



THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES

NOTICE OF COMPLETE APPLICATION AND NOTICE OF ELECTRONIC PUBLIC MEETING CONCERNING A ZONING BY-LAW AMENDMENT BY-LAW 2022-168 AND PROPOSED CONSENT APPLICATION B/43/22/ML

TAKE NOTICE THAT THE PLANNING COMMITTEE OF THE TOWNSHIP OF MUSKOKA LAKES WILL HOLD AN ELECTRONIC PUBLIC MEETING ON

April 13, 2023

at **9:00 a.m.** in the Council Chambers, Municipal Building
Township of Muskoka Lakes, Port Carling, Ontario
(corner of Bailey and Joseph Streets)

TO CONSIDER a proposed consent application in the Township of Muskoka Lakes, pursuant to the provisions of Section 53 of the Planning Act, 1990, R.S.O. c.P13, as amended, and a proposed amendment to By-law 2014-14 of the Township of Muskoka Lakes, pursuant to the provisions of Section 34 of the Planning Act, R.S.O., as amended.

TAKE FURTHER NOTICE THAT with the current restrictions on public gatherings due to COVID-19 and 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 electronically from the Council Chambers, Municipal Office, Port Carling, Ontario via Zoom and will commence at 9:00 a.m.** 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.muskokalak.es.ca.

PUBLIC MEETING: You or your representative are entitled to participate in this public hearing and 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 Consent/Zoning By-law Amendment. If you wish to make written comments on these applications, they can be forwarded to the email address shown below.

Members of the public may also observe the proceedings by accessing the live webcast at: www.muskokalak.es.ca. If the live webcast fails, the meeting recording will be posted at: <https://muskokalak.es.civicweb.net/Portal/>.

THIS NOTICE has been circulated to all property owners to which the proposed consent and by-law would apply, to every owner of land within 240 metres (800 feet) of the area to which the proposed consent and 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 the proposed consent and by-law, describing the lands to which the proposed consent and by-law applies, and a key map showing the location of the lands are attached.

ALL INQUIRIES concerning the proposed consent and zoning by-law amendment should be directed to the Planning Department.

IF A PERSON OR PUBLIC BODY would otherwise have an ability to appeal the decision of the Council of the Township of Muskoka Lakes to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Council of the Township of Muskoka Lakes before the zoning by-law is passed, the person or public body is not entitled to appeal the decision.

ANY PERSON OR PUBLIC BODY that files an appeal of a decision of Council in respect of the proposed consent does not make written submissions to the Planning Committee and/or Council before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal.

IF A PERSON OR PUBLIC BODY does not make oral submissions at the Public Meeting, or make written submissions to Planning Committee and/or Council of the Township of Muskoka Lakes before the consent/by-law is given/passed or refused, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

IF YOU WISH TO BE NOTIFIED of Council with respect to the proposed consent and/or zoning by-law amendment or be notified of any subsequent meetings of the Planning Committee, the Planning Act requires that you must make a **written** request for such notification to the Township of Muskoka Lakes at the address noted below.

THERE MAY BE ADDITIONAL INFORMATION relating to the proposed consent and zoning by-law amendment is available from staff of the Planning Department through the email address below on weekdays between 8:15 a.m. and 4:00 p.m. or by mail at the Corporation of the Township of Muskoka Lakes, Box 129, Port Carling, Ontario, P0B 1J0. Telephone (705) 765-6755. Please email any submissions or requests to planning@muskokalak.es.ca. Please quote the Application File Number in your submission or request.

DATED at the Corporation of the Township of Muskoka Lakes this **24th** day of **March, 2023**.

Crystal Paroschy
Township Clerk
Township of Muskoka Lakes

CONSENT #B/43/22/ML
BY-LAW #2022-168
AMENDEMENT #ZBA-48/22
NAME: DUNFORD
ROLL #: 2-8-028
CIVIC ADDRESS: 1111 SHENNAMERE ROAD, UNIT 2



THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES

EXPLANATION OF THE PURPOSE AND EFFECT OF PROPOSED CONSENT AND ZONING BY-LAW AMENDMENT

**B/43/22/ML AND ZBA-48/22 - AMENDED, BY-LAW 2022-168
DUNFORD
ROLL # 2-8-028**

The land affected is described as Part of Lots 33 and 34, Concession 2, Parts 14, 19 and 20, Plan 35R-12071, and Part 1, Plan 35R-21454 (in the former Township of Watt), now in the Township of Muskoka Lakes. The subject land is known municipally as 1111 Shennamere Road, Unit #2. The subject land is presently under the ownership of Stan Dunford.

