



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 2022-172
AND CONSENT APPLICATION B/51/22/ML**

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

September 14, 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 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 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 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 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 **24th** day of **August, 2023**.

Crystal Paroschy
Clerk
Township of Muskoka Lakes

CONSENT #B/51/22/ML
BY-LAW #2022-172
AMENDEMENT #ZBA-50/22
NAME: ROSS
ROLL #: 4-27-044-01
CIVIC ADDRESS: 268 Island Tobins R60



THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES

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

B/51/22/ML, ZBA-50/22, BY-LAW 2022-172

ROSS

ROLL #: 4-27-044-01

The land affected is described as Part of Lot 8, Concession B, Island Tobins, Parts 1 to 5, Plan 35R-15270, (in the former Township of Medora), now in the Township of Muskoka Lakes. The subject land is known municipally as 268 Island Tobins R60 and is presently under the ownership of Charles, Steven, and David Ross.

A Consent/Severance Application (B/51/22/ML) has been submitted to create one new lot (Severed Lot). Please refer to the attached Consent Sketch. The Severed Lot contains two sleeping cabins and a single storey boathouse (containing a rooftop sundeck) and residential development is intended in the future. The Retained Lot contains a dwelling, three sleeping cabins, a shed, and two docks. No further development is intended on the Retained Lot at this time.

Consent/Severance Application (B/51/22/ML) will also grant a right-of-way over an existing pathway on the Retained Lot that will provide construction access to the Severed Lot.

A Zoning By-law Amendment Application (ZBA-50/22, By-law 2022-172) has also been submitted to provide exemptions from Section 4.1.3 of By-law 2014-14, as amended, the minimum lot frontage for the Severed and Retained Lots shall be as follows:

- Severed Lot (B/51/22/ML) – 250 feet lot frontage
- Retained Lot – 290 feet lot frontage

The purpose of By-law 2022-172 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 existing dock on the Severed Lot is to be setback 0 feet from the proposed south-westerly side lot line and associated straight line projection.

The purpose of By-law 2022-172 is also to provide an exemption from Section 4.1.7 and 4.1.7.8 of By-law 2014-14, as amended, being the minimum side yard setback of 45 feet for a single storey boathouse containing a rooftop sundeck. The existing boathouse on

the Severed Lot, which contains a rooftop sundeck, is to be set back 28 feet from the proposed south-westerly side lot line and associated straight-line projection.

The purpose of By-law 2022-172 is also to provide an exemption from Section 4.1.7 and 4.1.7.12 a. of By-law 2014-14, as amended, being the maximum permitted cumulative dock width of 25% of the lot frontage or 75 feet, whichever is greater, on a Category 1 Lake. In this case, the Severed Lot will have 250 feet of lot frontage, and therefore, the maximum permitted cumulative dock width is 62.5 feet. The existing dock on the Severed Lot is 90 feet in cumulative width. Further, the Retained Lot is to have 290 feet of lot frontage, and therefore, the maximum permitted cumulative dock width is 72.5 feet. The cumulative width of existing docks on the Retained Lot is 121 feet.

The purpose of By-law 2022-172 is also to provide an exemption from Section 4.1.7 and 4.1.7.12 c. of By-law 2014-14, as amended, being the maximum permitted cumulative single storey boathouse width of 16% of the lot frontage or 75 feet, whichever is greater, on a Category 1 Lake. In this case, the Severed Lot will have 250 feet of lot frontage, and therefore, the maximum permitted cumulative single storey boathouse width is 40 feet. The existing single storey boathouse on the Severed Lot is 48.5 feet in width.

