NOTICE OF COMPLETE APPLICTION
AND NOTICE OF ELECTRONIC
PUBLIC MEETING
CONCERNING A ZONING BY-LAW AMENDMENT
BY-LAW 2021-112 AND PROPOSED
CONSENT APPLICATION B/142/21/ML

TAKE NOTICE PLANNING COMMITTEEE OF THE TOWNSHIP OF MUSKOKA LAKES
WILL HOLD AN ELECTRONIC PUBLIC MEETING ON

MAY 12, 2022

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

TO CONSIDER a proposed consent application 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 with the current restrictions on public gatherings due to COVID-19 and 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 electronically from the Council Chambers, Municipal Office, Port Carling, Ontario via ZOOM 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 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 Consent/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 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 consent 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 consent 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 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 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 consent 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 the decision of Council with respect to the proposed consent and/or zoning by-law amendment or to 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 consent and zoning by-law amendment is available from staff of the Planning Department through the email address below on week days 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) 765-3156 or Fax (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 22nd day of April, 2022.

Lauren Tarasuk
Clerk
Township of Muskoka Lakes

CONSENT # B/142/21/ML
BY-LAW #2021-112
AMENDMENT #ZBA-73/21
NAME: OCHSHORN
ROLL # 4-12-034-02
CIVIC ADDRESS: 1805 PENINSULA ROAD, UNIT #375

THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES

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

B/142/21/ML, ZBA-73/21, BY-LAW 2021-112
OCHSHORN
ROLL # 4-12-034-02

The land affected is described as Part of Lot 15, Concession 12, Part 2, Plan 35R-19619, (in the former Township of Medora), now in the Township of Muskoka Lakes. The subject land is known municipally as 1805 Peninsula Road, Unit #375 and is currently in the ownership of Dena and Adam Ochshorn.

Consent/Severance Application (B/142/21/ML) has been submitted to create one lot and to grant a right-of-way.

The Severed Lot is vacant. The Retained Lot will continue to contain an existing dwelling, a shed, and a two storey boathouse with an associated dock. Residential development on the Severed Lot is intended in the future.

Zoning By-law Amendment Application (ZBA-73/21, By-law 2021-112) has been submitted to provide exemptions from certain site-specific zoning by-law requirements.

The purpose of by-law 2021-112 is to provide an exemption to Section 4.1.3 and 4.1.3.1 of By-law 2014-14, as amended, being the minimum lot frontage and lot area requirements for a Waterfront Residential (WR4) Zone.

Despite the provisions of Section 4.1.3 and 4.1.3.1 of By-law 2014-14, as amended, the minimum lot frontage and lot area for the Severed Lot and the Retained Lot shall be as follows:

- Severed Lot, (B/112/21/ML) – 200 feet of lot frontage and 2 acres of lot area

- Retained Lot – 426 feet of lot frontage and 4 acres of lot area

The purpose of By-law 2021-112 is also to provide an exemption from Section 4.1.7 and 4.1.7.1 of By-law 2014-14, as amended, being the minimum side yard setback of 30 feet for a dock. The applicant's wish to require shoreline structures on the Severed Lot to be set back at least 45 feet from the westerly side lot line projection.

The purpose of By-law 2021-112 is also to provide an exemption from Section 4.1.7 and 4.1.7.1 of By-law 2014-14, as amended, being the minimum side yard setback of 30 feet for a dock. An existing dock on the Retained Lot is to be set back 14 feet (at the closest point) from a new lot line projection resulting from the severance.

