

**THE CORPORATION OF THE TOWNSHIP OF LAKE OF BAYS  
COUNCIL HEARING PLANNING MATTERS REPORT**



**TO: Mayor & Members of Council**  
**FROM: Stefan Szczerbak, Planner**  
**DATE: February 24<sup>th</sup>, 2009**  
**RE: 2008 DEPARTMENT ACTIVITY REPORT**

**RECOMMENDATION:**

None. For information only.

**ORIGIN:**

The following is presented to apprise Council Hearing Planning Matters of the major activities that have occurred within the Department during the above noted time frame.

***LONG RANGE PLANNING:***

**Policy Projects:**

**1. LOB Official Plan Review**

- An OPA review will likely be conducted in 2009 to ensure consistency with recent changes to the Planning Act. In addition, the Plan will be consolidated and the Text numbering will be updated at this time. The OP continues to be available in an electronic format.

**2. District Official Plan**

- **OPA No. 34 – Adopted April 28<sup>th</sup>, 2008** - Provincial Planning Reform.

**3. Lake Plans**

- **Dickie Lake Plan** - There have been no new developments since staff provided comments at the meeting of February 24, 2004.
- **Raven Lake Plan** – Staff have been in discussions with the Association and are currently reviewing a draft Official Plan Amendment.
- **Tasso Lake Plan** – No new discussions.
- **Menominee Lake Plan** – Staff are currently reviewing a draft Official Plan Amendment with the Association.
- **Longline Lake Plan** – No new discussions.
- **Paint Lake Plan** – The District Municipality of Muskoka approved Official Plan Amendment No.8 on January 26, 2009.

**COUNCIL INITIATIVES:**

- Glenmount Road Subcommittee in ongoing discussions with the Glenmount Road land owners.

**DEVELOPMENT REVIEW:**

**Table "A" – Rural and Community Area Planning Applications Processed (Comprehensive Zoning By-law No. 04-181):**

Type of Application	2000	2001	2002	2003	2004	2005	2006	2007	2008
Consents	28	23	48	40	46	35	9	21	20
Consent Agreements	6	5	9	10	10	10	1	2	8
Rezoning	20	24	30	30	49	37	14	18	16
Minor Variances	46	37	39	32	30	20	1	1	5
Site Plan Agreements	34	37	63	65	64	68	21	9	21
Deeming By-laws	8	4	4	6	5	4	0	1	2
<b>Total Applications</b>	<b>142</b>	<b>130</b>	<b>193</b>	<b>183</b>	<b>204</b>	<b>176</b>	<b>46</b>	<b>52</b>	<b>72</b>

**Table "B" – Waterfront Area Planning Applications Processed (Development Permit By-law No. 04-180):**

Type of Application	2006	2007	2008
Consents	13	19	22
Consent Agreements	1	5	6
Site Specific Amendments	21	22	36
Category 1 DP (Staff)	66	68	63
Category 2 DP (Council)	37	36	36
Deeming By-laws	4	4	6
Site Plan Agreements**	21	7	1
<b>Total Applications</b>	<b>163</b>	<b>161</b>	<b>170</b>

\*\* Although site plans are no longer required with the Development Permit System, 1 modified site plan agreement was issued in 2008 due to previous planning approval (i.e. condition of minor variance, consent or plan of subdivision, 51 (26) agreement; etc.) under the former Comprehensive Zoning By-law No. 86-50.

**Table "C" – Other Planning Requests Processed:**

Type of Request	Number Processed							
	2001	2002	2003	2004	2005	2006	2007	2008
Zoning Information Requests	145	132	112	164	116	103	88	69
General Development Inquiries	187	201	211	167	102	136	156	104

**Table "D" – Applications Requiring Special Studies:**

Application Number	Type of Study
<b>C2006-01</b> (Echo Valley Properties Ltd.) and <b>B 23/08 LOB</b> (Golf Course Property)	Review of Golf Course Management Plan Additional Ecological Studies
<b>S2007-06</b> (Stephenson)	Scoped Environmental Impact Assessment (EIS), Shoreline Assessment and a Hydrogeological Assessment
<b>Z 41/08 LOB</b> (Jesin)	Fish Habitat Study
<b>Z 42/08 LOB</b> (Van Dyk – Natural Stone Supplies Inc.)	Scoped Environmental Impact Assessment (EIS)
<b>DP 64/08 LOB</b> (Port Cunnington Lodge)	Inactive Waste Disposal Study – Technical Report confirming the compatibility with inactive waste disposal site
<b>B 18 &amp; 19/07 LOB</b> (Verk & Rosenberg) (2008 decision)	Fish Habitat Study
<b>B 28 &amp; 29/07 LOB</b> (Pelude & Rutherford) (2008 decision)	Species at Risk Study
<b>B 36, 37 &amp; 38/07 LOB</b> (Hallman Lumber) (2008 decision)	Species at Risk Study
<b>B 03, 04 &amp; 05/08 LOB</b> (Betula Forests Ltd. – Pell Lake)	Wetland Impact Assessment, Fish Habitat Study, A Preliminary Archaeological Assessment & A Species at Risk Study
<b>B 33 &amp; 34/08 LOB</b> (Sorbara)	Site Evaluation Report

