



**To:** Mayor Peake & Members of Council  
**From:** Yvonne Aubichon, Deputy Clerk  
**Date:** January 15<sup>th</sup>, 2008  
**Subject:** **Licence of Occupation**  
**Withers, Thomas**  
**Lot 8, Concession 4, (Franklin**  
**Property Roll No.: 010-020-00404**  
**Civic Address: 1060 Seabreeze Road**

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**RECOMMENDATION:**

Be it resolved that the request for the proposed dock extension and construction of a shed on the original road allowance located in Part Lot 8, Concession 4, Franklin Ward, not be APPROVED (Withers) (1060 Seabreeze Road) (Franklin)

**ORIGIN:**

**Proposal:** To construct a dock and shed on the original road allowance leading to water not adjacent to the owner's property.

**Location:** Part Lot 8, Concession 4, Franklin Ward

**BACKGROUND:**

Although Mr. Withers does not own waterfront property, on August 21<sup>st</sup>, 2000, Council entered into a Licence of Occupation agreement with Mr. Withers in exchange for land required for the relocation of Seabreeze Road project. This Licence of Occupation provides for use of 33 ft. of the original road allowance; with the following conditions: no expiration date, no annual fees, and structures if removed must be replaced within 12 months from the removal date.

The applicant currently has a dock measuring approximately 40 X 10 ft. (400 square feet) and wishes to expand the dock to approximately 666 square feet and replace a shed measuring approximately 108 square feet, which according to the applicant existed some years ago. The applicant however is still subject to compliance with the Development Permit and unfortunately the current proposal does not comply with the Development Permit or section 4.07 of the Licence of Occupation Policy; therefore, staff are unable to recommend the applicant's request. The Development Permit would only allow for 564 square feet for all structures relative to permitted lot coverage and section 4.07 of the Licence of Occupation Policy states that, "*Requests for renovation or replacement of structure(s) where more than 10% of the structure(s) is on the road allowance leading to water, the structure(s) must be re-located directly in front of the benefiting property and comply with all required setbacks or Council approval.*"

**ANALYSIS:**

**Comments:** Staff has reviewed this request and respectfully awaits Council's decision.

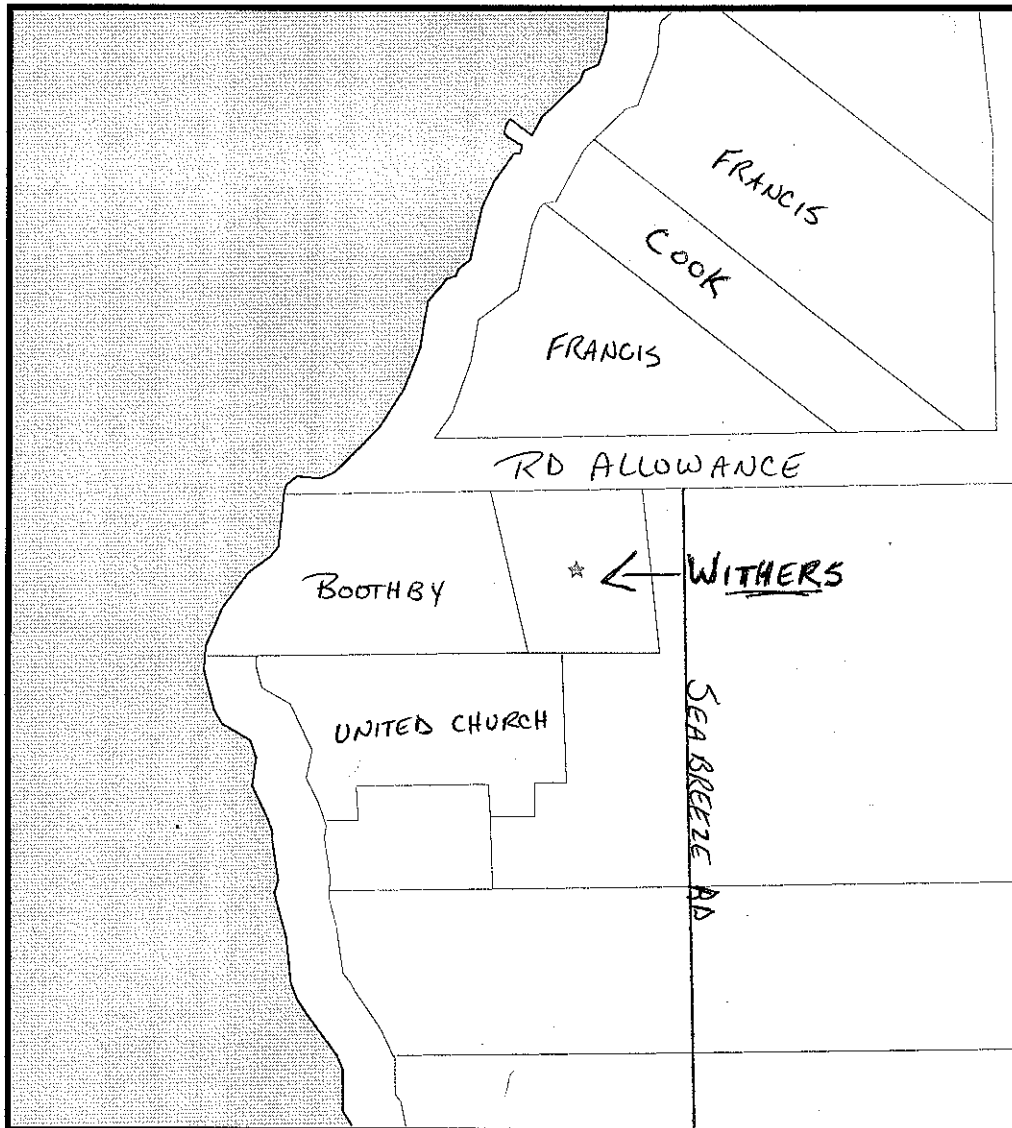
Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Y. Aubichon".

