

**NOTICE OF COMPLETE APPLICATION & NOTICE OF PUBLIC MEETING
CONCERNING A PROPOSED AMENDMENT
ZONING BY-LAW #2021-037
OF THE CORPORATION OF THE TOWNSHIP MUSKOKA LAKES**

TAKE NOTICE THAT THE PLANNING COMMITTEE OF THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES WILL HOLD A PUBLIC MEETING ELECTRONICALLY FROM THE COUNCIL CHAMBERS, MUNICIPAL OFFICE, PORT CARLING, ONTARIO

June 17, 2021 at 9:00 am

TO CONSIDER a proposed amendment to Zoning By-law 2014-14 of the Corporation of the Township of Muskoka Lakes pursuant to the provisions of Section 34 of the *Planning Act, R.S.O., 1990*.

TAKE FURTHER NOTICE THAT as part of the Township's response to stop the spread of COVID-19, this public meeting will be held in a virtual forum with electronic participation. **The meeting will be held via ZOOM and will commence at 9:00am. More information about viewing and/or participating in the ZOOM meeting is included in this Notice and can be found on our website at www.muskokalakes.ca.** Members of the public may also observe the proceedings by accessing the live webcast at www.muskokalakes.ca. If the live webcast fails, the meeting recording will be posted at <https://muskokalakes.civicweb.net/Portal/>.

This notice has been circulated to all property owners to which the proposed by-law would apply, to every owner of land within 240 metres (800 feet) of the area to which the proposed by-law would apply, and to the appropriate officials and agencies according to *Ontario Regulation 404/83* under the *Planning Act, R.S.O., 1990*.

An explanation of the purpose and effect of this by-law, describing the lands to which the by-law applies, and a key map showing the location of the lands are attached.

All inquiries concerning the proposed amendment should be directed to the Planning Department. ANY PERSON may make verbal representation by participating in the ZOOM meeting or make written representation prior to the meeting. This representation can be in support of or in opposition to the proposed zoning by-law amendment.

If a person or public body would otherwise have an ability to appeal the decision of the Township of Muskoka Lakes to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Muskoka Lakes before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Township of Muskoka Lakes before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

If you wish to be notified of the decision of the Township of Muskoka Lakes on the proposed zoning by-law amendment, you must make a written request to the Township of Muskoka Lakes.

ADDITIONAL INFORMATION relating to the proposed zoning by-law amendment may be available upon request. **Please direct all inquiries to the Planning Department:**

The Corporation of the Township of Muskoka Lakes
1 Bailey Street, P.O. Box 129
Port Carling, Ontario P0B 1J0
Telephone: (705) 765-3156, Fax: (705) 765-6755
Email: planning@muskokalakes.ca

DATED at the Corporation of the Township of Muskoka Lakes this 27th day of **May, 2021**.

Cheryl Mortimer, Clerk
of the Corporation of the
Township of Muskoka Lakes

ZBA#:	ZBA-11/21
ROLL#:	6-22-06
NAME:	MCASKIN
CIVIC/911 ADDRESS:	1133 Whiteside Road, Unit #1

EXPLANATION OF THE PURPOSE AND EFFECT OF

ZONING BY-LAW AMENDMENT

ZBA-11/21, BY-LAW 2021-037, MCASKIN, ROLL # 6-22-060

The land affected by this amendment is described as Concession F, Part Lot 20, and Part Road Allowance (in the former Township of Medora), now in the Township of Muskoka Lakes, and known municipally as 1133 Whiteside Road, Unit #1. The subject property is presently in the ownership of Patricia McAskin.

The subject property contains a one-storey dwelling with an associated sundeck, a garage, and a boatport with an associated dock.

The applicant proposes to demolish an existing one storey dwelling and construct a new enlarged two storey dwelling with additions.

The purpose of By-law 2021-037 is to provide an exemption from Section 3.4.1.e) of By-law 2014-14, as amended, being the minimum lot frontage requirement of 100 feet for an existing lot of record zoned Waterfront Residential (WR1). The subject property has 79.5 feet of lot frontage. If granted, this exemption will permit the dwelling and associated sundeck to be reconstructed and enlarged on an undersized lot. The exemption will not deem the lot a 'building lot'.

