

**NOTICE OF COMPLETE APPLICATION & NOTICE OF PUBLIC MEETING
CONCERNING A PROPOSED AMENDMENT
ZONING BY-LAW #2023-039
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 IN PERSON AND ELECTRONICALLY FROM THE COUNCIL CHAMBERS, MUNICIPAL OFFICE, PORT CARLING, ONTARIO

July 13, 2023 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 this public meeting will be held in a hybrid forum with both electronic participation via ZOOM, and in-person participation 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. More information about viewing and/or participating via ZOOM 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 either in person or via the ZOOM meeting and/or may 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 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.

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 Ontario Land 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 **22nd** day of **June, 2023**.

Crystal Paroschy, Clerk
of the Corporation of the
Township of Muskoka Lakes

ZBA#:
ROLL#:
NAME:
CIVIC/911 ADDRESS:

ZBA-09/23
4-5-031
BROWN
1218 HAMILLS POINT ROAD

**EXPLANATION OF THE PURPOSE AND EFFECT OF
ZONING BY-LAW AMENDMENT**

**ZBA-09/23, BY-LAW 2023-039, BROWN,
Roll # 4-5-031**

The land affected by this amendment is described as Lot 9, Concession 9, Part 2, Plan M-432, (in the former Township of Medora), now in the Township of Muskoka Lakes. The subject land is known municipally as 1218 Hamills Point Road, and is currently in the ownership of Adam and Marla Brown.

The subject land contains a one storey dwelling with a walk-out basement and an attached raised sundeck, a ground level stone sundeck with a hot tub, a stone patio, a two storey boathouse containing a sleeping cabin in the upper level, and a dock.

Please note that Zoning By-law Amendment Application ZBA-03/22, By-law 2022-035 (Quinn) was approved by the Ontario Land Tribunal (OLT) in November 2022 permitting a two storey garage with an upper level storage use to exceed a maximum permitted lot coverage requirement and permitting the ground level stone sundeck within the required front yard setback.

The subject land has now changed ownership and the applicants propose to construct a smaller two storey garage with a storage use in the upper level, a dock addition, and a single storey boathouse addition.

