



THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES

NOTICE OF COMPLETE APPLICATION AND NOTICE OF ELECTRONIC PUBLIC MEETING CONCERNING A ZONING BY-LAW AMENDMENT BY-LAW 2023-044 AND PROPOSED CONSENT APPLICATION B/50/22/ML

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

May 11, 2023

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 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.**

PUBLIC MEETING: You or your representative are entitled to participate in this public hearing and 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 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 consent 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 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 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 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 Council with respect to the proposed consent 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 consent 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 **21st** day of **April, 2023**.

Crystal Paroschy
Township Clerk
Township of Muskoka Lakes

CONSENT #B/50/22/ML
BY-LAW #2023-044
AMENDMENT #ZBA-14/23
NAME: MCPHERSON
ROLL #S: 2-15-15, 2-15-015-01
CIVIC ADDRESS: 1026 & 1027 MCPHERSON
POINT ROAD



THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES

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

B/50/22/ML, ZBA-14/23, BY-LAW 2023-044

MCPHERSON

ROLL #S 2-15-015, 2-15-015-01

The land affected is described as Part of Lot 11, Concession 8, Parts 20 and 21, Plan BR-368, Part 1, Plan 35R-7695, and Parts 4 and 5, Plan 35R-6834, (in the former Township of Watt), now in the Township of Muskoka Lakes. The subject land is known municipally as 1026 and 1027 McPherson Point Road and is presently under the ownership of Lorna McPherson.

A Consent/Severance Application (B/50/22/ML) and Zoning By-law Amendment Application (ZBA-14/23, By-law 2023-044) have been submitted to re-create two former lots that have unintentionally merged to form a singular parcel of land and to provide an exemption from certain site-specific zoning by-law requirements.

Firstly, through Consent Application B/50/22/ML, the applicant proposes to re-create two former lots (i.e. a technical severance). The Severed Lot will continue to contain a dwelling, a shed, and a private on-site sewage disposal system. The Retained Lot will continue to contain a dwelling, a dock, and a private on-site sewage disposal system. No new buildings or structures are proposed at this time.

Secondly, through Zoning By-law Amendment Application ZBA-14/23, By-law 2023-044, the applicant proposes an exemption to Sections 4.1.3 and 4.1.3.1 of By-law 2014-14, as amended, being the minimum lot requirements of the Waterfront Residential (WR4) Zone. In the WR4 Zone, minimum lot requirements are the existing lot dimensions.

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 and Retained Lots shall be as follows:

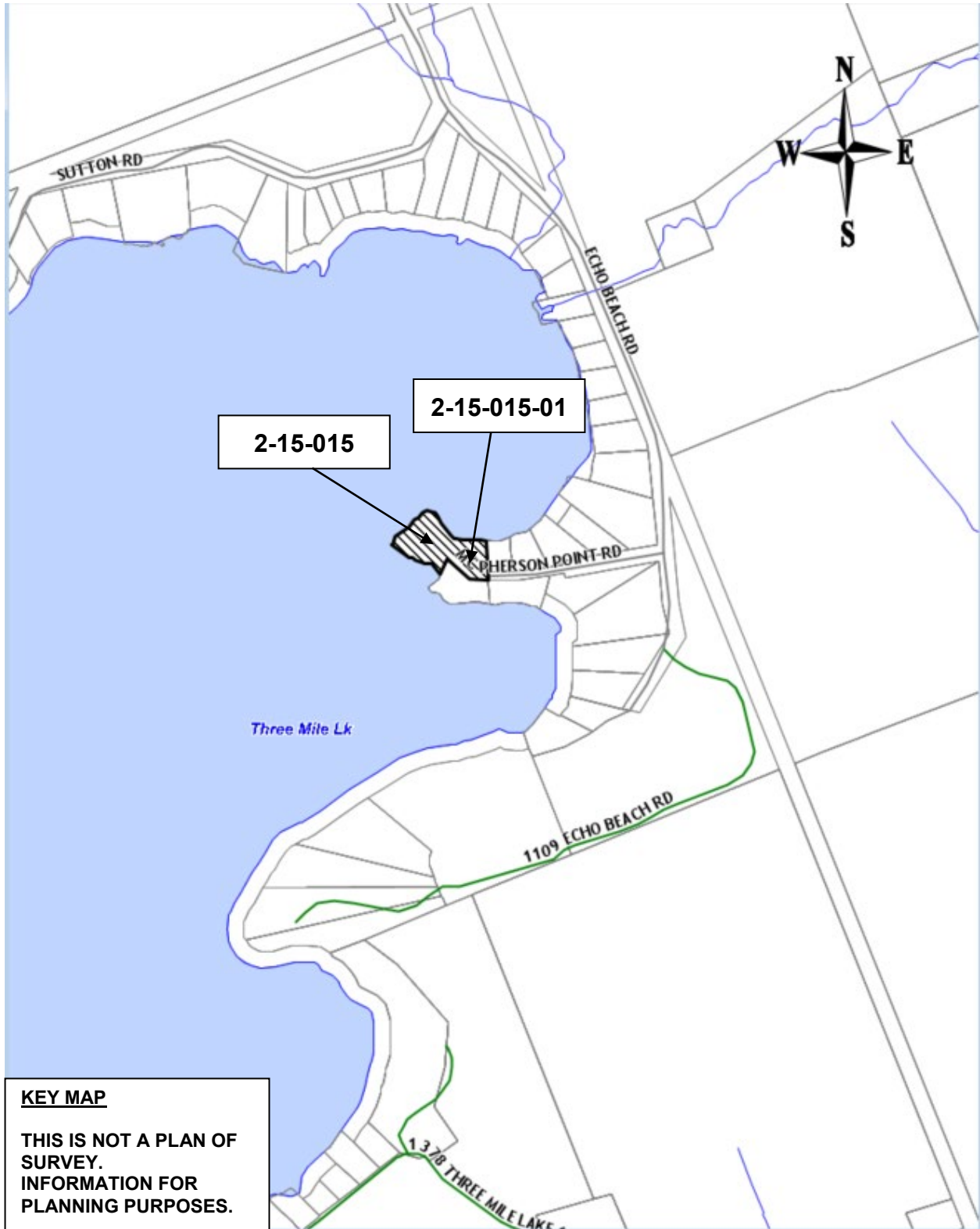
- Severed Lot: 220 feet of lot frontage
0.5 acres of lot area
- Retained Lot: 130 feet of lot frontage
0.4 acres of lot area