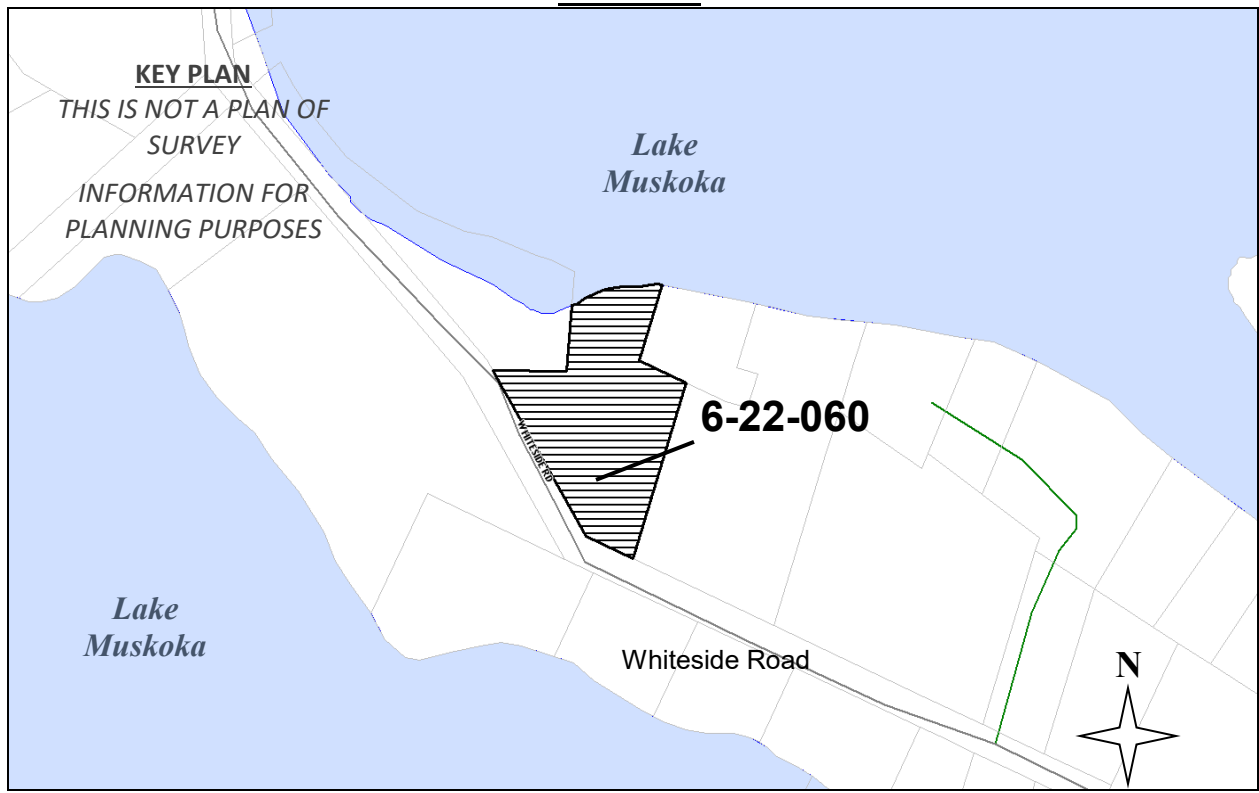
The purpose of By-law 2021-037 is also to provide exemptions from Sections 4.1.3 and 4.1.3.5 of By-law 2014-14, as amended, being minimum front yard requirements.

In this case, where there is an existing dwelling set back less than 66 feet from the high water mark, the minimum required front yard setback for a height increase exceeding 120% of the existing height is the existing setback or a minimum of 50 feet, whichever is greater. The existing dwelling has a front yard setback of 34 feet (at the closest point), and therefore, the minimum permitted front yard setback is 50 feet. As a portion of the proposed dwelling addition involves a height increase of over 120% of the existing height and is to be set back 44 feet from the high water mark (at the closest point), an exemption to the minimum front yard setback is required.

