

Tuesday, November 10, 2020

Mayor Smith and Members of Council  
The Corporation of the Town of Bracebridge  
1000 Taylor Court, Bracebridge  
Ontario, P1L 1R6

**Re:**

**Summary of Submission Materials at 2nd Public Meeting – Oct 27, 2020**  
**Muskoka Royale Development Inc. Applications for Official Plan**  
**Amendment (D09-08/18) and Rezoning (D14-17/18) (the “Applications”)**

**VIA EMAIL ONLY**

Attention:

Matt Holmes, Manager of Planning Services: [mholmes@bracebridge.ca](mailto:mholmes@bracebridge.ca)  
Cheryl Kelley, Director of Planning and  
Development: [ckelley@bracebridge.ca](mailto:ckelley@bracebridge.ca)

Dear Mayor and Members of Council:

The following comments summarize the position of the South Bracebridge Environmental Protection Group Inc. (SBEPG), among other organizations who are opposed to the Muskoka Royale College development application.

### **Public Engagement – by the numbers**

- The community is interested in and generally opposed to the Plan of Amendment and Rezoning proposed by Muskoka Royale College (MRC).
- A petition against the development application was signed by 4900 people.
- Over 750 letters were sent to the Mayor and Councillors.
- ~300 people Zoomed in to the 2 PM Oct 27<sup>th</sup> weekday meeting.

### **Representing SBEPG:**

- **Dougan & Associates (Environmental Advisors)**
  - 3 important deficiencies identified by them more than 16 months ago, and they have still not been addressed.

- The Wetlands appear to be connected system and there are inadequate buffers. The Wetlands that are visible, are most likely part of a wetland complex, with numerous underground tributaries that would be significantly impacted by the buildings, roadways and services installations.
  - The Environmental Impact Statement (EIS) does not meet Provincial Standards.
  - When mapped, the EIS will show that the development scheme imposes on Habitat for Threatened Species at Risk.
- **Marie Poirier & Assoc (Professional Planning)**
    - The Land use designation is not consistent with the PPS.
    - The proposed change in designation is not Good Planning.
    - The proposed use of the lands is not appropriate.
    - An OWES study should be undertaken.
    - An Economic Impact and Viability Study should be undertaken.
    - A Character and Compatibility Study should be undertaken.
    - The impact on Social Services should be studied.
    - All technical studies, including the Planning Justification Report should be Peer Reviewed.
    - Council should require an assessment of the option of locating the college on the lands owned by the developer that are already serviced and directly adjacent to Highway 118.
- **Thompson Rogers (Legal Counsel):**
    - The MNAL letter has several shortcomings and misrepresents the nature of the Wetlands
    - “We see the MNAL Letter as an advocacy piece that would be inadmissible if this matter were to proceed to a hearing before the Local Planning Appeal Tribunal. Contrary to the position taken in the Letter, we believe that there is both a basis and a need for an OWES evaluation of the wetlands on the subject property and the adjacent lands”.

## **Stephens Bay Association (SBA)**

- Representing property owners on the West side of MRC Subject Lands: including Stephens Bay Road, Taplin Trail, Strawberry Bay Road, Strawberry Lane, Marwood Drive, Byewater Way and Kirby's Beach Road in the Town of Bracebridge, reported that:
  - All of its members oppose the development
  - The SBA membership have identified several shortcomings in the work provided by the developer.
  - The Town of Bracebridge Official plan commits us to Environmental protection, as further noted below, which is being largely ignored.
  - The real impact of this is to destroy up to 30% (not the claimed 15%) of the land and a much higher percentage of the developable land.
  - SBA members agree that the primary issue is the absence of **Ontario Wetland Evaluation System (OWES)** and other professional, science-based studies.
  - An OWES Study must be completed.
  - The subject land is home to many important wildlife species:
    - 204 Species documented on MRC Subject Lands (MNAL)
    - 20 species are considered to be species of conservation concern
    - 7 endangered species have implications under the Endangered Species Act (2007).
  - An **Economic Viability and Impact Study** is required, which has not yet been done.

## **Muskoka Lakes Association (MLA)**

- On behalf of over 2500 Muskoka based paid family members, the MLA opposes the Application in the absence of OWES.

## **Friends of Muskoka (FOM)**

- On behalf of 4400 paid members, FOM opposes the Application in the absence of OWES.