Please note that the measurements regarding lot frontage and lot area have been reduced in By-law 2023-044. Reducing the measurements will ensure compliance with the by-law once a new survey has been prepared.

These Consent and Zoning By-law Amendment Applications will have the effect of re-creating two former lots.

See Key Map on the Following Page

KEY MAP



KEY MAP

**THIS IS NOT A PLAN OF SURVEY.
INFORMATION FOR PLANNING PURPOSES.**

THREE - MILE LAKE

ORIGINAL ALLOWANCE SHORE ROAD

B/50/22/ML

Severed Lot

0.57 ACRES

HIGH

PART 5

PART 21 (BR-368) PARCEL 16877

45'±

36'± 130'± 21'±

48'± 10'±

N66°15'E

223 FT

134.17

55'±

LOT 31 COM 8' WATT

1424 SQ FT

SEPTIC

WELL

104 SQ FT

DOCK 25'

WATER

PART 7

0.42 ACRES

91.84 FT

PART 4

WELL

759 SQ FT

SEPTIC

PRESENT HIGH WATER MARK

P 0 28'± 0'± 21'± 12'± 28'± 42'±

Retained Lot

NOT TO SCALE

PART 22 (BR-368)

PART 3

PART 20 (BR-368) PARCEL 16877

PART 2 (BR-368)

PART 3

PART 4

PART 5

N85°00'W 66.56'

N85°00'W 101.09'

N3°02'W 190.10'

N70°30'W 57'±

SSIB

SSIB

SSIB

SSIB

THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES

BY-LAW 2023-044

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:

87-2084 i) The land affected by this amendment is described as Part of Lot 11, Concession 8, (in the former Township of Watt), now in the Township of Muskoka Lakes, more particularly described as Parts 20 and 21, Plan BR-368, Part 1, Plan 35R-7695, and Parts 4 and 5, Plan 35R-6834, as shown hatched on Schedule I to By-law 2023-044.

 ii) 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 area of the Severed and Retained Lots in Consent Application B/50/22/ML, as shown on Schedule II to By-law 2023-044, shall be as follows:

 Severed Lot: 220 feet of lot frontage
 0.5 acres of lot area

 Retained Lot: 130 feet of lot frontage
 0.4 acres of lot area

All other provisions of By-law 2014-14 apply. To the extent of any conflict between By-law 2023-044 and By-law 2014-14, as amended, the provisions of By-law 2023-044 shall apply.