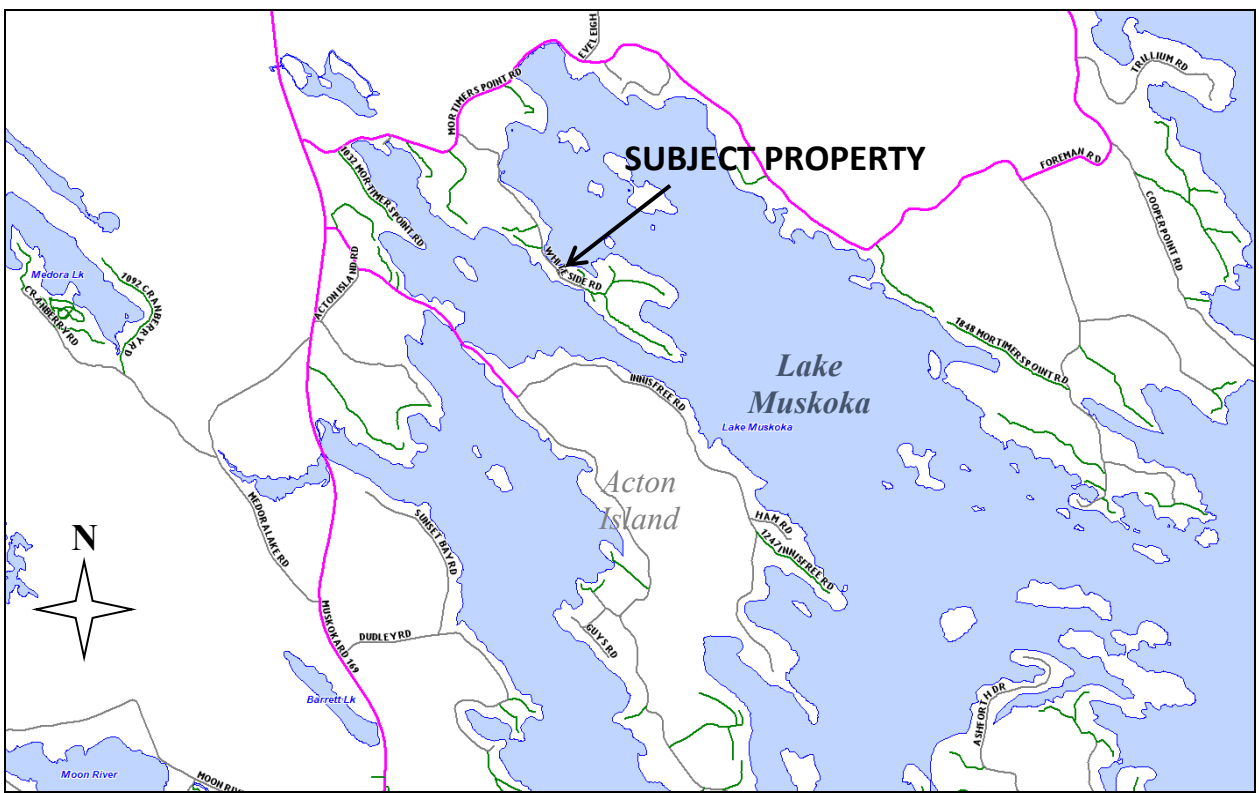
In summary, By-law 2021-037 will have the effect of permitting a dwelling and associated sundeck to be reconstructed and enlarged on an undersized lot as well as a second storey dwelling addition to be within the required front yard setback.