Please note that concurrent Consent/Severance (B/43/22/ML) and Zoning By-law Amendment (ZBA-48/22/ML) Applications were circulated in December 2022. The applications have now been amended and are being re-circulated.

Consent Application B/43/22/ML - Amended has been submitted to create one new lot (Severed Lot) and to establish a right-of-way over an existing driveway for access over the Severed Lot in favour of the Retained Lot. The Severed Lot will contain a private on-site sewage disposal system and a shed. A second shed and a shipping container are to be removed. No development is proposed on the Severed Lot at this time, however, waterfront residential development will be permitted in the future. The Retained Lot will contain a two-storey dwelling, a pool, a garage, sheds, a water tower, a two-storey boathouse and an associated dock, and a swim dock. Please refer to the attached Consent Sketch.

Zoning By-law Amendment Application ZBA-48/22 - Amended, By-law 2022-168, has also been submitted to provide exemptions from zoning requirements.

The purpose of By-law 2022-168 is to provide an exemption from Section 4.1.3 of By-law 2014-14, as amended, being the minimum lot frontage requirement of 300 feet for lands zoned Waterfront Residential (WR5). The Severed Lot is to have a minimum lot frontage of 248 feet on Lake Rosseau. Please note that the measurement regarding lot frontage has been reduced in By-law 2022-168. Reducing the measurement will ensure conformity/compliance with By-law 2022-168 once a survey has been prepared. It is anticipated that a new survey will show a greater amount. Please see Schedule II to By-law 2022-168.

The purpose of By-law 2022-168 is also to provide an exemption from Sections 4.1.7 and 4.1.7.12 c. of By-law 2014-14, as amended, being the maximum permitted first storey width of a boathouse on a Category 1 Lake (Lake Rosseau). In this case, the maximum permitted first storey width is 16% of the lot frontage or 75 feet, whichever is less. The Retained Lot will have 376 feet of lot frontage, and therefore, the maximum permitted first storey width is 60.1 feet. The first storey width of the existing two storey boathouse on the Retained Lot is 64 feet.

The purpose of By-law 2022-168 is also to provide an exemption from Sections 4.1.7 and 4.1.7.12 c. of By-law 2014-14, as amended, being the maximum permitted second storey width of a two storey boathouse on a Category 1 Lake (Lake Rosseau). In this case, the maximum permitted second storey width is 13% of the lot frontage or 75 feet, whichever is less. The Retained Lot will have 376 feet of lot frontage, and therefore, the maximum permitted second storey width is 48.8 feet. The second storey width of the existing two storey boathouse on the Retained Lot is 52.5 feet.

The purpose of By-law 2022-168 is also to provide an exemption from Sections 4.1.7 and 4.1.7.7 of By-law 2014-14, as amended, being the maximum permitted size of a covered area on the second storey of a two storey boathouse on a lot with ≥ 300 to < 400 feet of lot frontage on a Category 1 Lake (Lake Rosseau). In this case, the Retained Lot will have 376 feet of lot frontage and the maximum covered area size is 250 square feet. The second storey of the two storey boathouse on the Retained Lot has a covered area 632 square feet in size.

