

**NOTICE OF COMPLETE APPLICATION & NOTICE OF PUBLIC MEETING
CONCERNING A PROPOSED AMENDMENT
ZONING BY-LAW #2023-013
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 ELECTRONICALLY FROM
THE COUNCIL CHAMBERS, MUNICIPAL OFFICE, PORT CARLING, ONTARIO

March 16, 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 as 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 via ZOOM and will commence at 9:00am. 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**. 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 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 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 **24th** day of **February, 2023**.

Cheryl Hollows, Acting Clerk
of the Corporation of the
Township of Muskoka Lakes

ZBA#:	ZBA-02/23
ROLL#:	5-4-088-01
NAME:	GRAHAM
CIVIC/911 ADDRESS:	1250 FERNDAL ROAD, UNIT #3

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

**ZBA-02/23, BY-LAW 2023-013, GRAHAM,
Roll # 5-4-088-01**

The land affected by this amendment is described as Lot 28, Concession 6, Parts 2 to 3, Plan 35R-5738 (in the former Township of Medora), now in the Township of Muskoka Lakes. The subject land is known municipally as 1250 Ferndale Road, Unit #3, and is currently in the ownership of Chris and Amy Graham.

The subject land contains a one storey dwelling, a detached garage, a one storey sleeping cabin, a gazebo, a pumphouse, a one storey boathouse with associated docks, and a separate dock. The applicants have constructed an as-built landing over water at the foot of stairs.

The purpose of By-law 2023-013 is to provide an exemption from Section 4.1.4 i. of By-law 2014-14, as amended, being the maximum area (size) of a landing that is exempt from front yard setback requirements. The maximum permitted area of such a landing is 50 square feet. In this case, the 'as-built' landing is 66 square feet in area.

The purpose of By-law 2023-013 is also to provide an exemption from Sections 4.1.7 and 9.1.2 of By-law 2014-14, as amended, being the permitted accessory structures over water. While in this case a dock, sun shelter, boathouse or boatport are permitted over water, a landing is not permitted. A portion of the 'as-built' landing is located over water.

In summary, By-law 2023-013 will have the effect of permitting a landing to exceed the maximum permitted area (size) of a landing within the front yard area of the property and will permit a landing over water.