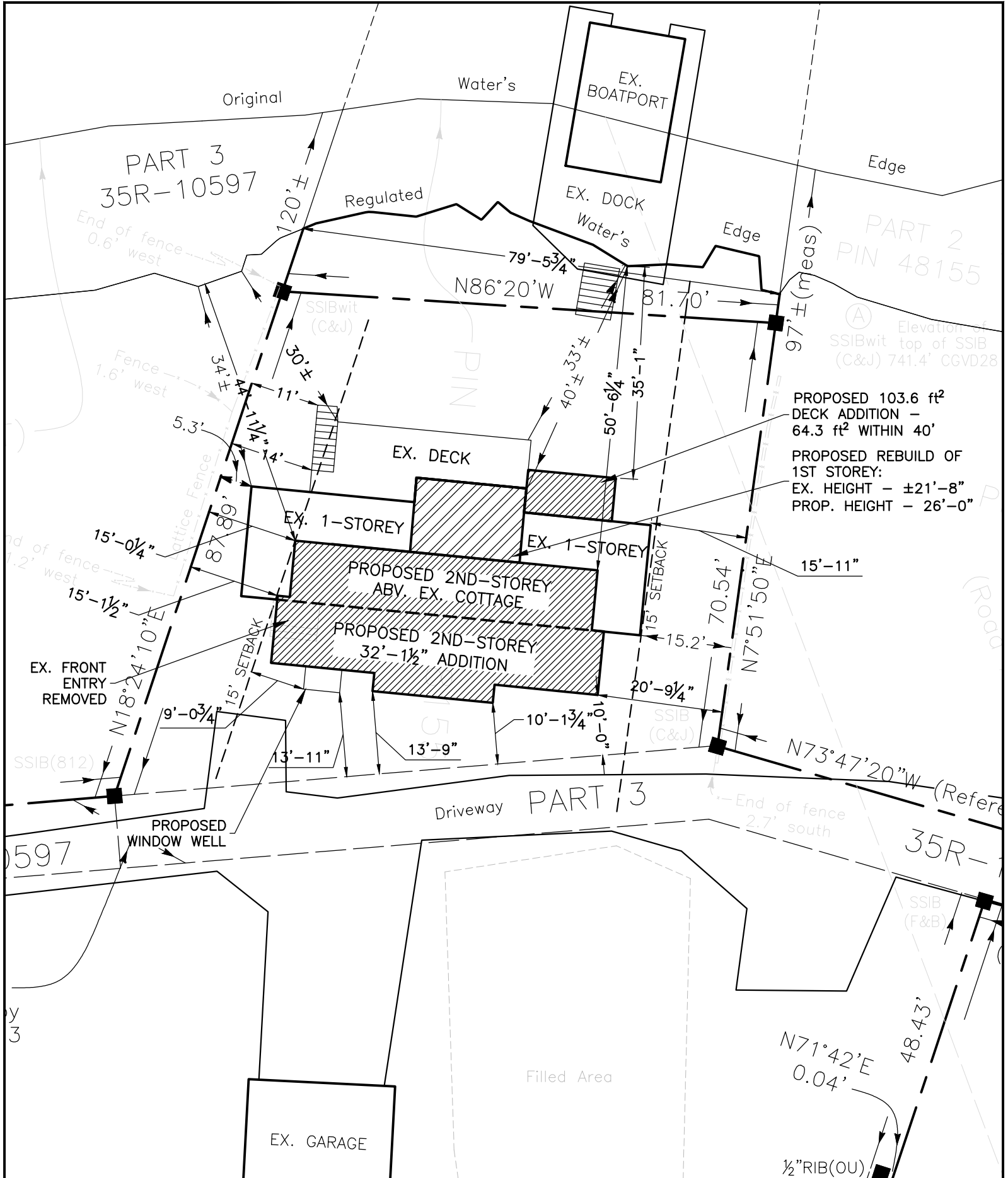
(See Key Map and Location Map on the Following Page)

KEY MAP



LOCATION MAP





PROPOSED 103.6 ft² DECK ADDITION - 64.3 ft² WITHIN 40'

PROPOSED REBUILD OF 1ST STOREY: EX. HEIGHT - ±21'-8" PROP. HEIGHT - 26'-0"

DE KONING GROUP

Mail: 36 Beach Road
 Utterson, Ontario
 POB 1M0

Office: 1A-3 Lee Valley Drive
 Port Carling, Ontario
 POB 1J0

705.646.3800
 info@dekoninggroup.com

Client:

JAMES McASKIN

Project:

McASKIN COTTAGE
 1-1133 WHITESIDE ROAD
 TOWNSHIP OF MUSKOKA LAKES

Drawn By:	Designed By:	Checked By:
EM	EM	-
Project No.:	Date:	Scale:
20-120-01	MAY.2021	AS SHOWN
Drawing No.		SP1



THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES

BY-LAW 2021-037

Being a By-law to amend Comprehensive Zoning By-law 2014-14, as amended, in the Township of Muskoka Lakes

WHEREAS the authority to pass this by-law is provided by Section 34 of the Planning Act, R.S.O. 1990, Chapter P.13 and amendments thereto;

AND WHEREAS By-law 2014-14 was enacted by the Corporation of the Township of Muskoka Lakes to regulate land use within the Municipality;

AND WHEREAS the Council of the Corporation of the Township of Muskoka Lakes deems it advisable to further amend By-law 2014-14;

NOW THEREFORE the Council of the Corporation of the Township of Muskoka Lakes enacts as follows:

1. Section 12 of By-law 2014-14 is hereby further amended by the addition of the following subsection:
 - 87-1942 i) The lands affected are described as Concession F, Part Lot 20, and Part Road Allowance (in the former Township of Medora), now in the Township of Muskoka Lakes, as shown hatched on Schedule I to By-law 2021-037.
 - ii) Despite the provisions of Section 3.4.1.e. of By-law 2014-14, as amended, for those lands described above, a dwelling and associated sundeck are permitted to be reconstructed and enlarged on an undersized lot, as shown in the location and extent on Schedule II to By-law 2021-037.
 - iii) Despite the provisions of Sections 4.1.3 and 4.1.3.5 of By-law 2014-14, as amended, for those lands described above, the minimum permitted front yard setback for a dwelling addition shall be 44 feet, as shown in the location and extent on Schedule II to By-law 2021-037.

