

The OMB Rules no Quarry at Pen Lake

Great news for Peninsula Lake, its area residents and many friends throughout Muskoka and around the world who were part of the effort to prevent industrial development close to its shores. Seven months after the hearing, **the OMB has dismissed the landowner's appeal.**

A decision released by the Ontario Municipal Board February 14th, 2007 ([Order #0400/Case #PLO50088](#)) has found that **a dimensional stone quarry proposed for a site "in close proximity to and overlooking Peninsula Lake" would unacceptably alter the character of the lake, its surroundings and nearby rural residential areas.**

The Board has ruled that this quarry proposal in this particular location, does not represent good land use planning and conflicts with Official Plan policies for the Township of Lake of Bays, in particular those dealing with the need to preserve vistas and panoramas, the character and heritage of the area. Further, the Board found that this proposed development would conflict with the vision of the Peninsula Lake Plan requiring preservation of the historical character of the lake and its tranquil ambience.

The Board identified the most contentious issues as visual impact and noise. Much of the Board's finding flows from testimony regarding the previous unauthorized quarry operations on this site six years ago. In addition to evidence from the Hillside Community, there was extensive evidence from lakeshore residents on noise and visual impacts which convinced the Board that quarrying at this site on the knob of a hill would significantly affect the local community and its residents and could not easily be mitigated. Additionally, the Board distinguished this proposed new quarry operation from several others long-established and operating in the area without such adverse community impacts.

The Chairperson, having considered all the evidence presented in more than three weeks of public hearings (involving 76 exhibits and 36 witnesses, including technical experts but also many area residents who were part of a well-attended evening session), determined that **the specific location was more than problematic, it was inappropriate.**

Noting that the proposed quarry operation had been significantly amended and adjusted over the years (eg. the extraction area reduced from 11 hectares to just over six, while annual tonnage dropped from 50,000 to 18,000, etc.) with the aim of reducing potential impacts, **the Board found**

that the character of the lake and its surrounding would be altered and that the applicant could not overcome the limitations imposed by this particular site.

This OMB decision appears to be a complete vindication of the many objections to this fundamental change in land use as put forward by various community and other groups as well as local politicians.

In short, all those actively opposed to this quarry development have won.No doubt this has been a long and difficult and costly struggle, but our patience and persistence has been rewarded.

Our heartfelt gratitude goes out to the many hundreds of individuals, families and organizations---especially the Peninsula Lake Association and the Township of Lake of Bays---who could grasp the importance of this cause, and the need for a coordinated, concerted effort to prevent this degrading development while seeking to preserve the natural environment which is the basis for our common future. Thanks to each of you, as well as the caliber and focused resolve of our professional teams, Pen Lake and its surroundings will be spared the “banging and clanging” of a quarry near its shores and the visual blight that would go with it for more than 60 years.

Everyone who contributed to this successful outcome can take genuine pleasure in knowing what has been achieved. **This ruling by the OMB means the character of Pen Lake and the surrounding community has been preserved, and also that the vision and planning efforts over many years by waterfront residents as well as the broad community within this Township have borne real fruit.** That’s certainly good news for all of us, but most importantly it means future generations will not be strangers to the priceless natural beauty and peaceful ambience it is our privileged to enjoy today.

The Committee for No Quarry @ Pen Lake

16 February, 2007