



Staff Report PLAN-2025-141
Planning Committee
November 13, 2025

TO: Chair Bosomworth and Members of Planning Committee

AUTHOR: Jennifer Huff, MCIP, RPP, Director Development Services and Environmental Sustainability

SUBJECT: ZBA-27/25 (BROWN), Lot 32, Concession 3, Lot 19, Plan 7 (Medora) – no civic address, Roll #: 5-8-085

RECOMMENDATION

THAT a decision on Zoning By-law Amendment Application ZBA-27/25 (BROWN) be DEFERRED so that public and agency comments can be received, and that staff be directed to undertake a review and analysis of the submissions with a view to providing a recommendation to Planning Committee on the application.

REPORT HIGHLIGHTS

This report provides background information on Zoning By-law Amendment Application ZBA-27/25 (BROWN) in support of the public meeting.

Staff will bring forward a report containing a policy analysis of the application and a planning recommendation at a future Planning Committee meeting.

BACKGROUND

The purpose of the subject report is to provide information to support the public meeting. The report provides an overview of the application and the material provided in support of the application.

The subject lands are located along the south-east corner of Silver Street and Harris Street in Port Carling. Per the submitted plans, the subject lands are 0.22 ha (0.54 ac) in size, with approximately 28.1 m (92.2 ft) of frontage along Harris Street, 98.1 m (321.1 ft) of frontage along Silver Street and it also abuts portions of the unopened and / or unmaintained Silver Street and Massey Street road allowances. The property is currently vacant of buildings and structures and forested with a mix of deciduous and coniferous species. Surrounding land uses include primarily residential dwellings to the north, south, east, and west. Indian River is located to the south. Full municipal services are located along Silver Street and Harris Street.

The subject lands are considered to be located within a 'Settlement Area' per the Provincial Planning Statement and are located within the 'Urban Residential' Designation of the Township's 2023 Official Plan. The subject lands are currently within the 'Residential – Sewer and Water (R1)' Zone of the Township's Comprehensive Zoning By-law 2014-14.

Zoning By-law Amendment Application (ZBA-27/25)

Zoning By-law Amendment Application ZBA-27/25 has been submitted to rezone the lands from 'Residential (R1)' to 'Community Residential – Multiple Residential Medium Density (RM1)' in order to permit the construction of eight (8) two-storey townhouse dwellings units. ZBA-27/25 also seeks a number of zoning exemptions as outlined in Table 2 below. The proposed site plan is provided in Figure 1 below.

Future Part Lot Control Application

The application materials indicate that upon completion of the re-zoning application, the applicant intends to subdivide the lands by way of a part lot control application to the District of Muskoka so that each of the townhouse units will be located on a separate lot. This is possible as the subject lands comprise one lot within a registered plan of subdivision. For this reason, the re-zoning application includes a number of exemptions that anticipate the division of the lands into eight separate lots.

District Muskoka Affordable Housing Initiative Program (MAHIP)

Four (4) of the townhouse units have received approval from the District of Muskoka under its MAHIP Capital Incentive program and will oblige the owner to maintain the rental units for 25 years under this program.