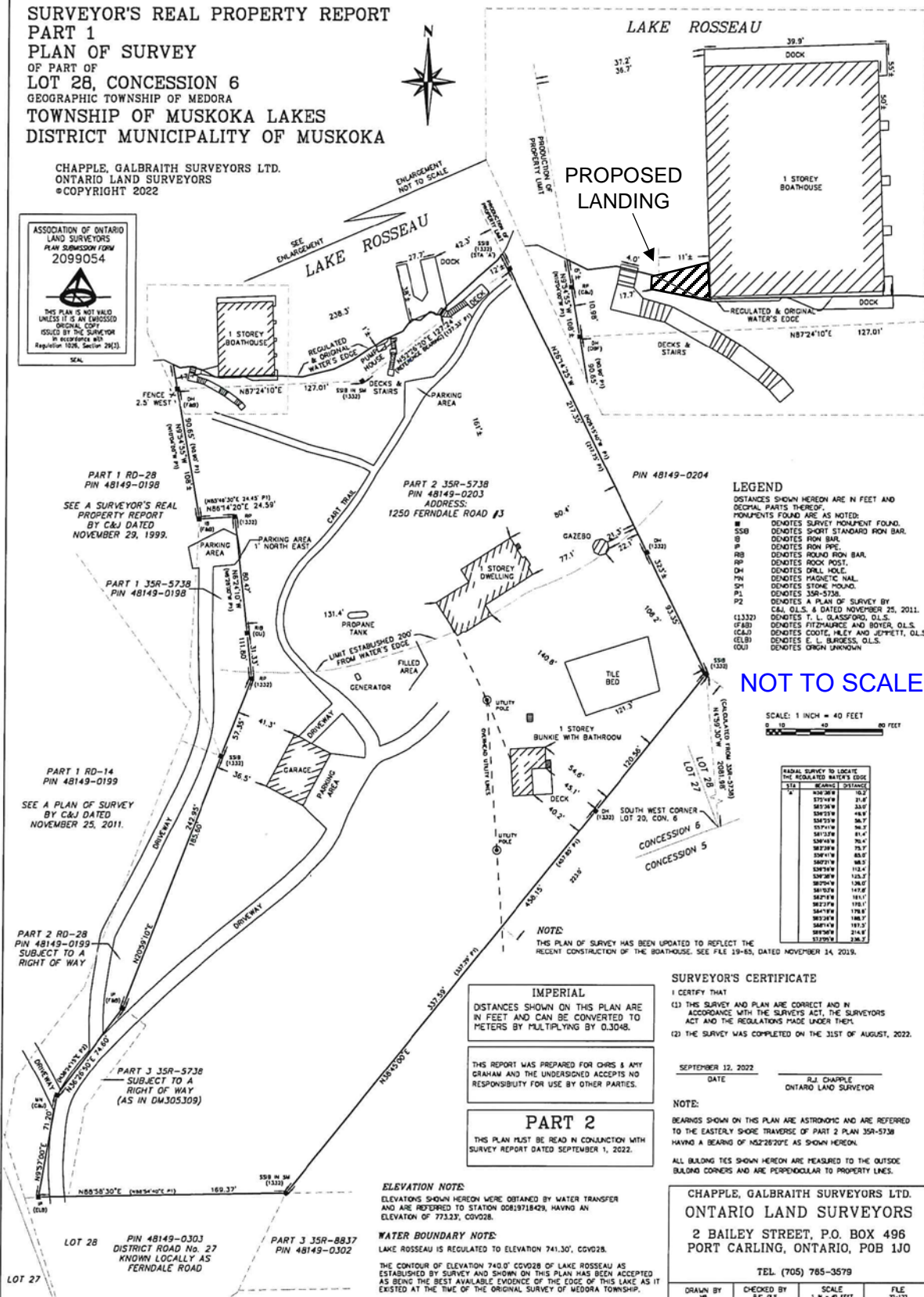
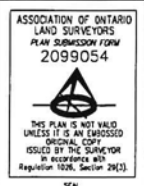
See Key Map on the Following Page

SCHEDULE I TO BY-LAW 2023-013



SURVEYOR'S REAL PROPERTY REPORT
PART 1
PLAN OF SURVEY
OF PART OF
LOT 28, CONCESSION 6
GEOGRAPHIC TOWNSHIP OF MEDORA
TOWNSHIP OF MUSKOKA LAKES
DISTRICT MUNICIPALITY OF MUSKOKA

CHAPPLE, GALBRAITH SURVEYORS LTD.
 ONTARIO LAND SURVEYORS
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PART 2

DESCRIPTION OF LAND

A Surveyor's Real Property Report has been completed of a part of Lot 28, Concession 6 in the Geographic Township of Medora, now in the Township of Muskoka Lakes. The subject lands are described in PIN 48149-0203.

REGISTERED EASEMENTS AND/OR RIGHT-OF-WAYS

Our Land Registry Office search revealed a right of way affecting title to the subject property, as set out in DW305309 and is described as Part 3, Plan 35R-5738.

BOUNDARY FEATURES

The parking area is 1' North East of the property line.

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 = 151,475 Sq.ft.
 (3.5 Acres)
 Area of Parcel 200 feet from the water's edge = 53,800 Sq.ft.
 Area of Dwelling = 1,844 Sq.ft.
 Area of Boathouse = 1,023 Sq.ft.
 Area of Bunkie with bath = 804 Sq.ft.
 Area of Garage = 1,148 Sq.ft.
 Area of Gazebo = 93 Sq.ft.
 Area of Pump House = 25 Sq.ft.
 Total Area of Buildings = 5,735 Sq.ft.
 Straight Line Frontage = 238 ft.

