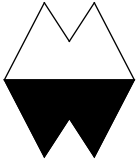


Date of Decision: Dec 20, 2021
Date of Notice: Dec 22, 2021
Last Date of Appeal: Jan 11, 2022



THE DISTRICT MUNICIPALITY OF MUSKOKA

NOTICE OF ADOPTION

Pursuant to Subsection 17(23) of the Planning Act
Amendment 51 to the Muskoka Official Plan
(McColl)

A decision was made by Muskoka District Council to pass [District By-law 2021-44](#), adopting Amendment 51 to the Official Plan of the Muskoka District Area (i.e. Muskoka Official Plan)

Purpose and Effect of the Official Plan Amendment

The purpose and effect of the Amendment is to:

- Amend the boundaries of the Urban Centre of Baysville as shown on the applicable Muskoka Official Plan schedules to remove the subject lands from the Urban Centre designation to reflect site specific circumstances including the property's location at the edge of a settlement area boundary, the extent of existing municipal services, and the growth projections for Baysville;
- Remove the subject lands from the Full Service Area of Schedule B: Urban Service Areas; and
- Re-designate the subject lands as being in the Rural Designation.

A copy of By-law 2021-44, which includes the amendment, is attached.

Public Comments Considered

A summary of comments received and how they were considered or addressed is included in [Report CPS-12-2021-2](#).

When and How to File an Appeal of the Decision

A notice of appeal to the Ontario Land Tribunal OLT (formerly Local Planning Appeal Tribunal (LPAT)) of the decision must be received by The District Municipality of Muskoka no later than 20 days from the date of this notice, as shown above as the last day of appeal. The appeal must:

- set out the specific part(s) of the Official Plan Amendment to which the appeal applies;
- set out the reasons for the appeal; and
- be accompanied by the fee prescribed under the Ontario Land Tribunal Act in the amount of \$1,100.00 payable to the Minister of Finance.

A notice of appeal should be filed with:

Amy Back, Clerk
District Municipality of Muskoka
70 Pine Street, Bracebridge,
ON Canada, P1L 1N3

Who Can Appeal a Decision

Only individuals, corporations or public bodies may appeal a decision of the Council of The District Municipality of Muskoka to the Ontario Land Tribunal. A notice of appeal may not be made by any unincorporated association or group. However, a notice of appeal may be filed

in the name of an individual who is a member of the association or group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the Official Plan Amendment was adopted, the person or public body made oral submissions at a public meeting or written submissions to The District Municipality of Muskoka or unless, in the opinion of the Ontario Land Tribunal, there are reasonable ground to add the person or public body as a party.

When the Decision is Final

The proposed Official Plan Amendment is exempt from approval by the Minister of Municipal Affairs and Housing, and the decision of Muskoka District Council is final if a notice of appeal is not received before or on the last day for filing a notice of appeal.

Additional Information

For additional information about the Amendment or your appeal rights, contact Kassidee Fior, Manager of Planning at 1-800-461-4210 or (705) 645-2100 ext. 4421 (in the 705 area code), or Kassidee.Fior@muskoka.on.ca.

THE DISTRICT MUNICIPALITY OF MUSKOKA

BY-LAW 2021-44

Being a by-law to adopt Amendment 51 to the Official Plan of the Muskoka District Area (McColl)

WHEREAS the Community and Planning Services Committee has recommended to the Council of The District Municipality of Muskoka that Amendment 51 to the Official Plan of the Muskoka District Area ("Official Plan Amendment 51") be adopted;

AND WHEREAS the Council of The District Municipality of Muskoka has fulfilled the applicable requirements of Sections 17(15) to 17(21) of the Planning Act, R.S.O. 1990, as amended;

AND WHEREAS the Council of The District Municipality of Muskoka is satisfied that the proposed Official Plan Amendment 51 attached hereto is suitable for adoption;