## **Observations about the Proponent**

- We find it curious that the owner and lead proponent for Muskoka Royale, Mr. Chen, did not appear in support of his \$100 million legacy project.
  - The Proponent has provided no evidence of his capabilities or past experience building and managing an educational institution as proposed.
  - The presentation by the developers paid professionals did not appear to include any new information on Mr. Chen, the management team or related development experience.

## Observations about the Town

- The **Town is not being consistent with their own Environmental Protection Policies** and is in breach of 5 of their key principles in the Bracebridge Official Plan:
  - A6.5.1, “the health and integrity of the natural environment, which is one of the Town’s most valuable resources, will be protected.”
  - A7.4.1.1 “a goal of the Plan to protect and enhance significant natural environmental features and ecological functions, including the quality of water in the Town”
  - A7.4.2.1, it is “an objective of the Plan to preserve wetlands and protect adjacent lands to maintain the ecological function of the wetland, where appropriate”
  - Section A7.4.2.3, “it is an objective of the Plan to protect and maintain significant wildlife habitat, including habitat of threatened and endangered species”
  - A7.3.2.3: To “encourage the protection of the Town’s natural attributes, such as its rural character, water quality of its lakes and rivers as well as other natural environmental features in order to ensure that the recreational and tourism uses that rely upon these attributes continue to thrive.
- Contrary to the MNAL study, several of our members know that water from the subject property flows directly into Stephens Bay. The proposed sports fields would dump heavily fertilized water into the shallowest part of the Bay, negatively impacting water quality.

## Observations about the Value of Wetlands

- This Wetland Complex:

- Controls flooding by absorbing and retention of water
- Provides habitat for wildlife
- Acts as a pollution filter protecting our water quality
- Absorbs carbon to help us fight climate change
- Absorbs water from the underground aquifer by the Muskoka Airport
- The Town does not have all the necessary information to consider approving the zoning amendment from Environmental Protection Wetland and Open Space to any combination of South Bracebridge Institutional.

## **Protect Muskoka**

- While other organizations focused on the numerous Environmental issues, Protect Muskoka focused its volunteer efforts to build greater public awareness, of the other critical determinants of community health and benefits by highlighting the numerous issues included in the social, cultural and economic aspects of this proposal.
- They used Social Media and direct Mail as tools to engage the public.
- The overwhelming response shows that if the community is consulted and engaged, they support the Environmental, Social and Economic issues raised.
- Concerns raised by our base of supporters included:
  - Wetlands and Species at Risk
  - Roads being built in Wetlands that feed into the Henry Marsh
  - Adequacy of Bracebridge infrastructure to support this legacy project.

Infrastructure in our vernacular includes Public Beaches, Public Landings, Parks, and Trails, as well as transportation, sewers, roads, water and the like.

- Adequacy of Social Services, including Medical, Mental Health
- Impact on small business if this encourages the development of the Western Bypass
- Scarring of our precious landscape
- Impact on water quality
- Contribution to flooding

- We highlighted that we want the same examinations that are included in the Bracebridge Official Plan, including Scientific Fact-based studies of:
  - The Suitability of the proposed land use
  - The Compatibility of the proposed land use with the surrounding area
  - The Need for and Feasibility of the developer's legacy project
  - The impact of the proposal on natural and cultural heritage, municipal services and infrastructure;
  - The economic benefits and financial implications to the Town; and
  - Conformity to the Official Plan of the Muskoka District Area and consistency with the Provincial Policy Statement.
- The presentation concluded that if the developer continues to refuse to meet the standards of the Town of Bracebridge, Town Councilors should **OPPOSE THE REZONING OF THESE WETLANDS**

The South Bracebridge Environmental Protection Group thanks the Town Staff and Councilors for the substantial effort that has been expended by them to date. The standard of care and the amount of study and examination required for an Amendment to the Official Plan is different from what is required of other planning matters that impact smaller numbers of residents. The review of this matter must be based on rigorous study, which is then peer reviewed, not based on ideology.

ON behalf of SBEPG Board of Directors, Members and other organizations clearly opposed to the MRC Development Application,

Respectfully

Michael Appleby

President, Director and fulltime resident of Stephens Bay Road

[mappleby@bracebridgewetlands.ca](mailto:mappleby@bracebridgewetlands.ca)