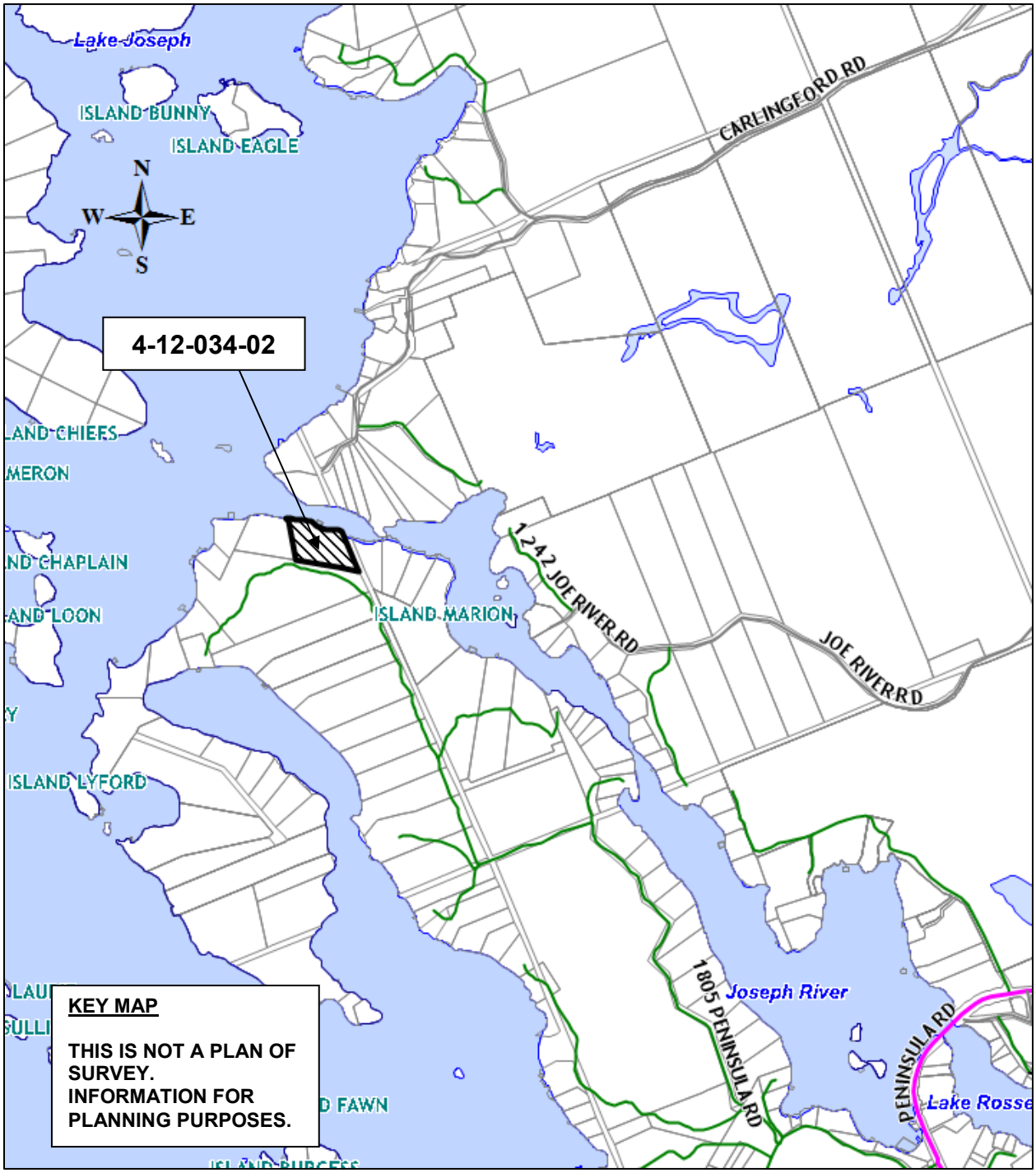
The purpose of By-law 2021-112 is also to provide an exemption from Sections 4.1.7, 4.1.7.1, and 4.1.7.4 of By-law 2014-14, as amended, being the minimum side yard setback of 45 feet for a two storey boathouse. An existing two storey boathouse on the Retained Lot is to be set back 15 feet (at the closest point) from a new lot line projection resulting from the severance.

Please note that the measurements regarding lot frontage, lot area, and side yard setbacks have been reduced in By-law 2021-112. Reducing the measurements will ensure compliance with the by-law once a new survey has been prepared. It is anticipated that a new survey will show greater amounts.

