



THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES

NOTICE OF COMPLETE APPLICATION AND NOTICE OF PUBLIC MEETING CONCERNING A ZONING BY-LAW AMENDMENT BY-LAW 2023-040 AND CONSENT APPLICATIONS B/16/17/18/19/20/21/22/23/ML

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

June 15, 2023

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

TO CONSIDER proposed consent applications 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 this public meeting will be held in a hybrid forum with electronic ZOOM participation, and in-person format for those wish 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 in the ZOOM meeting is included in this Notice and can be found on our website at www.muskokalakes.ca.

PUBLIC MEETING: You or your representative are entitled to participate in this public hearing and make verbal representation, or make written representation prior to the meeting. This representation can be in support of or in opposition to the proposed Consents/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.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 consent and by-law would apply, to every owner of land within 240 metres (800 feet) of the area to which the proposed consents 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 consents 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 consents 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 consents 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 consents 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 consents 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@muskokalakes.ca. Please quote the Application File Number in your submission or request.

DATED at the Corporation of the Township of Muskoka Lakes this **26th** day of **May, 2023**.

Crystal Paroschy, Clerk
Township of Muskoka Lakes

CONSENT #B/16-22/23/ML
BY-LAW #2023-040
AMENDEMENT #ZBA-10/23
NAME: BAKER
ROLL #: 6-19-041/42/43/44
CIVIC ADDRESS: 1223 Innisfree Road



THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES

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

B/16-22/23/ML, ZBA-10/23, BY-LAW 2023-040

BAKER

ROLL # 6-19-037-50 and 6-19-041/042/043/044

The lands affected are described as Part Lot 22, Concession D and E (in the former Township of Medora), now in the Township of Muskoka Lakes. Brian, Margaret, Donald, and Susan Baker, Mary Raymond, Donna Mighton, and Wesley, John, and Norman Ham all have ownership of portions of the subject lands.

Seven Consent/Severance Applications (B/16-22/23/ML) have been submitted to facilitate the reconfiguration of 7 existing lots, resulting in a total of 6 lots with different boundaries. The Applications will also grant rights-of-way. Please see the attached sketches of the existing and resultant lot configurations and the individual descriptions of each application below.

In Application B/16/23/ML, Brian, Margaret, Donald, and Susan Baker propose to sever a portion of property (Severed Lot A) and add it to an abutting lot (Benefitting Lot) to the south in the ownership of Mary Raymond, Donna Mighton, and Wesley, John, and Norman Ham. Severed Lot A is vacant. Retained Lot A contains a dwelling, part of a private on-site sewage disposal system, and a dock/ramp. The Benefitting Lot contains part of a private on-site sewage disposal system. Please see the consent sketch for Application B/16/23/ML.

In Application B/17/23/ML, Brian, Margaret, Donald, and Susan Baker propose to sever a portion of property (Severed Lot B) and add it to an abutting lot (Benefitting Lot) to the north in the ownership of Mary Raymond, Donna Mighton, and Wesley, John, and Norman Ham. Severed Lot B is vacant. Retained Lot B is vacant. The Benefitting Lot contains part of a private on-site sewage disposal system. Please see the consent sketch for Application B/17/23/ML.

In Application B/18/23/ML, the Resultant Lot in Applications B/16/17/23/ML (i.e. Severed Lots A and B together with the Benefitting Lot) is proposed to be subdivided resulting in Severed Lot C with 50 feet of lot frontage on Lake Muskoka. Retained Lot C contains part of a private on-site sewage disposal system. Please see the consent sketch for

Application B/18/23/ML. Retained Lot C is to be consolidated with the remaining subject lands to form a singular lot and is to be further subdivided.

In Application B/19/23/ML, Severed Lot D is proposed. Severed Lot D is vacant. Retained Lot D contains 3 dwellings and accessory buildings and structures. Please see the consent sketch for Application B/19/23/ML. Retained Lot D is to be further subdivided in Applications B/20-22/23/ML.

In Application B/20/23/ML, Severed Lot E is proposed together with a right-of-way over an existing driveway. Severed Lot E contains a dwelling, a shed, and a dock. Retained Lot D contains two dwellings and accessory buildings and structures. The proposed right-of-way over Severed Lot E is in favour of Severed Lot F in Application B/21/23/ML. Please see the consent sketch for Application B/20/23/ML. Retained Lot D is to be further subdivided in Applications B/21/22/23/ML.

In Application B/21/23/ML, Severed Lot F is proposed. Severed Lot F contains a dwelling. Retained Lot F contains a dwelling and accessory buildings and structures. Please see the consent sketch for Application B/21/23/ML. Retained Lot F is to be further subdivided in Application B/22/23/ML.

In Application B/22/23/ML, Severed Lot G is proposed together with a right-of-way over an existing driveway. Severed Lot G contains a dwelling, a sleeping cabin, a single storey boathouse and an associated dock, and a dock/ramp. Retained Lot G is vacant. The proposed right-of-way over Severed Lot G is in favor of Retained Lot G. Please see the consent sketch for Application B/22/23/ML.

The purpose of By-law 2023-040 is to provide an exemption from Section 3.20 of By-law 2014-14, as amended, being that no person shall sever lands if the effect is to cause the remaining lands to be in contravention of zoning provisions. In this case, Severed Lot C in Application B/18/23/ML has a lot frontage of 50 feet and a lot area of 0.6 acres, whereas minimum lot requirements in a Waterfront Residential (WR1) Zone are 200 feet of lot frontage and 1 acre of lot area. This exemption will allow Severed Lot C to be formalized, however, the lot frontage and lot area of Severed Lot C will not be recognized. Therefore, Severed Lot C will not qualify as a 'building lot' and no buildings or structures will be permitted without a further zoning exemption or variance.

The purpose of By-law 2023-040 is also to provide exemptions from Section 4.1.3 of By-law 2014-14, as amended, being the minimum lot frontage requirement of 200 feet in a Waterfront Residential (WR1) Zone. In this case, Severed Lot D in Application B/19/23/ML has a lot frontage of 132 feet and Severed Lot E in Application B/20/23/ML has a lot frontage of 137 feet. Although these lot frontages are less than the required minimum, they are the same as the lot frontages that currently exist.

The purpose of By-law 2023-040 is also to repeal By-law 2021-130. By-law 2021-130 provided exemptions from the minimum lot frontage requirement of 200 feet in a

Waterfront Residential (WR1) Zone in order to formalize Consent/Severance Application B/108/21/ML (Baker) involving the re-creation of lots that had unintentionally merged.

The purpose of By-law 2023-040 is also to repeal By-law 2017-43. By-law 2017-043 provided exemptions in order to formalize Consent/Severance Applications B/04/05/06/08/ML – Amended (Baker/Baker Family Trust/924540 Ontario Ltd.) including exemptions from the maximum permitted cumulative dock width and the minimum side yard setback requirement for a boathouse with a rooftop sundeck. These applications lapsed and By-law 2017-043 is to be repealed with necessary exemptions carried forward in By-law 2023-040.