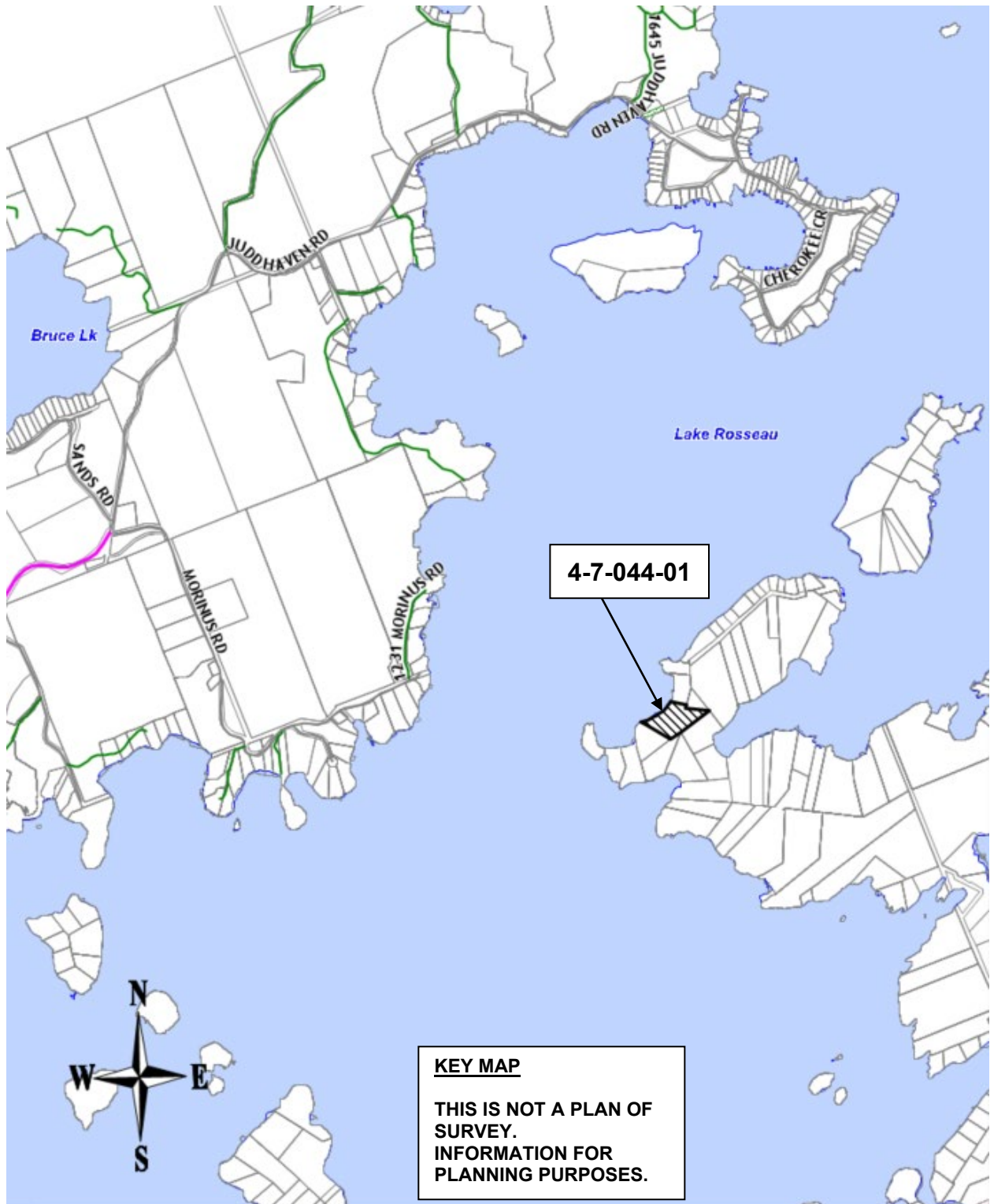
Please note that there is a zoning requirement to recognize these existing widths owing to reduced frontages from the severance.

The propose of By-law 2022-172 is also to provide an exemption from Section 11.163 of By-law 2014-14, as amended, being the definition of a sleeping cabin as a singular building. The applicants propose to deem existing Cabins A, B and C on the Retained Lot as a singular sleeping cabin and existing Cabins D and E on the Severed Lot as a singular sleeping cabin. Please note that the cumulative floor area of Cabins A, B and C on the Retained Lot and Cabins D and E on the Severed Lot do not exceed the maximum permitted floor area of 650 square feet for a singular sleeping cabin, respectively.

