part of the Original Shore Road Allowance in Front of Lot 23, Concession 6 and in Front of Lots 22 and 23, Concession 7; and Part of the Original Road Allowance Between Concessions 6 and 7 in Front of Lots 22 and 23; and Part of the Bed of Cliff Bay of Lake Muskoka in Front of Lot 23, Concession 7; in the Geographic Township of Muskoka, Now in the Town of Gravenhurst, in the District Municipality of Muskoka. Certain of the lands are more specifically described as being All of Part 1, Plan 35R-19247 but also include additional lands abutting Plan 35R-19247 comprising Part of the Bed of Lake Muskoka, and
3. All of the lands described in Section 2 preceding which are subject to the Zoning Order are illustrated on Schedule A (dated January 27, 2025) and Schedule B (dated May 6, 2025) affixed hereto as part of this Order, and

4. This complete text, Schedule A, and Schedule B affixed hereto together formally constitute and comprise this Order.

Base Operative Provisions

5. Notwithstanding any provision of Zoning Bylaw 2010-04 to the contrary, the lands described in Section 2 and illustrated as per Section 3 herein shall be categorized in the zones illustrated on Schedule B affixed hereto, and
6. Every use of land and every erection, location or use of any building or structure is prohibited on the lands described in Section 2, except as set forth in the section entitled Permitted Uses below. The subject lands shall be used and regulated in accordance with Bylaw 2010-04, except as specifically detailed in this Order. ~~and~~

[Comment #1: We are of the view that the added language is reflective of other MZO's. We do not believe the MZO is intended to replace Bylaw 2010-04 in its entirety and stand as a separate and complete code.]

7. The subject lands shall be considered by the ~~authority~~ ~~authourity~~ having jurisdiction for subdivision in accordance with the standards established in this Order, but otherwise subject to applicable Official Plan(s) and Zoning Bylaw 2010-04 and subject to the applicable provisions of the Provincial Planning Statement, 2024 and the Planning Act of Ontario.

[Comment #2: We do not believe the MZO is intended to replace the District OP, etc. and stand as a separate and complete code.]

Permitted Uses (for the zones specified ~~in a~~ Schedule B)

8. Commercial Special Purpose Exception 1 Zone (C-4-1)
 - a) Tourist Establishment
 - b) Dwelling Multiple
 - c) Restaurant (accessory only)
 - d) Retail store (accessory only)
9. Commercial Special Purpose Exception 1a Zone (C-4-1a)
 - a) Marine docking facilities (docks ~~and gazebo~~ only)

~~10. Commercial Special Purpose Exception 1b Zone (C-4-1b)~~
~~a) Restaurant (food services establishment)~~

[Comment #3: Both the Province (Provincial Planning Statement, 2024 s. 5.2.3.d)) and the District of Muskoka (Official Plan s.12.4b)) prohibit development/building in the floodplain/floodway, which Lake Muskoka is. This is due not only to safety risks, but also the risk of severe property damage. Lake Muskoka has flooded several times in the last dozen years and the threat is real.

We understand the District of Muskoka advises there is a Regulatory Flood Elevation of 226.9 m for Muskoka, in which new structures, except docks and boathouses, must be above. This does not take into account wave action or a safety factor/cushion typically incorporated into flood limits.

Restaurants (and residences) in the lake/over the water are not in keeping with the character of the area. Further, how can the pipes be effectively winterized and safely conveyed up to the main sewer lines? There is a significant concern with noise emanating from the restaurants, which would be unabated across the water, especially in the evening when the breeze dies down.

The developer of proposed Starboard project on the Gravenhurst Wharf requested a restaurant in the main floor of the boathouse, but later withdrew this request.

We submit the restaurants should be located in a different location. Restaurants could be located in the hotels, perhaps on the main floor or on the top floor to provide patrons with a view of the lake (for example, like Canoe on the 54th floor of the TD Bank Tower).

The developer's planner, Bob List, suggested the structures could be flood proofed, including by putting them on stilts (as is done in Bali). We suggest this is impractical, since the structures may have to be as much as 7' above normal water levels to take into account flood elevations (including a safety factor/cushion) and wave action. This would make climbing down into a boat extremely challenging. We further understand egress from such a structure must also have a ramp or walkway extending to the mainland to a point above this flood level. In addition, the "view from the canoe" in the bay would be significantly impaired, having to navigate around these large protrusions into the lake and looking underneath these structures, rather than at a treed shoreline.