Figure 1: Proposed Site Plan

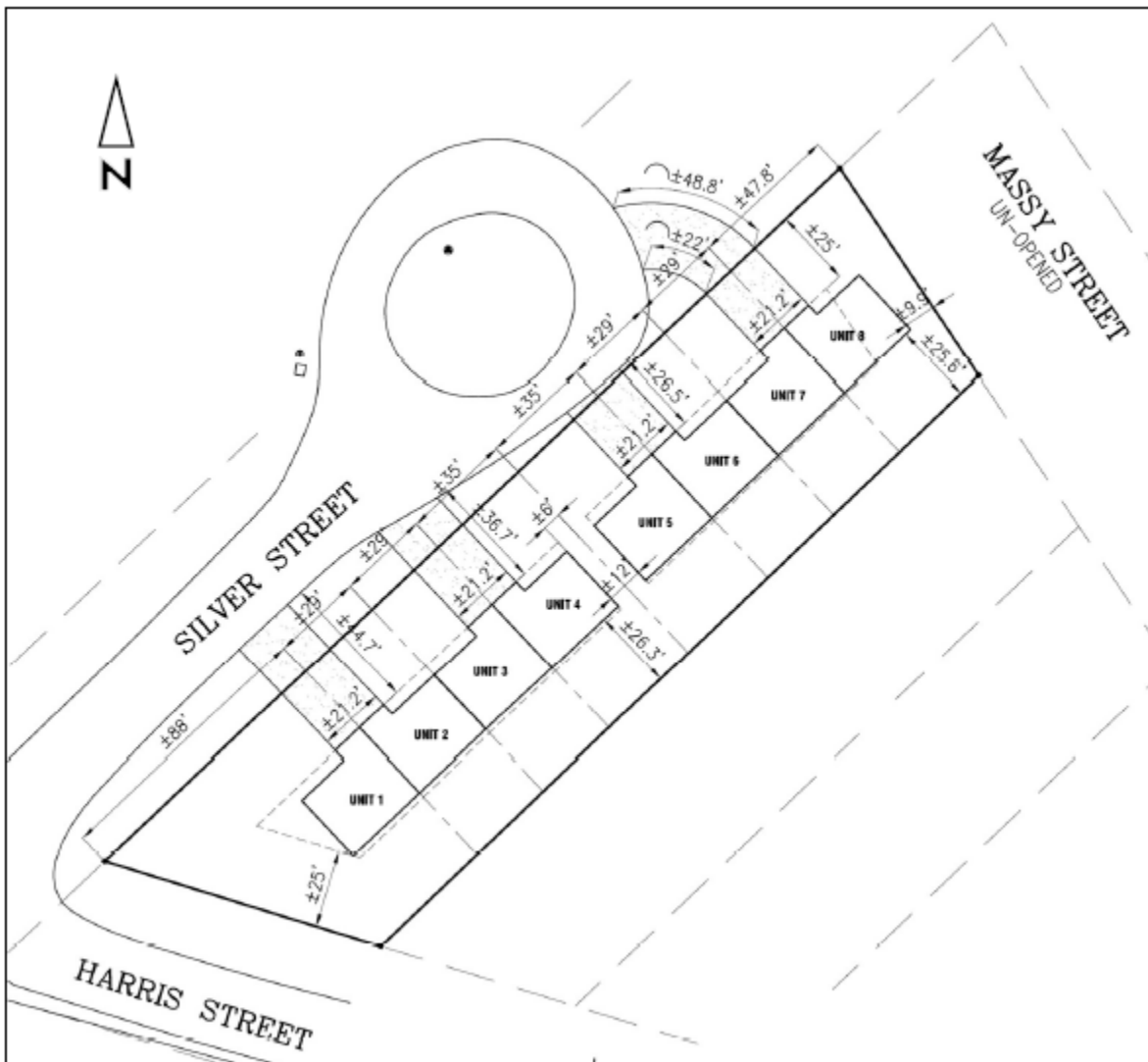


Figure 2: Rendering Drawing

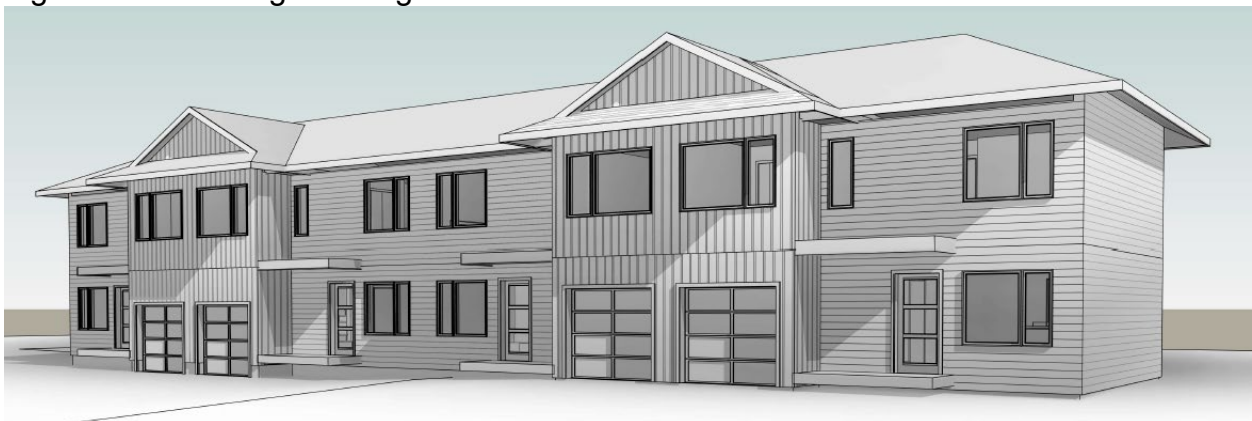


Table 1: Summary of Rezoning Permissions

Existing R1 Zone Permissions:	Proposed RM1 Zone Permissions:
<p><u>Main Use:</u></p> <ul style="list-style-type: none"> Residential – Dwelling Unit Group Home Rooming House <p><u>Accessory Use:</u></p> <ul style="list-style-type: none"> Residential Secondary Dwelling Units Home Based Business Bed and Breakfast Marina 	<p><u>Main:</u></p> <ul style="list-style-type: none"> Residential – Converted Dwelling Residential – Duplex Dwelling Residential – Semi Detached Dwelling Residential Townhouse Group Home Senior Citizen Home Rooming House <p><u>Accessory Use:</u></p> <ul style="list-style-type: none"> Residential Secondary Dwelling Units Home Based Business

Table 2: Summary of Requested Exemptions

Exemption	ZBL 2014-14 Section(s)	Description	Permitted	Proposed	Relief	Proposal
A	5.1.3	Exterior Side Yard Setback	7.6 m	3.0 m	3.6 m	To permit the location of Unit 8 relative to the exterior side yard and unopen road allowance
B	3.23.1	Setback from Unopen Road Allowance	7.6 m	3.0 m	3.6 m	
C	5.1.4.3	Lot Frontage on a Street	7 m on a Street	0 m of Lot Frontage on a Street 7m of Lot Frontage on a Road Allowance	7 m	To permit two of the townhouses to have Lot Frontage on a Road Allowance but not on a Street (Unit 7 and 8)
D	5.1.3	Interior Side Yard Setback	1.8 m	0	1.8m	To permit a 0 m interior

						side yard where a common wall exists between the townhouse units (all units)
E	5.18 a)	Permitted Density	30 dwelling units per ha	37 dwelling units per ha	1 additional dwelling unit	To permit 8 dwelling units on the subject lands
F	5.1.4.3	Minimum Ground Floor Area of a Dwelling Unit	65 sq. m	49 sq. m	16 sq m	To permit a reduced ground floor area for townhouses (all units)
G	3.28 e)	Parking	2 unobstructed parking spaces per dwelling unit	2 parking spaces per dwelling unit, one of which may be in an attached garage	Allow tandem parking	To permit the required two parking spaces to be located within and in front of the garage (all units)

The site-specific property details are outlined in Table 3 below.

Table 3: Site-Specific Property Details

Matter	Comment
Official Plan Designation (November 2023 Consolidation)	Urban Residential