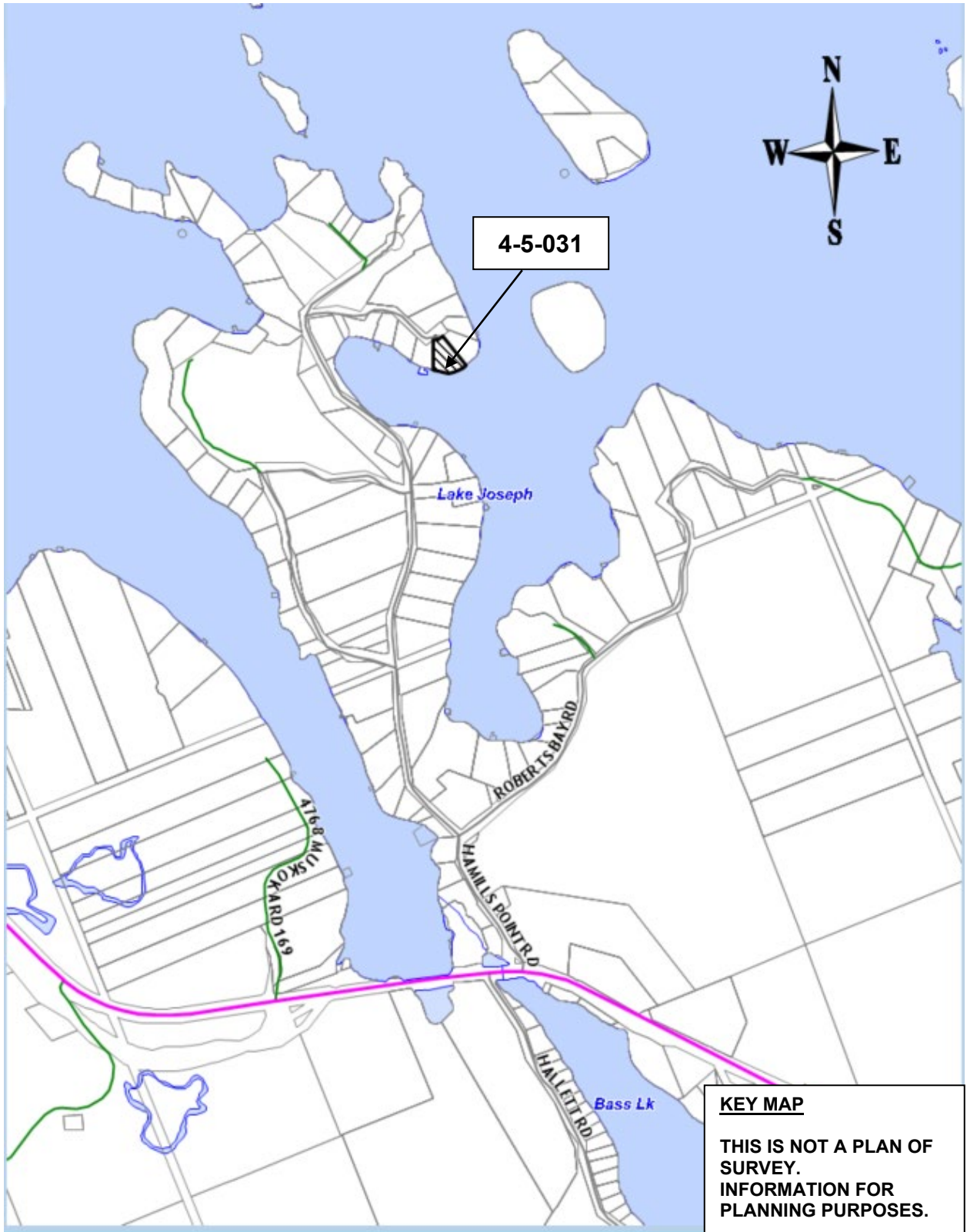
The purpose of by-law 2023-039 is to provide an exemption from Sections 4.1.3.6 and 4.1.3.7 of By-law 2014-14, as amended, being the maximum permitted lot coverage requirement of 10% over the area of the lot within 200 feet from the high water mark on a Category 1 Lake (Lake Joseph). The lot area within 200 feet from the high water mark is 36,330 square feet. Therefore, the maximum permitted lot coverage within 200 feet from the high water mark is 3,633 square feet. The proposed lot coverage within 200 feet from the high water mark is 3,956 square feet or 10.9%.

The purpose of By-law 2023-039 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 cumulative single storey boathouse width of 16% of the lot frontage on a Category 1 Lake. In this case, the subject land has 236 feet of lot frontage, and therefore, the maximum permitted cumulative single storey boathouse width is 37.8 feet. The proposed single storey boathouse addition will result in a cumulative first storey width of 46 feet.

In summary, By-law 2023-039 will have the effect of permitting buildings to exceed a maximum permitted lot coverage requirement and of permitting a single storey boathouse addition to exceed the maximum first storey boathouse width requirement.

[See Key Map on the Following Page](#)