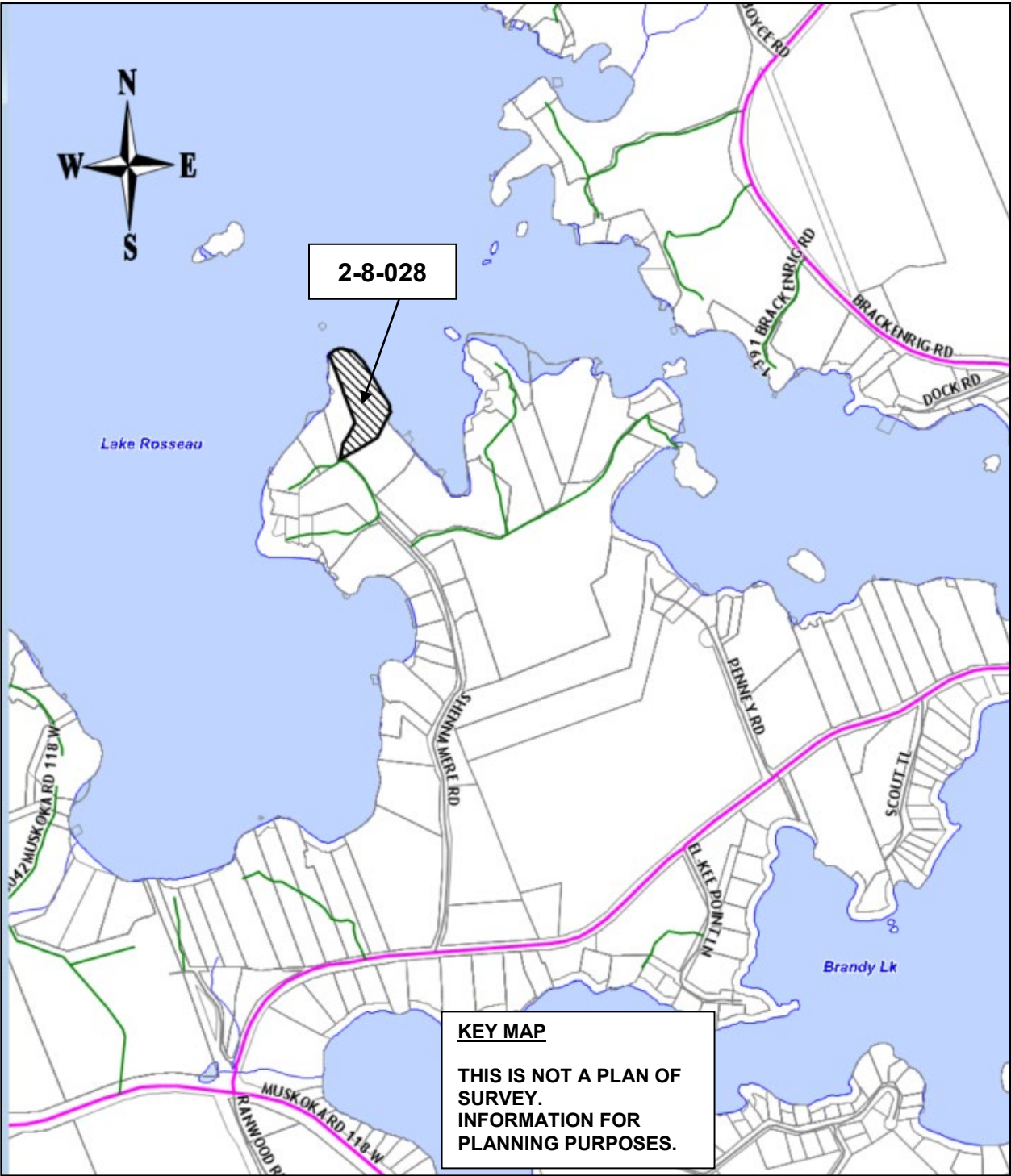
The purpose of By-law 2022-168 is also to provide an exemption from Section 4.1.7 of By-law 2014-14, as amended, being shoreline structure requirements. The applicant has filed a specific request to prohibit shoreline structures within two areas forming the frontage of the Severed Lot. Please see Schedule II to By-law 2022-168.

The purpose of By-law 2022-168 is also to provide an exemption from Section 4.1.7 of By-law 2014-14, as amended, being shoreline structure permissions. The applicant has filed a specific request to prohibit a two-storey boathouse on the Severed Lot. Please note that a two storey boathouse on the Severed Lot would not be permitted on the Severed Lot due to deficient lot frontage for this type of shoreline structure. The prohibition requested by the applicant will further embed this limitation.