In summary, these Consent and Zoning By-law Amendment Applications will have the effect of creating one new vacant lot, of granting a right-of-way in favor of the new lot, of providing an exemption from minimum lot requirements, and of providing exemptions from side yard setback requirements for shoreline structures.

See Key Map on the Following Page

KEY MAP


Lake Joseph
ISLAND BUNNY
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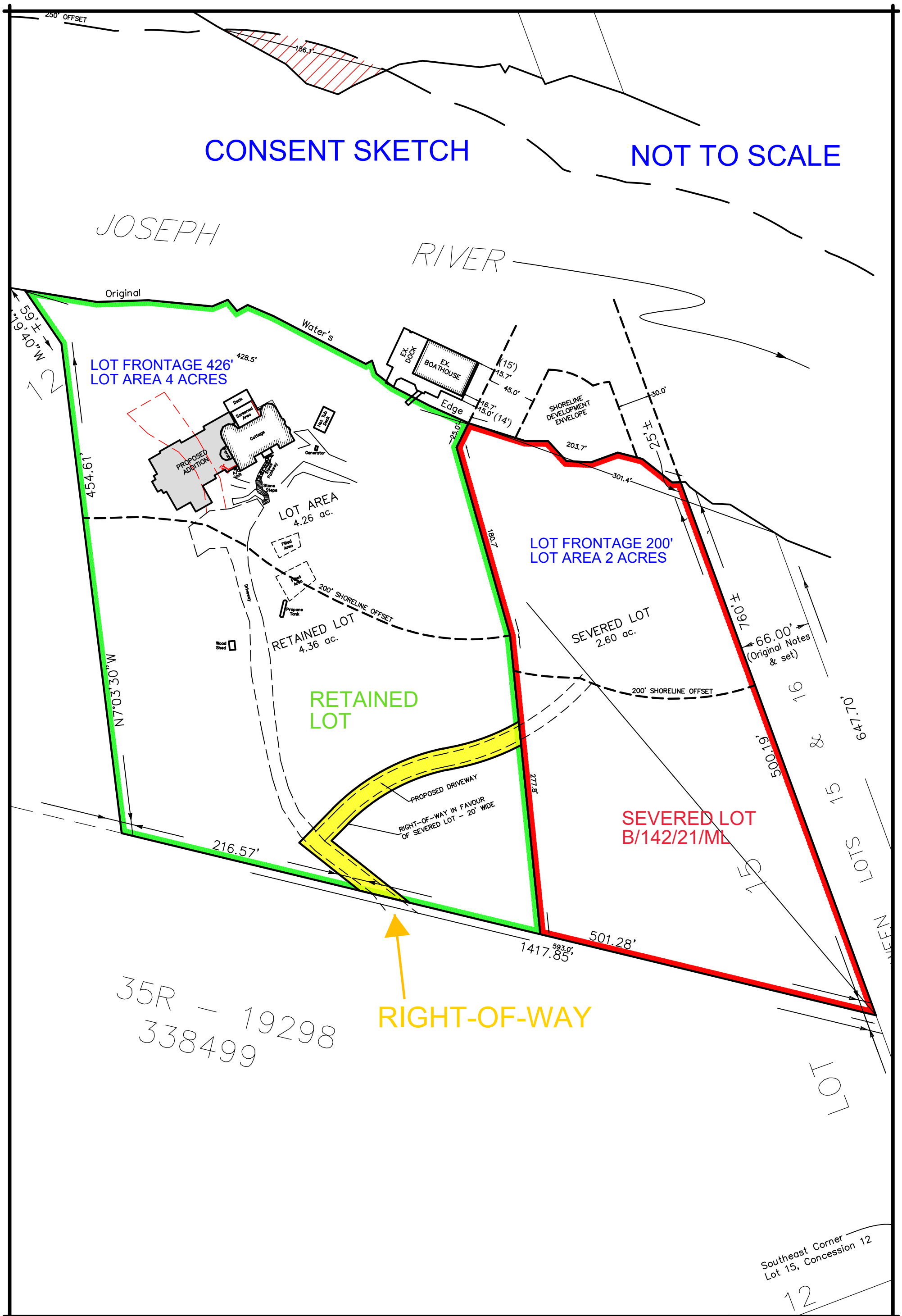
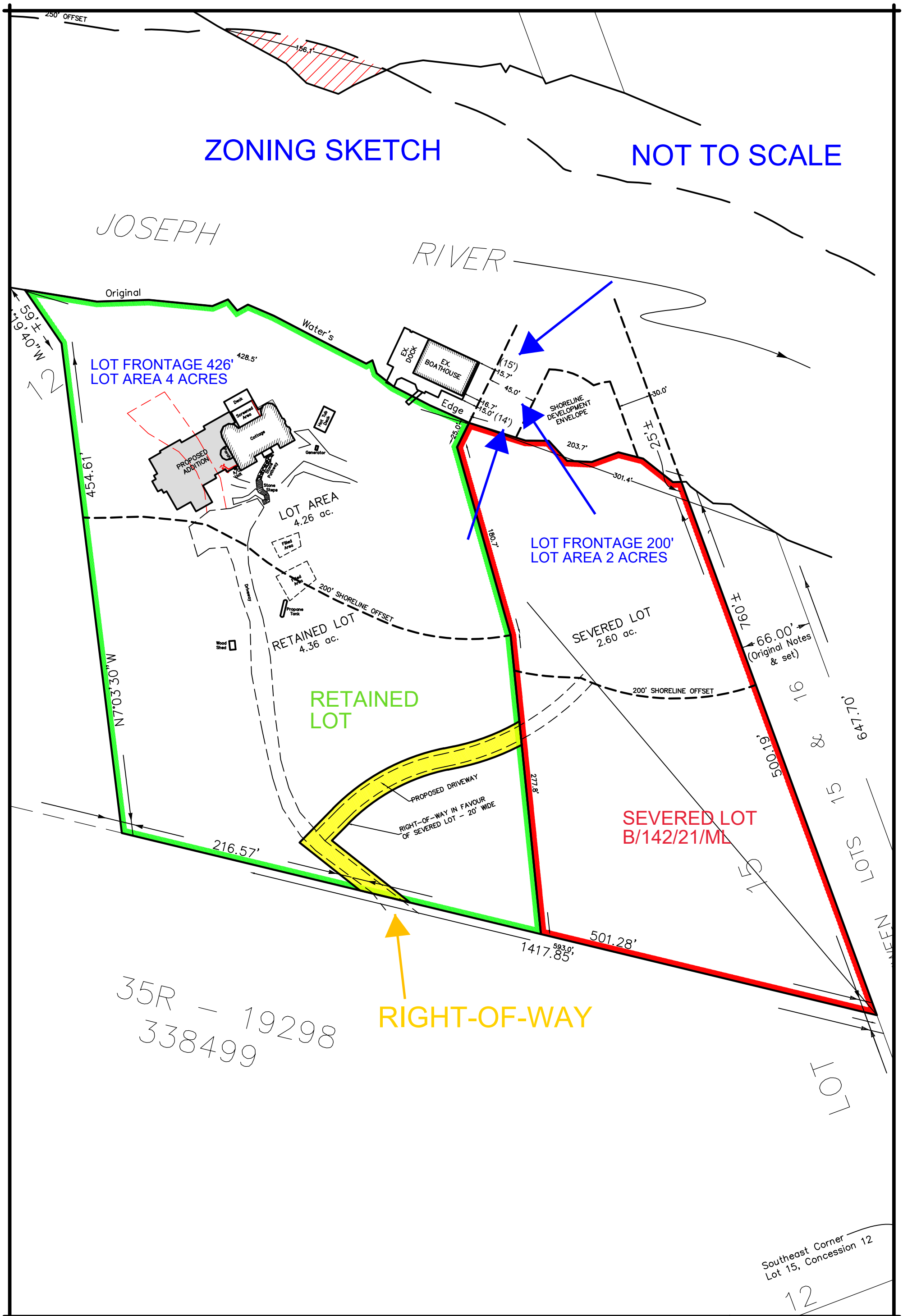
CARLINGFORD RD
1242 JOE RIVER RD
JOE RIVER RD
ISLAND MARION
ISLAND LYFORD
1805 PENINSULA RD
Joseph River
PENINSULA RD
Lake Rosse
KEY MAP
THIS IS NOT A PLAN OF SURVEY.
INFORMATION FOR PLANNING PURPOSES.