10. Commercial Special Purpose Exception 2 Zone (C-4-2)

- a) Tourist Establishment
- b) Dwelling Multiple

11. Commercial Special Purpose Exception 3 Zone (C-4-3)

- a) Tourist Establishment
- b) Dwelling Multiple

12. Commercial Special Purpose Exception 3a Zone (C-4-3a)

- a) Tourist Establishment

~~14. Commercial Special Purpose Exception 3b Zone (C-4-3b)~~

- ~~a) Tourist Establishment~~

[Comment #4: See Comment #3 above. At the developer's July 16 public information session it was stated the units in the lake/over the water would be unique in Ontario and this was attractive to the proposed boutique hotel operator (32:48 "desire to create something very **unique** for people to stay right on the water"; 41:00 "and the **unique** boathouse villas suites that are all along the entire point"; 41:00 "And the final element on this boutique development is a restaurant pavilion that jets out into the water and is linked to the gazebo, which is right here providing a really **unique** special place for particularly late afternoon and evening dining..."; 58:11 "recognizes the requirement of high-end hotels to develop at or near the water to provide a **unique** or special experience"; 1:21:28 "boutique hotel operator... made it clear to the province... that something **unique** on the site needs to be offered, which is different than that in other offerings in Ontario and to that end, there are 28 boathouse units that are proposed to sit out over the lakebed.") . It is unique, because it is not allowed.

Section 5.2.3.d) of the Provincial Planning Statement, 2024 prohibits development within the floodway: “Development and site alteration shall not be permitted within: ...

d) a floodway regardless of whether the area of inundation contains high points of land not subject to flooding.”

Section 10 of Regulation 161/17 under the *Public Lands Act* (Ontario), often referred to as the “free use policy”, states that:

“A person is authorized to occupy public lands under section 21.1 of the Act for the purpose of erecting, placing or using a single-storey boathouse near or partially on waterfront property only if the following conditions are met: ...

4. The boathouse is a single-storey building and the interior of the boathouse is designed and used solely for the purpose of storing and docking boats and related equipment.

5. The person erects, places and uses the boathouse on public lands **solely for private, non-commercial purposes** (bold/emphasis added).”

Section 12.4b) of the District of Muskoka Official Plan also prohibits development in the floodway/floodplain:

“Development and site alteration shall not be permitted within: ...

b) A floodway regardless of whether the area of inundation contains high points of land not subject to flooding.”

Finally, dwelling units (with bedrooms and kitchens) are not permitted in a boathouse as of right. Subsection (iv) of Section 5.2.4.2 Boathouses and Boatports of the Town of Gravenhurst Comprehensive Zoning By-law 2010-04 (which is applicable to Lake Muskoka) states that:

“One boathouse or one boat port shall be permitted to be located on land or extend from the shoreline of each residential waterfront property, subject to the following: ...

(iv) No boathouse, or part thereof, shall be used for the provision of sleeping or cooking accommodations, sanitary facilities, a leisure room, a recreation room, or other like or similar uses.”

The only shoreline structure permitted in conjunction with a Tourist Resort in a Commercial zone, are docks. Resort commercial accommodation units are not permitted in a boathouse, as of right.

The Starboard ZBA expressly prohibited any residential usage in the second floor of the boathouse, limiting it to retail/commercial. Only boats were permitted in the main floor of the boathouse.

During a CBC News radio interview on August 13, 2025, the developer’s planner, Bob List, at the 2:36 minute mark stated that: “Development in the lake is not prohibited by the province. It’s permitted all the time. If you make application to the province through the Ministry of Natural

Resources and Forestry for work permits. And the evidence of that, as I said, is all around these lakes where there are large boathouses and with living accommodations in them.” With respect, for the reasons noted above, we beg to differ. There are no “as of right” entitlements. The boathouses of which he speaks are not entitled to have living accommodations, which include kitchens, and no habitable space is permitted on the main floor of any boathouses.

It was also suggested these units would be commercial in nature and not residential. We submit this would only be the case if the units are in single ownership by the hotel owner or, if included in a resort commercial condominium, the units must be in a rental pool a minimum of 26 weeks per year and a minimum of five weeks in July and August (as the District of Muskoka is proposing in its updated resorts policies).

There are also privacy and visual impact issues, due to limited separation (as little as 30’) between the boathouse units and the number of units.

We are opposed to any units or restaurants over the water/in the lake.]

