

Committee Deliberations:

- Councillor Boivin noted that the extension of the lot line to the water was on a slant and wondered why it had been shown in this manner. Mr. Szczerbak stated that it had been done in order to ensure that the proposed severed lot would have the required 200 feet of water frontage, as well as to meet the interior side yard requirement
- Mr. Jackson, speaking to the matter advised that his client was supportive of the recommendations contained in the fisheries habitat assessment and that he had no further items to add
- Committee agreed with approval of the application and Chairperson Peake read the following resolution aloud:

MOTION

MOVED BY: Ben Boivin
SECONDED BY: Virginia (Ginny) Burgess

That application B 19/06 LOB be **APPROVED**, subject to the following conditions:

- (1) That a registrable description of the severed lands, together with the applicable rights-of-ways, be submitted to the Secretary-Treasurer, along with two registered copies of the reference plan;
- (2) The Original Shore Road Allowance lying in front of the severed and retained lands shall be closed and conveyed into the same ownership as the proposed lots, and copies of the registered Transfer or Transfers be provided to the Secretary-Treasurer of the Committee of Adjustment;
- (3) That the subject lands be re-designated under Development Permit By-law No. 04-180 by means of the severed lands being site-specifically amended to implement the recommendations of the fish habitat impact assessment by Gartner Lee Limited dated July 26, 2007;
- (4) The Applicant shall enter into an Agreement with the Township of Lake of Bays under Section 51(26) of the Planning Act and this Agreement be registered on the title of the severed lands. The Agreement shall implement the findings of the fish habitat impact assessment by Gartner Lee Limited dated July 26, 2007, and require that development of the severed lot proceed in accordance with the report;
- (5) That final approval be subject to confirmation by the Township of Lake of Bays that the severed lands are satisfactory for on-site sewage disposal; and
- (6) That cash-in-lieu of parkland dedication be paid to the Township of Lake of Bays in the amount of \$3,465.00.

REASONS:

1. The Committee is satisfied that the consent application conforms to the intent of the Township Official Plan, and will serve to create one new residential building lot together with applicable rights-of-way.

Pursuant to Subsection 41 of Section 53 of the Planning Act, all conditions imposed must be fulfilled within one year from the date of the sending of the Notice of Decision or the application is deemed to be refused.

It is a requirement that all conditions imposed be fulfilled prior to the granting of this consent and the giving by the Secretary-Treasurer of the certificate provided for in Subsection 42 of Section 53 of the Planning Act.

establishment of vegetation, where applicable, in accordance with Section D.100 of the Township Official Plan.

- (5) That the owner of the benefiting lands enter into an Agreement with the Township of Lake of Bays under Section 41 of the Planning Act and this Agreement be registered on the title of the benefiting lands. Said site plan shall address the retention of natural vegetation along the shoreline as well as the re-establishment of vegetation along portions of the shoreline, where applicable, in accordance with Section D.100 of the Township Official Plan.

REASONS:

1. The Committee is satisfied that the consent application conforms to the intent of the Township Official Plan and will serve to provide a lot addition to the easterly abutting lands (Roll No. 040-007-05100).

Subsection 3 of Section 50 of the Planning Act applies to any subsequent conveyance or transaction of or in relation to the parcel of land being the subject of this consent and the Certificate given under subsection 42 of Section 53 shall contain reference to this stipulation.

Pursuant to Subsection 41 of Section 53 of the Planning Act, all conditions imposed must be fulfilled within one year from the date of the sending of the Notice of Decision or the application is deemed to be refused.

It is a requirement that all conditions imposed be fulfilled prior to the granting of this consent and the giving by the Secretary-Treasurer of the certificate provided for in Subsection 42 of Section 53 of the Planning Act.

- iii) **B 21/07 LOB, Applicant: Dawn Freedman**
Part Lots 9 & 10, Con. 12, McLean Ward, on Lake of Bays, 1080 Vanclieaf Drive
Agent: Bonnie Freedman

Present: No one was present to speak to the application

No Persons in Attendance in Favour of Requested Consent

No Persons in Attendance Opposed to Requested Consent

There were no recent comments received from circulated agencies or circulated surrounding property owners.

Planning Department Submission – Stefan Szczerbak, Township Planner

- He presented the staff report advising that a similar application, **B 16/05 LOB** had been brought forward and approved by Committee in 2005, however, as the applicant failed to fulfill Condition No. 3, the requirement for a 51(26) Agreement to be entered into, the application lapsed, that this application is a resubmission of the previous proposal and that staff had no concerns with its approval subject to the conditions outlined in the staff report

Committee Deliberations:

- Councillor Burgess had a question about the requirement for parkland noticing that it had previously been addressed as a condition of consent application **B 16/05 LOB**. Mr. Szczerbak advised that the applicant would be required to pay the difference noting that there had been an increase in the assessed value of the subject lands since its original approval in 2005
- Committee agreed with approval of the application and Chairperson Peake read the following resolutions aloud:

MOTION: **MOVED BY:** **Margaret Casey**
SECONDED BY: **Philip Cote**

That application **B 21/07 LOB** be **APPROVED**, subject to the following conditions:

- (1) A registrable description of the severed lot and all applicable rights-of-way be submitted to the Secretary-Treasurer, along with two registered copies of the reference plan;
- (2) That the Applicant enter into an Agreement with the Township of Lake of Bays under Section 51(26) of the Planning Act and this Agreement be registered on the title of the severed and retained "A" lands. The Agreement shall state that a Development Permit is required prior to any development, site alteration, vegetation removal and the issuance of a building permit; and
- (3) That cash-in-lieu of parkland dedication be paid to the Township of Lake of Bays in the amount of \$9,219.04.

REASONS:

1. The Committee is satisfied that the consent application conforms to the intent of the Township Official Plan, and will serve to create one new residential building lot together with applicable rights-of-way.

Pursuant to Subsection 41 of Section 53 of the Planning Act, all conditions imposed must be fulfilled within one year from the date of the sending of the Notice of Decision or the application is deemed to be refused.

It is a requirement that all conditions imposed be fulfilled prior to the granting of this consent and the giving by the Secretary-Treasurer of the certificate provided for in Subsection 42 of Section 53 of the Planning Act.

CARRIED.

9. DEFERRED MATTERS

Minor Variances:

NIL

Consents:

NIL

10. CLOSED SESSION

NIL

11. BUSINESS ARISING FROM CLOSED SESSION

NIL

12. OTHER MATTERS

MOTION

MOVED BY: Ben Boivin
SECONDED BY: Virginia (Ginny) Burgess

That the Committee of Adjustment hereby constitutes itself for the purpose of hearing other matters.

CARRIED.

NIL

13. ADJOURNMENT

The meeting was adjourned at 9:40 a.m.

MOTION

MOVED BY: Nancy Tapley
SECONDED BY: Margaret Casey

The Committee of Adjustment hereby adjourns the meeting of August 28th, 2007.

CARRIED.

CHAIRPERSON

SECRETARY-TREASURER