

**THE CORPORATION OF THE TOWNSHIP OF LAKE OF BAYS
COMMITTEE OF ADJUSTMENT REPORT**

TO: Members of the Committee of Adjustment
FROM: Stefan Szczerbak, Planner
DATE: May 26th, 2009
RE: Consent
Applications: B 03/04/05/08 LOB (Betula Forests Limited)
Applicant: Betula Forests Limited
Agent: List Planning Ltd.
Part Lot 14, Conc. 4, Sinclair Ward
Roll No. 020-005-00400, on Pell Lake
1500 Limberlost Road

RECOMMENDATION:

That applications **B 03/04/05/08 LOB (Betula Forests Limited)** be **DEFERRED** until the July 21st, 2009 meeting of Committee in order to provide the applicant with sufficient time to submit the following to the satisfaction of the Township:

- 1) A wetland impact assessment in accordance with Section D.44 of the Official Plan;
- 2) A fish habitat impact assessment in accordance with D.96 of the Official Plan;
- 3) Confirmation from the District of Muskoka's Engineering and Public Works Department that applicable entrance permits from Muskoka Road No. 8 are available for the proposed lots;
- 4) Confirmation that suitable building envelopes exist for each of the proposed lots in relation to the identified constraints; and
- 5) Preparation of a preliminary archaeological assessment.

ANALYSIS:

At the April 29th, August 19th, November 25th, 2008 and February 24th, 2009 meetings, the Committee of Adjustment decided to defer making a decision on these applications as they did not include the required study reports.

In an effort to appropriately assess the proposed severance, the Committee required the applicant to provide the following reports: 1) Wetland Impact and Identification Report; 2) Fisheries Impact Assessment; 3) Confirmation of appropriate building envelopes in relation to the identified constraints and 4) a preliminary Archeological Assessment Report.

Mr. List has provided the following reports:

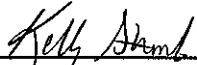
- a) **Scoped Environmental Impact Study for Pell Lake**, prepared by Michalski Nielsen Associates Limited dated February 2009. This report identified the limits of the locally significant wetland on the property, determined the presence of wildlife and wildlife habitat and identified vegetation communities in order to assess the ecological value of the wetland, and also evaluated fish habitat conditions along the shoreline.
- b) **A Stage I-II Archaeological/Heritage Assessment for the Proposed Pell Lake Subdivision: Located in Part Lot 14, Concession 4, Township of Lake of Bays (Geographic Township of Sinclair)**, prepared by York North Archaeological Services Inc. dated January 2009. This report found that the property had been the site of a sawmill established by Henry Field in the early 1900's, and that the stone foundation and water

intake pipe for the boiler were still visible. It also suggested that a native campsite may have been present along the shore of the lake.

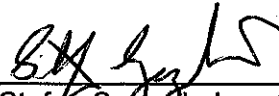
Staff are awaiting a revised sketch that will reflect revised lot configurations in response to the recommendations contained in the aforementioned reports. The sketch will also reflect locations of archaeological significance in order to provide for an easement to recognize and protect these areas, of which the Township Heritage Committee has been apprised. In order to provide additional time in which to receive the sketch, staff recommend the applications be further deferred.

Respectfully submitted by:

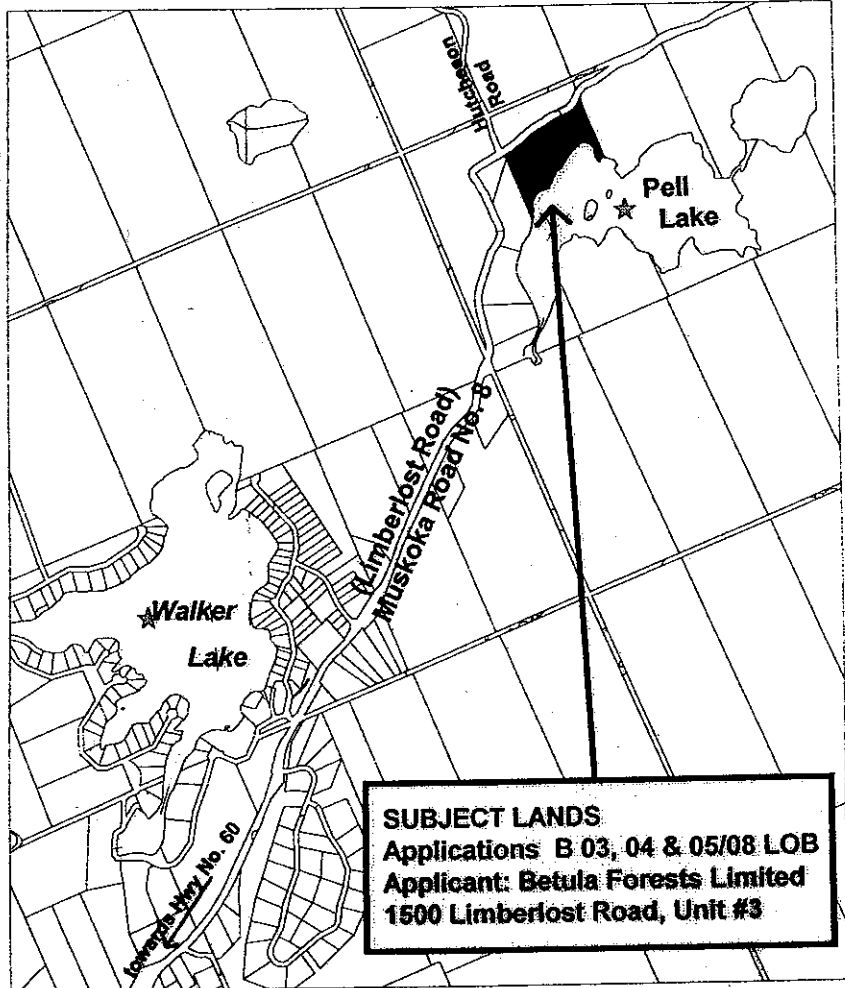
With the concurrence of:



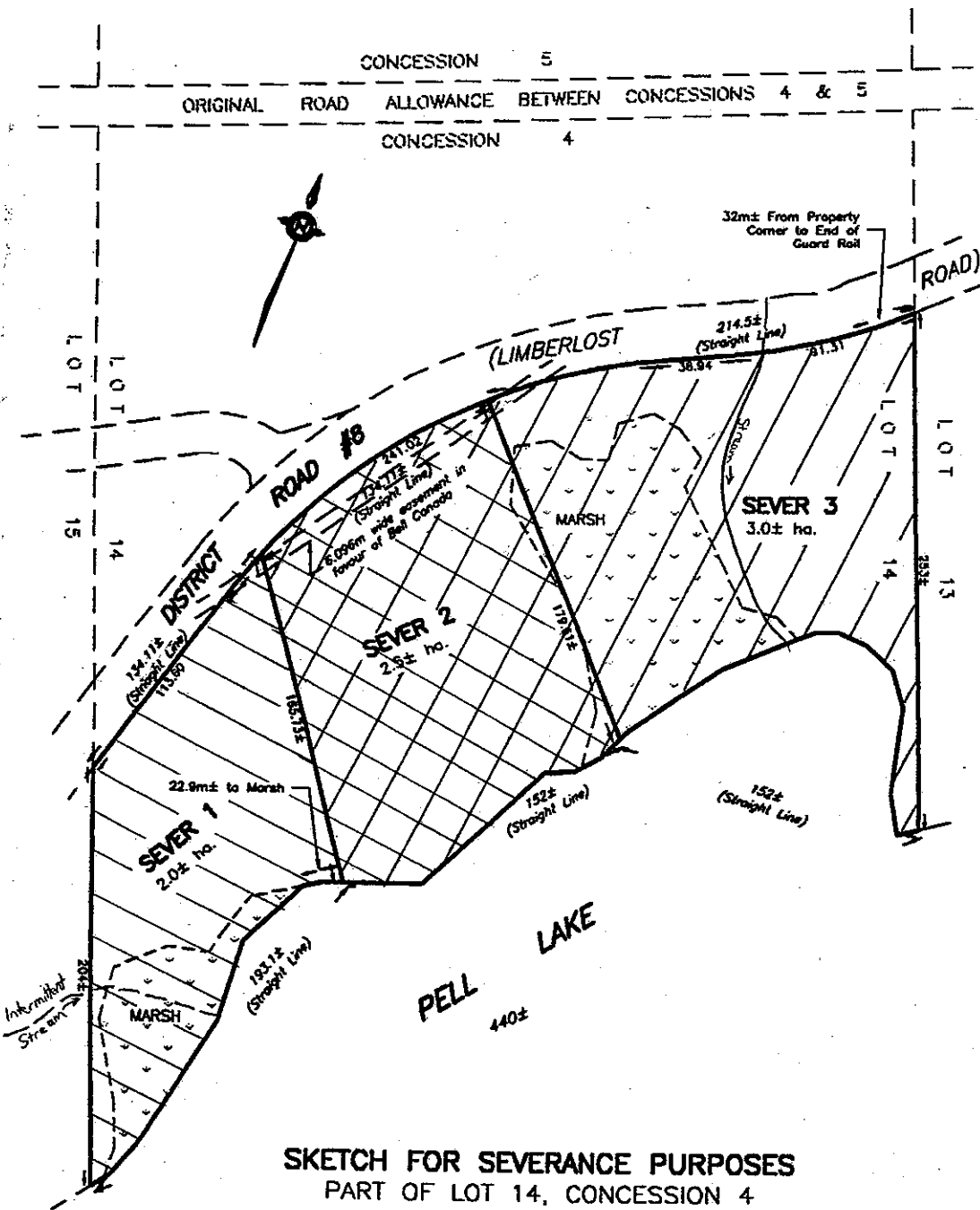
Kelly Stronks, CPT
Planning Technician



Stefan Szozebak, M.Sc., RPP, MCIP
Planner



CONSENT APPLICATIONS B 03/04/05/ 7B
 Applicant: Betula Forests Limited
 Part Lot 14, Concession 4, Sinclair Ward



SKETCH FOR SEVERANCE PURPOSES

PART OF LOT 14, CONCESSION 4

GEOGRAPHIC TOWNSHIP OF SINCLAIR

TOWNSHIP OF LAKE OF BAYS

DISTRICT MUNICIPALITY OF MUSKOKA

September 27th, 2007