~~15. Commercial Special Purpose Exception 3c Zone (C-4-3c)~~

- ~~—— a) Restaurant (food services establishment)~~
- ~~—— b) Marine docking facilities~~

[See Comment #3 above.]

13. Commercial Special Purpose Exception 4 Zone (C-4-4)

- a) Tourist Establishment
- b) Dwelling Multiple

14. Commercial Special Purpose Exception 4a Zone (C-4-4a)

- a) Tourist Establishment

[See Comment #10 below.]

~~18. Commercial Special purpose Exception 4b Zone (C-4-4b)~~

- ~~—— a) Tourist Establishment~~

[See Comments #3 and #4 above.]

15. Commercial Special Purpose Exception 4c Zone (C-4-4c)

- a) Marine docking facilities (docks ~~and gazebo~~ only)

[Comment #5: Why does this dock/pier need to be so long? Is it water depth? Are tour boats going to be mooring here? At 80 m (262’), it is very long and should be reduced in length.]

16. Commercial Special Purpose Exception 5 Zone (C-4-5)

- a) Tourist Establishment
- b) Dwelling Multiple

17. Commercial Special Purpose Exception 5a Zone (C-4-5a)
 - a) Marine docking facilities (docks and gazebo only)

[Comment #6: Should this be a reference to C-4-5b? Why is there a need for docks and a gazebo in this Zone?]

18. Commercial Special Purpose Exception 6 Zone (C-4-6)
 - a) Tourist Establishment
 - b) Dwelling Multiple

19. Commercial Special Exception 6a Zone (C-4-6a)
 - a) Tourist Establishment
 - b) Dwelling Multiple

[See Comment #10 below.]

- ~~24. Commercial Special Exemption 6b Zone (C-4-6b)~~
~~a) Tourist Establishment~~
~~b) Dwelling Multiple~~

[See Comments #3 and #4 above.]

20. Residential Multiple Two Exception 1 Zone (RM-2-1)
 - a) Dwelling Multiple
21. Commercial Service Special Exception Zone (C-2-1)
 - a) Vehicular Parking

[See Comment #16 below.]

22. Commercial Service Special Exception Zone (C-2-2)
 - a) Vehicular Parking

[See Comment #16 below.]

23. Open Space Exception 1 Zone (OS-1)
 - a) Public Park
 - b) Conservation
24. Environmental Protection Exception 1 Zone (EP-1)
 - a) Conservation
 - b) Accessway, trail, or path

Accessory Buildings, Structures and Uses

25. The general provisions of Section 5.2 of the parent bylaw, being Bylaw 2010-04, apply with respect to accessory buildings, structures, and uses save and except for the site regulations specifically detailed for same in any zone detailed in this bylaw.

[Comment #7: Please advise why this carveout from Section 5.2 of Bylaw 2010-04 is necessary. It primarily applies to accessory structures/boathouses and docks on residential waterfront properties. We submit this does not just require exemptions to the site regulations, but there also needs to be additional provisions related to permitted uses/structures to allow boathouses in a Commercial zone and Dwellings and Accommodation Units in a Commercial zone. See also our Comments #3 and #4 above.]

Site Regulations

26. General

The aggregate maximum number of residential units and resort commercial accommodation units across all zones shall be limited to 1,200.

There will be a phasing plan for the development, such that Phase 1 will consist of either: (1) a hotel with a minimum of 125 units, a restaurant of a minimum of 2,000 m², a spa of a minimum of 2,500 m² and a banquet/event space of a minimum of 3,000 m²; or (2) a hotel with a minimum of 250 units and a restaurant of a minimum of 3,500 m² and Phase 2 will consist of the other hotel and amenities not completed as part of Phase 1.

For every two residential units (including residential condominium units) developed at least one resort commercial accommodation unit (including Resort commercial condominium accommodation units) shall be developed.

[Comment #8: Density. Our understanding is Gravenhurst's Urban Resort designation permits 30 units/ha. With 31 ha, this would result in **930** units. This is substantially less than the proposed 1,378 units. At the July 16 public information session (starting at 59:39), Mr. List stated: "There is also recognition of the maximum unit densities that are established for other places in the Town of Gravenhurst. The maximum urban residential high density for residential uses would permit approximately 1,960 units on this property. This property is going to probably be developed for roughly **1,200** to **1,300** units. The maximum urban residential medium density for residential development would yield **1,240** units on the dry land parcel as well. And the mixed use waterfront density which is permitted at the wharf is also 40 units/ha, which would again yield **1,200**, approximately **1,240** units." We disagree, but in any event, we are suggesting a maximum of **1,200** units.]