2. Schedule I and II attached hereto is hereby made part of this By-law.

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

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

Peter Kelley, Mayor

Crystal Paroschy, Clerk

SCHEDULE I TO BY-LAW 2023-044



SCHEDULE II TO BY-LAW 2023-044

B/50/22/ML

THREE MILE LAKE

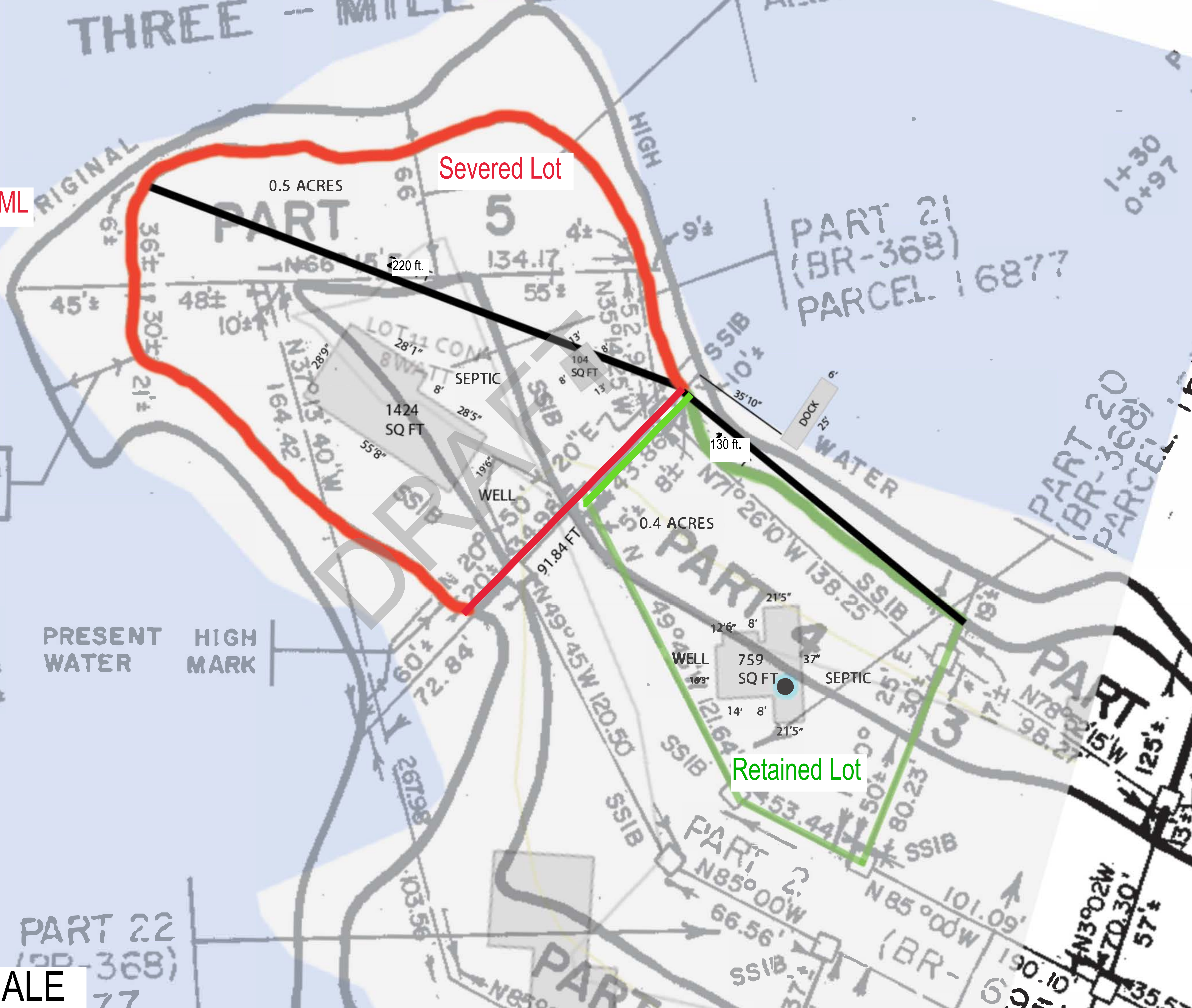
ORIGINAL ALLOWANCE

SHORE ROAD

Severed Lot

0.5 ACRES

5



Retained Lot

0.4 ACRES

PRESENT WATER

HIGH MARK

NOT TO SCALE

PART 7

PART 22 (BR-368) 77

PART 21 (BR-368) PARCEL 16877

PART 20 (BR-368) PARCEL 16877

PART 3

PART

PART 2 (BR-368) PARCEL 16877