



Box 129, Port Carling, ON, POB 1JO
Telephone (705) 765-3156
Fax (705) 765-6755

THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES
PLANNING COMMITTEE

**NOTICE OF COMPLETE APPLICATION
AND
NOTICE OF PUBLIC MEETING**

This notice has been sent to you for your information and does not require any response unless you wish to make one.

TAKE NOTICE THAT the Council for The Corporation of the Township of Muskoka Lakes will be considering the following proposed Consent and Amendment to Zoning By-Law 2014-14 pursuant to Sections 53 and 34 of the Planning Act, R.S.O. 1990, c. P.13.

Public Meeting Date: Thursday, February 15, 2024 at 9:00 a.m.

File #'s: B/01/24/ML, ZBA-01/24

Roll #: 5-9-021

Civic Address: 1062 Pennwood Road, Unit #5

Owners: Hindy Kennedy, Susan Kennedy, James Kennedy and Allen Leitch, 1062 Pennwood Road, Suite 5, RR #1, Port Carling, ON, P0B 1M0

Legal Description: Lot 4, Plan M-153, (Medora)

Lake/River: Indian River (Category 1 River)

Zoning: Waterfront Residential (WR5) and Waterfront Residential – Restricted Waterbody (WR5-R)

Zoning Schedule: 36

EXPLANATION OF THE PURPOSE AND EFFECT: A Consent/Severance Application (B/01/24/ML) has been submitted by Hindy Kennedy, Susan Kennedy, James Kennedy, and Allen Leitch to sever two portions of their property (Severed Lots 1 and 2) and add them to an abutting lot to the north (Benefitting Lot) in the ownership of Kimberly and Timothy Burke. The Benefitting Lot contains a dwelling with an attached sundeck, a sleeping cabin with an attached sundeck, a wood shed, a two-storey boathouse with an associated dock, and a swim dock. The Retained Lot contains a single storey dwelling with an attached sundeck (to be removed or brought into zoning compliance), a new dwelling currently under construction, a play structure/tree fort with an attached sundeck, a shed, a pagoda, a dock with an attached ramp, and a portion of a two-storey boathouse with an attached sundeck and a portion of a sleeping cabin with an attached sundeck. The Severed Lots contain portions of the encroaching two storey boathouse and sundeck and sleeping cabin and sundeck. The purpose of the proposed lot additions is to correct these encroachments. This application constitutes a reconfiguration of common lot lines. No new lots are being created.

A Zoning By-law Amendment Application (ZBA-01/24) has also been submitted to provide exemptions from Waterfront Residential (WR5 and WR5-R) Zone minimum lot frontage requirement for the Retained Lot in Application B/01/24/ML.

Exemption	ZBL 2014-14 Section(s)	Description	Permitted	Proposed	Relief
A	4.1.3	Minimum Lot Frontage for Lands Zoned WR5	300 ft.	142 ft. ¹ (Retained Lot)	158 ft.

¹ The lot frontage of the Parent Lot (Retained Lot together with the Severed Lot) is currently 147 feet.

A key map of the subject property, a consent/zoning sketch and any drawings, and a draft By-law are included in this notice.

TAKE FURTHER NOTICE that this public hearing will be held in a hybrid forum with electronic ZOOM participation, and in-person format for those wishing to attend in person. The meeting will be held in the **Council Chambers, Municipal Office, 1 Bailey Street, Port Carling, Ontario, and will commence at 9:00 a.m.**

ZOOM Guide

More information about viewing and/or participating in the ZOOM hearing can be found on our website: <https://www.muskokalakes.ca/zoom/>

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/>.

ADDITIONAL INFORMATION relating to the proposed consent and zoning amendment applications is available from the Planning Department week days between 8:15 a.m. and 4 p.m. at the Municipal Office, or at planning@muskokalakes.ca or by phone at (705)765-3156, by Fax at (705) 765-6755, or by mail at The Corporation of the Township of Muskoka Lakes, Box 129, Port Carling, Ontario, P0B 1J0. **Please quote the file numbers noted above.**

YOU OR YOUR REPRESENTATIVE are entitled to participate in this public meeting and make verbal representation and/or make written representation prior to the meeting. Comments can be submitted by emailing planning@muskokalakes.ca or by regular mail or the Municipal Office drop box outside the main entrance to the Municipal Office located at 1 Bailey St., Port Carling.

IF YOU WISH TO SPEAK at the meeting by electronic participation, please contact planning@muskokalakes.ca by 9:00 a.m. on the regular business day preceding the scheduled meeting.

IF YOU DO NOT PARTICIPATE in the meeting it may proceed in your absence and, except as otherwise provided in the Planning Act, you will not be entitled to any further notice in the proceedings.

NOTICE OF DECISION: If you wish to be notified of the decision of the Council of the Township of Muskoka Lakes in respect of the proposed consent or zoning by-law amendment, you must submit a written request to the Township of Muskoka Lakes, Box 129, Port Carling, Ontario, P0B 1J0.