KEY MAP



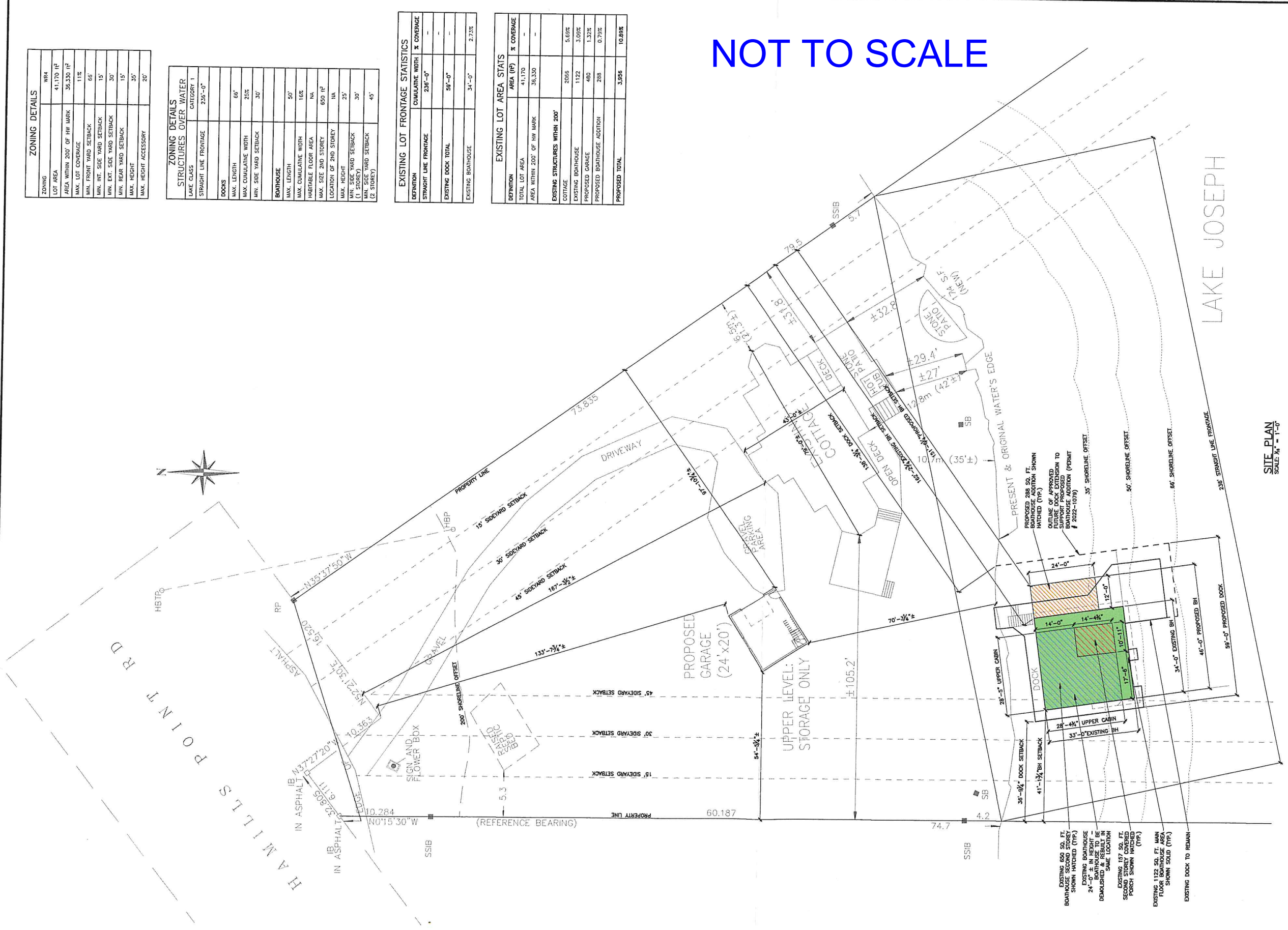
NOT TO SCALE

| ZONING DETAILS | |
|-----------------------------|---------------------------|
| ZONING | WR |
| LOT AREA | 41,170 (ft ²) |
| AREA WITHIN 200' OF HW MARK | 36,330 (ft ²) |
| MAX. LOT COVERAGE | 11% |
| MIN. FRONT YARD SETBACK | 66' |
| MIN. INT. SIDE YARD SETBACK | 15' |
| MIN. EXT. SIDE YARD SETBACK | 30' |
| MIN. REAR YARD SETBACK | 15' |
| MAX. HEIGHT | 35' |
| MAX. HEIGHT ACCESSORY | 20' |

| ZONING DETAILS STRUCTURES OVER WATER | |
|--------------------------------------|------------------------|
| LAKE CLASS | CATEGORY 1 |
| STRAIGHT LINE FRONTAGE | 236'-0" |
| DOCKS | |
| MAX. LENGTH | 66' |
| MAX. CUMULATIVE WIDTH | 25% |
| MIN. SIDE YARD SETBACK | 30' |
| BOATHOUSE | |
| MAX. LENGTH | 50' |
| MAX. CUMULATIVE WIDTH | 16% |
| HABITABLE FLOOR AREA | NA |
| MAX. SIZE 2ND STOREY | 650 (ft ²) |
| LOCATION OF 2ND STOREY | NA |
| MAX. HEIGHT | 25' |
| MIN. SIDE YARD SETBACK (1 STOREY) | 30' |
| MIN. SIDE YARD SETBACK (2 STOREY) | 45' |

