



1 Bailey Street
Port Carling, ON P0B 1J0

E: planning@muskokalakes.ca P: 705-765-3156 F: 705-765-6755

COMMITTEE OF ADJUSTMENT - NOTICE OF HEARING

THE CORPORATION OF THE TOWNSHIP OF MUSKOKA LAKES

To consider an application for consent for a proposed land severance pursuant to Section 53 of the Planning Act, R.S.O., 1990, Chapter P. 13, as amended. **This notice has been sent to you for information and does not require any response unless you wish to make one.**

File No.: B/36/25/ML

Roll No.: 4-12-002-03

Owners:	Patricia & John Benson, 1794 Peninsula Road, Unit #2, Port Carling, ON, P0B 1J0		
Address & Description:	Peninsula Road – No Civic Address Assigned Part of Lots 18 and 19, Concession 9, Parts 1 to 8, and 12 to 15, Plan 35R-26787, (Medora)		
Zoning:	Waterfront Residential (WR6-7 & WR6-7R) and Environmental Protection (EP1)	Lake: Not Applicable	Schedule: 28
Hearing Date: Monday, August, 11th, 2024 at 9:00 a.m.			

Take further notice that this public hearing will be held in a hybrid forum with electronic Zoom participation, and in-person format for those wishing to attend in-person. The hearing will be held in the **Council Chambers, Municipal Office, 1 Bailey Street, Port Carling, ON**. Should you wish to view an electronic copy of the Notice of Hearing for the above-noted application, please visit <https://www.muskokalakes.ca/planning-notices/> or scan the QR code.



Explanation of the Purpose and Effect:

Consent/Severance Application B/36/25/ML has been submitted to grant a right-of-way for access across lands currently in the ownership of Alexander and Annie Benson in favour of a property to the north-west (Benefitting Lot) currently in the ownership of HLD Corporation. The proposed right-of-way will be located over an existing private road.

Generally, this Application will provide a right-of-way on title at the Muskoka Land Registry Office.

A key map of the subject property and the applicants' consent sketch are included in this notice.



For more information, please contact the Planning Division weekdays between 8:15 a.m. and 4 p.m. at the Municipal Office, or at planning@muskokalakes.ca or by phone at (705) 765-3156. **Please quote the file number noted above.**

How to Participate:

Submit Comments in Writing



Submit comments to planning@muskokalakes.ca, deliver in-person, or mail to P.O. Box 129, 1 Bailey Street, Port Carling, ON, P0B 1J0. For correspondence to be included on the agenda, please submit your comments by: August 6, 2025.

Please note that comments can still be submitted after the agenda has been published. Personal information collected in response to this Notice of Hearing will be used to assist staff and Council to process this application and will be made public.

Active Participation In-Person or on Zoom



Hybrid hearings are held at 9:00 a.m. on the above-noted hearing date in Council Chambers at the Municipal Office. For more information about participating via Zoom, visit www.muskokalakes.ca/zoom

If you wish to speak to the Committee of Adjustment at the hearing by electronic participation, please contact planning@muskokalakes.ca by 9:00 a.m. on the regular business day preceding the scheduled hearing.

Watch the Hearing Online



You can access the hearing from YouTube on the Township of Muskoka Lakes YouTube Channel. If the live webcast fails, the hearing recording will be posted under the Government Portal on www.muskokalakes.ca

FAILURE TO PARTICIPATE IN HEARING: If you do not participate in the hearing it may proceed in your absence and, except as otherwise provided in the Planning Act, you will not be entitled to any further notice in the proceedings.

DECISION & APPEALS: If you wish to be notified of the decision of the Committee of Adjustment in respect of this application, you must submit a written request to the Committee of Adjustment. **No one other than** the applicant, the municipality, certain public bodies and the minister may file an appeal of the decision of the Committee of Adjustment in respect of the proposed consent. If a person or public body that has the ability to appeal the decision of the Committee of Adjustment in respect of the proposed consent to the Ontario Land Tribunal but does not make written submissions to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Ontario Land Tribunal may dismiss the appeal. Notwithstanding the above, subsection 53(19) of the Planning Act defines the parties that are eligible to appeal the decision to the Ontario Land Tribunal.