Yvonne Aubichon CMM  
Deputy Clerk



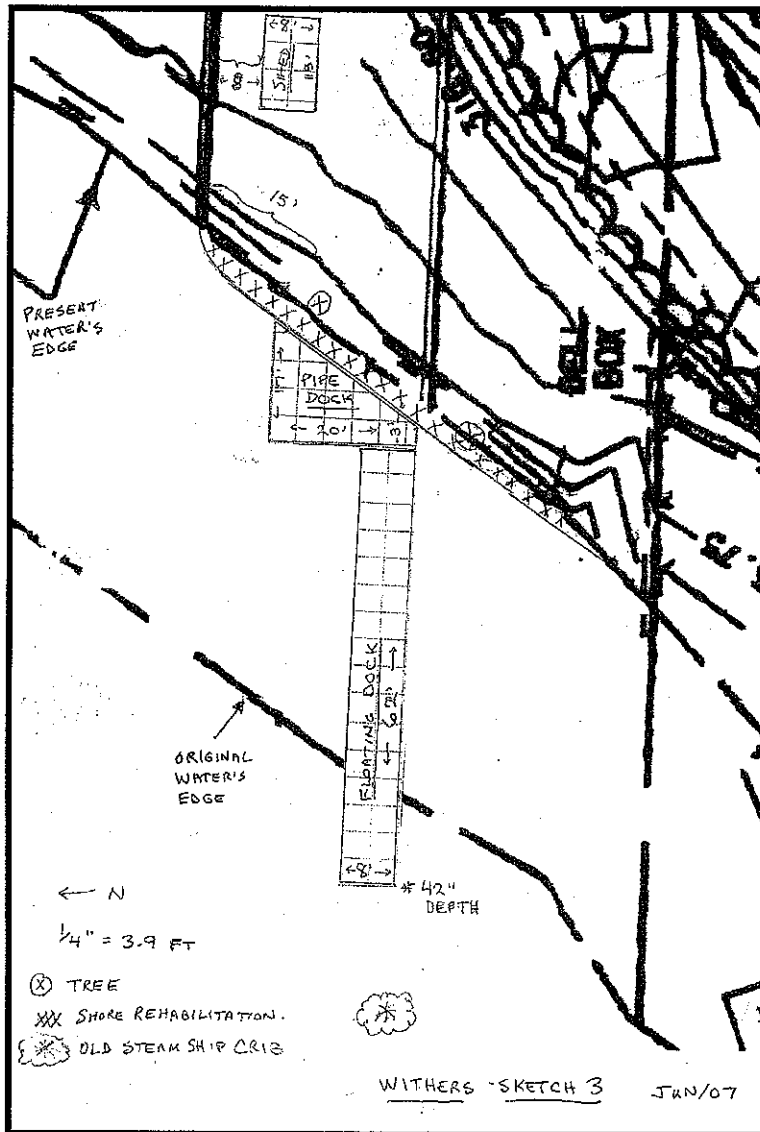
LOT 8, CONCESSION 4 FRANKLIN  
LOCATION MAP



Property Roll No.: 010-020-00404



LOT 8, CONCESSION 4, FRANKLIN  
LOCATION MAP



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