

THE CORPORATION OF THE TOWNSHIP OF LAKE OF BAYS



REPORT

TO: Mayor & Members of Council
FROM: Stefan Szczerbak, Planner
DATE: September 22nd, 2009

RE: DEVELOPMENT PERMIT APPLICATION: DP 69/09 LOB
Applicants: Jean & Carl Blom
Agent: Sandy Forsyth
Part Lot 24, Concession 5, Franklin Ward, on Lake of Bays
Roll No. 010-015-04800
Civic Address: 1057 Long Point Road

RECOMMENDATION:

That Council pass the following resolution to **APPROVE** the Category 2 – Development Permit Application **DP 69/09 LOB (Blom)**:

WHEREAS the applicant has submitted Development Permit Application **DP 69/09 LOB (Blom)** in order to seek relief from:

- a) Section 5.1.1(l) (Maximum Shoreline Activity Area Coverage), increase from the permitted 40% to 49.5%;

of Development Permit By-law 04-180, in order to permit the construction of a dock and boathouse facility, located in Pt. Lot 22, Conc. 6, Franklin Ward, on Lake of Bays (Blom) (1057 Long Point Road) (Franklin) (010-015-04800);

AND WHEREAS a shoreline activity area has not been identified in order to prevent the removal of any shoreline vegetation without further approval under By-law No. 04-180;

AND WHEREAS the Council of the Corporation of the Township of Lake of Bays considers the notice of this application to be sufficient;

NOW BE IT RESOLVED THAT the Council of the Corporation of the Township of Lake of Bays is satisfied that the criteria as outlined in Schedule C of the Development Permit By-law has been fulfilled, and hereby **APPROVES** the proposal in accordance with the attached sketch subject to the following conditions:

1. That the works be carried out in accordance with plans submitted: August 25, 2009 and marked: **DP 69/09 LOB**;
2. That the permission granted herein shall lapse two years from the start date of construction/development, unless the work for which the permission has been given has been completed. If the works have not been completed by the aforementioned date, an extension to this condition may be required and all on-going and future work must cease until an extension to this permit or a new development permit is obtained. What shall be deemed as “complete” is within the sole discretion of the Township of Lake of Bays;

3. That the Township of Lake of Bays be notified 48 hours prior to the commencement of any works and be notified of the completion of the project;
4. All lighting facilities shall be directed downwards and be required to minimize the impact on lake views, night skies and environmental features; and
5. That a shoreline buffer shall be established and maintained abutting any portion of a shoreline that does not form part of the shoreline activity area. A shoreline buffer shall be a minimum of 15 metres (49.2 ft) in depth measured inland from ordinary water's edge, unless otherwise specified in this by-law. All other provisions of the By-law must be complied with.

ORIGIN:

An application has been received from Sandy Forsyth, on behalf of Jean and Carl Blom, in which relief from Development Permit By-law 04-180 is requested. The lands are located in Part Lot 24, Concession 5, Franklin Ward (Roll No. 010-015-04800), on Lake of Bays.

The lands, which are currently located within the "**Waterfront Residential (WR)**" Development Permit Area, are developed with a single family dwelling with attached decks, as well as a detached garage and an existing dock and boatport. The applicants seek relief in order to replace the existing dock/boatport that currently exists with an enlarged dock and boathouse. As the proposed reconstruction would exceed the maximum allowable shoreline activity area coverage, a Council Variation is required.

Accordingly, the purpose and effect of this application is to seek relief from Section 5.1.1(l) (Maximum Shoreline Activity Area Coverage) in order to permit the proposed reconstruction.

Site Characteristics:

The lands, which are included within the "Waterfront" designation of both the Township and District Official Plans, are located at the tip of Long Point and slope gently down from Long Point Road to the shoreline of Lake of Bays. The shoreline consists of expanses of bedrock outcrops in the area fronting the dwelling, and other than some mature trees which are interspersed in this area, the bedrock appears to prevent significant vegetation from establishing, and the dwelling is therefore visible from the water when viewed from a westerly direction. The remainder of the shoreline and lot is well vegetated with mature coniferous and deciduous trees.

The Original Shore Road Allowance is closed (By-law 308, registered as LT D-100).

Surrounding Uses:

The surrounding lands are developed with low density residential uses.

ANALYSIS:

Planning Comments:

The Township Official Plan, (Sections H.21 and H.22), together with Sections 4.70 and 4.71 of the Development Permit By-law 04-180, promote a standard of 25% of the shoreline frontage up to a maximum of 23 metres (76 feet) for maintenance of an appropriate balance between the natural shoreline and built form within the waterfront designation. In addition, Section H.20 of the Township Official Plan provides the design principles to be implemented when considering development within this designation. These design guidelines figure prominently in the determination of whether or not there will be a negative visual impact when viewed from the water. Essentially, new development

should blend into natural shoreline and building mass and coverage should be limited in relation to the size and frontage of the property.


