

HISTORY, ROLES AND RESPONSIBILITIES OF THE LAND USE PLANNING COMMITTEE

HISTORY OF LAND USE PLANNING IN GO HOME BAY

The First 75 Years

Go Home Bay has been a planned community since the formation of the Madawaska Club Limited in 1898. Initially, lands were acquired and owned by the Club, a corporation. Individual members were granted the right to occupy sites and build cottages, but the Club retained the exclusive right to determine the boundaries of sites and to control development on them – effectively a form of site plan control. Early by-laws of the Club included the following provisions.

“The decision on all matters pertaining the delimitation and allotment of sites shall rest with the Board of Directors.”

“No building or structure shall be erected on any site unless the plan and location thereof shall have been approved by the Board of Directors. The Board of Directors may, after due notification, order or cause to be removed any building or structure, which, after December 1, 1904, may be erected without such approval having previously been secured.”

(General By-Laws of the Madawaska Club Limited, May 1932)

Over several decades, individual Club members acquired legal title to their sites by way of deed from the Club. However, these deeds contained restrictive covenants by which the Club still maintained the legal right to approve (or not approve) development or redevelopment of sites.

Through these legal means, the Directors of the Club were able to exercise stewardship over the lands owned or formerly owned by the Club and to manage development in a way that has largely preserved the natural beauty of the shoreline and tranquil nature of this wilderness community. This has resulted in the very low density, low intensity of development that continues today.

Working with Municipal Government

In the early 1970s, the Township of Georgian Bay began to control development of lands in the Township and established its first comprehensive zoning by-law. In the 1973 Go Home Bay History (75th anniversary edition), Douglas Lee wrote the following.

“One further development should be mentioned which has taken place only recently and the full effect of which will probably not be appreciated for some time. The creation of a new Government structure for the Muskoka region has put into the hands of the Township of Georgian Bay control over the development of all Club properties. In the past when a member of the Club wished to construct a new cottage or an addition, a survey of the proposed site and a study of the building programme has been undertaken by the Directors of the Club. In the days of Professor C.H.C. Wright this was an opportunity to

have the Head of the School of Architecture at the University of Toronto look over the plans “which were mostly outlines of the desired floor plan and make suggestions for their improvement as his experience prompted.” Over the past twenty-five years the review of plans has been carried out by the Buildings and Sites Committee of the Board of Directors whose main concern has been to ensure that the development of cottage sites was in keeping with the traditions and intended character of the area and that such development was carried out in a manner satisfactory to adjacent property owners. As the density of cottages at Go Home Bay has increased the work of the Committee has taken on greater importance.”

In the 1980s, the Club undertook a review of its land use policies with particular emphasis on the remaining undeveloped Club lands. As part of this review, site holders were consulted and engaged in discussions regarding limits on subdivision and development of all properties within the boundaries of the original Madawaska Club lands. A new land use policy was adopted by the shareholders of the Club at its annual general meeting on January 18, 1988 authorizing the Directors of the Club to seek amendments to the Township Official Plan and zoning by-laws to establish new minimum lot sizes and frontages for any new sites within the old Madawaska Club boundaries. Also, it was decided that, except for a limited number of new cottage sites, the remaining Club lands would be preserved in their natural state and designated and zoned as open space. These policies were implemented by the Township by amendment to the Official Plan in 1990, and the establishment of the Shoreline Residential 3 (SR3) zone for cottage sites within the old Madawaska Club boundaries.

By the beginning of the 21st century, the Madawaska Club had expanded its membership to include site holders in the greater Go Home Bay area and outside the original Club boundaries. Increasing property values were creating pressures for development and redevelopment of properties in the Go Home Bay area. The 1990 amendments to the Township Official Plan were working well but they were limited in geographic area and it was apparent that additional “built form” controls were needed in order to continue to protect the unique natural character of this wilderness community.

In 2005, the Club engaged the professional services of Meridian Planning Consultants and began to work closely with the planning staff at the Township of Georgian Bay to develop a new Community Plan for the greater Go Home Bay Area. A resident survey was conducted as well as an inventory of the built form of existing structures in the planning area. The results of this survey and the research and analysis by the professional planners are outlined in the report “Rock Wind and Water” which effectively describes a “Sense of Place” of the Go Home Bay Area. That report states, in part:

“Over 100 years of stewardship by past and current owners in the area have preserved the fundamental elements of the sense of place of Go Home Bay and as such this stewardship should be recognized as a fundamental principle in policy for the area. Additionally, the fundamental elements of the “sense of place” should be preserved both in the policy framework in the Community Plan and in a regulatory regime in the zoning by-law and other implementation tools.”

In 2006, after extensive community consultation, the community (supported by a large majority of property owners) voted in favour of a new Community Plan for the greater Go Home Bay area

which would expand the SR3 zoning to cottage sites in the larger planning area and establish new and stricter limits on the size of cottages and other structures. This Community Plan was incorporated into the Township planning documents through Official Plan Amendment 14 and amendments to the Township's Zoning By-Law 91-19.

Over the years, there have been some differences and discussions around some of the specific built form restrictions. But it is important to note that, throughout the various planning processes and community discussions since the 1980s, there has been a consistent, broadly supported, and fierce community commitment to preserve the unique cultural heritage landscape and sense of place that exist in the Go Home Bay community.