[Comment #9: Phasing. One of the key drivers for this development is the creation of year-round, full-time jobs. In order for these jobs to materialize, there must be a meaningful commercial component from the outset. When speaking about the Province's RFP, at the 22 minute mark of the July 16 public information session, it was stated that alternative forms of development would be considered [other than institutional], provided such development was not solely residential and some affordable housing could be delivered on site. A development which is solely or primarily residential condominiums would not provide the required jobs.

At 1:38:43 it was noted that: "The units which are being proposed here will be catering to a residential recreational market and the demands that are put on certain types of services from that market are generally less than that for full-time residents."

At 1:52:54 Mr. Soloviev noted, concerning hotels and jobs, that "we are seeing up to two hotels" and "one

of them is a very well-known Canadian brand... and they will be hosting a lot of weddings and lots of events there and just from there we're seeing about 300 jobs" and "our second brand is also a very well known international brand, also with Canadian roots. Both of them will be boutique hotels, again about the same amount of people working there [so another 300 jobs]. And then again, because of the rest of the development, where most of the units will be rented back into the rental pool, again, obviously they need servicing and so that you're looking at, you know, probably 100 there [so another 100 jobs]". Therefore, the two hotels, the spa, the event center and the restaurants might result in over 700 jobs.

There are two simple techniques which are typically used (in combination) to ensure the development does create economic benefits and jobs locally.

The first is phasing. At the 1:53:51 mark, Mr. List stated: "Well, the first phase of the development should include the first of the hotels. So that question should be easily addressed as a condition of the development approval." and at the 2:27:24 mark, Mr. List stated: "The boathouse units in front of the shoreline are 28 in number, so there's 28 units there. And then there's a series of shoreline units behind those boathouse units, as well. And then there's the actual hotel facility itself. So the minimum number of units that would be in the first phase of that hotel would be approximately 80 to 85. But also that hotel has a very large, relatively speaking, to the number of accommodation units, a very large number of ancillary facilities associated with it. It is a prime component of this development project."

At the 59:09 and 1:42 minute marks, it was noted there is no mandatory requirement for residential condominium units or resort commercial condominium accommodation units to be in a rental pool. This will not create nearly the same number and types of jobs that resort commercial units do. The jobs a residential condominium unit or a resort commercial condominium accommodation unit without a meaningful mandatory rental pool requirement create are mainly part-time and seasonal, such as snowplowing, landscaping and lawn care jobs.

An example of why requiring a proposed hotel be part of the phasing plan in order to achieve the expected economic development benefits can be found in the Friday Harbour development in the Town of Innisfil on Lake Simcoe. A hotel was proposed, but was not included in the phasing plan and, to date, has not been built.

We propose that Phase 1 consist of either: (1) a hotel with a minimum of 125 units, a restaurant of a minimum of 2,000 m², a spa of a minimum of 2,500 m² and a banquet/event space of a minimum of 3,000 m²; or (2) a hotel with a minimum of 250 units and a restaurant of a minimum of 3,500 m² and Phase 2 consist of the other hotel and amenities not completed as part of Phase 1.

The second technique is requiring a certain percentage of resort commercial be built as any residential component is being constructed. For example, in the Resort Village of Minett, in the Township of Muskoka Lakes, up to 30% residential is permitted. It appears there will be up to approximately 400 resort commercial units and up to 800 residential condominium units. Therefore, a 1:2 ratio would appear to be appropriate. In order to qualify, the resort commercial units would have to be owned and/or operated by the hotel operator and, with respect to resort commercial condominium accommodation units, would have to be in a mandatory rental pool for an appropriate minimum period of time per year, such as a minimum of 26 weeks per year and a minimum of 5 weeks in July and August, to remain resort commercial (and be included in the calculation) and to not be residential. This is currently the requirement to establish commerciality in the Township of Muskoka Lakes for resort commercial condominium accommodation

units and this is anticipated to be the standard for the District of Muskoka's updated resorts policies. A definition of "resort commercial condominium accommodation unit" would be added to the definitions section.

Another technique would be to provide that construction of residential units in a residential zone would not be permitted until construction of a certain number of units and amenities in a commercial zone have been substantially completed.

The phasing plan should also take into account servicing for the site.