In this case, the lands are comprised of 206 metres (676 feet) of shoreline frontage on a point of land. Therefore, in accordance with Section H.22 of the Official Plan and the applicable by-law provisions, the lot would be permitted a shoreline activity area frontage of 23 metres (76 feet). The total permitted shoreline structures should not (as of right) exceed approximately 2000 square feet. At present there is an existing two slip dock, with one of these slips being covered with a boatport, for a total of 1320 ft². In addition, there is a ramp of 90 ft² adjacent to this.

When considering the location of the proposed dock structure, the current structure is located approximately 42 ft from the southerly projected side lot line. The proposed expanded structure would be located 40 ft from the side lot line, with the majority of the expansion to occur on the northwesterly side of the present structure, and not towards the side lot line. Given that the dock of the southerly abutting property is located some distance (approximately 70 ft) from the projected side lot line, and that the number of slips proposed for the new boathouse is not increasing, staff feel that there will be a minimal increase in boat traffic that would not contribute further to any effects on the adjacent property.


The new boathouse is proposed to be 1289 ft² with 1180 ft² of attached docking, for a total structure size of 2469 ft². The applicants are proposing 49.5% shoreline activity area coverage. As the subject lot is comprised of a large lot with extensive frontage, provided Council agrees that a shoreline activity area not be identified in order to minimize the potential for visual impact as well as prevent the removal of any shoreline vegetation without first being approved by Council and that the ground area along the shoreline remain in a natural state, staff would have no concerns with the approval of this application and feel that the proposal generally conforms to the intent and purpose of the Township Official Plan, namely Section H.20 (i).

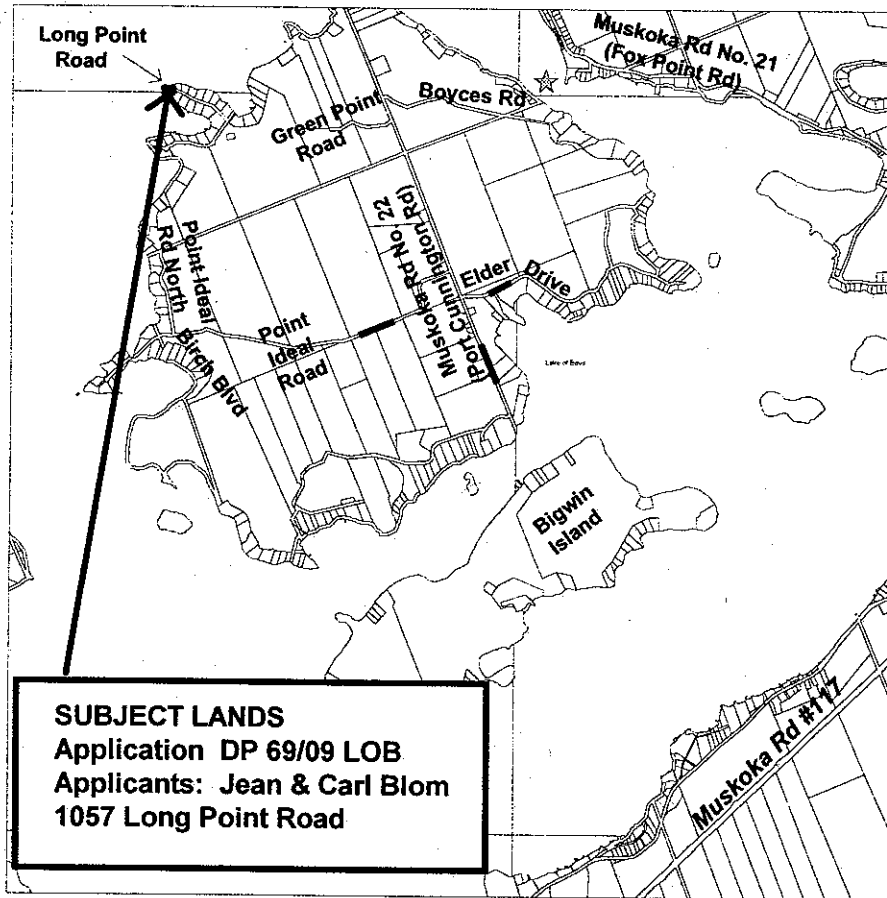
Respectfully submitted by:

With the concurrence of:

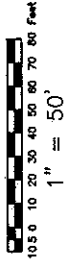


Kelly Stronks, CPT
Planning Technician

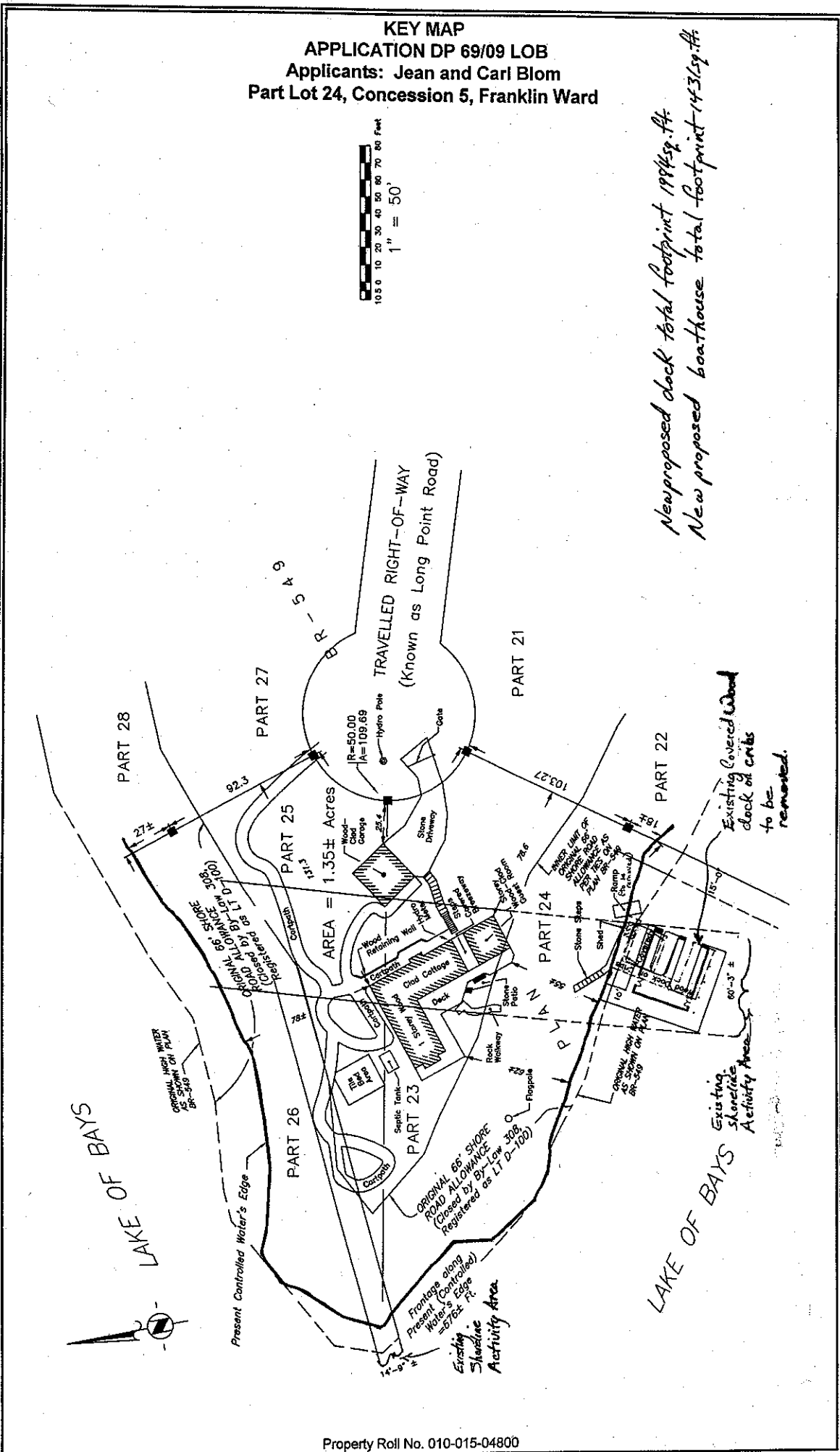

x/ _____
Stefan Szczerbak, M.Sc., RPP, MCIP
Planner



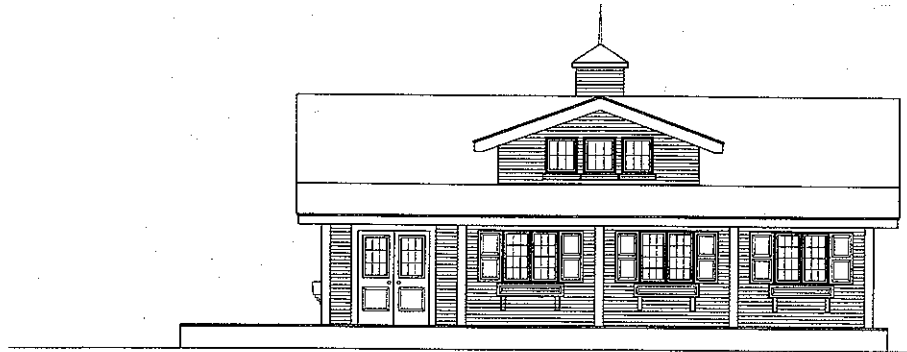
KEY MAP
APPLICATION DP 69/09 LOB
Applicants: Jean and Carl Blom
Part Lot 24, Concession 5, Franklin Ward



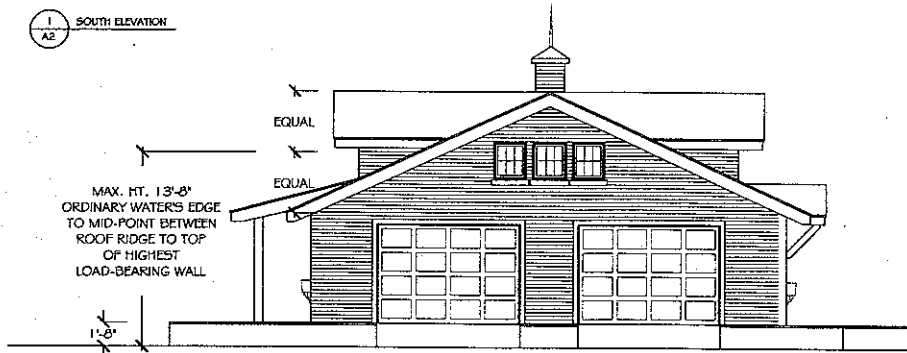
*New proposed dock total footprint 1984sq. ft.
 New proposed boathouse total footprint 1433sq. ft.*



