

THE CORPORATION OF THE TOWNSHIP OF LAKE OF BAYS



REPORT

TO: Mayor & Members of Council
FROM: Stefan Szczerbak, Planner
DATE: May 18th, 2010
RE: By-law Amendment Application:
Z 04/10 LOB (2218247 Ontario Inc.)
Applicant: Jason DeZwirek
Agent: Marie Poirier Planning
Part Lots 25/26, Con. 8, Franklin Ward, on Lake of Bays
Roll Nos: 010-001-07301 & 010-001-07601
1021 Echo Lane

RECOMMENDATION:

That Application Z 04/10 LOB (2218247 Ontario Inc.) for a site specific amendment to the Development Permit By-law No. 04-180 to permit the re-development of the subject lot with a new single family dwelling and various accessory structures be **DENIED**, as it does not conform to the general intent of the Township's Official Plan and Development Permit By-law No. 04-180.

ANALYSIS:

Development Considerations

At their April 20th, 2010 meeting, the members of Council decided to defer making a decision on the subject application in order to provide the applicant with sufficient time to revise their proposal in an effort to ensure the proposal conforms to the direction of the Township's Official Plan and complies with the relevant provisions in the Development Permit By-law.

On May 4th, 2010 members of Council, representatives from the Lake of Bays Association, the Lake of Bays Heritage Foundation and Muskoka Staff attended the site to view the lay of the land and also to understand the subject proposal. On May 10th, staff received a revised plan which can be summarized in the following table:

TABLE 1. Proposed Changes

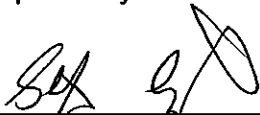
	Original Proposal	Revised Proposal
Boathouse Structure	2500 ft ²	1932 ft ²
<u>Attached Docks</u>	<u>1154 ft²</u>	<u>989 ft²</u>
Total Structure	3654 ft ²	2921 ft ²
Private Sleeping Cabin	820 ft ²	580 ft ²
Maximum Permitted Footprint permitted between 20 metres and 60 metres from the shoreline (Total size of the dwelling)	7200 ft ²	No Change
Increase the maximum number of Shoreline Activity areas	4	No Change
Maximum Shoreline Activity Area Frontage	246 ft	203 ft
Maximum Shoreline Activity Area Coverage	102%	83%

In addition to these changes, the applicant has also suggested the following for Council's consideration:

- a) Surrendering all rights to remove any shoreline buffer vegetation;
- b) Recognize the total lot size and water frontage as "Minimum Requirements" within the site specific By-law in an attempt to preclude future lot severances; and
- c) Recognize the total proposed lot coverage as the "Maximum" coverage to prevent any additional as-of-right development on this property.

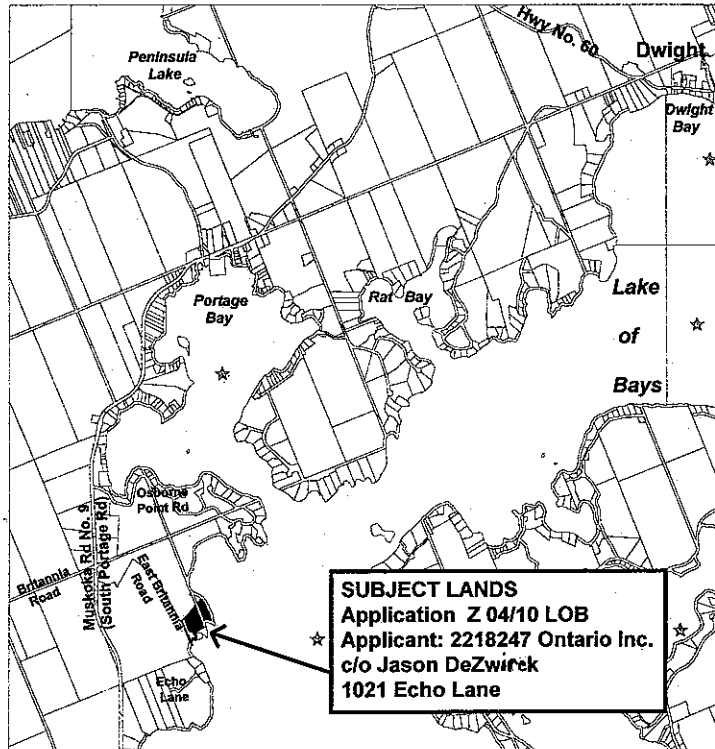
Upon review of these changes, it is acknowledged that some of these changes are moving towards the intent of the relevant policy direction of the Township's Official Plan. However, when reviewing this revised proposal as a whole together with the policy analysis found in the staff report dated April 20th, 2010, staff continue to feel that the amount of proposed development continues to be excessive and is a significant departure from the intent of the Official Plan and Development Permit By-law. Our recommendation remains the same and staff have no alternative but to recommend its denial as this revised proposal does not conform to the general intent of the Township Official Plan, nor does it comply with the provisions of the Development Permit By-law and would not represent good planning if approved.