The above comments could be added in the form of General Provisions, either at the beginning or the end of this draft MZO.

In accordance with Bill 17, specific conditions/restrictions could be included in a separate agreement with the Province or in this MZO.]

27. C-4-1 Zone

a)	Minimum lot or zone area	20,000 sqm
b)	Minimum lot frontage (shoreside)	210m
c)	Minimum setback from shoreline	30 25 m
d)	Minimum side yard	5 m
e)	Minimum rear yard	5 m
f)	Maximum gross floor area	25,000 sqm
g)	Maximum height	6 storeys (stepped down next to the adjacent property)
h)	Maximum zone coverage	20%
i)	Minimum landscaped shoreline buffer	20 15 m
j)	Maximum number of units	205

[Comment #10: We understand, in previous discussions, the Province committed to the Town of Gravenhurst that the minimum front yard (shore side) setback of 30 m and landscaped shoreline buffer of 20 m would be adhered to. With 31 ha (77 acres) of land to work with, this is certainly feasible. The proposal shows requested front yard (shore side) setbacks are as little as nil (in the lake or at the shoreline) or, for some parcels, as little as 7.5 m (as opposed to 30 m) and the requested shoreline vegetative buffer for a number of parcels is as little as 5 m (as opposed to 20 m). The proposed development in this area also does not respect the required setback from the shoreline as provided for in the Town's Official Plan policies applicable to the subject property, nor the standard setback in the Comprehensive Zoning By-law.

We further note the last paragraph on page 59 of the Muskoka Regional Centre Lands Optimal Use Study dated June 15, 2015 prepared by MHBC Planning Urban Design & Landscape Architecture for Infrastructure Ontario states:

"It is noted that the consideration of shoreline residential development was not presented at the public sessions and the public were advised throughout the consultation process that the 30 metre shoreline open space area would be maintained and used for public access to the water."

To protect the bay and property values of the surrounding landowners, setbacks and naturally vegetated buffers must be adhered to. Gravenhurst Bay has seen improved water quality over the years due to

changes in sewage treatment and land use practices. This development should enhance not detract from the efforts to provide a swimmable, drinkable, fishable bay.

It appears there is a stepping down of heights as you get closer to the waterfront (a similar requirement is applicable to the nearby Taboo Resort). We suggest it would also be appropriate to include a requirement for revegetation/reforestation, especially near the shoreline (this could be included in the site plan agreement).]

[Comment #11: We were advised building heights would be stepped down at the edges of the property adjacent to neighbours. During his CBC News interview, Mr. List advised as follows: "The reduction in height in the northeast corner of the property and the buildings there by one storey is a direct result of their [the MLA's] input. The stepping [down] of the height in the southwest corner of the property is a direct result of their input."]

[Comment #12: Since the intention is to subdivide the property into 10 to 12 parcels which will be sold and developed separately, we suggest it is appropriate to specify the maximum density/number of units per parcel.]

[See also Comment #15 below.]

28. C-4-1 a Zone

- | | | |
|----|---|-------------------|
| a) | Minimum zone area | 4,800 |
| b) | Maximum projection from shoreline | 3065 m |
| c) | Minimum side yard | 200 m |
| d) | Minimum front yard | 0m |
| e) | Minimum rear yard | 0m |
| | Maximum shoreline frontage | |
| f) | coverage | 75% |
| g) | Maximum coverage | 50% |
| h) | Maximum | 40 boat slips |
| i) | Boat slips are to be used by hotel guests and visitors to the property only and are not to be available for unit owners to lease or own. Operation of a marina is not permitted, including installation of gas pumps or selling gas for boating, winter storage of boats, maintenance or mechanical facilities and pump-out facilities. | |

[Comment #13: The required minimum side yard setback from the neighbouring property should be maintained. Presumably this will not be an issue if the number of boat slips is reduced.

We submit the maximum projection from the shoreline should be reduced to 30 m and the minimum side yard setback should be increased to 20 m.]

[Comment #14: During the CBC News interview, Mr. List advised the number of boat slips will be reduced. We concur. We were also advised the boat slips are to be used for visitors to the property only, there will be no slips available for unit owners (to lease or own) and this could be set out in the documentation (presumably, this MZO, the site plan agreement or the subdivision/condominium agreement). This was reiterated by Mr. List at the July 16 public information session where he said; "no dock slips are being offered for sale with the sale of a residential condominium unit on any part of the site." We also recommend clarification that it not be a "marina" with gas pumps, boat repair facilities and boat storage, as is the case for the nearby Taboo Resort. The language in a Taboo site plan agreement states as follows: "The operation of a marina is specifically not permitted. As such, docking slips shall not be leased or used by parties other than... the hotel and its guests. As such, the following uses shall not be permitted on the site...: a) The installation of gas pumps or the selling of gas for boating on the Muskoka Sands site; b) Winter storage of boats; c) Maintenance or mechanical facilities; and, d) Pump-out facilities."]

