

**NOTICE OF COMPLETE APPLICATION & NOTICE OF PUBLIC MEETING
CONCERNING A PROPOSED AMENDMENT
ZONING BY-LAW #2022-121
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

June 15, 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 26th day of May, 2023.

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

ZBA#: ZBA-57/22
ROLL#: 2-9-087
NAME: AVERBUCH
CIVIC/911 ADDRESS: 1683 BRACKENRIG ROAD, UNIT #4

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

ZBA-57/22, BY-LAW 2022-192, AVERBUCH, Roll # 2-9-087

The land affected by this amendment is described as Part of Lot 27, Concession 5, Parts 2, 5, 6, 8, and 12, Plan 35R-23401, (in the former Township of Watt), now in the Township of Muskoka Lakes. The subject land is known municipally as 1683 Brackenrig Road, Unit #4 and is currently in the ownership of Arnold Averbuch and Shely Zaidman-Averbuch.

The subject land contains an as-built two storey dwelling, an as-built sleeping cabin, an as-built unroofed trellis/ pergola, an as-built sundeck with a hot tub, patios, and a single storey boathouse and an associated dock. The applicants propose to recognize various as-built buildings and structures.

The purpose of By-law 2022-192 is to provide an exemption from By-law 2010-107 Section 1 ii), being a minimum westerly side yard setback requirement of 115 feet. The as-built dwelling, the as-built sleeping cabin, and the as-built sundeck are 76 feet, 40 feet and 62 feet from the westerly side lot line, respectively.

The purpose of By-law 2022-192 is to provide an exemption from Sections 4.1.3 of By-law 2014-14, as amended, being the minimum front yard setback requirement of 66 feet. The as-built dwelling and as-built unroofed trellis/ pergola are 64 feet and 52 feet from the high water mark, respectively.

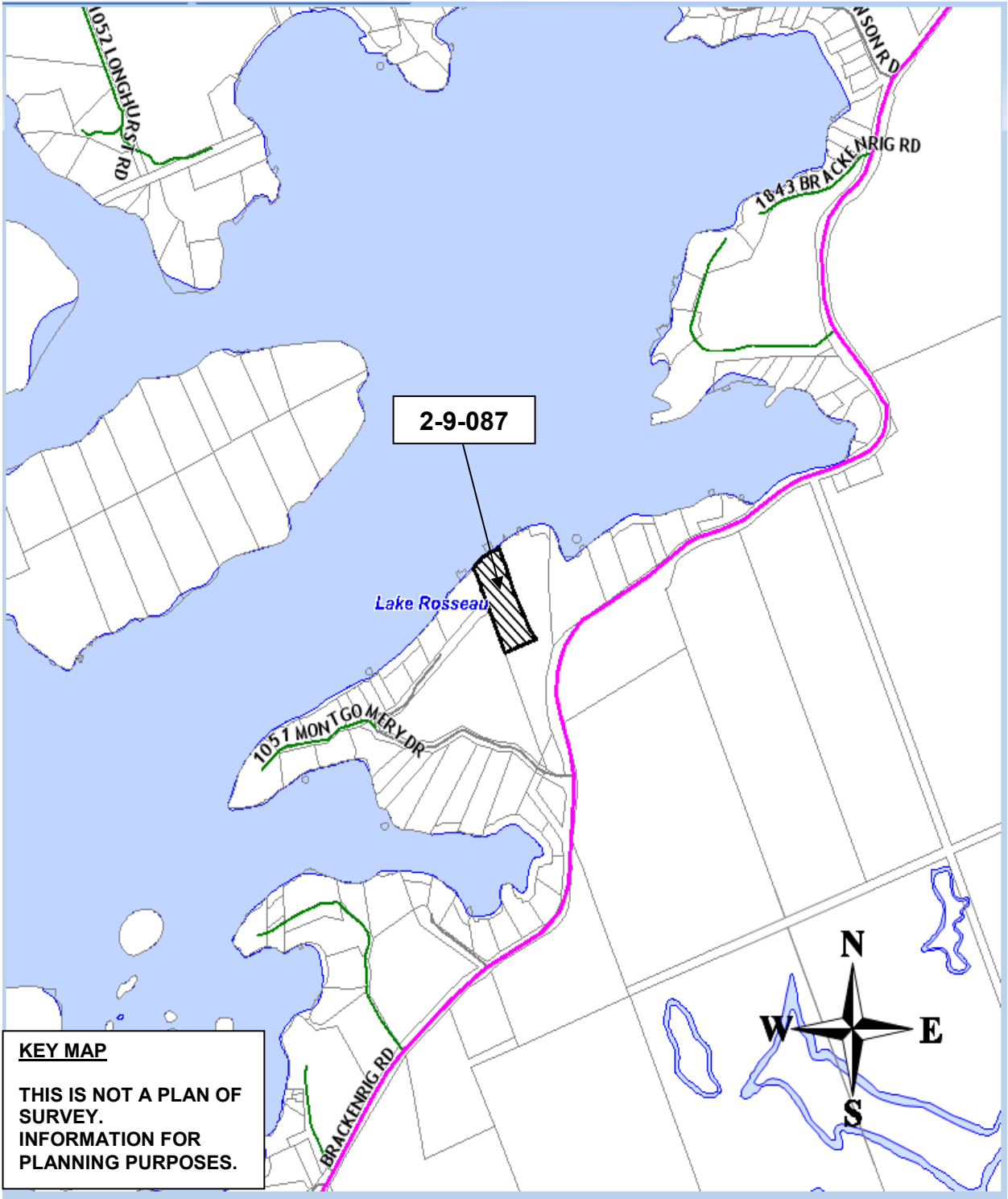
The purpose of By-law 2022-192 is to provide an exemption from Section 4.1.4 iv. of By-law 2014-14, as amended, being the minimum front yard setback requirement of 50 feet for a sundeck. The as-built sundeck is 36 feet from the high water mark.