Official Plan Designation (April 2013 Consolidation)	Urban Residential
Zoning (ZBL 2014-14, as amended)	Community Residential (R1)
Zoning Schedule	55
Access	Harris St, Silver Street (Township, Year-Round Maintained), Part of Silver Street / Massey St (Township, Unopened / Unmaintained)

Servicing	Municipal Water, Sewer and Storm
Abutting Zoning Categories	Resort Commercial (C1A-R and C1A), Residential – Waterfront (R4) and Residential (R1)
Original Shore Road Allowance	N/A
Lake/River Category	N/A
Site Plan Control	Subject to SPC. Per O. Reg 254/03

ANALYSIS

Consultation

Notice of this public meeting to be held under the Planning Act for this application was circulated 20 days in advance of this public meeting.

Public Consultation

The Township has received four (4) written comments opposing the proposed development, including one submission containing a petition with 53 signatures on it. The written comments noted concerns about the impact the development would have on: traffic and road network capacity; density, built form and neighbourhood character; heritage, landscape and lakeshore character; servicing, stormwater and the environment; off-street parking; and the precedent set with approve site-specific zoning applications.

One written submission was received supporting the application noting that it will help address the housing shortage in the area, support local year round businesses and enhance the look and feel of the neighbourhood.

A fulsome review of public comments and response, where appropriate, will be included in a future planning report containing a recommendation.

All comments received are available for viewing under section 16 on the Agenda.

Agency Consultation

The Township has received four (4) written departmental/agency comments at the time of writing (see Table A2 below).

Staff highlight notable comments received from agencies to date including, but not limited to:

- The District of Muskoka requests the lands be subject to a “Holding (H)” zone until such time as service capacity be confirmed; that the recommendations of the Scoped Environmental Report, prepared by Beacon Environmental, dated May 16, 2025 be implemented in the approval process, and that all future development is

directed to areas outside of the floodway, and to implement any required floodproofing measures within the flood fringe.