In summary, the Severance and Zoning By-law Amendment Applications will have the effect of creating one new lot, granting a new right-of-way, permitting a reduced side yard setback for an existing dock and single storey boathouse containing a rooftop sundeck, recognizing resultant cumulative dock and single storey boathouse widths on the Severed lot, recognizing resultant cumulative dock width on the Retained Lot, and deeming multiple sleeping cabins as singular sleeping cabins on each of the Retained and Severed Lots.

See Key Map on the Following Page

KEY MAP



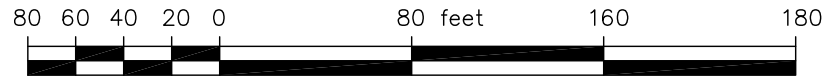
SKETCH FOR CONSENT APPLICATION PURPOSES

CONSENT B-51/22/ML

Caution: This is NOT a Plan of Survey and shall not be used except for the purpose indicated in the title block.

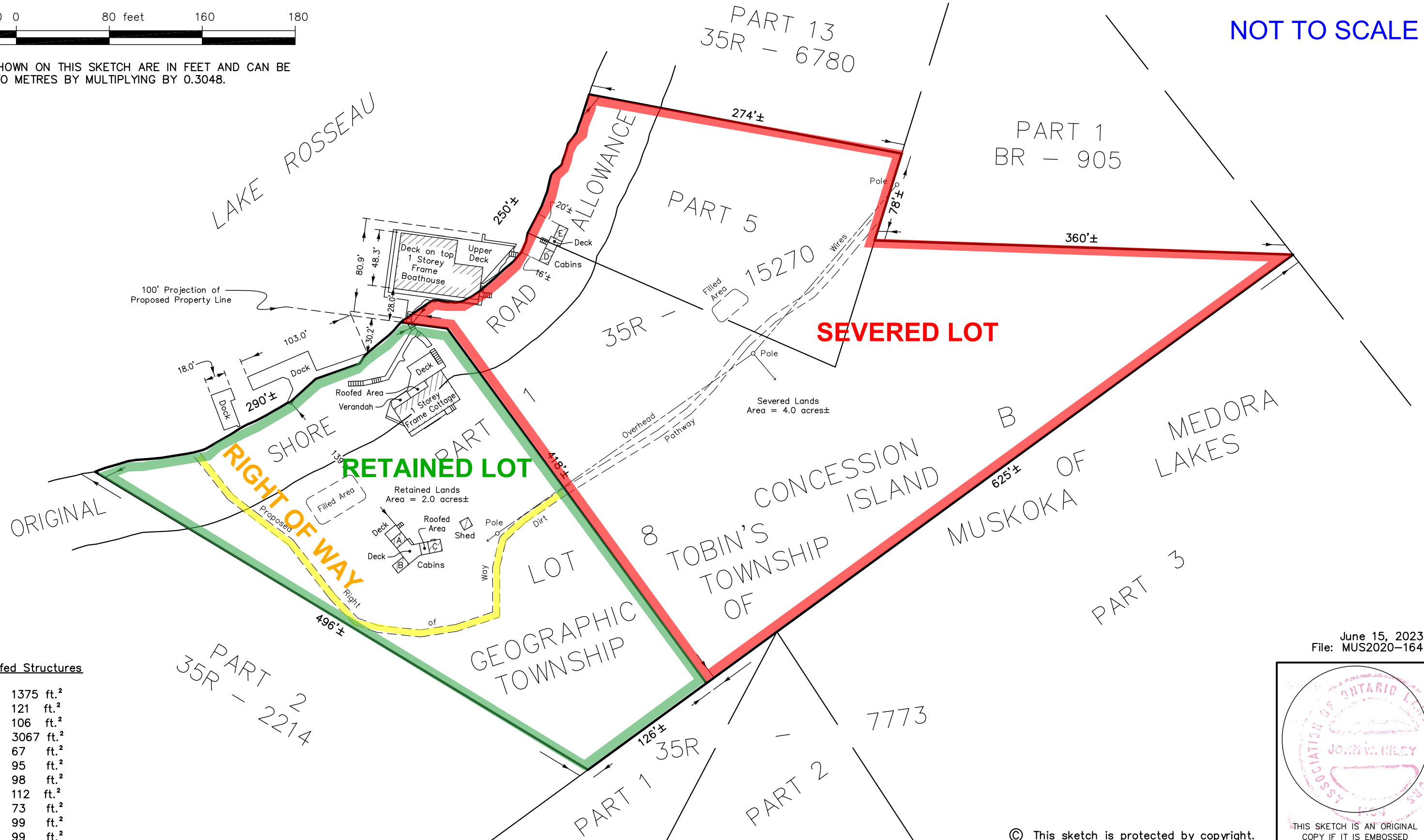
Information shown hereon was derived from Plan 35R-15270 and Field Survey Work by Coote, Hiley, Jemmett Limited dated November 19 & 26, 2020, & July 22, 2022.