| EXISTING LOT FRONTAGE STATISTICS | |
|----------------------------------|-------------------------------|
| DEFINITION | CUMULATIVE WIDTH % COVERAGE |
| STRAIGHT LINE FRONTAGE | 236'-0" |
| EXISTING DOCK TOTAL | 59'-0" |
| EXISTING BOATHOUSE | 34'-0" |
| | 2.73% |

| EXISTING LOT AREA STATS | |
|---------------------------------|--------------------------------------|
| DEFINITION | AREA (ft ²) % COVERAGE |
| TOTAL LOT AREA | 41,170 |
| AREA WITHIN 200' OF HW MARK | 36,330 |
| EXISTING STRUCTURES WITHIN 200' | |
| COTTAGE | 2066 |
| EXISTING BOATHOUSE | 1122 |
| PROPOSED GARAGE | 480 |
| PROPOSED BOATHOUSE ADDITION | 288 |
| PROPOSED TOTAL | 3,956 |
| | 10.89% |



705.640.3800
 INFO@DEKONINGGROUP.COM
 3 ARMSTRONG POINT ROAD
 PORT CARLING, ONTARIO
 POB 1J0

PROFESSIONAL ENGINEER
 BCIN REGISTRATION INFORMATION
 DE KONING GROUP INC. 124300
 FIRM NAME FIRM BCIN
 REQUIRED UNLESS DESIGN IS EXEMPT UNDER 2.17.4.1 OF THE BUILDING CODE

| No. | Revision/Issue Column | Date |
|-----|-----------------------|-------------|
| 1 | ISSUED FOR REVIEW | MAR.29.2023 |

CLIENT
ADAM BROWN

PROJECT
BROWN BOATHOUSE
 1218 HAMILLS POINT ROAD
 TOWNSHIP OF MUSKOKA LAKES
 LAKE JOSEPH

DRAWING
SITE PLAN

DATE MAR.2023
 PROJECT 23-189-01
 DESIGNED JTL
 REVIEWED N&K
 SCALE AS SHOWN
 SHEET

SP1

SITE PLAN
 SCALE: 1/4" = 1'-0"

THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES

BY-LAW 2023-039

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 were 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:

| | | |
|---------|------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 87-2079 | i) | The land affected is described as Lot 9, Concession 9, (in the former Township of Medora), now in the Township of Muskoka Lakes, more particularly described as Lot 4, Plan M-432, as shown hatched on Schedule I to By-law 2023-039. |
| | ii) | Despite the provisions of Sections 4.1.3.6 and 4.1.3.7 of By-law 2014-14, as amended, for those lands described above, the maximum permitted lot coverage within 200 feet from the high water mark shall be 3,956 square feet or 10.9% as shown in the location and extent on Schedule II to By-law 2023-039. |
| | iii) | Despite the provisions of Section 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 single storey boathouse width shall be 46 feet, as shown in the location and extent on Schedule II to By-law 2023-039. |

All other provisions of By-law 2014-14 apply. To the extent of any conflict between By-law 2023-039 and By-law 2014-14, as amended, the provisions of By-law 2023-039 shall apply.