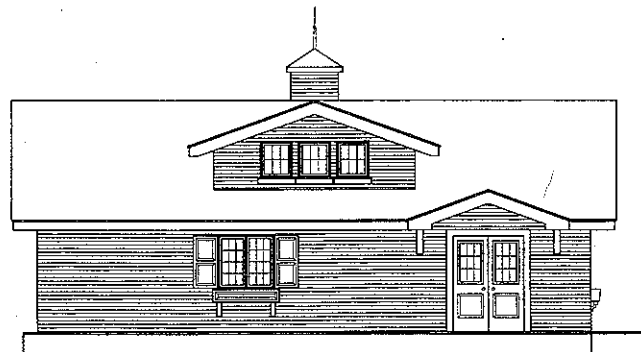
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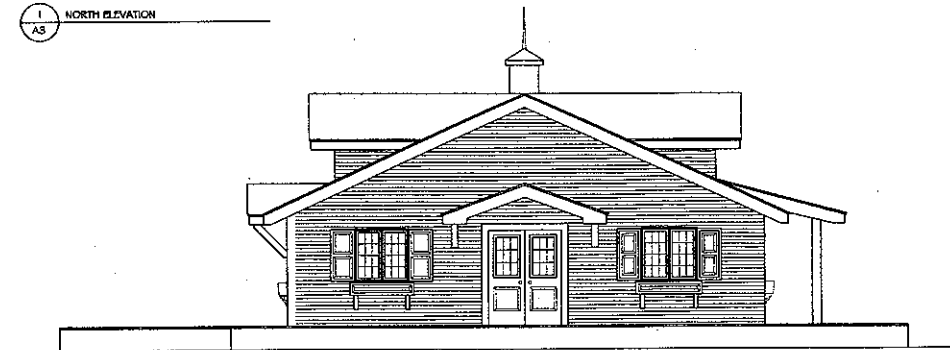
1 SOUTH ELEVATION
A2



2 EAST ELEVATION
A2



1 NORTH ELEVATION
A3



2 WEST ELEVATION
A3

Stone
Patio

Wood
Guest Room

78.6

P L A N

PART 24

55±

INNER LIMIT
ORIGINAL ROAD
SHORE ROAD
ALLOWANCE AS
PER TIES ON
PLAN BR-549

Stone Steps

Shed

Ramp
(to be removed)

HIGH WATER
PLAN ON

59'2"

33'4"

49'8"

38'8"

60'-3" ±

15'-0"

Projected Side Lot Line

ENLARGEMENT