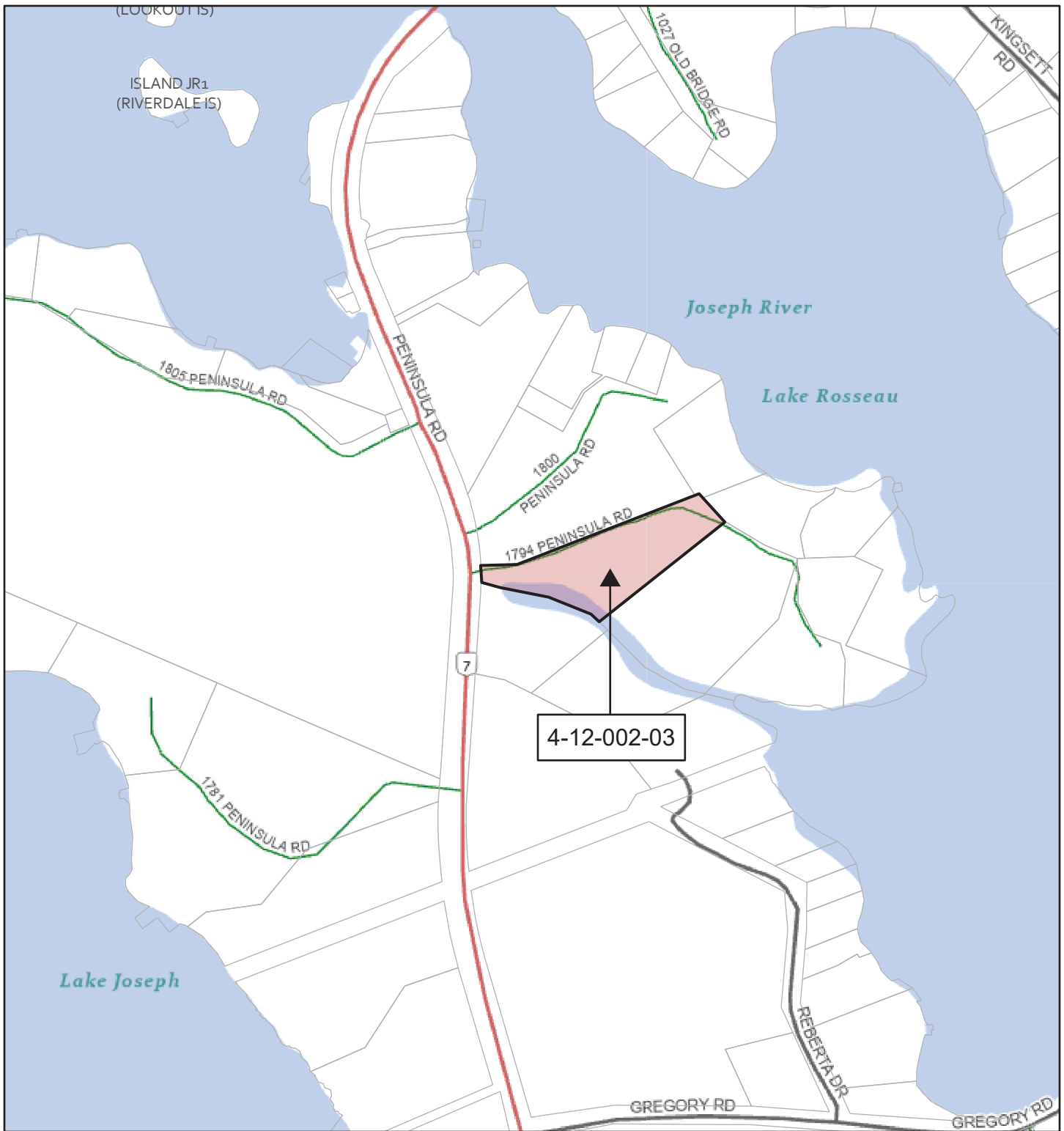
PLEASE NOTE: The Committee of Adjustment is a judicial body which makes decisions solely on the information gathered as a Committee. Committee members are not to be contacted prior to the hearing date to avoid a conflict of interest.