PROJECT: CONSENT SKETCH	LEGAL DESCRIPTION: PART OF LOT 15, CONCESSION 12, MEDORA now in the TOWNSHIP OF MUSKOKA LAKES DISTRICT MUNICIPALITY OF MUSKOKA		DATE:	APRIL 21, 2022
			SCALE:	1" = 80'
		Plan Muskoka PLANNING & DEVELOPMENT CONSULTING	FILE NO.:	21040
CLIENT: ADAM OCHSHORN	LOCATION: 1805 PENINSULA ROAD, UNIT 375		FILE NAME:	21040-CONSENTSKETCH-3



PROJECT: **CONSENT SKETCH**	LEGAL DESCRIPTION: PART OF LOT 15, CONCESSION 12, MEDORA now in the TOWNSHIP OF MUSKOKA LAKES DISTRICT MUNICIPALITY OF MUSKOKA		DATE:	APRIL 21, 2022
			SCALE:	1" = 80'
		Plan Muskoka PLANNING & DEVELOPMENT CONSULTING	FILE NO.:	21040
CLIENT: ADAM OCHSHORN	LOCATION: 1805 PENINSULA ROAD, UNIT 375		FILE NAME:	21040-CONSENTSKETCH-3

THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES

BY-LAW 2021-112

Being a By-law to amend Comprehensive Zoning By-law 2014-14, as amended, in the Township of Muskoka Lakes

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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:

87-2004

i) The land affected is described as Part of Lot 15, Concession 12, Part 2, Plan 35R-19619, (in the former Township of Medora), now in the Township of Muskoka Lakes as shown hatched on Schedule I to By-law 2021-112.

ii) Despite the provisions of Sections 4.1.3 and 4.1.3.1 of By-law 2014-14, as amended, the minimum lot frontage and area of the Severed Lot and the Retained Lots, as shown on Schedule II to By-law 2021-112, shall be as follows:

Severed Lot (B/112/21/ML) - 200 feet of lot frontage and 2 acres of lot area

Retained Lot - 426 feet of lot frontage and 4 acres of lot area

iii) Despite the provisions of Section 4.1.7 and 4.1.7.1 of By-law 2014-14, as amended, for those lands described above, shoreline structures shall be set back a minimum of 45 feet from the westerly side lot line projection of the Severed Lot, as shown in the location and extent on Schedule II to By-law 2020-112.

iv) Despite the provisions of Sections 4.1.7 and 4.1.7.1 of By-law 2014-14, as amended, for those lands described above, the minimum permitted side yard setback for a dock on the Retained Lot shall be 14 feet, as shown in the location and extent on Schedule II to By-law 2020-112.

v) Despite the provisions of Sections 4.1.7, 4.1.7.1, and 4.1.7.4 of By-law 2014-14, as amended, for those lands described above, the minimum permitted side yard setback for a two storey boathouse on the Retained Lot shall be 15 feet, as shown in the location and extent on Schedule II to By-law 2020-112.

All other provisions of By-law 2014-14 apply. To the extent of any conflict

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between By-law 2021-112 and By-law 2014-14, as amended, the provisions of By-law 2021-112 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 _____, 2022.

READ A THIRD TIME AND FINALLY PASSED this ___ day of _____, 2022.