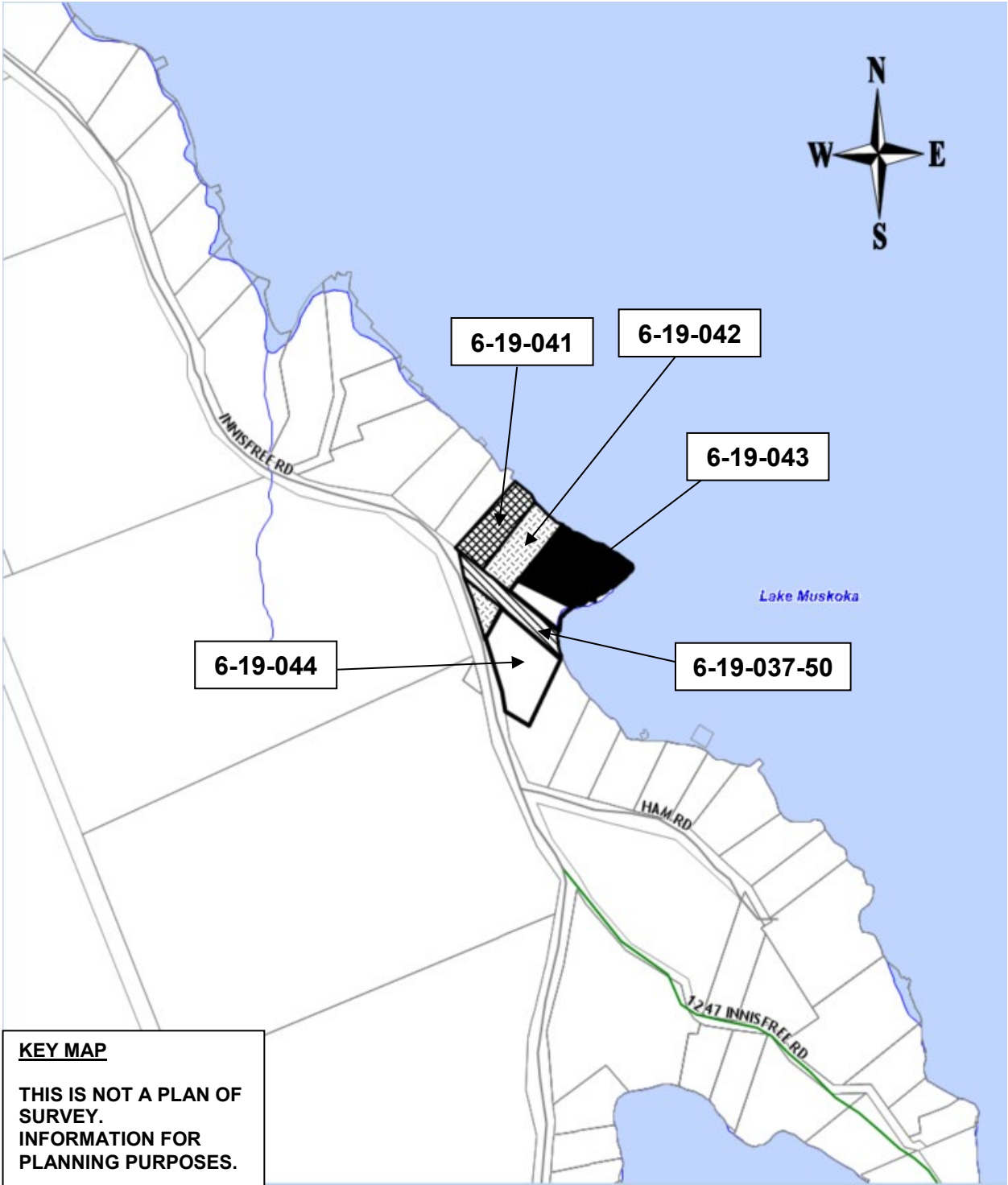
The purpose of By-law 2023-040 is also to provide an exemption from Sections 4.1.7 and 4.1.7.12 a. of By-law 2014-14, as amended, being the maximum permitted cumulative dock width on a Category 1 Lake (Lake Muskoka) of 25% of the lot frontage or 75 feet, whichever is less. In this case, Severed Lot G in Application B/22/23/ML has a lot frontage of 253 feet. Therefore, the maximum permitted cumulative dock width is 63.3 feet. The cumulative width of existing docks on Severed Lot G is to be 70 feet.

The purpose of By-law 2023-040 is also to provide an exemption from Sections 4.1.7 and 4.1.7.8 of By-law 2014-14, as amended, being a minimum side yard setback of 45 feet for a boathouse containing a rooftop sundeck. The existing single storey boathouse on Severed Lot G in Application B/22/23/ML is to be set back 30 feet (at the closest point) from the northerly side lot line and related lot line projection.

In summary, these Consent and Zoning By-law Amendment Applications will have the effect of reconfiguring the boundaries of the existing lots, of eliminating a lot, of granting rights-of-way, of permitting an exemption to allow Application B/18/23/ML to be formalized, of permitting exemptions from a minimum lot frontage requirement for Severed Lots D and E in Applications B/19/20/23/ML, of repealing By-laws 2021-130 and 2017-043, of permitting over width docks, and of permitting a reduced side yard setback for a single storey boathouse with a rooftop sundeck.

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

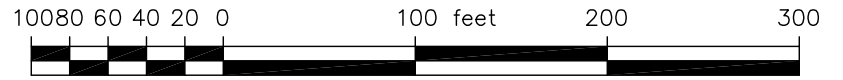
KEY MAP



BEFORE

SKETCH TO ILLUSTRATE PROPERTIES BEFORE SEVERANCE

SCALE 1" = 100'

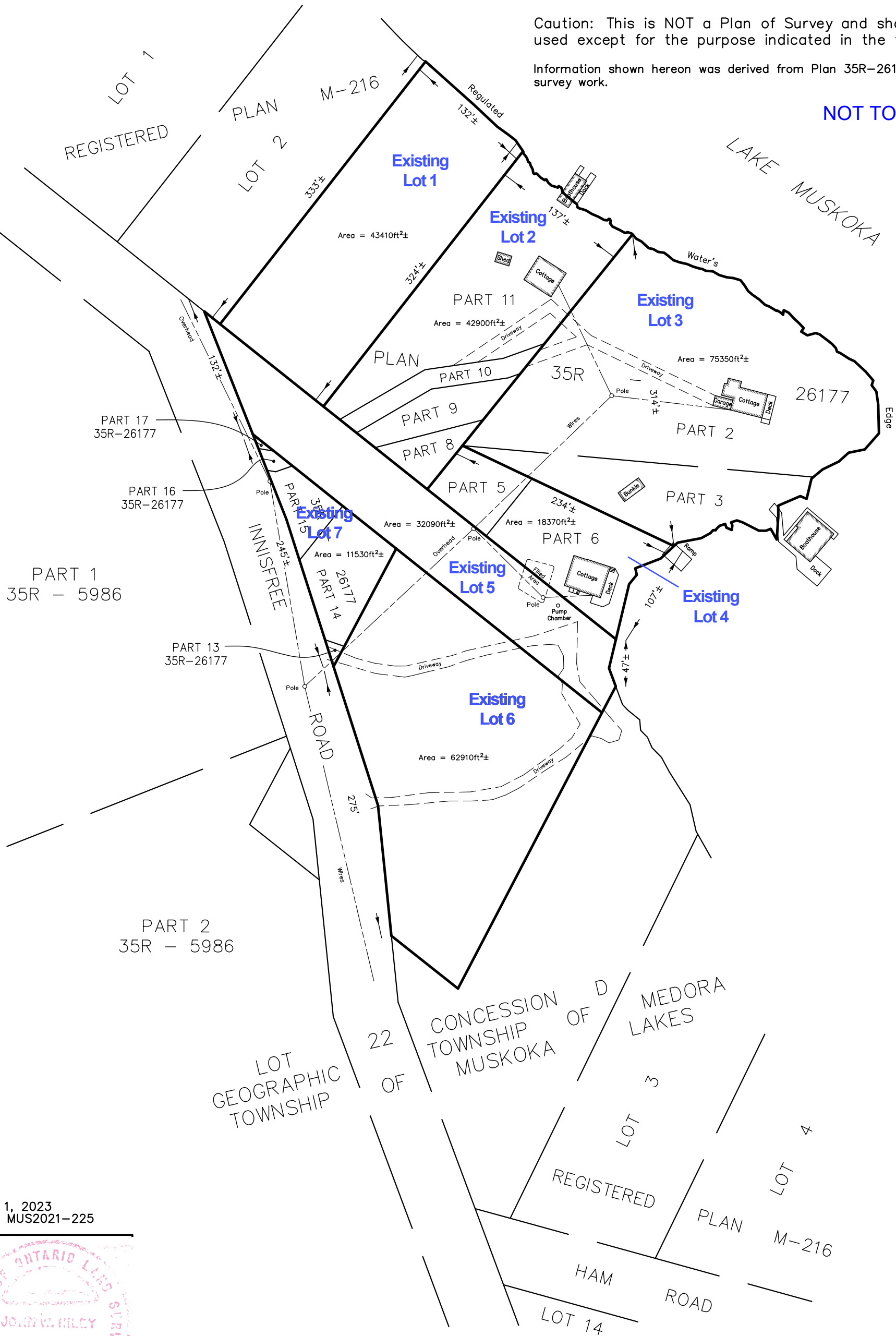


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May 1, 2023
File: MUS2021-225