Dated at the Township of Muskoka Lakes
this 15th day of July, 2025.

Chelsea Ward, Secretary-Treasurer
Committee of Adjustment
planning@muskokalakes.ca



Key Map, B/36/25/ML (BENSON)



NOT A PLAN OF SURVEY. FOR INFORMATIONAL PURPOSES ONLY.



PLAN OF SURVEY
OF PART OF
LOTS 18 & 19, CONCESSION 9
GEOGRAPHIC TOWNSHIP OF MEDORA
TOWNSHIP OF MUSKOKA LAKES
DISTRICT MUNICIPALITY OF MUSKOKA

SURVEYOR'S CERTIFICATE

APRIL 25, 2022.
PORT CARLING, ONTARIO.

H.A. Cople.
R.J. CHAFFLE
ONTARIO LAND SURVEYORS

THIS PLAN OF SURVEY RELATES TO AOLS PLAN SUBMISSION FORM NUMBER

LEGEND

DISTANCES SHOWN HEREON ARE IN FEET AND
 DECIMAL PARTS THEREOF.
 MONUMENTS FOUND ARE AS NOTED:

- DENOTES SURVEY MONUMENT FOUND.
- DENOTES SURVEY MONUMENT PLANTED.
- SBI DENOTES STANDARD IRON BAR.
- SDI DENOTES SHORT STANDARD IRON BAR.
- IBI DENOTES IRON BAR.
- RP DENOTES ROCK POST.
- (COP) DENOTES OBSERVED REFERENCE POINT.
- (FAB) DENOTES FITZPATRICK AND BOYER, O.L.S.
- (B) DENOTES B. AND JOHNETT.
- (B12) DENOTES N. P. LYNDON, O.L.S.
- (C168) DENOTES M. KUPFERSCHEIDT, O.L.S.
- (B111) DENOTES D. B. CHAPPEL, O.L.S.
- (TIC1) DENOTES METHOD OF TRANSPORTATION
 AND COMMUNICATIONS.

P DENOTES PLAN 35R-26358.

SCALE: 1 INCH = 60 FEET

A horizontal scale bar with alternating black and white segments. It is marked with '0' at the left end, '30' at the first segment boundary, '60' at the second segment boundary, and '120 FEET' at the right end.

BEARING NOTE:
BEARINGS ARE UTM GRID DERIVED FROM OXP1 TO OXP 2.
SHOWN HEREIN. HAVING BEARING OF N091100P
REFERRED TO THE NAD83 GRID ON UTM ZONE 17
181°W LONGITUDE. HADRS (CSRS, EPOCH 1997.0).

ROTATION NOTE:
FOR BEARING COMPASSINGS, A ROTATION OF 0°57'48" COUNTER CLOCKWISE
WAS APPLIED TO PLAN 35R-15704, 35R-17687, AND 35R-22671 TO CON-
VERT TO UTM BEARINGS.
FOR BEARING COMPASSINGS, A ROTATION OF 0°56'50" COUNTER CLOCKWISE
WAS APPLIED TO PLAN 35R-15704 TO CONVERT TO UTM BEARINGS.
FOR BEARING COMPASSINGS, A ROTATION OF 0°56'30" COUNTER CLOCKWISE
WAS APPLIED TO PLAN 35R-17684 TO CONVERT TO UTM BEARINGS.