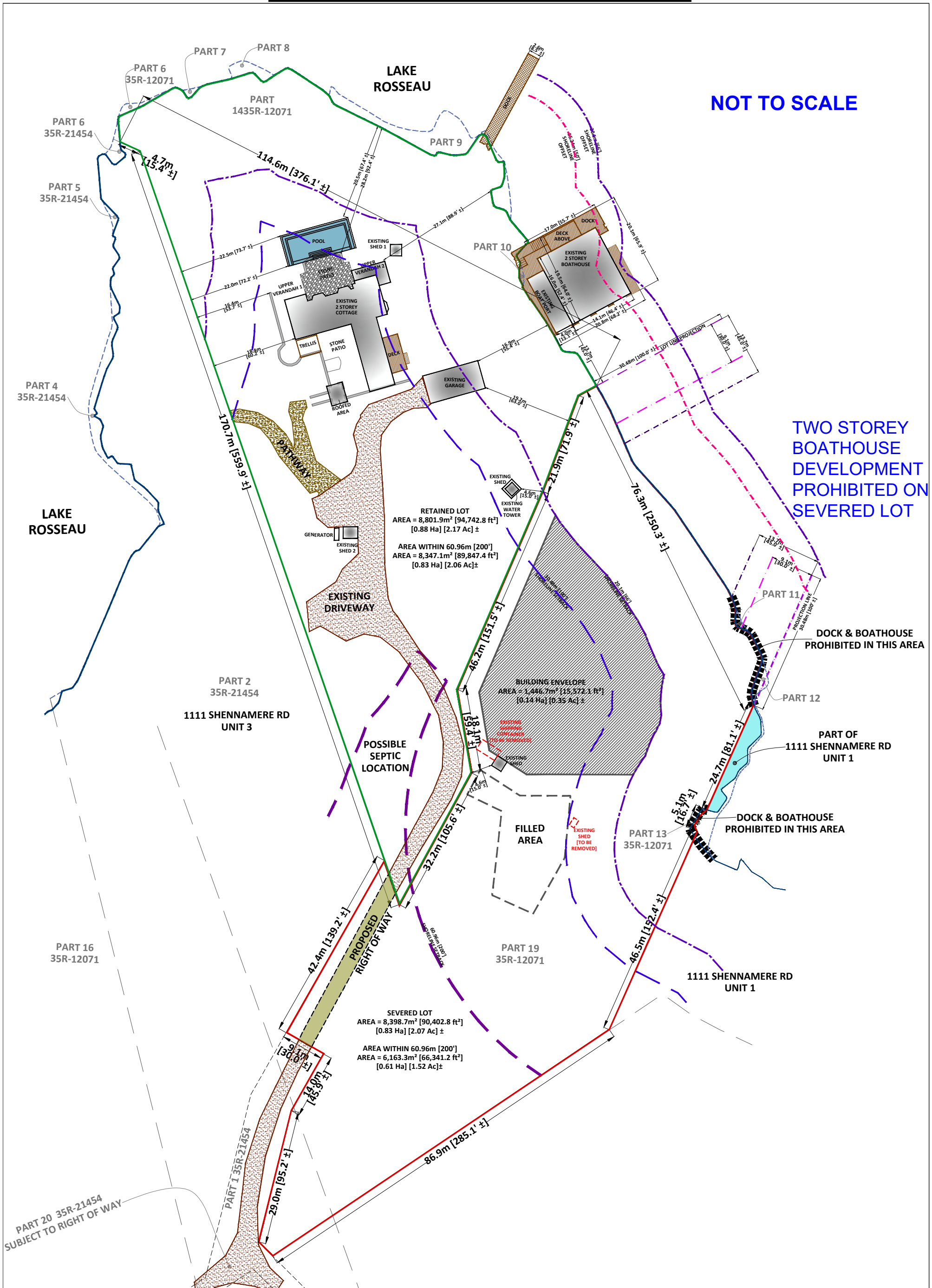
In summary, these Consent and Zoning By-law Amendment Applications will have the effect of creating one new lot, of granting a right-of-way, of permitting a reduced lot frontage for the Severed Lot, of permitting the first storey of a two storey boathouse on the Retained Lot to be over width, of permitting the second storey of a two storey boathouse on the Retained Lot to be over width, of permitting a covered area forming part of the second storey of a two storey boathouse on the Retained Lot to be over size, of prohibiting shoreline structures in specific locations on the Severed Lot, and of prohibiting a two-storey boathouse on the Severed Lot.