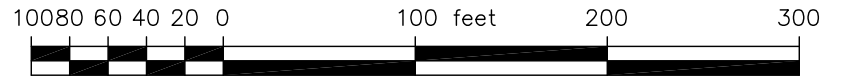
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AFTER

SKETCH TO ILLUSTRATE PROPERTIES AFTER SEVERANCE

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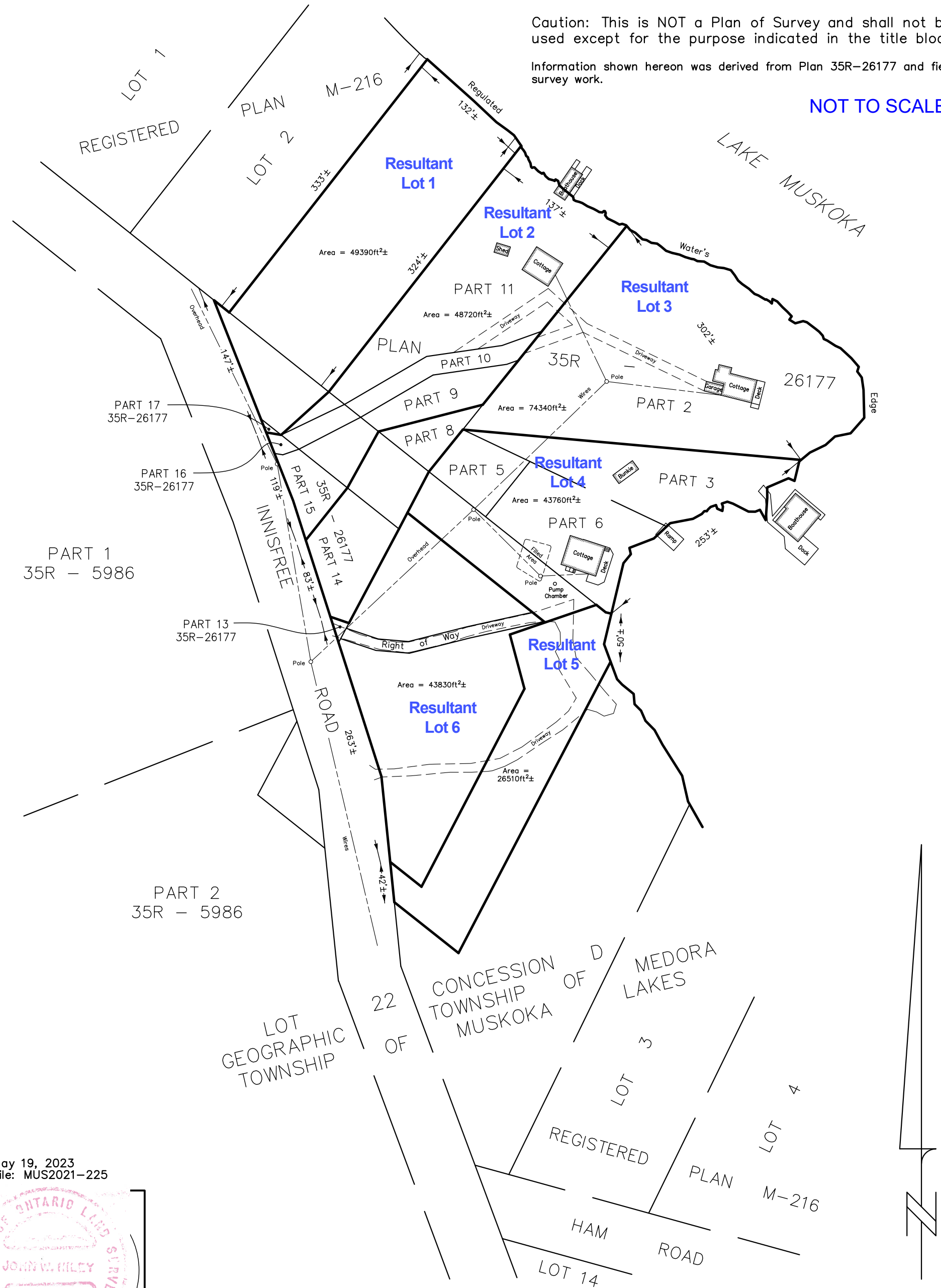


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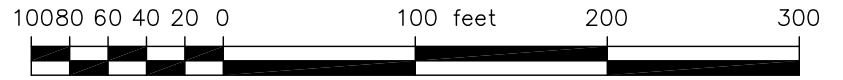
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C

SKETCH FOR CONSENT APPLICATION PURPOSES

SCALE 1" = 100'