AND WHEREAS pursuant to Section 17(9) of the Planning Act and O. Reg. 525/97 amendments to the Official Plan of the Muskoka District Area do not require the approval of the Minister of Municipal Affairs and Housing;

AND WHEREAS it is desirable to adopt the proposed Official Plan Amendment 51;

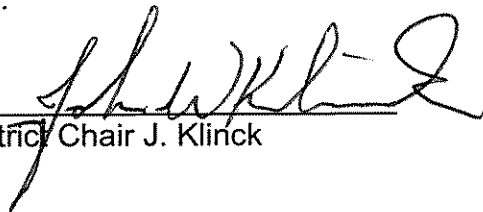
THEREFORE the Council of The District Municipality of Muskoka enacts as follows:

1. The proposed amendment to the Official Plan of the Muskoka District Area consisting of the text as attached hereto as Schedule "A" shall be and is hereby adopted as Official Plan Amendment 51.
2. The Commissioner of Community and Planning Services Development, or their delegate, shall be and is hereby authorized, directed and empowered to give notice of the decision in accordance with Section 17(23) of the Planning Act and sign all such declarations as may be necessary to comply with O. Reg. 543/06 and Section 17(28) of the Planning Act.
3. This By-law shall come into force and take effect on the date it receives third reading.
4. Official Plan Amendment 51 shall come into force and take effect in accordance with the provisions of the Planning Act.

Enacted and Passed this 20th day of December, 2021.

THE DISTRICT MUNICIPALITY OF MUSKOKA

Per:


District Chair J. Klinck


District Clerk A. Back

Schedule "A"

AMENDMENT 51
TO THE MUSKOKA OFFICIAL PLAN
(McColl)

SECTION 1. TITLE AND COMPONENTS OF THE AMENDMENT

Section 5 herein shall constitute Amendment 51 to the Official Plan of the Muskoka District Area.

Sections 1, 2, 3 and 4 herein do not constitute part of the Amendment but provide more detailed information respecting the Amendment.

SECTION 2. BACKGROUND AND PURPOSE OF THE AMENDMENT

2.1 PURPOSE

The purpose of proposed Muskoka Official Plan Amendment 51 is to:

- Amend the boundaries of the Urban Centre of Baysville as shown on the applicable Muskoka Official Plan schedules to remove the subject lands from the Urban Centre designation to reflect site specific circumstances including the property's location at the edge of a settlement area boundary, the extent of existing municipal services, and the growth projections for Baysville;
- Remove the subject lands from the Full Service Area of Schedule B: Urban Service Areas; and
- Re-designate the subject lands as being in the Rural Designation.

The effect of proposed Muskoka Official Plan Amendment 51 is to permit the property to continue to be serviced by private individual on-site water and individual on-site septic services and to provide relief from the requirement to connect to municipal services and pay the associated tax. In recognition of the concurrent applications, any future development of the property would be in accordance with the policies applicable to the Rural designation in both the District and Township Official Plans, as well as the requirements of the rural residential zone.

Additional background information can be found in Staff Report CPS-14-2020-4.

SECTION 3. LAND SUBJECT TO THE AMENDMENT

The lands subject to this amendment include Part of Lot 16, Concession 7, former Township of McLean, now in the Township of Lake of Bays, municipally known as 1069 Heney Lake Road.

SECTION 4. IMPLEMENTATION AND INTERPRETATION

The changes to the Muskoka Official Plan as described in this Amendment shall be implemented in accordance with the applicable policies in Section A (Plan Basics: Applicability, Purpose and Organization of the Official Plan) and Section M (Implementation and Administration) of the Plan.

SECTION 5. THE AMENDMENT

5.1 Amend Schedules A, B, C1, C2, D, E1, E3, F, G and Appendices C and D as follows:

- a) Remove the subject lands from the Urban Centre boundary of Baysville and include them within the Rural designation as defined within Section J3.2 of the Muskoka Official Plan.

5.2 Further amend Schedule B as follows:

- a) Remove the subject lands from the "Full Service Area".