ZONING AMENDMENT: If a person or public body would otherwise have an ability to appeal the decision of Council 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 Township of Muskoka Lakes before the by-law is

passed, the person or public body is not entitled to appeal the decision. 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.

CONSENT: No one other than the applicant, the municipality, certain public bodies and the minister may file an appeal of the decision of Council in respect of the proposed consent. If a person or public body has the ability to appeal the decision of the Council of the Township of Muskoka Lakes in respect of the proposed consent to the Ontario Land Tribunal, but does not make written submissions to the Council of the Township of Muskoka Lakes before it gives or refuses to give a provisional consent, the Tribunal may dismiss the appeal.

THE MEETING will be live-streamed on the Township's live webcast at: www.muskokalakes.ca If the live webcast fails, the meeting recording will be posted at: <https://muskokalakes.civicweb.net/Portal/>

Dated at the Corporation of the Township of Muskoka Lakes this 25th day of January, 2024.

Crystal Paroschy, Clerk
Corporation of the Township of Muskoka Lakes

KEY MAP



CONSENT/ZONING SKETCH

NOT TO SCALE

LOT 4, REGISTERED PLAN M-153
(GEOGRAPHIC TOWNSHIP OF MEDORA)
TOWNSHIP OF MUSKOKA LAKES
DISTRICT MUNICIPALITY OF MUSKOKA

PART 6
35R-22659
PIN 48157-0551

LOT DIMENSIONS:

RETAINED LOT FRONTAGE:
EXISTING: 147 FT.
PROPOSED: 142 FT.

BENEFITTING LOT FRONTAGE:
EXISTING: 175 FT.
PROPOSED: 180 FT.

RETAINED LOT AREA:
EXISTING: 0.8 AC.
PROPOSED: 0.795 AC.

BENEFITTING LOT AREA:
EXISTING: 1.84 AC.
PROPOSED: 1.845 AC.

CUMULATIVE AREA OF SEVERED LANDS A & B = 206 SQ. FT.

SCALE: 1 INCH = 30 FEET
0 10 30 60 FEET

IMPERIAL
DISTANCES SHOWN ON THIS PLAN ARE
IN FEET AND CAN BE CONVERTED TO
METERS BY MULTIPLYING BY 0.3048.

BENEFITTING LANDS:
1.84 acres, 175 feet
water frontage


PROPOSED SIDE YARD SETBACKS FOR SLEEPING
CABIN WITH ATTACHED SUNDECK AND 2 STOREY
BOATHOUSE WITH ATTACHED DOCK = 0 FT.

STATION	BEARING	DISTANCE
A	N76°10'W	15.3
	N85°26'W	15.2
	N49°20'W	29.2
	N40°25'W	34.5
	N37°08'W	39.6
	N37°43'W	46.0
	N39°30'W	59.6
	N43°50'W	67.0
	N45°42'W	72.2
	N45°42'W	59.6
	N45°37'W	77.9
	N43°58'W	81.8
	N43°58'W	82.8
	N41°52'W	84.4
	N37°20'W	86.6
	N32°44'W	95.3
	N30°14'W	103.6
	N29°27'W	113.3
	N28°51'W	121.9
	N28°22'W	127.7
	N24°08'W	135.9
	N22°43'W	146.0

STATION	BEARING	DISTANCE
A	N89°16'W	43.0
	N89°13'W	60.8
	N83°09'W	69.5
	N60°35'W	81.2
	N49°16'W	87.4
	N42°20'W	103.2
	N39°24'W	116.7
	N30°14'W	136.2
	N32°22'W	149.9

STATION	BEARING	DISTANCE
W	S36°48'W	102.4
	S18°52'E	181.5
	S50°01'E	38.5

ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM
V-26403



THIS PLAN IS NOT VALID
UNLESS IT IS AN UNBROSSSED
ORIGINAL COPY
ISSUED BY THE SURVEYOR
in accordance with
Regulation 102B, Section 29(3).

SEAL

ELEVATION NOTE:

ELEVATIONS SHOWN HEREON WERE OBTAINED BY WATER
TRANSFER AND ARE REFERRED TO STATION 00819718429, HAVING
AN ELEVATION OF 773.23', CGVD28.

WATER BOUNDARY NOTE:

INDIAN RIVER IS REGULATED TO ELEVATION 739.3', CGVD28.

DWELLING CURRENTLY UNDER
CONSTRUCTION NOT SHOWN/EXISTING
DWELLING TO BE REMOVED OR BROUGHT
INTO ZONING COMPLIANCE

PART 2

DESCRIPTION OF LAND

A Surveyor's Real Property Report has been completed of all of Lot 4, Registered Plan M-153, in the Geographic Township of Medora, now in the Township of Muskoka Lakes. The subject lands are described in PIN 48157-0035.

REGISTERED EASEMENTS AND/OR RIGHT-OF-WAYS

Our Land Registry Office search revealed a right of way appurtenant to the subject property as set out in L151903.