SCALE 1" = 80'



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

NOT TO SCALE



Areas of Roofed Structures

Cottage	1375 ft. ²
Verandah	121 ft. ²
Roofed Area	106 ft. ²
Boathouse	3067 ft. ²
Shed	67 ft. ²
Cabin A	95 ft. ²
Cabin B	98 ft. ²
Cabin C	112 ft. ²
Roofed Area	73 ft. ²
Cabin D	99 ft. ²
Cabin E	99 ft. ²

June 15, 2023
File: MUS2020-164



THIS SKETCH IS AN ORIGINAL COPY IF IT IS EMBOSSED WITH THE SURVEYOR'S SEAL

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THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES

BY-LAW 2022-172

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:
 - 87-2056 i) The land affected by this amendment is described as Part of Lot 8, Concession B, Island Tobins, (in the former Township of Medora), now in the Township of Muskoka Lakes, more particularly described as Parts 1 to 5, Plan 35R-15270, as shown hatched on Schedule I to By-law 2022-172.
 - ii) Despite the provisions of Sections 4.1.3 of By-law 2014-14, as amended, for those lands described above, the minimum lot frontage for the Severed Lot in Application B/51/22/ML shall be 250 feet and the minimum lot frontage for the Retained Lot in Application B/51/22/ML shall be 290 feet, as shown on Schedule II to By-law 2022-172.
 - iii) 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 an existing dock on the Severed Lot in Application B/51/22/ML shall be 0 feet, as shown in the location and extent on Schedule II to By-law 2022-172.
 - iv) 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 for an existing single storey boathouse containing a rooftop sundeck on the Severed Lot in Application B/51/22/ML shall be 28 feet, as shown in the location and extent on Schedule II to By-law 2022-172.
 - v) 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 the Severed Lot in Application B/51/22/ML shall be 90 feet and the maximum permitted cumulative dock width on the Retained Lot in Application B/51/22/ML shall be 121 feet, as shown in the location and extent on Schedule II to By-law 2022-172.
 - vi) Despite the provisions of Sections 4.1.7 and 4.1.7.12 c. of By-law 2014-14, as amended, for those lands described above, the maximum permitted cumulative

single storey boathouse width on the Severed Lot in Application B/51/22/ML shall be 48.5 feet, as shown in the location and extent of Schedule II to By-law 2022-172.

- vii) Despite the provisions of Section 11.163 of By-law 2014-14, as amended, for those lands described above, Cabins A, B and C on the Retained Lot in Application B/51/22/ML shall be considered one sleeping cabin, as shown in the location and extent on Schedule II to By-law 2022-172.
- viii) Despite the provisions of Section 11.163 of By-law 2014-14, as amended, for those lands described above, Cabins D and E on the Severed Lot in Application B/51/22/ML shall be considered one sleeping cabin, as shown in the location and extent on Schedule II to By-law 2022-172.