_____	_____
Phil Harding, Mayor	Lauren Tarasuk, Clerk

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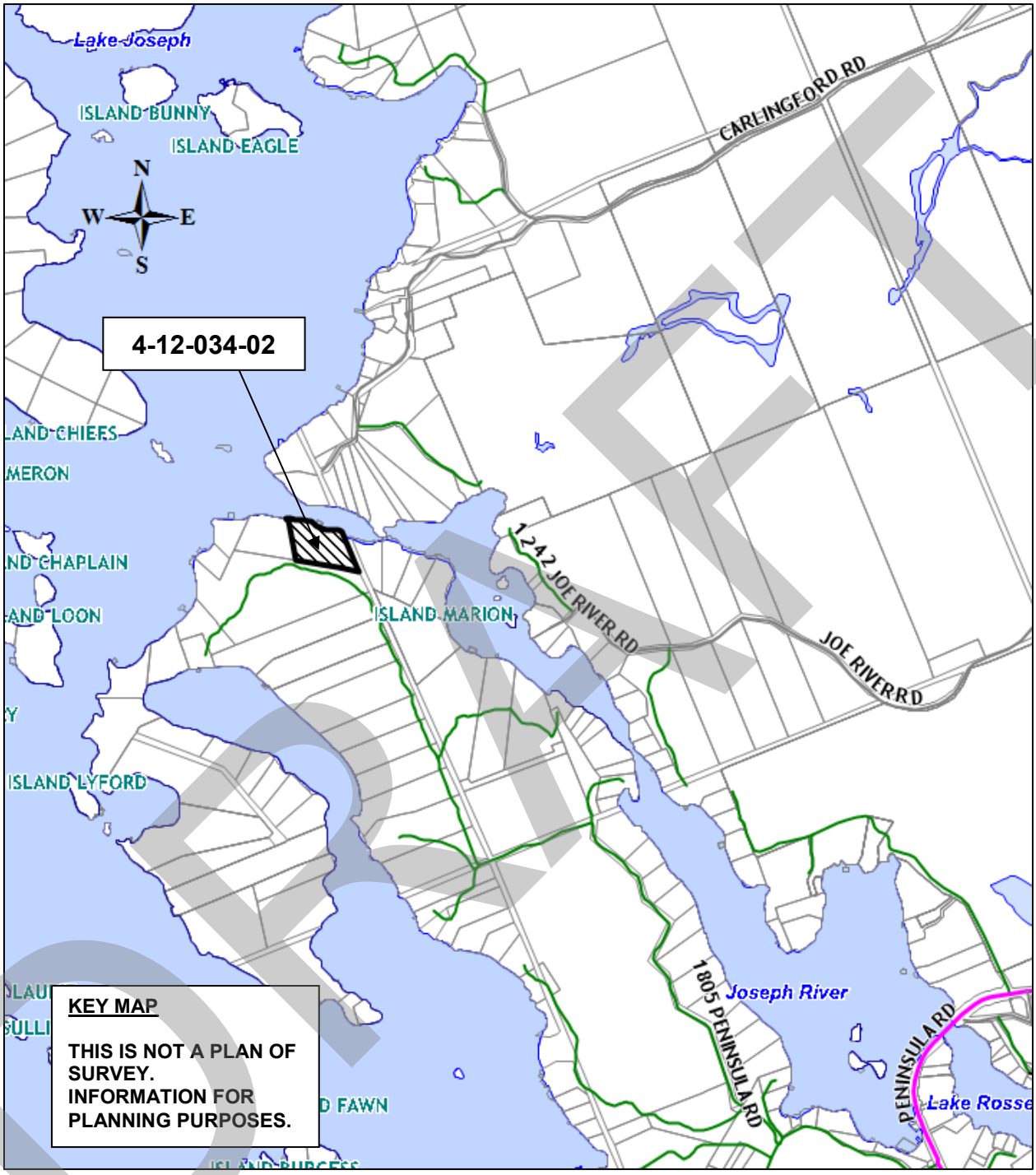
SCHEDULE I TO BY-LAW 2021-112