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

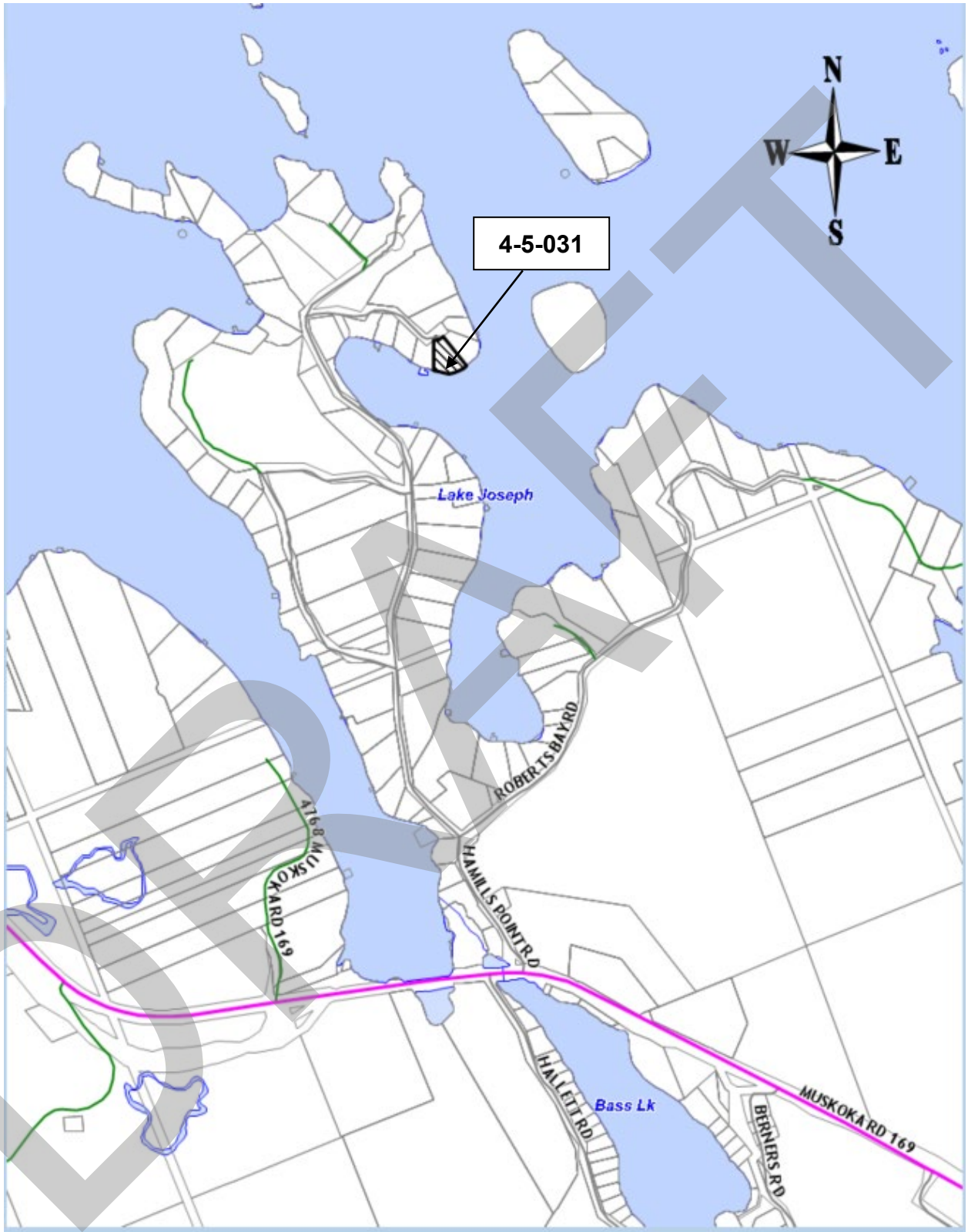
READ A FIRST AND SECOND TIME this ____ day of _____, 2023.