Respectfully submitted by:

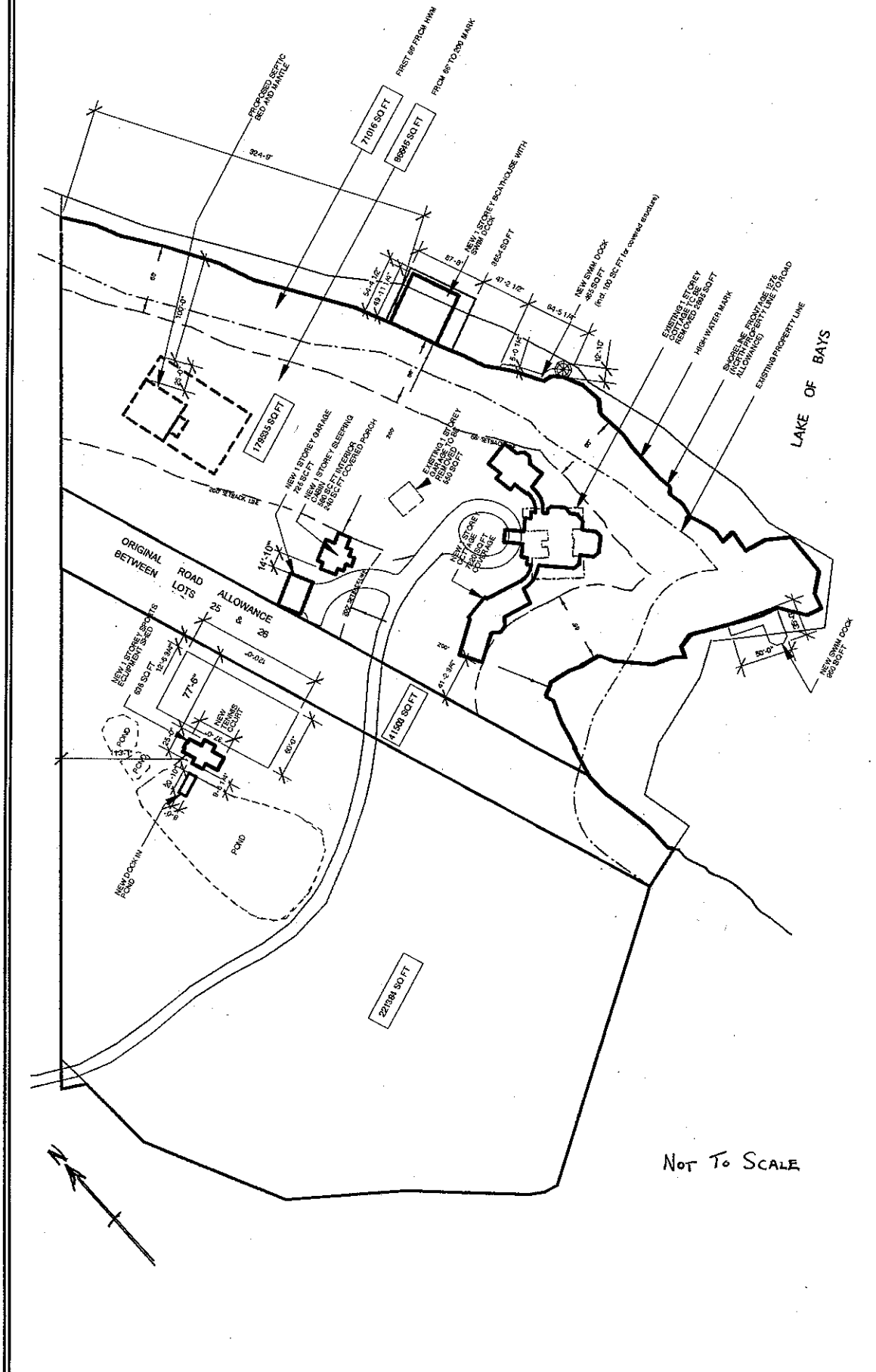


Stefan Szczerbak, M.Sc., RPP, MCIP
 Planner

SCHEDULE "A"
By-law Amendment No. 10-34



KEY MAP
By-law 04-180 Amendment Application Z 04/10 LOB
Applicant: 2218247 Ontario Inc. % Jason DeZwirek
Part Lots 25 & 26, Concession 8, Franklin Ward, on Lake of Bays



NOT TO SCALE