32. C-4-1 b Zone

a)	Minimum zone area	2,280 sqm
b)	Maximum gross floor area	325 sqm
c)	Maximum projection from shoreline	35m
d)	Maximum height	1.5 storey
e)	Maximum zone coverage	50%
f)	Maximum frontage coverage	75%
g)	Minimum zone side yard	0 m
h)	Minimum zone rear yard	0 m
i)	Minimum zone front yard	0 m

[See Comment #3 above.]

29. C-4-2 Zone

a)	Minimum lot or zone area	32,000 sqm
b)	Minimum lot frontage (shoreside)	125m
c)	Minimum front yard (shoreline)	30 m
d)	Minimum rear yard	10m
e)	Minimum side yard	10m
f)	Maximum gross floor area	70,000 sqm
g)	Maximum height	6 storeys
h)	Minimum front (shore side) setback	30 m
i)	Minimum landscaped shoreline buffer	20 m
j)	Maximum number of units	367

[See Comment #10 above and Comment #15 below. There is a concern the beach would eliminate the possibility of a shoreline buffer.]

30. C-4-3 Zone

a)	Minimum zone area	40,000 sqm
b)	Minimum lot frontage (shoreside)	250
c)	Minimum zone front yard (shore side)	307.5 m
d)	Minimum side yard	10m
e)	Minimum rear yard	10m
f)	Maximum zone gross floor area	35,000 sqm
g)	Minimum landscaped buffer front (shore side) yard	207.5 m
h)	Minimum front (shore side) setback	30 m
i)	Maximum number of units	127

[See Comment #10 above and Comment #15 below. If the 7.5 m setback is from the zone line and the zone boundary is at the 20 m setback, this may not be an issue.]

31. C-4-3a Zone

a)	Minimum zone area	13,000 sqm
b)	Minimum front (shore side) setback	307.5 m
c)	Minimum side yard	10m
d)	Minimum zone rear yard	0 m

e)	Maximum zone gross floor area	7,500 sqm
f)	Maximum number of units	46
g)	Maximum ground floor area per unit	120 sqm
h)	Maximum height	2 storeys
i)	Minimum landscaped shoreline buffer	205 m
j)	Maximum shoreline frontage coverage per unit	12 m

[See Comment #10 above. This zone should be combined with the C-4-3 zone.]

~~36. C-5-3b Zone~~

a)	Minimum zone area	14,000 sqm
b)	Maximum projection from shore over water (dock)	20 m
c)	Maximum projection from shore over water (primary building)	15 m
d)	Maximum number of units	28
e)	Maximum ground floor area per unit	120 sqm
f)	Maximum height	1 storey
g)	Maximum zone gross floor area	3,500 sqm
h)	Maximum shoreline frontage coverage per unit	8 m
	Minimum side yard to zone limit	15 m

[See Comments #3 and #4 above.]

~~37. C-4-3c Zone~~

a)	Minimum zone area	3,500 sqm
b)	Maximum gross floor area	700 sqm
c)	Maximum height	1.5 storeys
d)	Minimum side yard setback	0 m
e)	Minimum front yard setback	0 m
f)	Minimum rear yard setback	0 m
g)	Maximum projection (dock) from shoreline	65 m
h)	Maximum projection (primary building) from shoreline	40 m

[See Comment #3 above.]

32. C-4-4 Zone

a)	Minimum lot or zone area	40,000 sqm
b)	Minimum lot or zone frontage (shoreside)	275m
c)	Minimum zone side yard	10m
d)	Minimum zone rear yard	10m
e)	Minimum setback from zone limit (shoreline side)	300 m
f)	Maximum gross floor area for zone	50,000 sqm
g)	Maximum height	6 storeys
h)	Minimum front (shore side) setback	30 m
i)	Minimum landscaped shoreline buffer	20 m
j)	Maximum number of units	273

[See Comment #10 above and Comment #15 below. There is a concern the beach would eliminate the shoreline buffer.]