See Key Map on the Following Page

KEY MAP



CONSENT SKETCH - B-43/22/ML - AMENDED



SEVERANCE SKETCH - OPTION 2

**1111 SHENNAMERE RD - UNIT 2
PLAN 35R-21454
PART OF LOTS 33 & 34, CONCESSION 2
GEOGRAPHIC TOWNSHIP OF WATT
TOWNSHIP OF MUSKOKA LAKES
DISTRICT MUNICIPALITY OF MUSKOKA

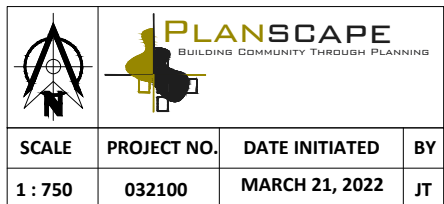
DUNFORD**

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COTTAGE = 312.2m² [3,360.4 ft²]
GARAGE = 75.2m² [809.4 ft²]
BOATHOUSE = 225.7m² [2,429.4 ft²]
BOAT PORT = 52.7m² [567.2 ft²]
SHED 1 = 5.9m² [63.5 ft²]
SHED 2 = 7.8m² [84.0 ft²]
SHED/WATER TOWER = 8.7m² [93.6 ft²]

RETAINED LOT COVERAGE = 688.2m² [7,407.5 ft²]
SEVERED LOT COVERAGE = 5.9m² [64.0 ft²]

NO.	DATE	REVISIONS	BY
1.	20-DEC-2022	REVISE AS PER TOWNSHIP	JT
2.	31-JAN-2023	REVISE SEVERANCE CONFIGURATION	JT
3.	23-FEB-2023	SEVERANCE OPTIONS	JT
4.	02-MAR-2023	ADDITIONAL INFORMATION	JT



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BASE MAP SOURCE:
CHAPPLE, GALBRAITH SURVEYORS LIMITED
COOTE, HILEY, JEMMETT LIMITED - 2021

THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES

BY-LAW 2022-168

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:
 - 87-2054 i) The land affected by this amendment is described as Part of Lots 33 and 34, Concession 2, (in the former Township of Watt), now in the Township of Muskoka Lakes, more particularly described as Parts 14, 19 and 20, Plan 35R-12071, and Part 1, Plan 35R-2154, as shown hatched on Schedule I to By-law 2022-168.
 - ii) Despite the provisions of Section 4.1.3 of By-law 2014-14, as amended, for those lands described above, the minimum required lot frontage for the Severed Lot in Consent Application B/43/22/ML - Amended shall be 248 feet, as shown in the location and extent on Schedule II to By-law 2022-168.
 - ii) Despite the provisions of Sections 4.1.7 and 4.1.7.12 c. of By-law 2014-14, as amended, for those lands described above, the maximum permitted cumulative width of the first storey of a two storey boathouse on the Retained Lot in Consent Application B/43/22/ML - Amended shall be 64 feet, as shown in the location and extent on Schedule II to By-law 2022-168.
 - iii) Despite the provisions of Sections 4.1.7 and 4.1.7.12 c. of By-law 2014-14, as amended, for those lands described above, the maximum permitted cumulative width of the upper storey of a two storey boathouse on the Retained Lot in Consent Application B/43/22/ML - Amended shall be 52.5 feet, as shown in the location and extent on Schedule II to By-law 2022-168.
 - iv) Despite the provisions of Sections 4.1.7 and 4.1.7.7 of By-law 2014-14, as amended, for those lands described above, the maximum permitted size of a covered area forming part of the second storey of a two storey boathouse on the Retained Lot in Consent Application B/43/22/ML - Amended shall be 632 square feet, as shown in the location and extent on Schedule II to By-law 2022-168.
 - v) Despite the provisions of Section 4.1.7 of By-law 2014-14, as amended, shoreline structures shall be prohibited on the Severed Lot in Consent Application B/43/22/ML in the locations identified with **bold** dashing and labelling, as shown on Schedule II to By-law 2022-168.

vi) Despite the provisions of Section 4.1.7 of By-law 2014-14, as amended, a two-storey boathouse shall be prohibited on the Severed Lot in Consent Application B/43/22/ML.

2. Schedules I and II attached hereto are hereby made part of this By-law.
3. All other provisions of By-law 2014-14 apply. To the extent of any conflict between By-law 2022-168 and By-law 2014-14, as amended, the provisions of By-law 2022-168 shall apply.

READ A FIRST AND SECOND TIME this ____ day of _____, 2023.