SCALE FACTOR NOTE:
DISTANCES ON THIS PLAN ARE HORIZONTAL GROUND DISTANCES AND
CAN BE CONVERTED TO HORIZONTAL DISTANCES BY MULTIPLYING BY THE
AVEARAGE CORRECTED SCALE FACTOR OF 0.999970689.

ELEVATION NOTE:
ELEVATIONS SHOWN HEREON WERE OBTAINED BY WATER TRANSFER
AND ARE REFERRED TO STATION 00819718429, HAVING AN
ELEVATION OF 773.23', CVD28.

LAKE ROSSEAU IS REGULATED TO ELEVATION 741.30', CGVD28

THE CONTOUR OF ELEVATION 740.0' CGVD28 OF LAKE ROSSEAU LYING IN FRONT OF LOT 19, CONCESSION 9, MEDORA, 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.

THE CONTOUR OF ELEVATION 740.0' CGVD28 OF LAKE ROSSEAU LYING IN FRONT OF LOT 18, CONCESSION 9, MEDORA, AS ESTABLISHED BY JSR-7894 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.

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

OBSERVED REFERENCE POINTS (ORP_a) DERIVED FROM GPS OBSERVATIONS USING THE PRECISE POINT POSITIONING (PPP) SERVICE, UTM ZONE 17 NAD83 (CSRS), EPOCH 1997, COORDINATE TO RURAL ACCURACY PER SECTION 14 (2) OF O.R.G. 216/10.

POINT ID	NORTHING	EASTING
GRP 1	16,403,323.8	1,985,044.9
GRP 2	16,403,087.0	1,986,284.3
GRP 3	16,403,844.7	1,985,746.5

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH CORNERS OR BOUNDARIES ON THIS PLAN.

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT.

DATE: APRIL 25, 2011

R. T. Cypke.

ONTARIO LAND SURVEYOR

PLAN 35R-26787

RECEIVED AND DEPOSITED	2003
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DATE 2 MAY 2000
Ki Osh

SCHEDULE

PART	PART LOT	CONCESSION	PIN
1			
2			
3	18		
4			
5			
6			ALL OF
7			FW 4814B-0211
8			
9			
10			
11			
12			
13		9	
14			
15			
16			
17			
18			
19			
20			
21	19		
22			ALL OF
23			FW 4814B-0209
24			
25			
26			
27			
28			
29			
30			
31			
32			

PARTS 1, 2, 3 & 4 SUBJECT TO A RIGHT OF WAY AS IN D1966318.
PARTS 12, 15, 18, 20, 21, 22, 23, 24, 25, 26 & 27: SUBJECT TO A
RIGHT OF WAY AS IN LT42821.
PARTS 12, 21, 23, 25, & 26: SUBJECT TO A RIGHT OF WAY AS IN LT17870.

**B/36/25/ML - Proposed
Right-of-Way**

BENEFITTING LOT

RETAINED LOT
PART 8

BENEFITTING / DOMINANT LAND
ROLL#: 445304001200600
OWNER: HLD CORPORATION (KRIS HOUSE)

PIN 48148-0019 (LT)

BENEFITTING LOT

Grant of Right of Way:
Dominant Lands: PIN 48148-0019 (LT) – owned by HLD Corporation
Servient Lands: PIN 48148-0504 (LT) – owned by Benson/Benson
Easement in favour of all of Dominant Lands for ingress and egress in,
over, along and upon part of the Servient Lands being Part 12 35R26787
(the location of the existing road)

**B/36/25/ML - ENLARGED
Proposed Right-of-Way**

RETAINED / SERVIENT LAND
ROLL #: 445304001200203
OWNERS: PATRICIA ANNE BENSON /
JOHN PAUL ALEXANDER BENSON

PIN 48148-0504 (LT)

RETAINED LOT

CHAPPLE, GALBRAITH SURVEYORS LTD
ONTARIO LAND SURVEYORS
2 BAILEY STREET,
P.O. BOX 496, PORT CARLING, ONTARIO, P0B 1J0.
(705) 765-3579 info@chapplesurveyors.com