The Land Use Planning Committee

In 2007, the Madawaska Club established the Planning Review Committee (now Land Use Planning Committee) to advise and make recommendations to the Board of Directors regarding applications for variance, severance, zoning amendments or Official Plan amendments (including any Township or District initiated changes) in the Go Home Bay area. When directed to do so by the Board, this committee has made representations to the Township planning department, Committee of Adjustment and Township Council on behalf of the Club. The focus of these activities has been to seek to ensure that decisions by these bodies are consistent with the policies and objectives of the 2006 Go Home Bay Community Plan.

In 2012-14 the Township of Georgian Bay undertook a wide ranging review and revision of its Official Plan and zoning by-law. The Land Use Planning Committee, at the direction of the Madawaska Club Board, carefully followed this process and worked closely with the Township planning staff to ensure that the policies and objectives of the 2006 Community Plan were preserved and carried forward into the revised Township planning documents.

The Madawaska Club no longer has the legal means to exercise direct control over property owners regarding development or redevelopment of their properties. That authority now rests with the municipal bodies, the Township of Georgian Bay and the District of Muskoka. As a landowner and as a community organization representing a large majority of property owners in the Go Home Bay area, the Club can have standing, participate, and represent the interests of the community in public hearings regarding applications for development or redevelopment and in public consultations regarding proposed changes to the Township and District Official Plans and Township zoning by-laws. By this means, and through the agency of the Land Use Planning Committee, the Madawaska Club continues to exert influence over planning decisions affecting Go Home Bay.

ROLES AND RESPONSIBILITIES OF THE LAND USE PLANNING COMMITTEE

Mandate

Under the direction of and as an advisory body to the Board of Directors of The Madawaska Club of Go Home Bay (the "Board"):

1. To monitor, review and consider all formal applications for variance, severance, zoning amendments or Official Plan amendments (any development proposal) in the Go Home Bay Waterfront Community (including any Township or District initiated changes).
2. To make recommendations to the Board as to conformity of any proposed application/change with the general intent and purpose of the *Go Home Bay Waterfront Community Policies* as currently set out in section F.5.7 of the Township of Georgian Bay Official Plan and other existing Township and District planning documents.
3. When directed to do so by the Board, to make representations on behalf of the Board to the Township planning department, the Committee of Adjustment, Township or District Council and/or the Ontario Municipal Board in respect of planning matters affecting the Go Home Bay community.

In carrying out the above functions it is recognized that the Land Use Planning Committee is an advisory committee to the Board and will not take or be expected to take a formal position on any matter relating to the items under consideration until and unless directed to do so by the Board.

The Land Use Planning Committee may consult with the applicant(s), municipal officials, and other community members or interested parties.

In the event an application is made that might place a Land Use Planning Committee member in a potential conflict of interest situation, or if a member wishes to be excluded from an application for personal or other reasons, or if an application is in the Planning Committee members' cottage vicinity, as appropriate, the member can or will be excluded from the deliberations attached to that application.

Roles

1. To provide information to the Board of the Madawaska Club about whether in our view a particular application for a deviation from the Official Plan/Zoning By-law has negative impact for the community as a whole, and/or immediate neighbours.
2. To provide information and insight to members that may assist them in preparing successful applications that minimize impact on the community and neighbours.
3. Interact with the Township in matters which impact administration of the *Go Home Bay Waterfront Community Policies* or Township wide plan or zoning by-law issues, as appropriate.

Responsibilities

Role 1. The Land Use Planning Committee assists the Board by reviewing the application in the context of the *Go Home Bay Waterfront Community Policies* and township by-laws and official plan. This may include discussion of the potential application with neighbouring property owners or those who might be affected by the proposal.

The Committee makes a recommendation to the Board for a response on behalf of the community in the public forum. The Board may accept or reject this recommendation.

The recommendation that the Committee makes to the Board is to object or not object to a member's plan. Our recommendations also could contain suggested conditions that should be considered by the municipality to be attached to the decision on the application.

In all cases, the concerns addressed by the Committee during their review are documented, including cases when there was insufficient opportunity to view the site or lack of sufficient expertise to properly evaluate an issue. This assists the Township decision makers in their deliberations.

When we provide information to a member of our recommendation to the Board, it is based on the information provided at the time. The final recommendation to the Board is based on the actual application submitted to the Township and the public process. Substantial changes to the plans or additional information (e.g. building drawings) may trigger other concerns which are considered in our revised recommendation.

The Board does not approve or disapprove plans. This is the Township's responsibility.

Role 2. The Board of the Madawaska Club provides assistance to community members through the Land Use Planning Committee by helping to clarify some of the issues related to interactions with the Township. The education and awareness program undertaken in 2015 and 2016 was a component of this assistance in light of the recently updated official plan (2013) and zoning by-laws (2014).

This assistance becomes somewhat more focussed when a member has a specific building project. The committee has no role in the basic building permit application. However, pre-application consultation may help to educate the applicant as to what the *Go Home Bay Waterfront Community Policies* and other municipal planning documents require, and helps shape plans before the actual application. If the application requires something outside of the by-law regulations, a public process is triggered and only then.

Discussions of the suitability of any development plans are necessarily with the Township staff by the landowner. The decision to grant a building permit, a minor variance, a zoning by-law amendment or an official plan amendment rests with the Township.

Role 3. The Chair of the Committee should maintain a good relationship with Township planning staff and effectively liaise with municipal officials. Creating a collegial and cooperative working relationship is essential to ensuring our concerns are heard and respected.

Several of the details in our community plan were adopted as the basis for a Township wide perspective within the Township Official Plan and Zoning By-laws. Therefore implementation and administration of these issues outside of our community are relevant. The community needs to be aware of potential impacts of decisions elsewhere in the Township and provide a voice for the community in support of the policies of our community plan.