- The Township's Operational Services Department provide a number of technical comments related to stormwater management, ditches, and construction management details, as well their preference that setbacks be maintained to the unopened road allowance (Massey St).

Any written comments received up to November 6, 2025 will be attached to Committee's Agenda under Section 16 of the Agenda.

Frontage on Silver Street

In reviewing the submitted materials and information available to staff, it appears that a portion of Unit 7 and all of Unit 8 will not have street frontage on the maintained portion of the Silver Street Road Allowance. Clarity on this matter is required before a recommendation is made on the application.

Application(s) Submission Materials

The following studies/supporting documents have been submitted as part of the submitted application:

- i. Planning Justification Report, prepared by Allen Planning Consulting and dated May 19, 2025;
- ii. Functional Servicing and Stormwater Management Report, prepared by Pinestone Engineering Ltd. and dated April 4, 2025;
- iii. Scoped Environmental Impact Report, prepared by Beacon Environmental and dated May 16, 2025;
- iv. Floor Plans and Drawings

Planning Justification Report

The submitted Planning Justification Report (PJR) provides an overview of the proposal and relevant policies within the Provincial Planning Statement (PPS), 2024, the District of Muskoka Official Plan (MOP), the Township of Muskoka Lakes Official Plan (TMLOP), and the Township of Muskoka Lakes Comprehensive Zoning By-law (ZBL). The PJR also provides summaries of the submitted supporting documents/studies. The PJR concludes that the proposal is consistent with the PPS, conforms to the MOP and the TMLOP, and complies with the Township's Comprehensive ZBL.

The Planning Justification Report is included on the agenda package.

Functional Servicing Report

The submitted Functional Servicing Report (FSR) describes the proposed servicing and storm water quality and quantity control strategy for the proposal.

The report concludes and both sanitary and watermain extensions will be required up Silver Street to enable full sanitary and water supply service to each unit. The FSR report provides design flow rates for sewage, domestic and firefighting water supply that are to be provided to the District to confirm pressures and flowrates within their water distribution networks and sanitary sewer collection system.

With respect to stormwater management, the FSR states that a comparison of pre-development and post-development stormwater flowrates indicate that peak flows will be reduced in the post-development condition during all major storm events, therefore no additional quantity control measures are required. Diversion swales are proposed to the rear of the units connected to a new ditch between Units 4 and 5 to convey external drainage through the site to proposed new Silver Street municipal ditches.

Finally, sediment and erosion control measures are recommended to protect adjacent properties from mitigating sediments during construction and it is noted that the subject lands are located within the floodplain of the Indian River with the floodplain elevation at 226.71 m ASL. Grading of the site will ensure all building finished floors are set at a minimum freeboard of 0.3 m above the floodplain elevation.

The Functional Services Report is included on the agenda package.

Scoped Environmental Impact Report

The submitted Scoped Environmental Impact Report reviewed information derived from available background resources, field assessments, analyses and development plans. The report concludes that although sensitive features exist that require site-specific recommendations, appropriate conditions exist to permit the development of the subject property as proposed.

The Scoped Environmental Impact Report is included on the agenda package.

Floor Plans and Drawings

Floor plans indicate the townhouses will be two storey, 3-bedroom units without basements (slab on grad).

The Floor Plans and Drawings are included on the agenda package.

Site Plan Approval:

The development will be subject to Site Plan Control which will address matters including, but not limited to: stormwater management, servicing requiring appropriate

grading and floodproofing measures, limiting construction disturbance, requiring EIA mitigation measures, etc.

Next Steps

The public meeting is intended to provide an opportunity to Council and members of the public to review the development proposal and provide comments and feedback to staff and the applicant. Based on the feedback received during the public meeting, staff will prepare a report that will provide an analysis of the application relative to land use planning policies and address public and Council feedback received to date. The applicant will also have an opportunity to address any outstanding issues, questions or comments received during the public meeting before the staff report returns with a recommendation.

General Analysis

Site visit photos, agency comments and planning policy context are included in an appendix to this report.