RADIAL SURVEY TO LOCATE THE REGULATED WATER'S EDGE		
STA	BEARING	DISTANCE
1	S72°20'W	5681.0
2	S68°15'W	53.4
3	S68°45'W	50.6
4	S81°54'W	45.8
5	S48°12'W	37.0
6	S37°42'W	24.7
7	S 12°02'W	12.9
RADIAL SURVEY TO LOCATE THE UTILITY POLES		
STA	BEARING	DISTANCE
1	S71°12'W	114.6
2	S65°51'W	107.3
3	N79°53'E	184.1
RADIAL SURVEY TO LOCATE THE UTILITY POLES		
STA	BEARING	DISTANCE
1	S68°18'W	71.8
2	S77°38'W	290.6
RADIAL SURVEY TO LOCATE THE UTILITY POLES		
STA	BEARING	DISTANCE
1	S87°25'W	114.6
2	S68°30'W	123.5
3	S81°10'W	136.0
4	N80°22'E	168.9

STA.	BEARING	DISTANCE
"A"	S87°00'W	90.4'
	S38°37'W	77.1'

NOT TO SCALE

CONSENT SKETCH

① CONSENT SKETCH
1" = 40'-0"



— BENEFITTING / DOMINANT LAND

— PROPOSED R.O.W.

— RETAINED / SERVIENT LAND

BENEFITTING LOT

BENEFITTING / DOMINANT LAND
ROLL#: 445304001200600
OWNER: HLD CORPORATION (KRIS HOUSE)

PIN 48148-0019 (LT)

Grant of Right of Way:
Dominant Lands: PIN 48148-0019 (LT) – owned by HLD Corporation
Servient Lands: PIN 48148-0504 (LT) – owned by Benson/Benson
Easement in favour of all of Dominant Lands for ingress and egress in,
over, along and upon part of the Servient Lands being Part 12 35R26787
(the location of the existing road)

— PROPOSED R.O.W.

- B/36/25/ML
PROPOSED
RIGHT-OF-WAY

RETAINED LOT

RETAINED / SERVIENT LAND
ROLL #: 445304001200203
OWNERS: PATRICIA ANNE BENSON /
JOHN PAUL ALEXANDER BENSON

PIN 48148-0504 (LT)

NOT TO SCALE



50 HOWLAND DRIVE, UNIT #4
HUNTSVILLE, ONTARIO
P1H 2P9
705.788.2112
<http://hldmuskoka.com>

THESE DRAWINGS ARE NOT TO BE SCALED. ALL DRAWINGS, THE DESIGN, AND THE DETAILS THEREON REMAIN THE PROPERTY OF THE DESIGNER AND ARE NOT TO BE ALTERED, RE-USED OR REPRODUCED WITHOUT THE DESIGNER'S EXPRESS WRITTEN

THE CONTRACTOR MUST FIELD VERIFY ALL DIMENSIONS AND MUST CONFIRM & CORRELATE ALL DETAILS WITHIN THE FULL DRAWING PACKAGE BEING RESPONSIBLE FOR SAME THROUGHOUT CONSTRUCTION, REPORTING ANY DISCREPANCIES TO THE DESIGNER PRIOR TO COMMENCING THE RELEVANT WORK ALL DRAWINGS, DETAILS & SPECIFICATIONS REPRESENTED IN THE DRAWINGS ARE TO BE USED FOR CONSTRUCTION ONLY WHEN ISSUED BY THE DESIGNER AND NOTED ACCORDINGLY IN THE 'ISSUE/REVISIONS' BOX HEREON.

ISSUED FOR REVIEW

ISSUE DATE		15 July 2021
NO.	DESCRIPTION	DATE

Benson to HLD

1794 Peninsula rd

Consent Sketch

DATE	15 July 2025
DRAWN BY	KM
REVIEWED BY	

C1.00

SCALE 1" = 40'-0"