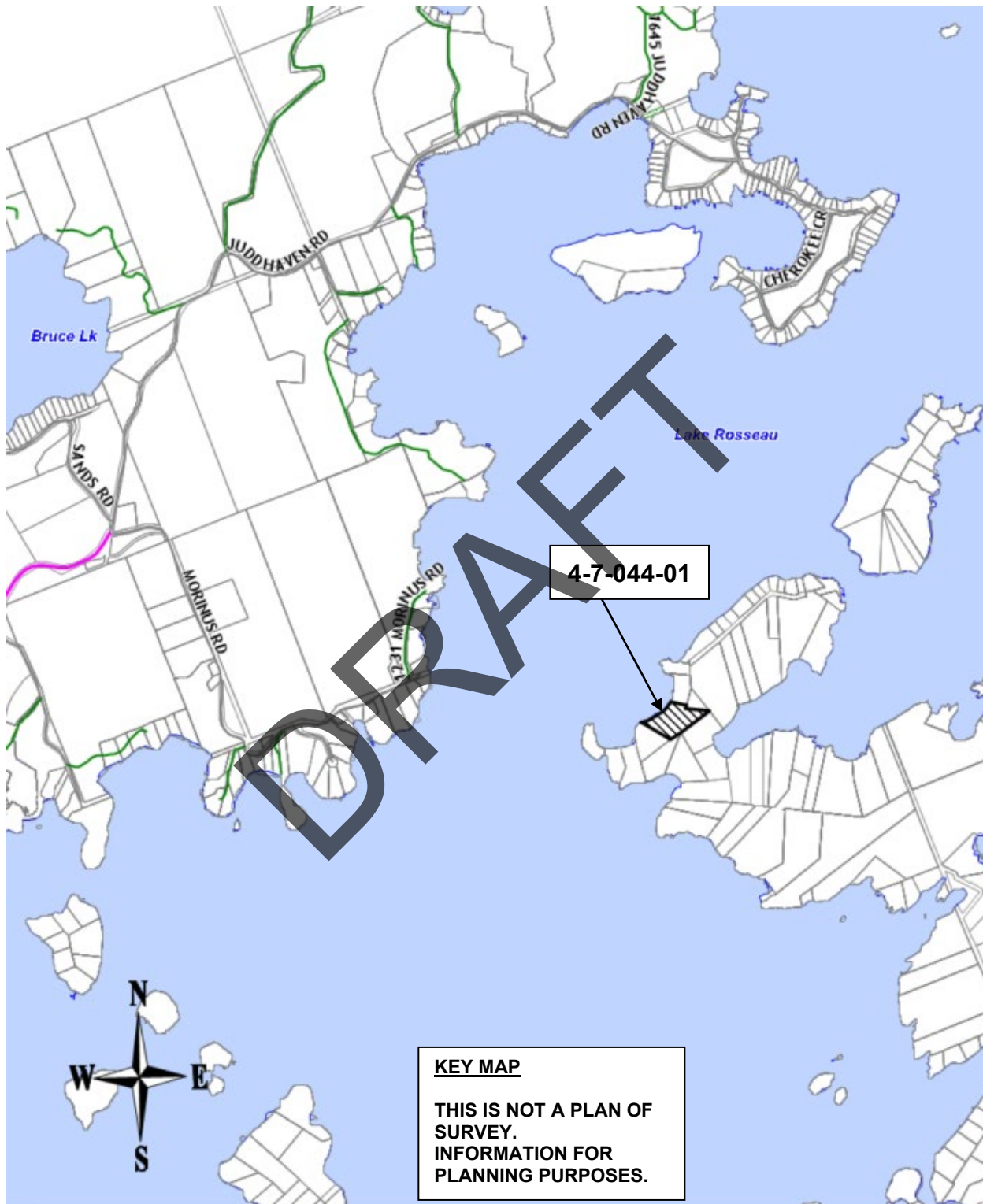
- 2. Schedules I and II attached hereto are hereby made part of this By-law.
- 3. All other provisions of By-law 2014-14 apply. To the extent of any conflict between By-law 2022-172 and By-law 2014-14, as amended, the provisions of By-law 2022-172 shall apply.

Read a **first, second and third time** and **finally passed** this ____ day of _____, 2023.