33. C-4-4a Zone

a)	Minimum zone area	9,800 sqm
b)	Minimum setback from shoreline	307.5 m
c)	Minimum side yard to zone limit	10 m
d)	Minimum rear yard to zone limit	0 m
e)	Maximum gross floor area for zone	800 sqm
f)	Maximum number of units in zone	2
g)	Maximum height	
h)	Minimum landscaped shoreline buffer	205 m
i)	Maximum frontage coverage per unit	20 m

[See Comment #10 above. This zone should be combined with the C-4-4 zone.]

~~C40. C-4-4b Zone~~

a)	Minimum zone area	7,000 sqm
b)	Maximum projection from shoreline over water (accessory dock)	20 m
e)	Maximum projection from shoreline over water (primary building)	15m
d)	Maximum number of units	3
e)	Maximum ground floor area per unit	200 sqm
f)	Maximum gross floor area per unit	200 sqm
g)	Maximum height	1.5 storeys
h)	Maximum shoreline frontage coverage per unit	20 m

[See Comments #3 and #4 above.]

~~41. C-4-4c Zone~~

- ~~a) Maximum projection from shoreline 4080 m~~
- ~~b) Maximum side yard from zone 0 m~~
- ~~c) Maximum zone coverage 70%~~
- ~~d) Minimum zone shoreline frontage 70m~~

[See Comment #5 above. Request the size of this pier be reduced.]

34. C-4-5 Zone

- a) Minimum lot or zone area 15,000 sqm
- b) Minimum zone frontage (shoreside) 100m
- c) Minimum zone side yard 5 m
- d) Minimum zone rear yard 20 m
- e) Minimum setback from shoreline ~~3020~~ m
- f) Maximum gross floor area 12,000 sqm
- g) Maximum height 6 storeys
- h) Minimum front (shore side) setback 30 m
- i) Minimum landscaped shoreline buffer 20 m
- j) Maximum number of units 25

[See Comment #10 above.]

35. C-~~45~~-5a Zone

- a) Minimum zone area 1,800 sqm
- b) Minimum zone frontage (shore) 90m
- c) Maximum coverage 50%
- d) Minimum side yard from zone limit 5m

36. C-4-6 Zone

a)	Minimum lot or zone area	25,000 sqm
b)	Minimum lot or zone frontage (shore)	225m
c)	Minimum zone side yard	15m
d)	Minimum zone rear yard	10 m
e)	Minimum setback from zone limit shoreline side	0 m
	Maximum gross floor area in zone limit	42,000 sqm
g)	Maximum height	6 storeys (stepped down to [5?] storeys next to the adjacent property)
h)	Minimum front (shore side) setback	30 m
i)	Minimum landscaped shoreline buffer	20 m
j)	Maximum number of units	103

[See Comments #10 and #11 above. If the 7.5 m setback is from the zone line and the zone boundary is at the 20 m setback, this may not be an issue.]

37. C-4-6a Zone

a)	Minimum zone area	3,500 sqm
b)	Minimum setback from shoreline	307.5 m
c)	Minimum side yard to zone limit	10m
d)	Minimum rear yard to zone limit	0 m
e)	Maximum height	2 storeys
f)	Maximum gross floor area for zone	1,500 sqm
g)	Minimum landscaped shoreline buffer	205 m
h)	Maximum frontage coverage per unit	20 m
i)	Maximum number of units	3

[See Comment #10 above. This zone should be combined with the C-4-6 zone.]

~~46. C-4-6b Zone~~

a)	Minimum zone area	4,800 sqm
b)	Maximum projection from shoreline over water (dock)	20 m
c)	Maximum projection from shoreline Over water (primary building)	15 m
d)	Maximum number of units	2
e)	Maximum ground floor area per unit	200 sqm
f)	Maximum gross floor area per unit	300 sqm

- ~~g) Maximum height 1.5 storeys~~
- ~~h) Maximum shoreline frontage coverage per unit 20~~

[See Comments #3 and #4 above]

38. S-1 Zone

a) All site regulations as specified in parent zoning bylaw for OS zone.

39. EP-1 Zone

a) All site regulations as specified in Parent zoning bylaw for EP zone plus structures required to provide access.

40. RM-2-1 Zone

- a) Minimum lot or zone area 9,000 sqm
- b) Minimum front yard setback 15m
- c) Minimum side yard setback 10m
- d) Maximum height 5 storeys
- e) Maximum gross floor area 13,000 sqm
- f) **Maximum number of units 100**

[Comment #15: Provide for a maximum number of units in this Zone.]