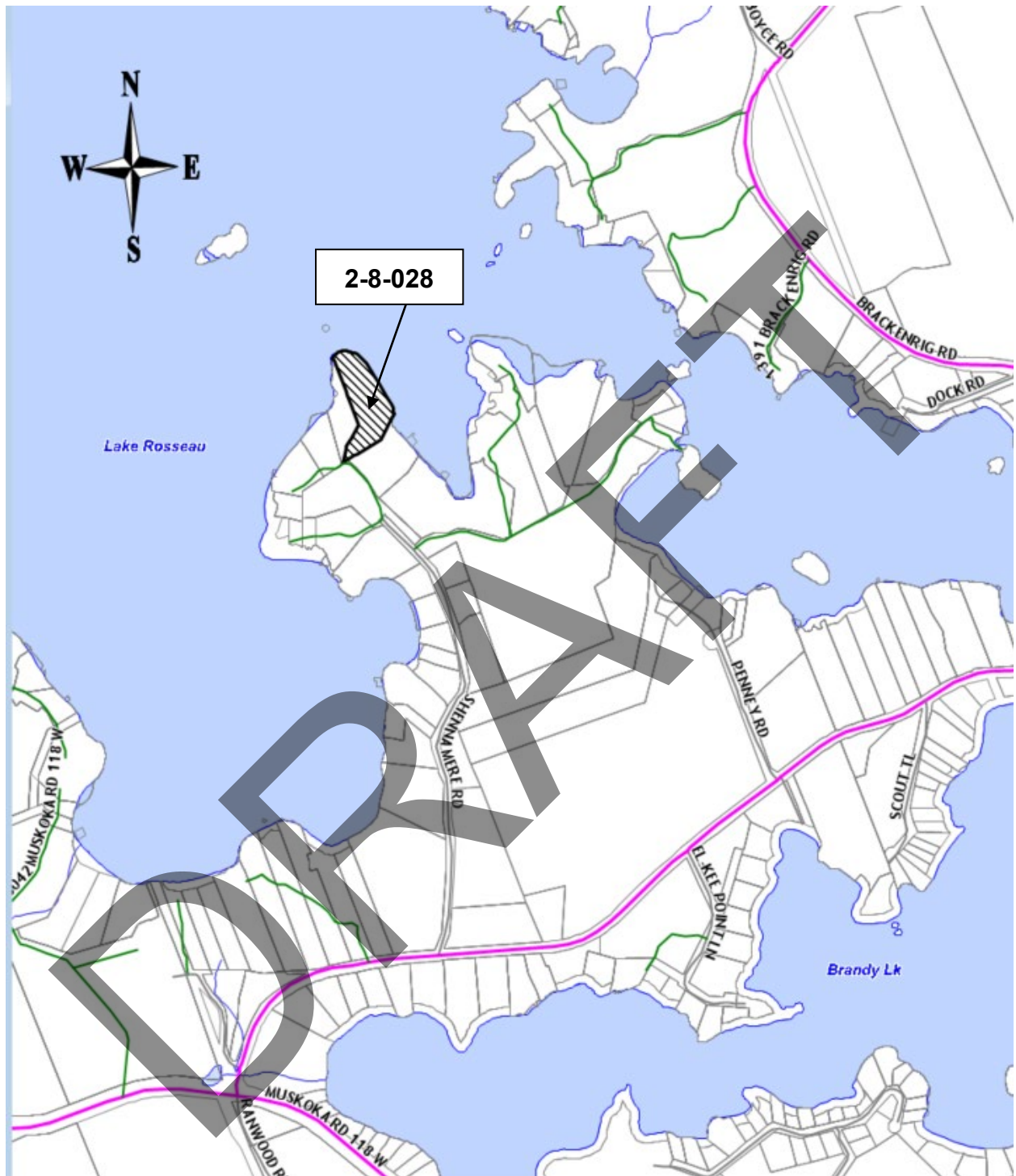
READ A THIRD TIME AND FINALLY PASSED this ____ day of _____, 2023.