Our Land Registry Office search revealed that there are no rights of ways or easements affecting title of the subject property.

There are overhead wires that cross the subject property that are not within a registered easement.

BOUNDARY FEATURES

Note that the dock is located 5.4 feet south of the property limit.

The bunkie is 0.6' south of the property limit and the attached deck is 4.4' south.

The two storey boathouse is 5.2 feet south of the property limit. The sealed upper deck and dock are 7.2 and 10.5 feet south of the production of the property limit.

Shed 2 is 0.9 feet north of the property limit.

The straight line frontage and the relevant area determining the coverage on the parcel of land have been calculated and are provided on this plan.

AREA SCHEDULE

Area of Parcel = 35,700 Sq.ft. (0.8 Acres)
Area of Parcel 200 feet from the water's edge = 29,150 Sq.ft. (0.7 Acres)

Area of Dwelling = 785 Sq.ft.
Area of Pagoda = 110 Sq.ft.
Area of Tree Fort = 75 Sq.ft.
Area of Shed = 30 Sq.ft.

Total Area of Buildings = 1000 Sq.ft.

COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS

The plan depicts the location of the dwelling, the dock, the tree fort and the shed. The locations of the aforementioned improvements are shown by right angle ties to the property limits. This report does not confirm compliance with local zoning by-laws, but does contain sufficient information for comment by the appropriate authorities.

Date: August 3, 2022.

R. J. Chapple O.L.S.
Chapple, Galbraith Surveyors Ltd.

THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES

BY-LAW 2024-XXX

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-XXXX i) The land affected by this amendment is described as Lot 4, Plan M-153 (in the former Township of Medora), as shown hatched on Schedule I to By-law 2024-XXX.
 - ii) Despite the provisions of Section 4.1.3 of By-law 2014-14, as amended, for those lands described above, the minimum permitted lot frontage for the Retained Lot in Consent/Severance Application B/01/24/ML shall be 141 feet, as shown in the location and extent on Schedule II to By-law 2024-XXX.
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 2024-XXX and By-law 2014-14, as amended, the provisions of By-law 2024-XXX shall apply.

Read a **first, second and third time** and **finally passed** this _____ day of _____, 2024.

Peter Kelley, Mayor

Crystal Paroschy, Clerk

SCHEDULE I TO BY-LAW 2024-XXX



KEY MAP
THIS IS NOT A PLAN OF SURVEY.
INFORMATION FOR PLANNING PURPOSES.

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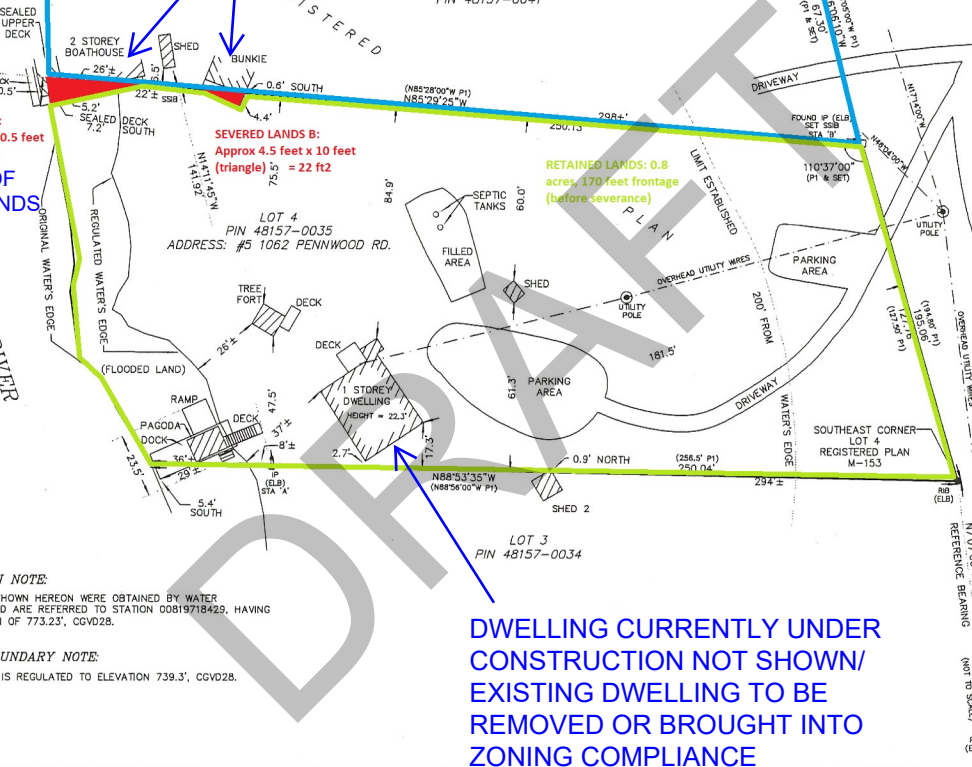
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