41. C-2-1 Zone

- a) Minimum lot or zone area 1h
- b) Minimum lot frontage 50m
- c) Minimum front yard setback 25 m
- d) Minimum rear yard setback **155 m**
- e) Minimum side yard setback **155 m**
- f) Maximum height 4 storeys
- g) Maximum gross floor area 30,000 sqm
- h) Minimum front yard landscaped buffer 15m

[Comment #16: Does the parking meet the requirements of the Comprehensive Zoning By-law? There should be an increase to the side and rear yard setbacks with a landscaped buffer]

[See also Comment #11.]

42. C-2-2 Zone

a)	Minimum lot or zone area	1h
b)	Minimum frontage	125m
c)	Minimum front yard setback	10m
d)	Minimum rear yard setback	1540 m
e)	Minimum side yard setback	1540 m
f)	Maximum height	4 storeys
g)	Maximum gross floor area	15,000 sqm
h)	Minimum front yard landscaped buffer	7.5 m

[See Comment #16 above.]

Definitions

43. The following definitions shall apply with respect to the provisions of this Order;

a) Storey

Shall mean the total vertical distance between the floor of one level of a building or structure and the next level of a building or structure and shall not exceed 3.8m except in the case of the first or ground level floor of a building or structure which may extend up to 5.0m.

b) Height

Shall mean the greatest vertical distance, measured from the finished grade on the side of the building or structure where the primary pedestrian access to the building or structure is located or from the side of the building or structure facing the shoreline on a lot that abuts a waterbody whichever is the more restrictive, or in the case of a building or structure over water, the vertical distance between the Optimal Summer Water Level to;

- the midpoint between the eave and the ridge, or
- in the case of a flat roof building, the highest point of the roof surface, not including a railing, or
- in the case of an A frame, 75% of the distance between the finished:grade measured at the midpoint of the front and rear of the building and the ridge, and

for purposes of this definition and bylaw and without limiting the generality of the foregoing, antennae, chimneys, spires, cupolas, elevator penthouses, flag poles, water tanks, windmills, air conditioner ducts, or incidental equipment or other similar structures are permitted and shall not be included in the determination of maximum height but are exempt therefrom.

c) Accessory building, structure, or use

Shall be as generally defined in Bylaw 2010-4 and, for purposes of a tourist establishment (being a commercial use) shall include meeting, banquet, eating establishments and other similar rooms, spaces, or facilities; spa or pool facilities; recreational and athletic facilities; bar, lounge, or tavern type facilities; the provision of goods or services at retail including the rental of vehicles or vessels; commercial entertainment; commercial recreation; storage and service facilities; amongst other similar uses and facilities normally incidental to the use of a tourist establishment or resort.

d) Resort commercial condominium accommodation unit

Shall mean a resort commercial accommodation unit held by way of a condominium corporation, provided such unit is required to be in a mandatory rental pool managed by the owner and/or operator of the hotel to which it relates for a minimum of 26 weeks per year and five weeks during the months of July and August.

[See Comment #9 above.]

[Comment #17: Also consider adding definitions for “Dwelling, Branded Residence” and “Dwelling, Executive Residence”.]

Terms of Use and Other Provisions

44. Nothing in this Order prevents the use of land, building, or structure for any use prohibited by this Order if the land, building, or structure was lawfully used for such purpose on the day this Order came into effect.

45. Nothing in this Order prevents the reconstruction of any building or structure that is damaged or destroyed by causes beyond the control of the owner if the dimensions of the original building or structure are not increased and the original use is not altered.

46. Nothing in this Order prevents the strengthening or restoration to a safe condition of any building or structure.

47. Work Permits (MNRF) for lakebed or shoreland in water works, buildings, or structures permitted by this Order shall be issued as may be required where Best Management Practices are utilized in the design and construction of buildings, structures, or works in the zones specified in Sections 31,32, 36, 37, 40, 41, 43, 46, and 48 of this Order.

Deemed Bylaw

48. This Order is deemed for all purposes, except for purposes of Section 24 of the Planning Act, to be and to always have been a bylaw passed by the Council of the Town of Gravenhurst.

Commencement

49. This Regulation comes into force and takes effect on the day it is filed.

MADE BY

The Honourable Rob Flack,
Minister of Municipal Affairs and Housing.
Date Made _____, 2025