COMPLIANCE WITH MUNICIPAL ZONING BY-LAWS

The plan depicts the location of the dwelling, the boathouse, the dock, the bunkie, the garage, the gazebo and the pump house. 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: September 12, 2022

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

LEGEND

DISTANCES SHOWN HEREON ARE IN FEET AND DECIMAL PARTS THEREOF.
 MONUMENTS FOUND ARE AS NOTED:
 M DENOTES SURVEY MONUMENT FOUND.
 SSB DENOTES SHORT STANDARD IRON BAR.
 B DENOTES IRON BAR.
 P DENOTES IRON PIPE.
 RB DENOTES ROUND IRON BAR.
 RP DENOTES ROUND IRON PIPE.
 DH DENOTES DRAIN HOLE.
 PM DENOTES MAGNETIC NAIL.
 SP DENOTES STONE POUND.
 P1 DENOTES 35R-5738.
 P2 DENOTES A PLAN OF SURVEY BY C&J, O.L.S. & DATED NOVEMBER 25, 2011.
 (1332) DENOTES T. L. GLASSFORD, O.L.S.
 (F&B) DENOTES FITZMAURICE AND BOYER, O.L.S.
 (C&J) DENOTES COOTE, HLEY AND JOHNETT, O.L.S.
 (ELB) DENOTES E. L. BURRESS, O.L.S.
 (OL) DENOTES ORIGIN UNKNOWN.

NOT TO SCALE

SCALE: 1 INCH = 40 FEET

STATION	BEARING	DISTANCE
1	N 0° 00' 00" E	0.2
2	N 0° 00' 00" E	0.4
3	N 0° 00' 00" E	0.6
4	N 0° 00' 00" E	0.8
5	N 0° 00' 00" E	1.0
6	N 0° 00' 00" E	1.2
7	N 0° 00' 00" E	1.4
8	N 0° 00' 00" E	1.6
9	N 0° 00' 00" E	1.8
10	N 0° 00' 00" E	2.0
11	N 0° 00' 00" E	2.2
12	N 0° 00' 00" E	2.4
13	N 0° 00' 00" E	2.6
14	N 0° 00' 00" E	2.8
15	N 0° 00' 00" E	3.0
16	N 0° 00' 00" E	3.2
17	N 0° 00' 00" E	3.4
18	N 0° 00' 00" E	3.6
19	N 0° 00' 00" E	3.8
20	N 0° 00' 00" E	4.0
21	N 0° 00' 00" E	4.2
22	N 0° 00' 00" E	4.4
23	N 0° 00' 00" E	4.6
24	N 0° 00' 00" E	4.8
25	N 0° 00' 00" E	5.0
26	N 0° 00' 00" E	5.2
27	N 0° 00' 00" E	5.4
28	N 0° 00' 00" E	5.6
29	N 0° 00' 00" E	5.8
30	N 0° 00' 00" E	6.0
31	N 0° 00' 00" E	6.2
32	N 0° 00' 00" E	6.4
33	N 0° 00' 00" E	6.6
34	N 0° 00' 00" E	6.8
35	N 0° 00' 00" E	7.0
36	N 0° 00' 00" E	7.2
37	N 0° 00' 00" E	7.4
38	N 0° 00' 00" E	7.6
39	N 0° 00' 00" E	7.8
40	N 0° 00' 00" E	8.0
41	N 0° 00' 00" E	8.2
42	N 0° 00' 00" E	8.4
43	N 0° 00' 00" E	8.6
44	N 0° 00' 00" E	8.8
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46	N 0° 00' 00" E	9.2
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61	N 0° 00' 00" E	12.2
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63	N 0° 00' 00" E	12.6
64	N 0° 00' 00" E	12.8
65	N 0° 00' 00" E	13.0
66	N 0° 00' 00" E	13.2
67	N 0° 00' 00" E	13.4
68	N 0° 00' 00" E	13.6
69	N 0° 00' 00" E	13.8
70	N 0° 00' 00" E	14.0
71	N 0° 00' 00" E	14.2
72	N 0° 00' 00" E	14.4
73	N 0° 00' 00" E	14.6
74	N 0° 00' 00" E	14.8
75	N 0° 00' 00" E	15.0
76	N 0° 00' 00" E	15.2
77	N 0° 00' 00" E	15.4
78	N 0° 00' 00" E	15.6
79	N 0° 00' 00" E	15.8
80	N 0° 00' 00" E	16.0
81	N 0° 00' 00" E	16.2
82	N 0° 00' 00" E	16.4
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89	N 0° 00' 00" E	17.8
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94	N 0° 00' 00" E	18.8
95	N 0° 00' 00" E	19.0
96	N 0° 00' 00" E	19.2
97	N 0° 00' 00" E	19.4
98	N 0° 00' 00" E	19.6
99	N 0° 00' 00" E	19.8
100	N 0° 00' 00" E	20.0