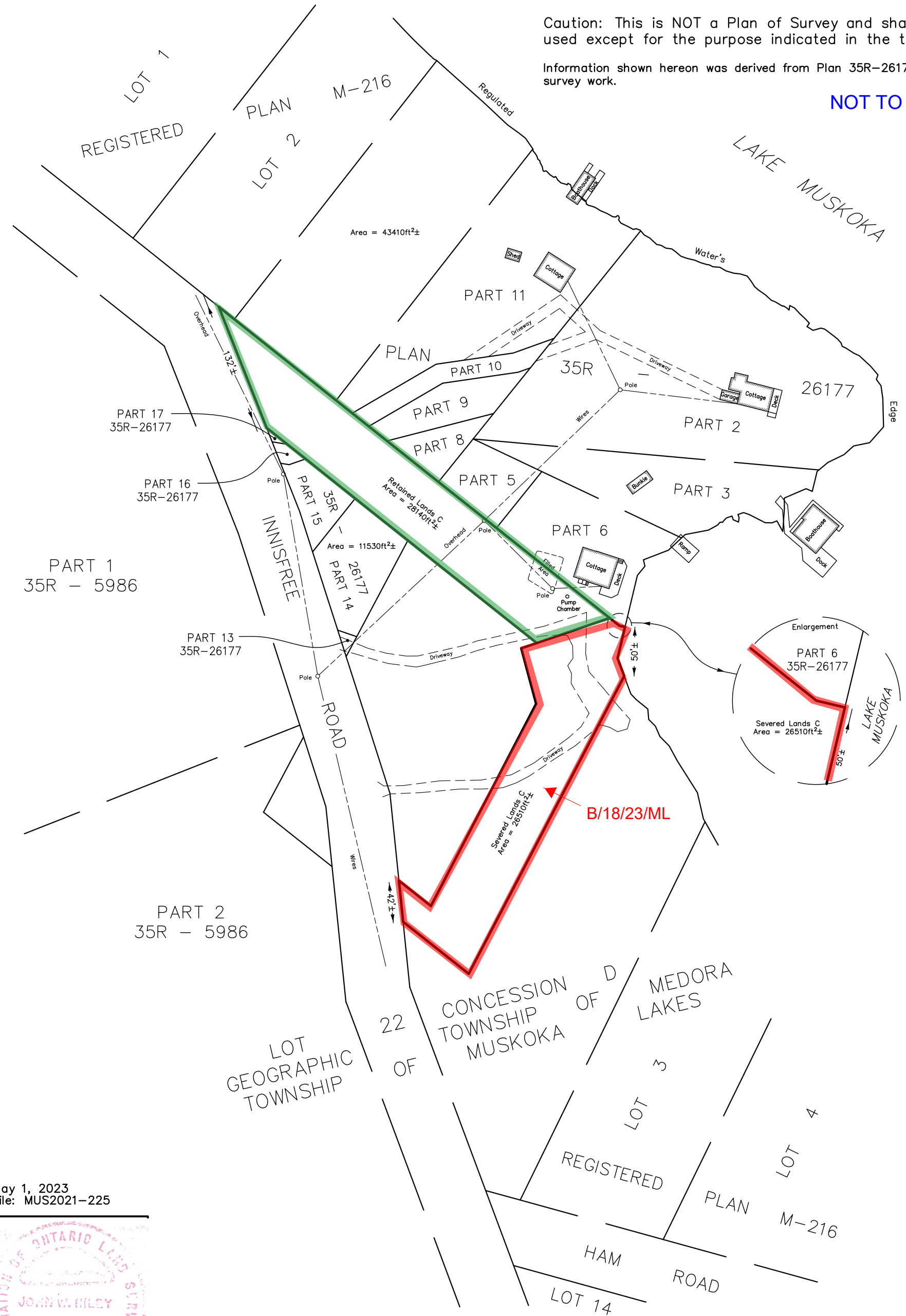


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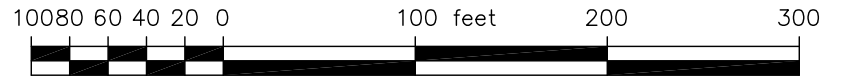
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SKETCH FOR CONSENT APPLICATION PURPOSES

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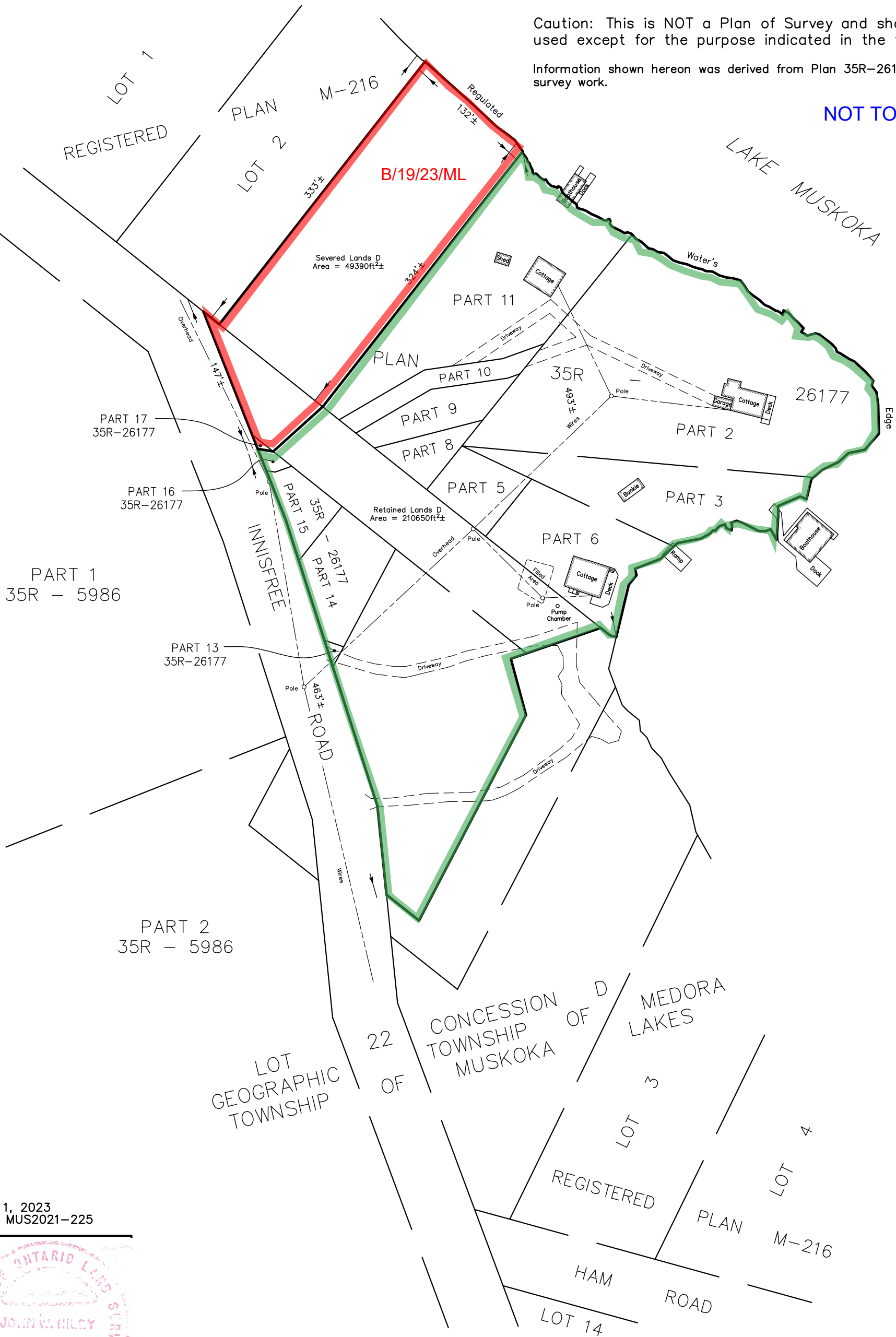


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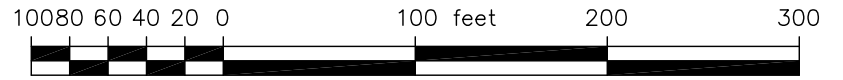
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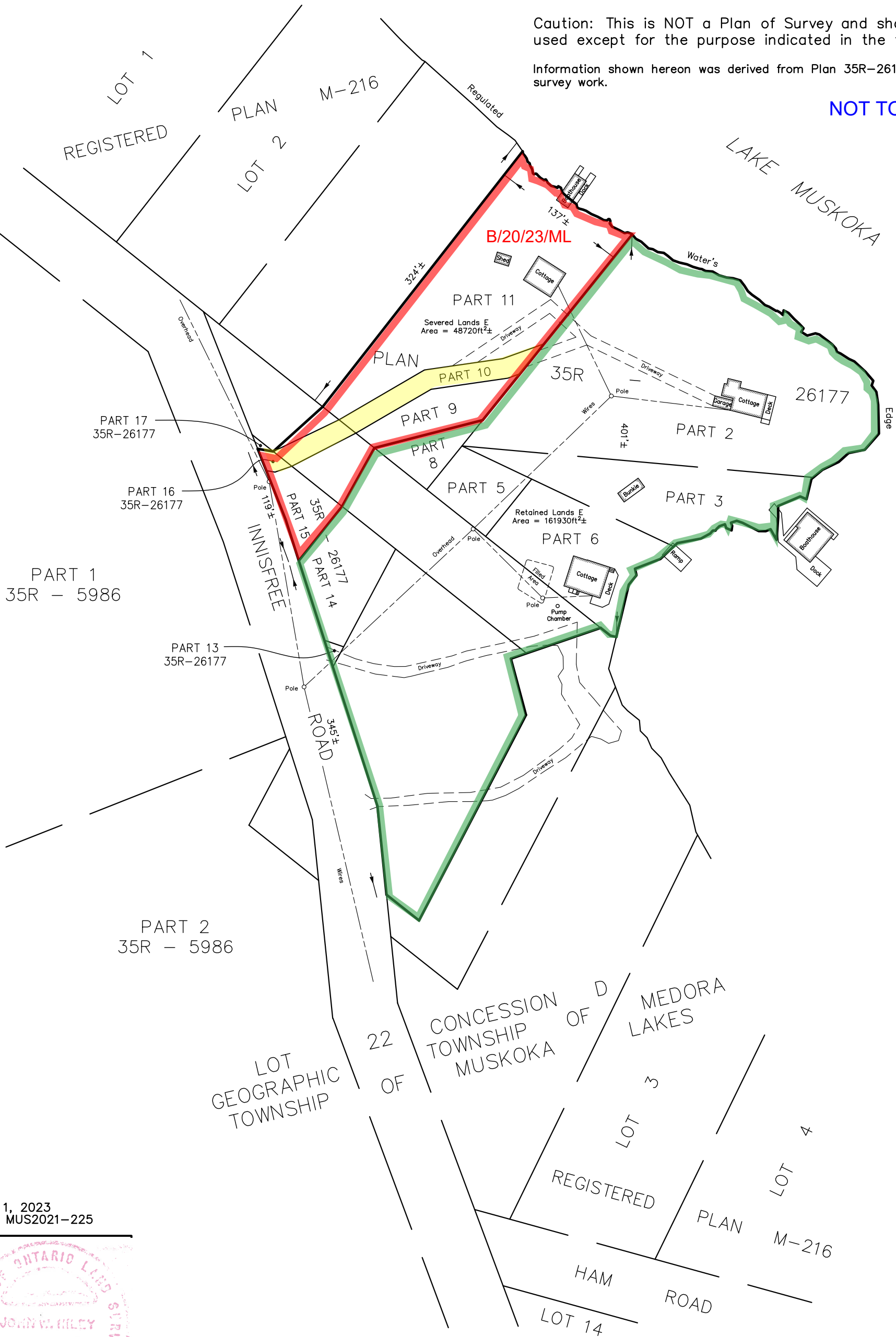