The purpose of By-law 2022-192 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 coverage of roofed buildings and structures (lot coverage) on a lot within 200 feet of the high water mark. The maximum permitted lot coverage within 200 feet from the high water mark on a Category 1 Lake is 10%. In this case, the area of the lot within 200 feet from the high water mark is 45,985 square feet. Therefore, the maximum permitted lot coverage within 200 feet from the high water mark is 4,598 square feet. The existing buildings and structures result in a lot coverage of 4,672 square feet or 10.2% within 200 feet of the high water mark.

In summary, By-law 2022-192 will have the effect of permitting/recognizing an as-built dwelling, an as-built sleeping cabin, an as-built sundeck, and an as-built unroofed trellis/ pergola.

See Key Map on the Following Page

KEY MAP



THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES

BY-LAW 2022-192

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:
 - 87-2063 i) The land affected by this amendment is described as Part of Lot 27, Concession 5 (in the former Township of Watt), now in the Township of Muskoka Lakes, more particularly described as Parts 2, 5, 6, 8, and 12, Plan 35R-23401, as shown hatched on Schedule I to By-law 2022-192.
 - ii) Despite the provisions of Section 1 ii) of By-law 2010-107, for those lands described above, the minimum side yard setback from the westerly side lot line for the following buildings and structures shall be as follows as shown in the location and extent on Schedule II to By-law 2022-192:
 - Dwelling: 76 feet
 - Sleeping Cabin: 40 feet
 - Sundeck: 62 feet
 - iii) Despite the provisions of Sections 4.1.3 and 4.1.4 iv. of By-law 2014-14, as amended, for those lands described above, the minimum front yard setback for the following building and structures shall be as follows as shown in the location and extent on Schedule II to By-law 2022-192:
 - Dwelling: 64 feet
 - Unroofed Trellis/Pergola: 52 feet
 - Sundeck: 36 feet
 - iv) Despite the provisions of Section 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 is 4,672 square feet or 10.2% as shown in the location and extent on Schedule II to By-law 2022-192.

All other provisions of By-law 2014-14 apply. To the extent of any conflict between By-law 2022-192 and By-law 2014-14, as amended, the provisions of By-law 2022-192 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 _____, 2023.