All other provisions of By-law 2014-14 apply. To the extent of any conflict between By-law 2021-037 and By-law 2014-14, as amended, the provisions of By-law 2021-037 shall apply.

2. Schedules I and II attached hereto are hereby made part of this By-law.

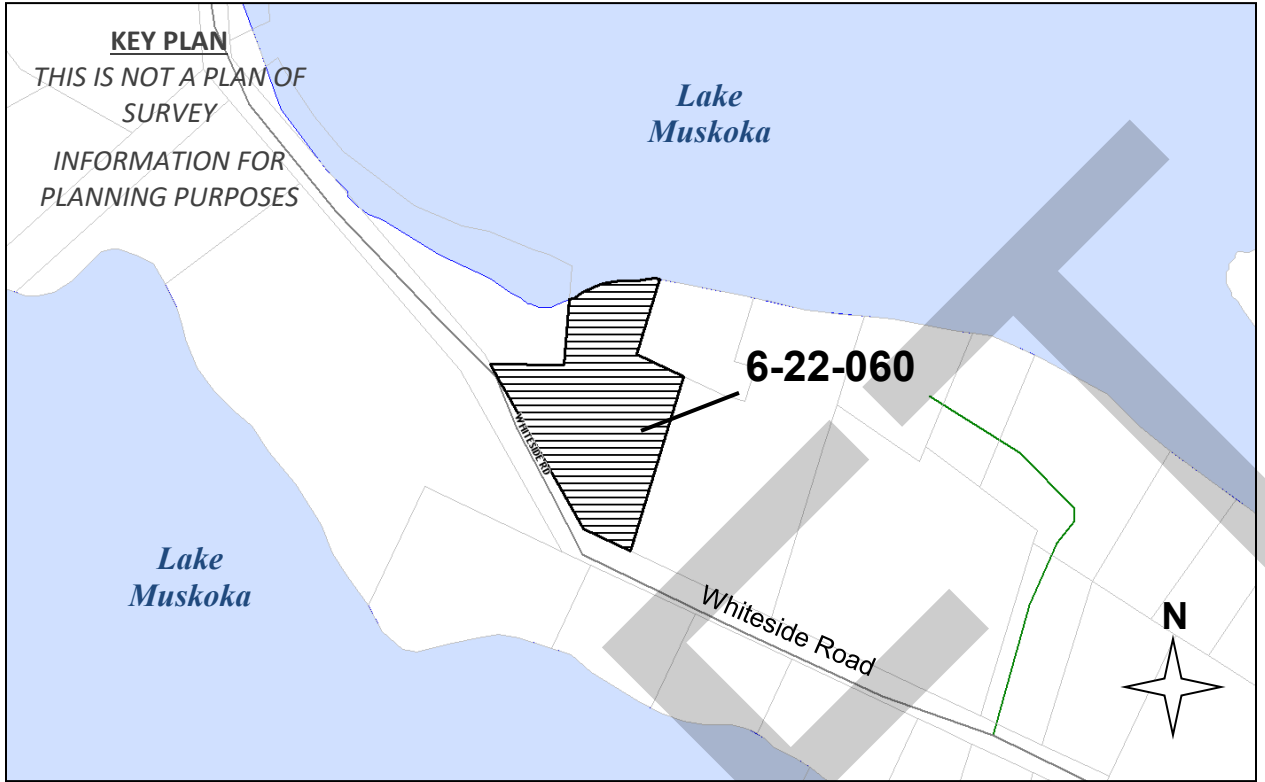
READ A FIRST AND SECOND TIME this ____ day of ____, 2021.

READ A THIRD TIME AND FINALLY PASSED this ____ day of ____, 2021.

