



**ONTARIO LIVING LEGACY AND THE
DISPOSITION OF CROWN LANDS**

RECOMMENDATION

That the Muskoka Watershed Council write to the Ministry of Natural Resources supporting that Ministry's management of Crown land in the watersheds of Muskoka and indicating Council's encouragement for the finalization of the regulation of all Ontario Living Legacy sites in Muskoka and the development of management plans for each site.

And That the Muskoka Watershed Council does not support the disposition of large parcels of Crown land in the watersheds that are wholly or partially within the District of Muskoka, especially in the headwater portions of those watersheds.

And That the Muskoka Watershed Council monitor any proposal for the disposition of Crown Land and provide comment to the Ministry of Natural Resources as appropriate.

INTRODUCTION

Crown Lands in the watersheds that lie wholly or partially within Muskoka are a key feature in protecting the overall health of those watersheds. They provide large natural areas that store, and cleanse water along with recharging natural systems. They also provide important recreational opportunities for all Ontarians and support the tourism and recreation based economy of Muskoka. The focus of the Muskoka Watershed Council with respect to Crown land is twofold. First, is the protection of significant and representative features through the Ontario Living Legacy program and second is the impact of the disposition of large parcels of Crown Land on Muskoka.

ONTARIO LIVING LEGACY

The objective of the Ontario Living Legacy program was to strike a balance between the protection and the use of Ontario's natural resources and in particular, the mandate was to address four Ontario Government objectives, including:

1. Completing Ontario's system of provincial parks and other protected areas;
2. Recognizing the land use planning needs of the resource-based tourism industry;
3. Providing the forest, mining and other resource industries with greater land and resource use certainty; and
4. Enhancing angling, hunting and other Crown land recreation opportunities.

Based on the recommendations of the three Round Tables that conducted extensive public meetings and prepared the report recommending how the government could achieve the above noted objectives, new provincial parks, conservation reserves and other management units have been created. Specific detail on Crown lands in Muskoka is provided below.



There are five Crown land, land use designations in Muskoka, including:

1. Provincial Parks: Two new provincial parks have been regulated in Muskoka; The Big East River Waterway Park in Huntsville and The Queen Elizabeth II Park in south Gravenhurst. This brings the total number of provincial parks in Muskoka to 10.
2. Conservation Reserves: Nineteen new conservation reserves, eighteen of which have been put into regulation under the Crown Land Act. One has been deferred. There was one existing conservation reserve. These areas complement provincial parks in protecting our natural heritage and special landscapes. Forestry, mining, new hydro development, and new access roads are not allowed in these areas. Management plans are now being prepared for all these areas

Existing Conservation Reserves

- Torrance Barrens Dark Sky Reserve Gravenhurst/Muskoka Lakes

Newly Regulated Conservation Reserves

- Loon Lake Wetland Gravenhurst
- Morrison Lake Wetland Gravenhurst
- Draper Township CR Bracebridge
- Severn River Georgian Bay/Muskoka Lakes/Gravenhurst
- Moreau's Bay Georgian Bay
- Gibson River Georgian Bay
- Cognashene Lake Georgian Bay
- McCrae Lake Georgian Bay
- Jevin's and Silver Lakes Gravenhurst
- Cognashene Lake Barrens Georgian Bay
- Cardwell Township Old Growth Muskoka Lakes
- Lower Moon River Georgian Bay
- Freeman Twp. Sugar Maple Forest Georgian Bay
- Axe Lake Wetland Muskoka Lakes
- Moon River Georgian Bay
- Shack Creek Wetland Bracebridge
- Long Lake – Lancelot Creek Huntsville
- Muldrew Barrens Gravenhurst

Deferred Conservation Reserves

- Kahshe Barrens Gravenhurst

3. Enhanced Management Areas: A wide variety of resource and recreational uses are allowed in enhanced management areas. At the same time, these areas are to be managed to maintain and promote special features or values such as natural heritage, wildlife, remote access, wildlands recreation, and resource-based tourism. New access roads would be permitted. The sites identified in Muskoka are located in the southern portion of Wood Township in both the Township of Muskoka Lakes and Town of Gravenhurst, and in the southeast portion of the Township of Oakley. Resource use like forestry and mining are not an issue in these areas and there is limited potential for new hydro development.
4. Great Lakes Heritage Coastlines: The Crown coastline of the Great Lakes has been identified as part of a unique resource of global significance. Outside provincial and



national parks, it needs to be better protected in a designation of its own. Based on the recommendations of the Round Tables, the province has been discussing methods of implementation with municipalities that will ensure protection and management of the area.