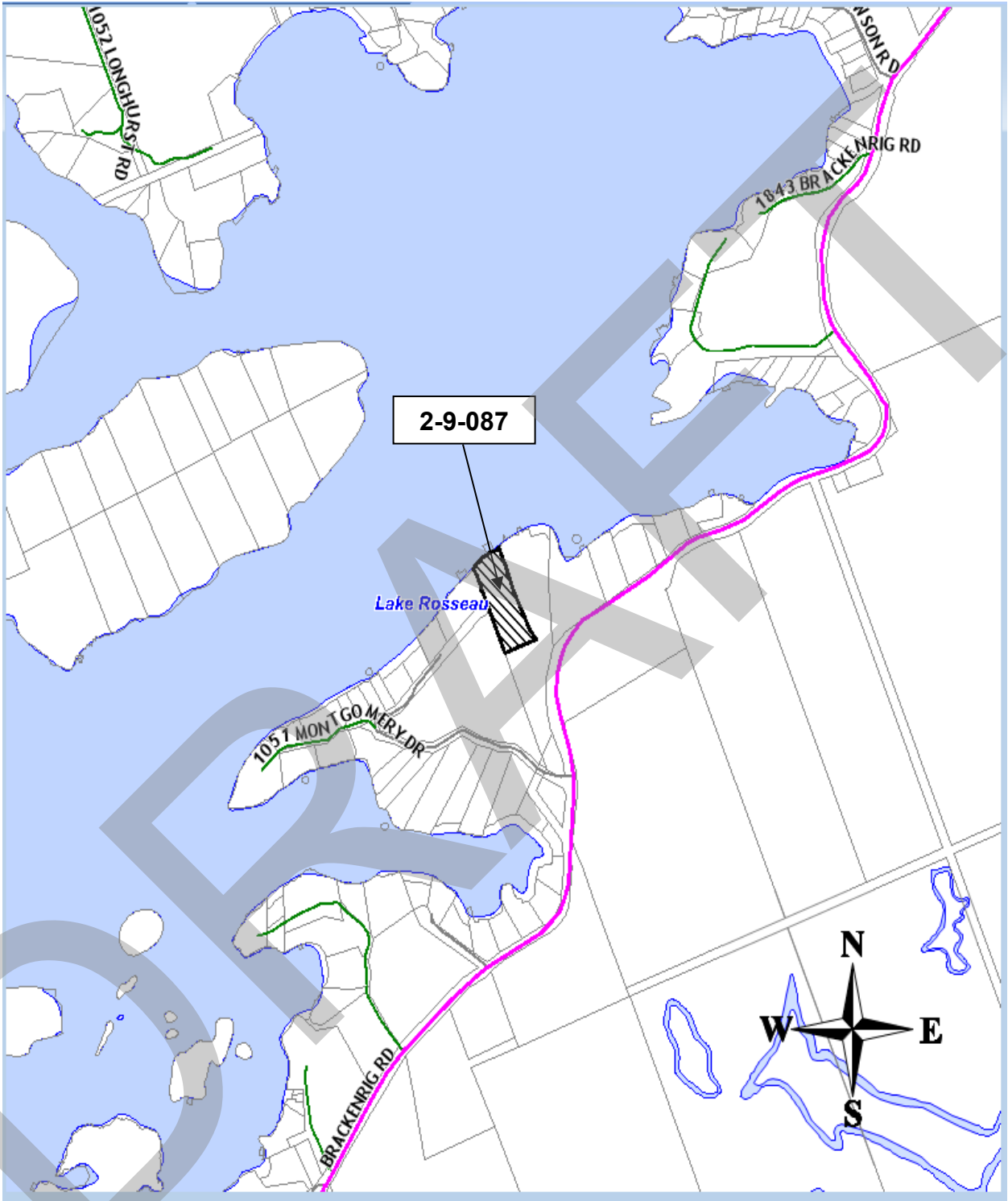
READ A THIRD TIME AND FINALLY PASSED this ____ day of _____, 2023.

Peter Kelley, Mayor

Crystal Paroschy, Clerk

DRAFT

SCHEDULE I TO BY-LAW 2022-192



SCHEDULE II TO BY-LAW 2022-192



NORTH ECHO INC.
 DESIGN BUILD MAINTAIN
 73 JOSEPH ST., PORT CARLING
 ONTARIO P0B1J0
 PHONE: 705-765-0900
 EMAIL: KIP@NORTHECHO.CA
 INDIVIDUAL BCIN: 38223
 FIRM BCIN: 107803

PLAN OF SURVEY OF

LOT 27, CONCESSION 5 AND
 PART OF THE ORIGINAL SHORE ROAD ALLOWANCE
 LYING IN FRONT THEREOF
 (CLOSED BY BY-LAW 83-95 AS IN DM178793 & BY-LAW 2011-49 AS
 IN MT97680)
 GEOGRAPHIC TOWNSHIP OF WATT
 NOW IN THE
TOWNSHIP OF MUSKOKA LAKES
 DISTRICT OF MUNICIPALITY OF MUSKOKA

SITE STATISTICS

STRAIGHT LINE FRONTAGE = 232'
 TOTAL AREA OF LOT = 139,463 SQ. FT.
 AREA OF LOT (WITHIN 200' OF SHORELINE) = 45,985 SQ. FT

EXISTING COVERED AREAS

COTTAGE = 2,848 SQ. FT.
 BUNKIE = 291 SQ. FT.
 GAZEBO = 102 SQ. FT.
 BOATHOUSE = 1,431 SQ. FT.