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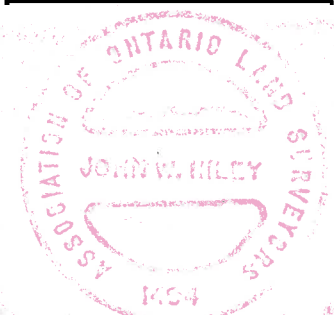
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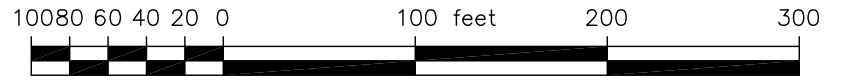
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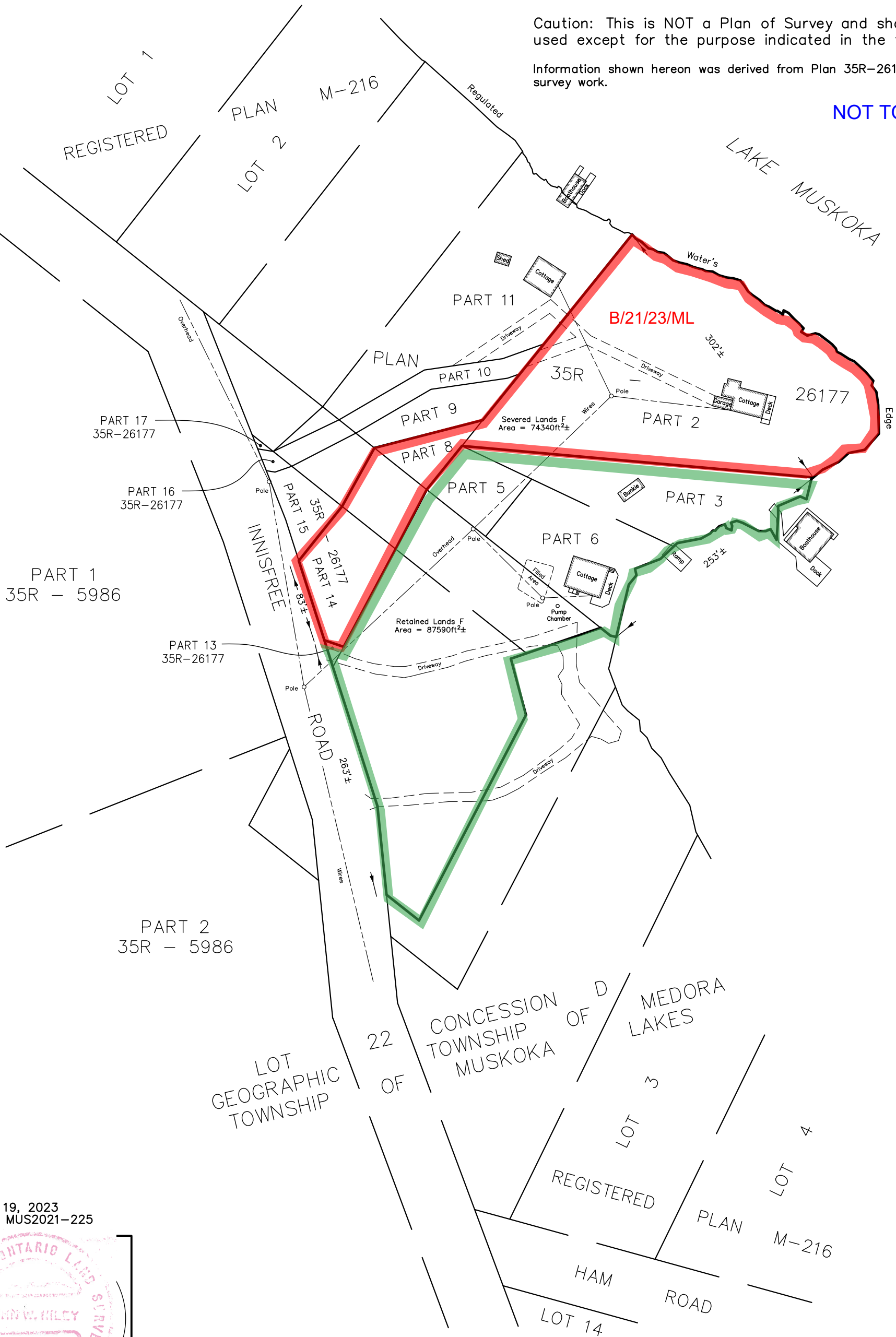


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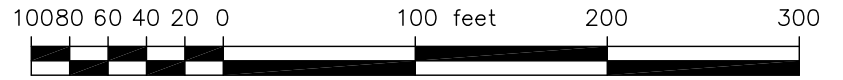
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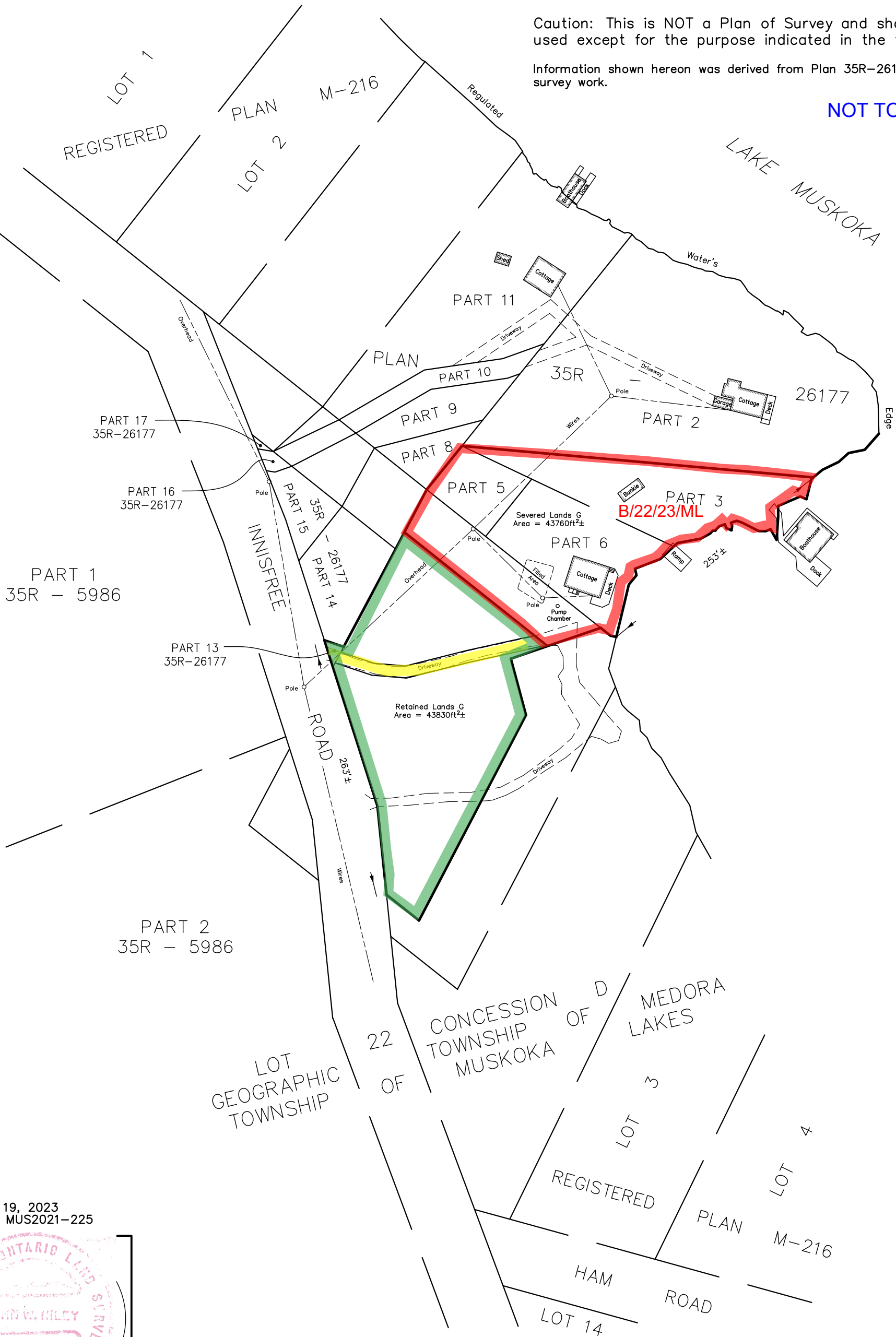