5. General use area: In Crown land areas that have not been specifically identified through the Ontario Living Legacy program, a full range of resource and recreational uses are allowed. Significant heritage values are protected and land and resources are managed as required by such legislation as the *Mining Act*, the *Crown Forest Sustainability Act*, and the Class Environmental Assessment for Timber Management.

It is recommended that Muskoka Watershed Council write to the Ministry of Natural Resources and indicate its support for finalizing the regulation of all proposed Conservation Reserves in the watersheds of Muskoka and encouraging the completion of management plans for all the sites.

DISPOSITION OF CROWN LAND

The Ministry of Natural Resources is responsible for the disposition and management of Crown lands. The disposition of Crown land involves either the lease or rental of property or it's out right sale. The Bracebridge District Land Use Guidelines provide direction as to when the Ministry may consider the disposition of Crown Land. It states that:

“3. Program Strategy

a. General

- Disposal of public lands wherever appropriate, to assist in the achievement of ministry objectives and to provide for their orderly economic development. Disposition will be considered only where there will be significant benefits to the Crown and the public
- Authorization will not be granted, nor will disposition of Crown Lands be considered for:
 - New private recreation camps (i.e. hunting, fishing);
 - Seasonal residential, rural residential, or remote cottaging development; or
 - Commercial outpost camps for the purpose of hunting.”

Where a piece of property is proposed for sale, each parcel is considered on its own merit. Under the Environmental Assessment Act, MNR seeks public input if, in the opinion of the District Manager, the disposition may have significant adverse effects on the environment. MNR also requests comment from the District of Muskoka and the Area Municipalities. A decision on the disposition of a Crown parcel is based on a review of its natural attributes, public input, and current use. In general, where significant natural values have been identified, the property is not disposed of.

In discussions with Linda Martin, Senior Lands Technician for the Ministry of Natural Resources in Bracebridge, she indicated that the Ministry has modified its approach to the disposition of Crown land from one of encouraging the limited sale of land, under the Strategic Land Initiative of the late 1990's, to one of ensuring a sustainable revenue source through obtaining fair market value for the rent of Crown land, however, it should be noted



that the Ministry of Natural Resources has always sold or leased Crown land and will continue to do so. Historically this program has realized about \$9 Million annually.

The guiding principle of the Ministry in the disposition of Crown land is still ecological sustainability and any sales and lease/rent transactions are made in that light. The following types of land are generally considered appropriate for disposition:

1. Old crown town plots that are now substantially within organized and developed municipalities. An example would be the Town plan for Muskoka Falls.
2. Land that may be surplus after property has been assembled for a park purpose. An example would be where large agricultural fields were acquired to develop a park and the agricultural portion of the property does not add to the ecological significance of the park and would be better returned to an agricultural use.
3. Lands with high resource values such as timber, aggregate or mineral will continue to be leased. In some situations resource lands may be sold.
4. Crown lakebeds will continue to be rented or leased for shoreline structures.

In 1998, Muskoka requested that Crown land only be considered for sale where it meets the limited criteria noted above and that large tracks of land not be considered for sale.

Since 1998, several site-specific issues have arisen with respect to the disposition of Crown Land; however, the focus of the Muskoka Watershed Council should be on the disposition of large tracts of Crown Land rather than with site-specific issues such as the sale of small parcels to correct existing situations or the sale of recreational hunt camps. These site-specific issues are better dealt with by Muskoka or the Area Municipalities through the environmental assessment and the municipal planning processes.

It is recommended that Muskoka Watershed Council write to the Ministry of Natural Resources indicating that it does not support the sale of large parcels of Crown Land within the watersheds that are wholly or partially within the District of Muskoka, especially lands in the headwater portions of those watersheds. In addition, Muskoka Watershed Council should monitor any proposal for the disposition of Crown Land and provide comment at that time with respect to the value of the land within the watershed.