Peter Kelley, Mayor

Crystal Paroschy, Clerk

SCHEDULE I TO BY-LAW 2022-172



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

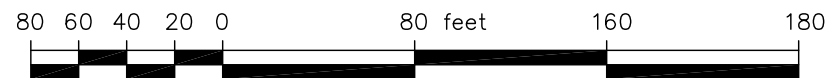
SKETCH FOR CONSENT APPLICATION PURPOSES

SCHEDULE II TO BY-LAW 2022-172

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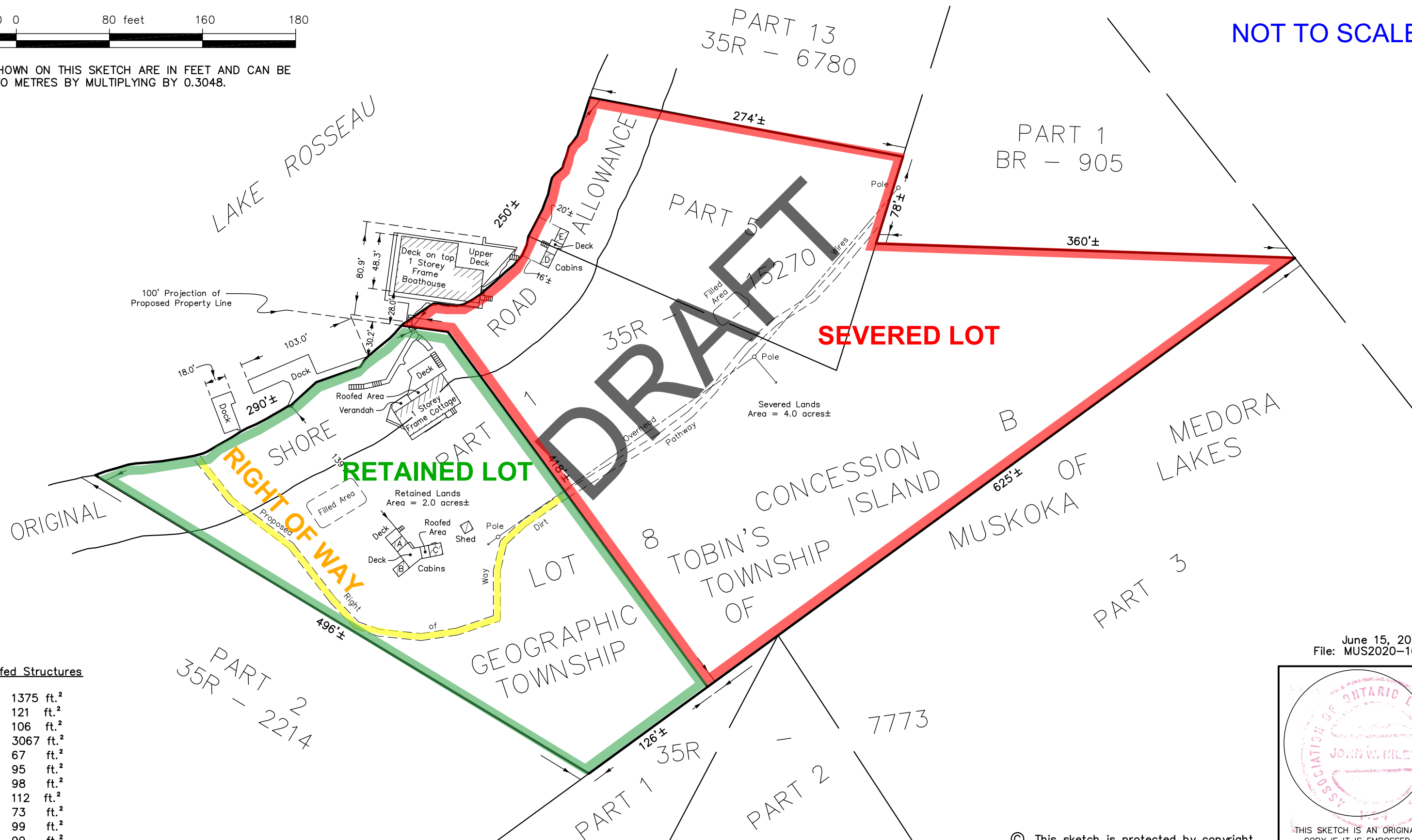
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