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THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES

BY-LAW 2023-040

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:
 - 87-2080 i) The land affected is described as Part Lot 22, Concession D and E (in the former Township of Medora), now in the Township of Muskoka Lakes as shown hatched, cross-hatched, stippled, solid, and outlined in **bold** on Schedule I to By-law 2023-040.
 - ii) Despite the provisions of Section 3.20 of By-law 2014-14, as amended, for those lands described above, Severed Lot C in Application B/18/23/ML is permitted, as shown in the location and extent on Schedule II to By-law 2023-040.
 - iii) Despite the provisions of Section 4.1.3 of By-law 2014-14, as amended, for those lands described above, the minimum lot frontages of Severed Lots D and E in Applications B/19/20/23/ML, as shown on Schedules III and IV to By-law 2023-040, shall be as follows:

Severed Lot D – 132 feet of lot frontage

Severed Lot E – 137 feet of lot frontage
 - iv) Despite the provisions of Sections 4.1.7 and 4.1.7.12 a. of By-law 2014-14, as amended, for those lands described above, the maximum permitted cumulative dock width on Severed Lot G in Application B/22/23/ML shall be 70 feet, as shown in the location and extent on Schedule V to By-law 2023-040.
 - v) Despite the provisions of Sections 4.1.7 and 4.1.7.8 of By-law 2014-14, as amended, for those lands described above, the minimum permitted side yard setback shall be 30 feet for a single storey boathouse with a rooftop sundeck on Severed Lot G in Application B/22/23/ML, as shown in the location and extent on Schedule V to By-law 2023-040.
 - vi) By-laws 2021-130 and 2017-043 are hereby repealed.

All other provisions of By-law 2014-14 apply. To the extent of any conflict between By-law 2023-040 and By-law 2014-14, as amended, the provisions of By-law 2023-040 shall apply.

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

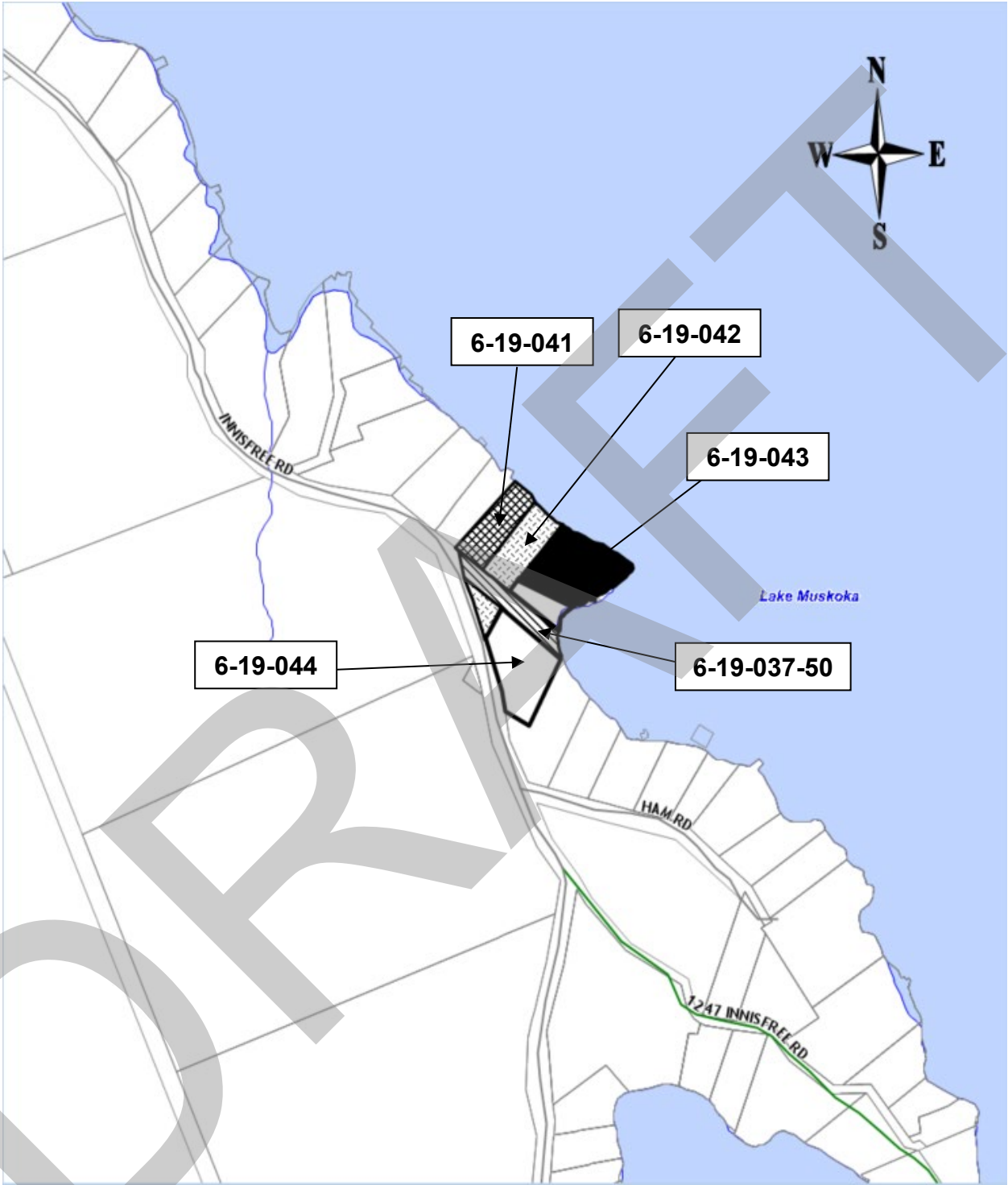
READ A FIRST AND SECOND TIME this ____ day of _____, 2023.