IMPERIAL

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

THIS REPORT WAS PREPARED FOR ONE & ANY GRAHAM AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

PART 2

THIS PLAN MUST BE READ IN CONJUNCTION WITH SURVEY REPORT DATED SEPTEMBER 1, 2022.

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:

LAKE ROSSEAU IS REGULATED TO ELEVATION 741.30', CGVD28.

THE CONTOUR OF ELEVATION 740.5' CGVD28 OF LAKE ROSSEAU AS ESTABLISHED BY SURVEY AND SHOWN ON THIS PLAN HAS BEEN ACCEPTED AS BEING THE BEST AVAILABLE EVIDENCE OF THE EDGE OF THIS LAKE AS IT EXISTED AT THE TIME OF THE ORIGINAL SURVEY OF MEDORA TOWNSHIP.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT

- (1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
- (2) THE SURVEY WAS COMPLETED ON THE 21ST OF AUGUST, 2022.

SEPTEMBER 12, 2022
 DATE

R. J. CHAPPLE
 ONTARIO LAND SURVEYOR

NOTE:

BEARINGS SHOWN ON THIS PLAN ARE ASTRONOMIC AND ARE REFERRED TO THE EASTERLY SHORE TRAVERSE OF PART 2 PLAN 35R-5738 HAVING A BEARING OF N52°28'00"E AS SHOWN HEREON.

ALL BUILDING TIES SHOWN HEREON ARE MEASURED TO THE OUTSIDE BUILDING CORNERS AND ARE PERPENDICULAR TO PROPERTY LINES.

CHAPPLE, GALBRAITH SURVEYORS LTD.
 ONTARIO LAND SURVEYORS
 2 BAILEY STREET, P.O. BOX 496
 PORT CARLING, ONTARIO, POB 1JO

TEL. (705) 785-3579

DRAWN BY: [Signature] CHECKED BY: [Signature] SCALE: 1" = 40' FEET FILE: 25-123

THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES

BY-LAW 2023-013

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:

87-2072	<ol style="list-style-type: none">i) The land affected is described as Lot 28, Concession 6, (in the former Township of Medora), now in the Township of Muskoka Lakes, more particularly described as Parts 2 to 3, Plan 35R-5738, as shown hatched on Schedule I to By-law 2023-013.ii) Despite the provisions of Section 4.1.4 i. of By-law 2014-14, as amended, for those lands described above, a landing 66 square feet in area shall be permitted, as shown in the location and extent on Schedule II to By-law 2023-013.iii) Despite the provisions of Sections 4.1.7 and 9.1.2 of By-law 2014-14, as amended, for those lands described above, a landing 66 square feet in area is a permitted accessory structure over water, as shown in the location and extent on Schedule II to By-law 2023-013.
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All other provisions of By-law 2014-14 apply. To the extent of any conflict between By-law 2023-013 and By-law 2014-14, as amended, the provisions of By-law 2023-013 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

Cheryl Hollows, Acting Clerk

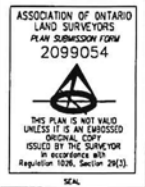
KEY MAP



Schedule II to By-law 2023-013

SURVEYOR'S REAL PROPERTY REPORT PART 1 PLAN OF SURVEY OF PART OF LOT 28, CONCESSION 6 GEOGRAPHIC TOWNSHIP OF MEDORA TOWNSHIP OF MUSKOKA LAKES DISTRICT MUNICIPALITY OF MUSKOKA

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ONTARIO LAND SURVEYORS
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PROPOSED
LANDING

LAKE ROSSEAU

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BOUNDARY FEATURES

The parking area is 1' North East of the property line.