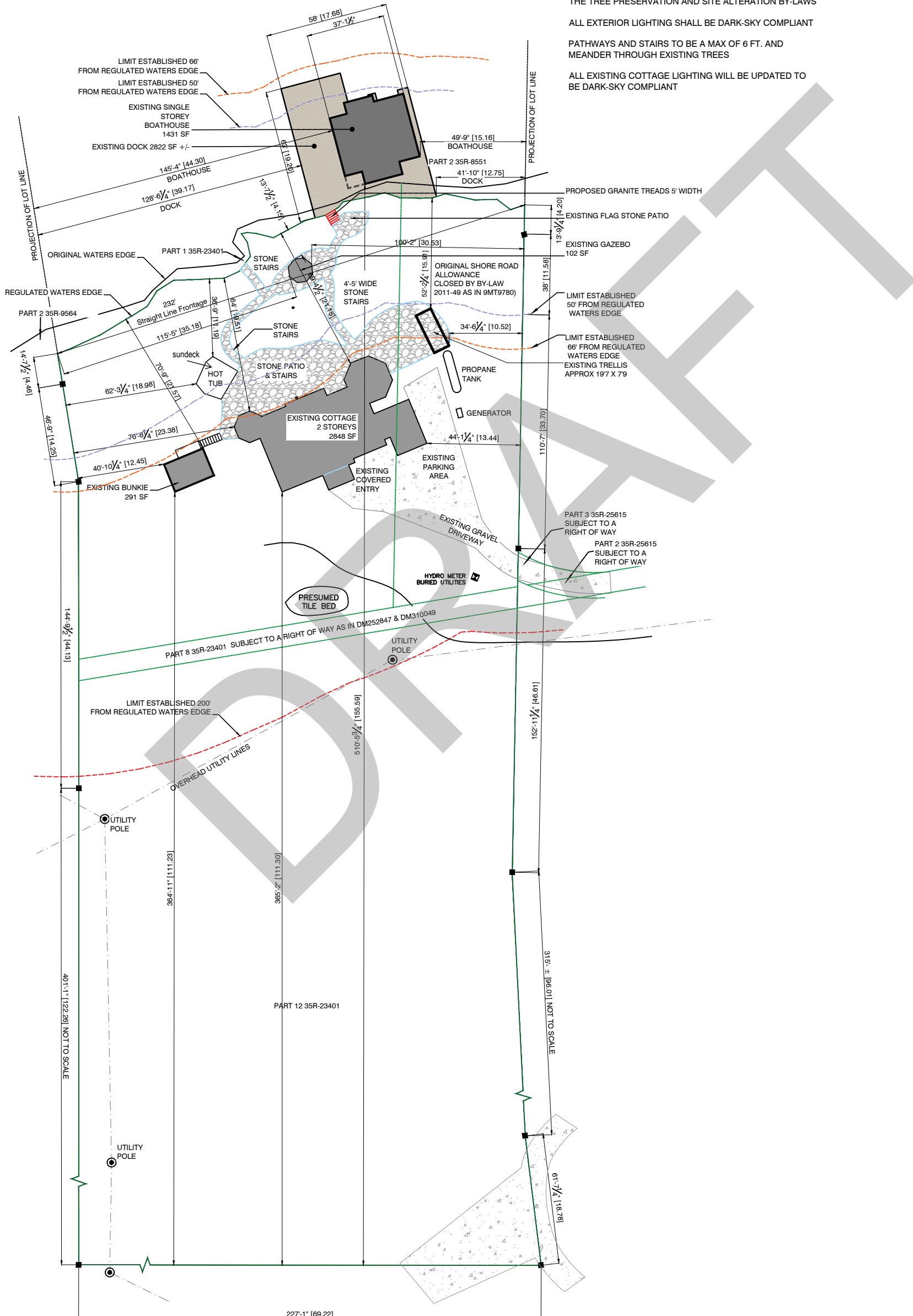
EXISTING LOT COVERAGE (WITHIN 200' OF SHORELINE) Including Gazebo = 4,672 SQ. FT
 LOT COVERAGE (WITHIN 200' OF SHORELINE) Excluding Gazebo = 4,570 SQ. FT

NOTE:

- ALL VEGETATION WITHIN 50 FT. OF THE HIGH WATER MARK SHALL REMAIN IN A NATURAL STATE
- TREE REMOVAL AND SITE ALTERATION WILL COMPLY WITH THE TREE PRESERVATION AND SITE ALTERATION BY-LAWS
- ALL EXTERIOR LIGHTING SHALL BE DARK-SKY COMPLIANT
- PATHWAYS AND STAIRS TO BE A MAX OF 6 FT. AND MEANDER THROUGH EXISTING TREES
- ALL EXISTING COTTAGE LIGHTING WILL BE UPDATED TO BE DARK-SKY COMPLIANT



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



1. Dock Permit	20/08/18
2. Boathouse Permit	20/12/10
3. Site Plan Amendment	21/04/15
4. REV - Pergola	21/11/30
5. Revisions	22/08/16
6. Rev - for ZBA	23/02/15

NO: ISSUE/REVISION DATE

PROJECT:
Averbuch Boathouse
 LOCATION:
**1683 Brackenrig Road
 Unit 4
 Muskoka Lakes**

DRAWING TITLE:
Site Plan

NOT TO SCALE

DRAWN BY: B.B.
 CHECKED BY: K.P.
 SCALE: 1"=50'-0"
 PRINT DATE: Feb 15, 2023

SP1