PREPARATION

Original signed by J. Huff

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APPENDIX

A1: Site Visit Photos, November 3, 2025

Figure 1: Cul-de Sac with Hydrant and the terminus of Silver St



Figure 2: Frontage of the Subject lands along Harris Street looking eastwards



Figure 3: Subject lands along Silver Street looking south towards Harris St



Figure 4: Subject lands, looking northwards



Figure 5: Facing Subject Lands from Harris St looking northwards



A2: Agency and Public Comments Submitted at Report Writing

Submission	No Objection	Objection	Comments
<p>District Municipality of Muskoka</p>	<p>✓</p>		<p>District staff would not be opposed to the approval of the application provided that the appropriate development control techniques be used to implement the recommendations of the Scoped Environmental Report, prepared by Beacon Environmental, dated May 16, 2025.</p> <p>District staff would not be opposed to the approval of the above noted application provided that the draft zoning by-law is amended to include a holding (H) symbol(s). Removal of the (H) should only be considered once the following provisions have been satisfied:</p> <ol style="list-style-type: none"> I. A Functional Servicing Report (FSR) has been submitted to the satisfaction of the District Municipality of Muskoka; II. That hydraulic modelling be completed and that any required improvements be implemented to the satisfaction of the District Municipality of Muskoka; and III. Availability of water and sewer capacity be confirmed to the satisfaction of the District Municipality of Muskoka. <p>District staff also recommend that all future development is directed to areas outside of the floodway, and to implement any required</p>

			<p>floodproofing measures within the flood fringe.</p> <p>The applicant should be advised that the collection and disposal of solid waste materials are governed by the District of Muskoka's By-law 98-59 and By-law 2025-4, as amended</p>
Township of Muskoka Lakes, Development Services Division	✓		No objection.
Township of Muskoka Lakes, Operational Services	✓		<p>Oct 27, 2025 Reduction in setbacks from the unopened road allowance can present future maintenance issues and increased costs associated with tree maintenance. Future use of the unopened road allowance can also be impacted. Operational Services would prefer that the setback from the unopened road allowance is achieved and the setback from the road allowance be maintained if at all possible.</p> <p>September 5, 2025 SWM Report:</p> <ul style="list-style-type: none"> - Impact toward the municipal stormwater infrastructure downstream has not been provided. The subject lands where the development is proposed has an existing wetland/marsh area present in the property boundaries where standing water is present, further detail regarding how this water will be mitigated downstream during the lot grading and backfilling process of the

			<p>development should be addressed within the report.</p> <p>Drawings:</p> <ul style="list-style-type: none">- Municipal ditches shown on the plan appear to be located on private property. Any infrastructure that is owned or proposed to be owned by the municipality shall be located on municipal property.- All water and sanitary infrastructure that is at grade is be located outside of the Township ditches such as the water service curb stop valves and the sanitary sewer lateral cleanouts. <p>General:</p> <ul style="list-style-type: none">- Temporary access from Harris Street is required to be obtained from the Township's Operational Services Department prior to initiating construction on the subject property.- An entrance permit for each individual proposed access is required to be obtained from the Township's Operational Services Department. All entrances are required to achieve the general conditions listed within the application for an entranceway. <p>Please note that the comments provided are preliminary and a full review of the detailed design will</p>
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			occur during the site plan stage should the ZBA be approved.
Township of Muskoka Lakes, Septic Inspector			Comments not received at time of writing.
Township of Muskoka Lakes, Emergency Services	✓		Approval pending all NFPA guidelines being met, fire fighting capabilities and road access standards are met for responding apparatus.
Township of Muskoka Lakes, Legislative Services			Comments not received at time of writing.
Hydro One			Comments not received at time of writing.
Public Comments:			
	✓	✓	Five (5) public comments had been received at time of writing. 4 oppose the development, one of which contains a petition containing 53 signatures. One letter of support was received.

A3: Planning Policy

Provincial Policy Statement
The Provincial Planning Statement, 2024 (PPS) provides policy direction on matters of provincial interest related to land use planning and development. The subject lands are identified as Settlement Areas in the PPS.
District of Muskoka Official Plan
The subject lands are designated Urban Centres in the District of Muskoka Official Plan. Comments from the District do not oppose to the application but recommend that a holding provision apply as part of any approval.
Township of Muskoka Lakes Official Plan (Approved April 2013)
The Township's 2013 Official Plan designates the subject property as Urban Residential.
Township of Muskoka Lakes Official Plan (Approved November 20, 2023)
The Township's 2023 Official Plan designates the subject property as Urban Residential