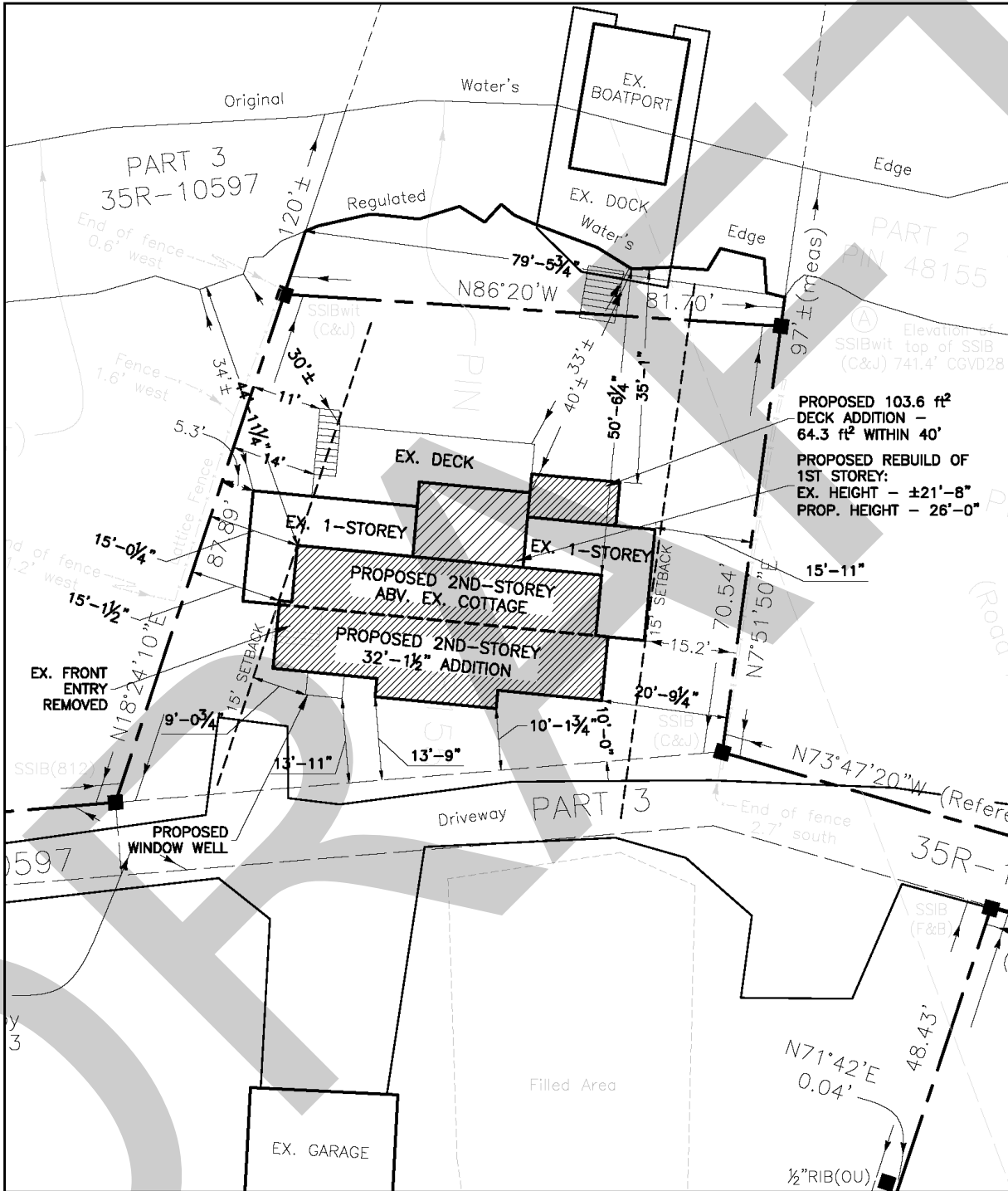
Phil Harding, Mayor

Cheryl Mortimer, Clerk

SCHEDULE I TO BY-LAW 2021-037



SCHEDULE II TO BY-LAW 2021-037



PROPOSED 103.6 ft²
DECK ADDITION -
64.3 ft² WITHIN 40'
PROPOSED REBUILD OF
1ST STOREY:
EX. HEIGHT - ±21'-8"
PROP. HEIGHT - 26'-0"

DE KONING GROUP

Mail: 38 Beach Road
Utterson, Ontario
POB 1140
705 646 3800
info@dekoninggroup.com

Office: 1A-3 Lee Valley Drive
Part Carling, Ontario
POB 130

Client:

JAMES McASKIN

Project:

McASKIN COTTAGE
1-1133 WHITESIDE ROAD
TOWNSHIP OF MUSKOKA LAKES

Drawn By: Designed By: Checked By:

EM EM -

Project No. Date: Scale:

20-120-01 MAY.2021 AS SHOWN

Drawing No. **SP1**