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

Peter Kelley, Mayor

Crystal Paroschy, Clerk

SCHEDULE I TO BY-LAW 2023-040

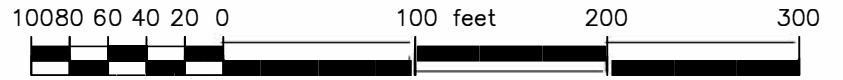


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Schedule II to By-law 2023-040

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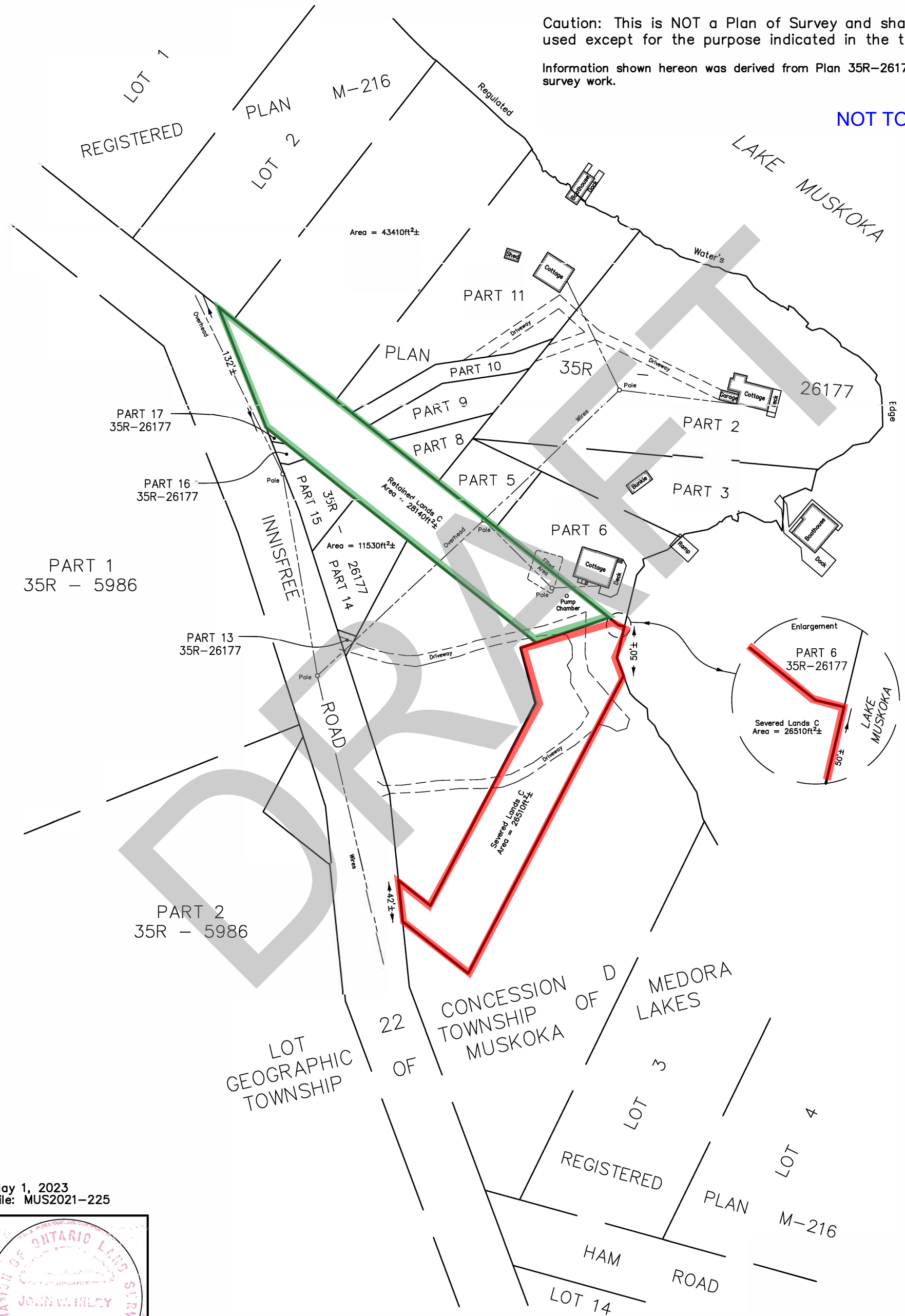


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Schedule III to By-law 2023-040

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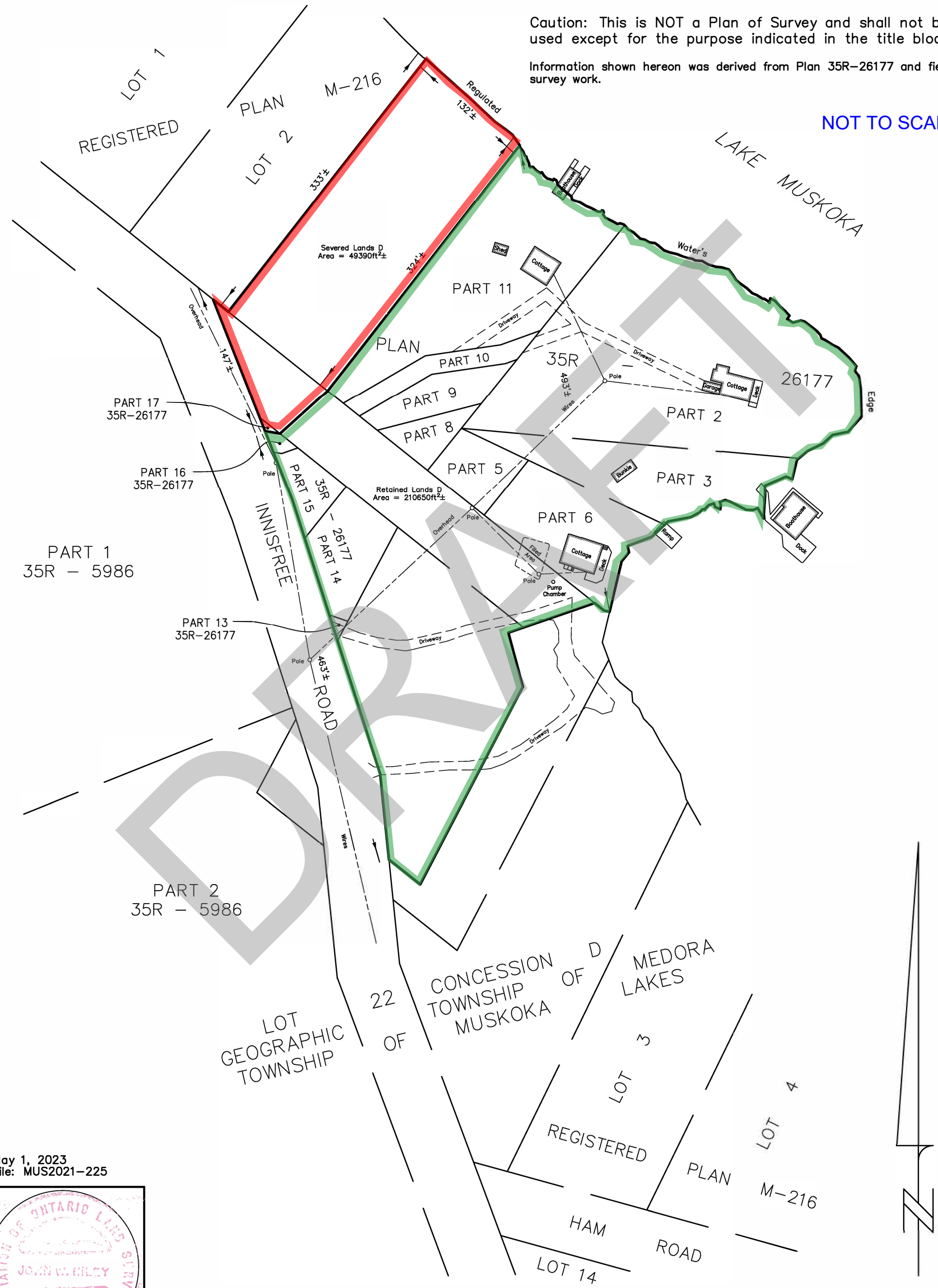