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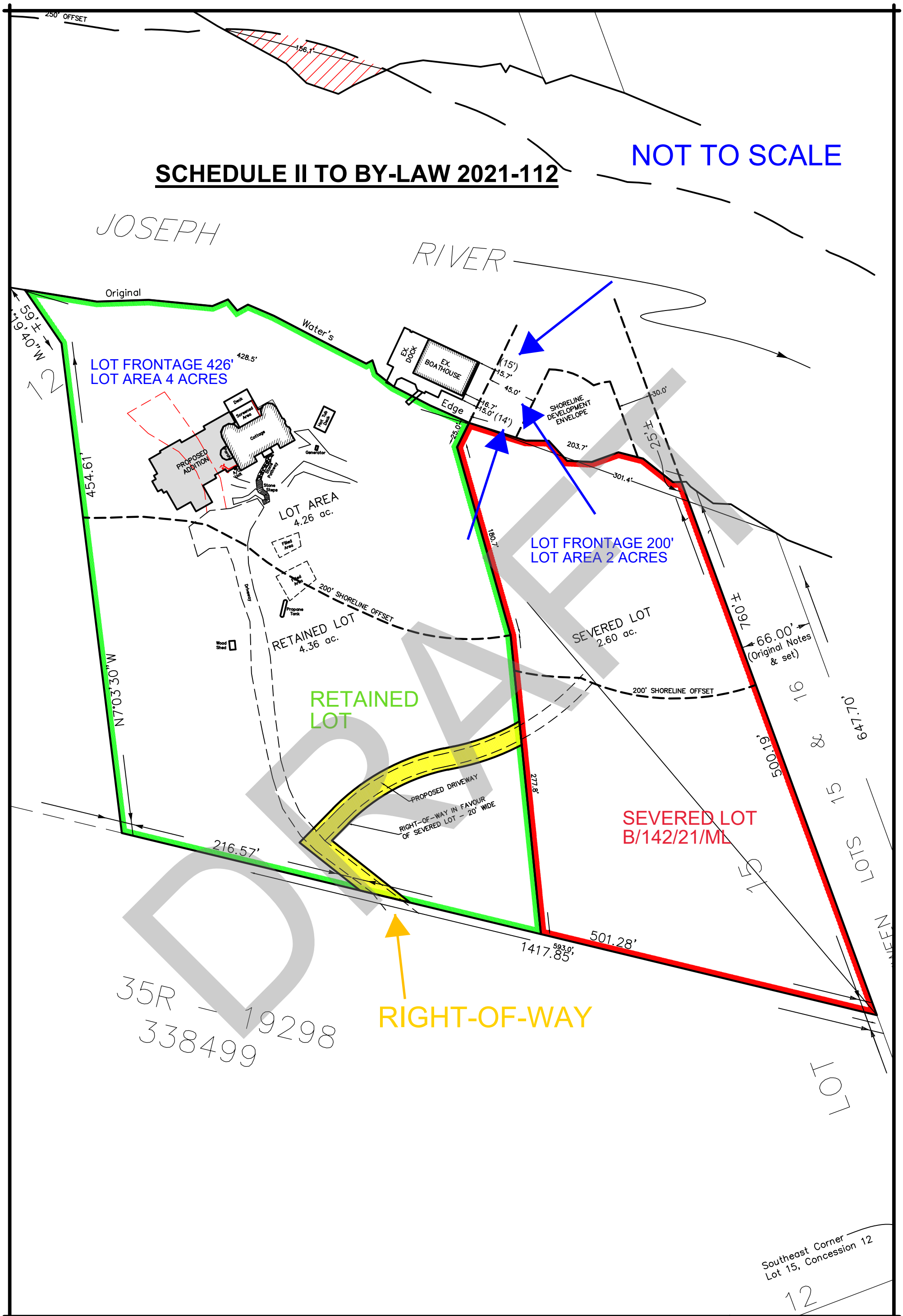

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PROJECT: CONSENT SKETCH	LEGAL DESCRIPTION: PART OF LOT 15, CONCESSION 12, MEDORA now in the TOWNSHIP OF MUSKOKA LAKES DISTRICT MUNICIPALITY OF MUSKOKA	Plan Muskoka PLANNING & DEVELOPMENT CONSULTING	DATE:	APRIL 21, 2022
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