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

Peter Kelley, Mayor

Crystal Paroschy, Clerk

SCHEDULE I TO BY-LAW 2023-039



SCHEDULE II TO BY-LAW 2023-039



705.640.3800
INFO@DEKONINGGROUP.COM
3 ARMSTRONG POINT ROAD
PORT CARLING, ONTARIO
POB 1J0

PROFESSIONAL ENGINEER
BCIN REGISTRATION INFORMATION
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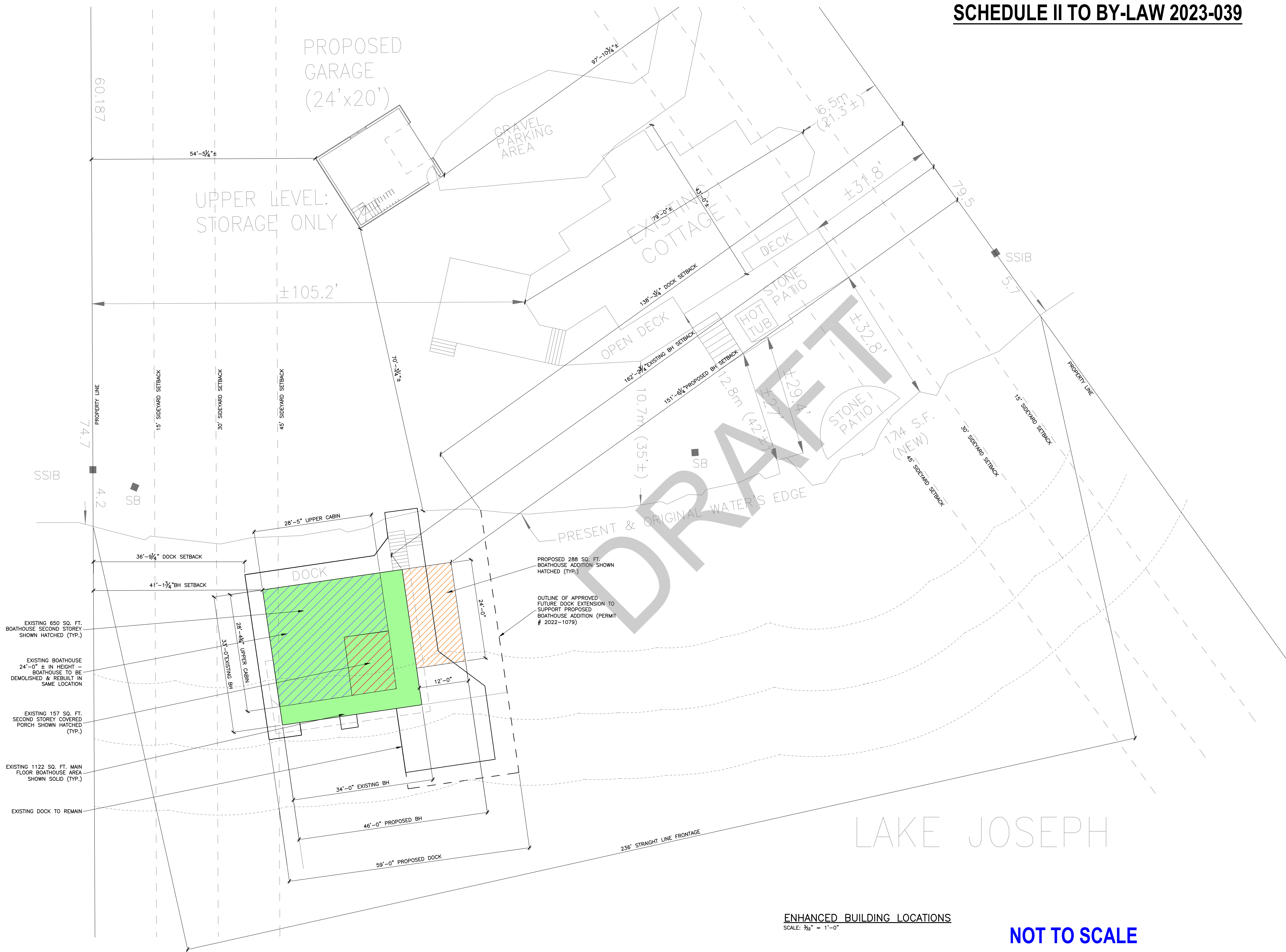
| | | |
|-----|------------------------------------|-------------|
| No. | Revision/Issue Column | Date |
| 1 | ISSUED FOR ZONING BY LAW AMENDMENT | JUN.21.2023 |

CLIENT
ADAM BROWN

PROJECT
BROWN BOATHOUSE
1218 HAMILLS POINT ROAD
TOWNSHIP OF MUSKOKA LAKES
LAKE JOSEPH

DRAWING
SITE PLAN - ENHANCED

| | |
|----------|------------|
| DATE | MAR.2023 |
| PROJECT | 23-189-01 |
| DESIGNED | JTL |
| REVIEWED | N&K |
| SCALE | AS SHOWN |
| SHEET | SP2 |



ENHANCED BUILDING LOCATIONS
SCALE: 3/32" = 1'-0"

NOT TO SCALE