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AREA SCHEDULE

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(3.5 Acres)
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DATE: September 12, 2022

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LEGEND

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RFB DENOTES ROUND IRON BAR.
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DH DENOTES DRAIN HOLE.
PN DENOTES PNEUMATIC NAIL.
SP DENOTES STONE PILE.
P1 DENOTES 35R-5738.
P2 DENOTES A PLAN OF SURVEY BY C.A. O.L.S. & DATED NOVEMBER 25, 2011.
(1332) DENOTES T. L. GLASSFORD, O.L.S.
(1740) DENOTES F. W. HARRIS AND BOYER, O.L.S.
(C&J) DENOTES COOTE, HALEY AND JOHNSON, O.L.S.
(ELB) DENOTES E. L. BURRESS, O.L.S.
(C&J) DENOTES ORIGIN UNKNOWN.

NOT TO SCALE

SCALE: 1 INCH = 40 FEET

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94	N 89° 30' 30" E	102.7
95	N 89° 30' 30" E	102.7
96	N 89° 30' 30" E	102.7
97	N 89° 30' 30" E	102.7
98	N 89° 30' 30" E	102.7
99	N 89° 30' 30" E	102.7
100	N 89° 30' 30" E	102.7

NOTE

THIS PLAN OF SURVEY HAS BEEN UPDATED TO REFLECT THE RECENT CONSTRUCTION OF THE BOATHOUSE. SEE FILE 19-65, DATED NOVEMBER 14, 2019.

IMPERIAL

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

THIS REPORT WAS PREPARED FOR OURS & ANY GRAHAM AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

PART 2

THIS PLAN MUST BE READ IN CONJUNCTION WITH SURVEY REPORT DATED SEPTEMBER 1, 2022.

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:

LAKE ROSSEAU IS REGULATED TO ELEVATION 741.30', CGVD28.

THE CONTOUR OF ELEVATION 740.5' CGVD28 OF LAKE ROSSEAU AS ESTABLISHED BY SURVEY AND SHOWN ON THIS PLAN HAS BEEN ACCEPTED AS BEING THE BEST AVAILABLE EVIDENCE OF THE EDGE OF THIS LAKE AS IT EXISTED AT THE TIME OF THE ORIGINAL SURVEY OF MEDORA TOWNSHIP.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT

- (1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEY ACT, THE SURVEYORS ACT AND THE REGULATIONS MADE UNDER THEM.
- (2) THE SURVEY WAS COMPLETED ON THE 21ST OF AUGUST, 2022.

SEPTEMBER 12, 2022
DATE

R. J. CHAPPLE
ONTARIO LAND SURVEYOR

NOTE:

BEARINGS SHOWN ON THIS PLAN ARE ASTRONOMIC AND ARE REFERRED TO THE EASTERLY SHORE TRAVERSE OF PART 2 PLAN 35R-5738 HAVING A BEARING OF N52°28'20"E AS SHOWN HEREON.

ALL BUILDING TIES SHOWN HEREON ARE MEASURED TO THE OUTSIDE BUILDING CORNERS AND ARE PERPENDICULAR TO PROPERTY LINES.

CHAPPLE, GALBRAITH SURVEYORS LTD.
ONTARIO LAND SURVEYORS
2 BAILEY STREET, P.O. BOX 496
PORT CARLING, ONTARIO, POB 1JO

TEL. (705) 785-3579

DRAWN BY: [blank] CHECKED BY: [blank] SCALE: 1" = 40' FILE: 20-123

LOT 27

LOT 28 PIN 48149-0303
DISTRICT ROAD No. 27
KNOWN LOCALLY AS
FERDALE ROAD

PART 3 35R-8837
PIN 48149-0302

PART 1 RD-28
PIN 48149-0198
SEE A SURVEYOR'S REAL
PROPERTY REPORT
BY C&J DATED
NOVEMBER 29, 1999.

PART 1 35R-5738
PIN 48149-0198

PART 1 RD-14
PIN 48149-0199
SEE A PLAN OF SURVEY
BY C&J DATED
NOVEMBER 25, 2011.

PART 2 RD-28
PIN 48149-0199
SUBJECT TO A
RIGHT OF WAY

PART 3 35R-5738
SUBJECT TO A
RIGHT OF WAY
(AS IN DW305309)