**Table "E" - Contentious/Time Consuming Applications:**

<b>OPA No. 9, Z 02-08 LOB &amp; Z 03-08 LOB</b> (2153308 Ontario Inc. [Mr. Mark Rider] – The Marnoc Conservancy)	Appealed to the OMB (withdrawn)
<b>Z 02/07 LOB</b> (Hough – Baysville Marine)	Ongoing discussions with agent
<b>Z 33-07 LOB</b> (Diasio)	Multiple Residential Development
<b>Z 42/07 LOB</b> (Van Dyk – Natural Stone Supplies Inc.)	Ongoing. Deferred until June 23, 2009

Z 05/08 LOB (Morrow)	By-law 08-32 was passed on the 25 <sup>th</sup> day of March, 2008 and then appealed to the OMB by neighbour, Mr. Andrew Kania
Z 32-08 LOB (Pearce)	By-law 08-102 was passed on the 16 <sup>th</sup> day of December, 2008 after negotiations to verify septic and realignment of the proposed structure
Z 51/08 LOB (Martin and Wraith)	Discussions with agent concerning the revision of the proposal
DP 17/08 LOB (Tunis)	Site Alteration and Septic Evaluation Reports, as well as, Construction & Stormwater Management Mitigation Report
DP 80/08 LOB (Wilson)	Approved at the meeting of January 27 <sup>th</sup> , 2009 after various discussions with applicant and agent
DP 101/08 LOB (Jakobek)	Approved at the meeting of January 27 <sup>th</sup> , 2009 after various discussions with applicant and agent
DP 105/08 LOB (Murphy)	Discussions with agent concerning the revision of the proposal
B 03, 04 & 05/08 LOB (Betula Forests Ltd. – Pell Lake)	Deferred until the meeting of February 24, 2009
B 20/08 LOB – (Brown - High Tech Auto - 1693565 Ontario Inc.)	Provisionally approved on July 22 <sup>nd</sup> , 2008. Recent discussions respecting the clarification of Council's direction
C 2006-01 (Echo Valley Properties Ltd.)	On-going file management – Approval in 2007
D 58/05 LOB (Nor' Loch Lodge Resort – The Black Pebble)	Site Plan Agreement – Ongoing discussions New application forthcoming

**OTHER:**

**1. Official Plan Amendments**

- **Official Plan Amendment No. 8** (Paint Lake Plan) approved by the District Municipality of Muskoka on January 26, 2009.
- **Official Plan Amendment No. 9** (2153308 Ontario Inc. [Mr. Mark Rider] – The Marnoc Conservancy) appealed to the OMB and recently withdrawn. Recent discussions with the owner of the lands.

**2. Subdivisions**

- **44T-91006 (Copp)** to create a 30 lot subdivision located in the Community of Dwight – originally approved by the District of Muskoka in November 1993 by way of By-law 93-95. A draft plan approval extension until December 1, 2009 was given by the District of Muskoka on January 31, 2008.

- **S2002-06 (G.B. Catering Ltd.)** to create a 14 lot subdivision partially located on Chub (Trout) Lake, Ridout Ward was approved by the District of Muskoka on March 13, 2006 by way of By-law 2006-16. The applicant continues to fulfill the conditions of draft approval. Most recent discussions relate to Subdivision Agreement problems.
- **C2006-01 (Echo Valley) Draft plan of Condominium** was approved by the District of Muskoka on October 25, 2007 for the first phase of 98 units. The applicant is continuing to fulfill the conditions of approval. Most recent discussions include direction with respect to parkland dedication.
- **S2006-07 (Muskoka Shores)** was deemed to be complete (In accordance with the Planning Act requirements) on November 15<sup>th</sup>, 2006. The plan consists of eight (8) waterfront lots fronting on the Muskoka River together with one common block to the rear of each lot. The lots are located just outside of the Community of Baysville (McLean Ward) and accessed from Heeney Lake Road. A Public Meeting is forthcoming.
- **S2007-06 (Stephenson)** to create six (6) waterfront lots on Lake of Bays in McLean Ward. The property is accessed from Brunell Road via an existing private ROW. The application has not been deemed to be complete in accordance with the Planning Act requirements. Various studies were undertaken and it was determined that the number of proposed lots would have to be reduced and likely to proceed by way of Consent.
- **S2007-13 (Case)** to create two (2) back lots on Menominee Lake accessed from Menominee Lake Road and four (4) rural residential lots to be accessed from Brunel Road. The application has not been deemed as complete in accordance with the requirements of the Planning Act.

### 3. Ontario Municipal Board Hearings

- **OPA No. 9 & Z 02 & 03/08 LOB** (2153308 Ontario Inc. [Mr. Mark Rider] – The Marnoc Conservancy) - Appeal withdrawn.
- **Z 05/08 LOB (Wendy Morrow)** By-law 08-32 was passed on the 25<sup>th</sup> day of March, 2008. Hearing was adjourned pending settlement with parties.
- **D 28/02 LOB (The Jewel of Algonquin Golf & Country Club – Borden Boothby)** - Site Plan Agreement – Appeal withdrawn.

### 4. Court Cases

n/a

### 5. Education Program

- Staff have presented their experiences to several municipalities throughout Muskoka including the Township of Archipelago.

**ORGANIZATIONAL INITIATIVES:**

- **Customer Service** - Planning and Building Services continue to conduct regular meetings to ensure both aspects of the Department are working together to provide efficient and effective service to the public.
- Future Housekeeping Amendment to offer efficiency improvements to Development Permit By-law No. 04-180 and Comprehensive Zoning By-law No. 04-181.

Respectfully submitted by:



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Planner