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Schedule IV to By-law 2023-040

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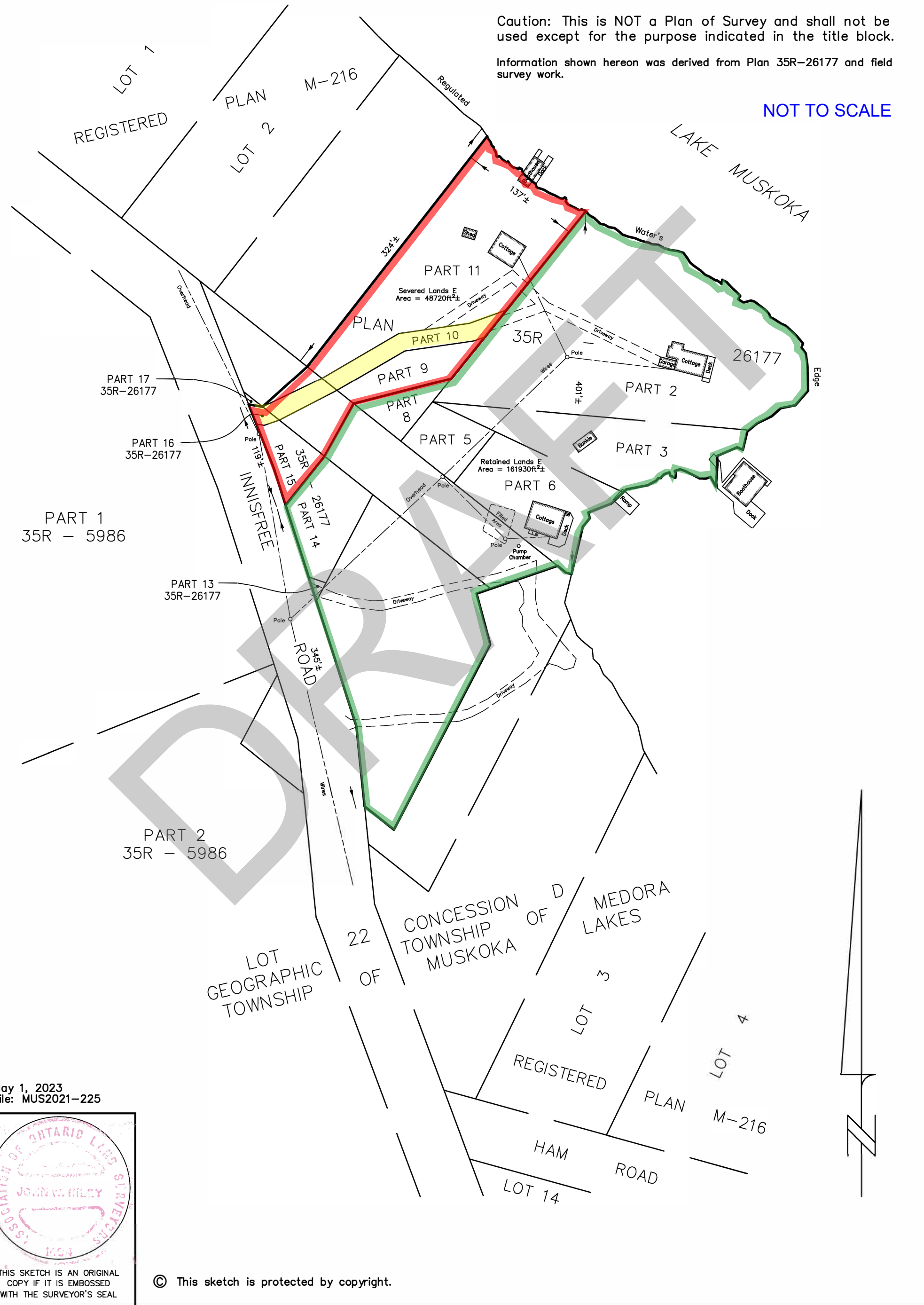


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Schedule V to By-law 2023-040

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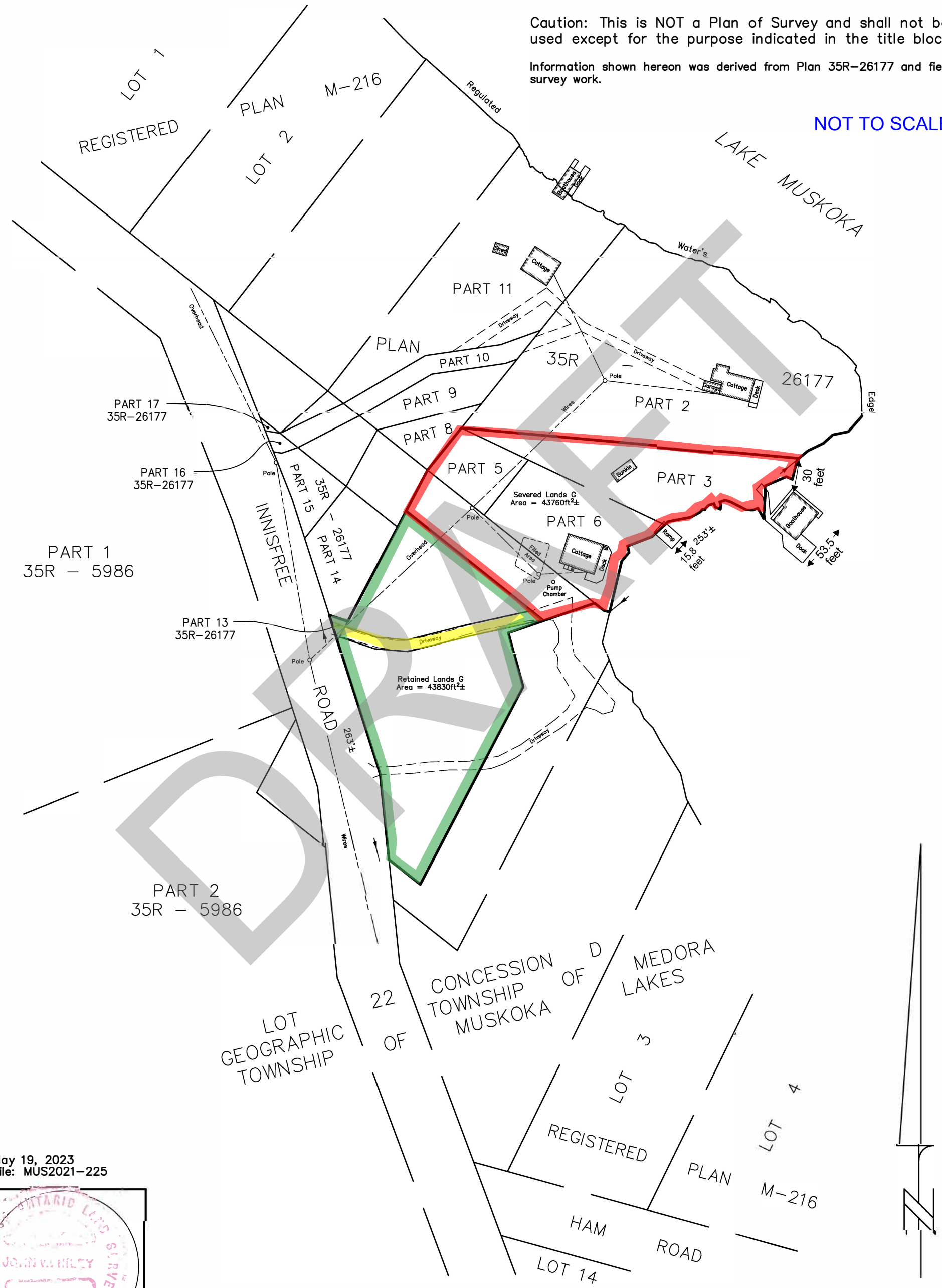


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