Peter Kelley, Mayor

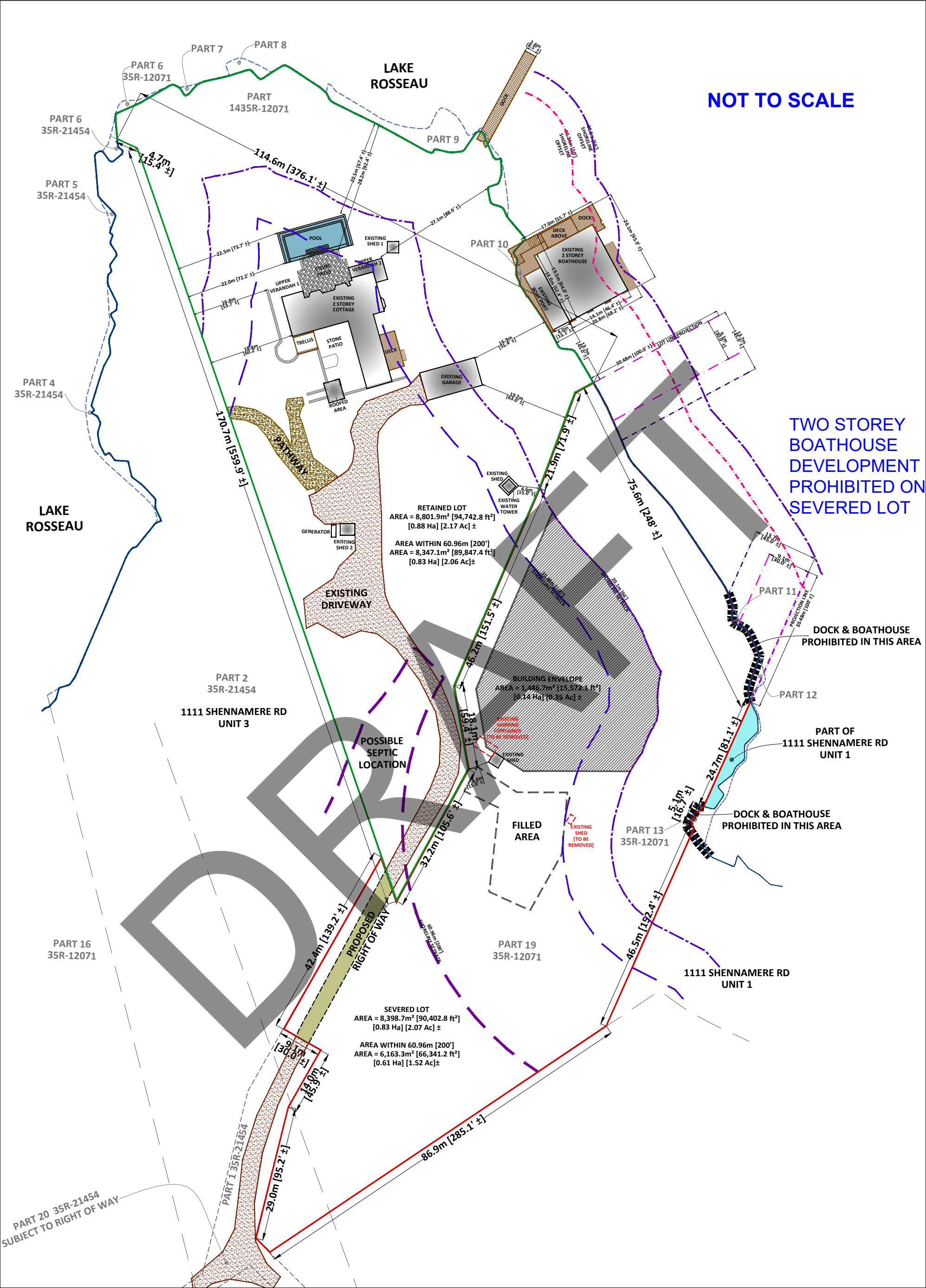
Crystal Paroschy, Clerk

DRAFT

SCHEDULE I TO BY-LAW 2022-168



SCHEDULE II TO BY-LAW 2022-168



SEVERANCE SKETCH - OPTION 2

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PART OF LOTS 33 & 34, CONCESSION 2
GEOGRAPHIC TOWNSHIP OF WATT
TOWNSHIP OF MUSKOKA LAKES
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		PLANSCAPE BUILDING COMMUNITY THROUGH PLANNING	
SCALE	PROJECT NO.	DATE INITIATED	BY
1 : 750	032100	MARCH 21, 2022	JT

BASE MAP SOURCE:
CHAPPLE, GALBRAITH SURVEYORS LIMITED
COOTE, HILEY, JEMMETT LIMITED - 2021