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THE CORPORATION OF THE TOWN OF GEORGINA

REPORT NO. CAO-2017-0006

FOR THE CONSIDERATION OF
COUNCIL

August 9, 2017

**SUBJECT: LAKE DRIVE SHORELINE JURISDICTION ACTION PLAN POLICY
STEP 1**

1. RECOMMENDATIONS:

1. That Council receive Report No. CAO-2017-0006 prepared by the Office of the CAO dated August 9, 2017 respecting the Lake Drive Shoreline Jurisdiction Action Plan Policy Step 1;
2. That as per Action Plan Policy Step 1, Council direct pursuit of the potential divestiture of the lakeside lands;
3. That staff be directed to commence the additional steps outlined in the Action Plan dated July 19, 2017.

2. PURPOSE:

The purpose of this report is to seek Council direction with respect to Policy Step 1 of the Lake Drive Shoreline Jurisdiction Action Plan (Attachment 1) as outlined in Report CAO-2017-0004.

3. BACKGROUND:

On July 19, 2017 Council received Report CAO-2017-0004 which outlined the Action Plan recommended to process the proposed Policies A and B as submitted by the Lake Drive Shoreline Jurisdiction Ad Hoc Committee.

Council endorsed the Action Plan and directed that staff report back on August 9, 2017 with respect to Action Plan Policy Step 1.

4. ANALYSIS AND OPTIONS:

Policy Step 1 of the Action Plan contemplates whether Council wish to direct that further policy and operational steps be undertaken as outlined in the Action Plan.

To make informed decisions surrounding divestiture of the lakeside lands it is staff's opinion that the steps in the Action Plan continue to be followed.

5. RELATIONSHIP TO CORPORATE STRATEGIC PLAN:

This report addresses the following strategic goal:

Goal 4; Provide Exceptional Municipal Services “Organizational and Operational Excellence”

Action 4.15: Continue the collaborative efforts for resolution of Lake Drive shoreline jurisdiction issues.

6. FINANCIAL AND BUDGETARY IMPACT:

None.

7. PUBLIC CONSULTATION AND NOTICE REQUIREMENTS:

- There are no public consultation or notice requirements associated with this report.

8. CONCLUSION:

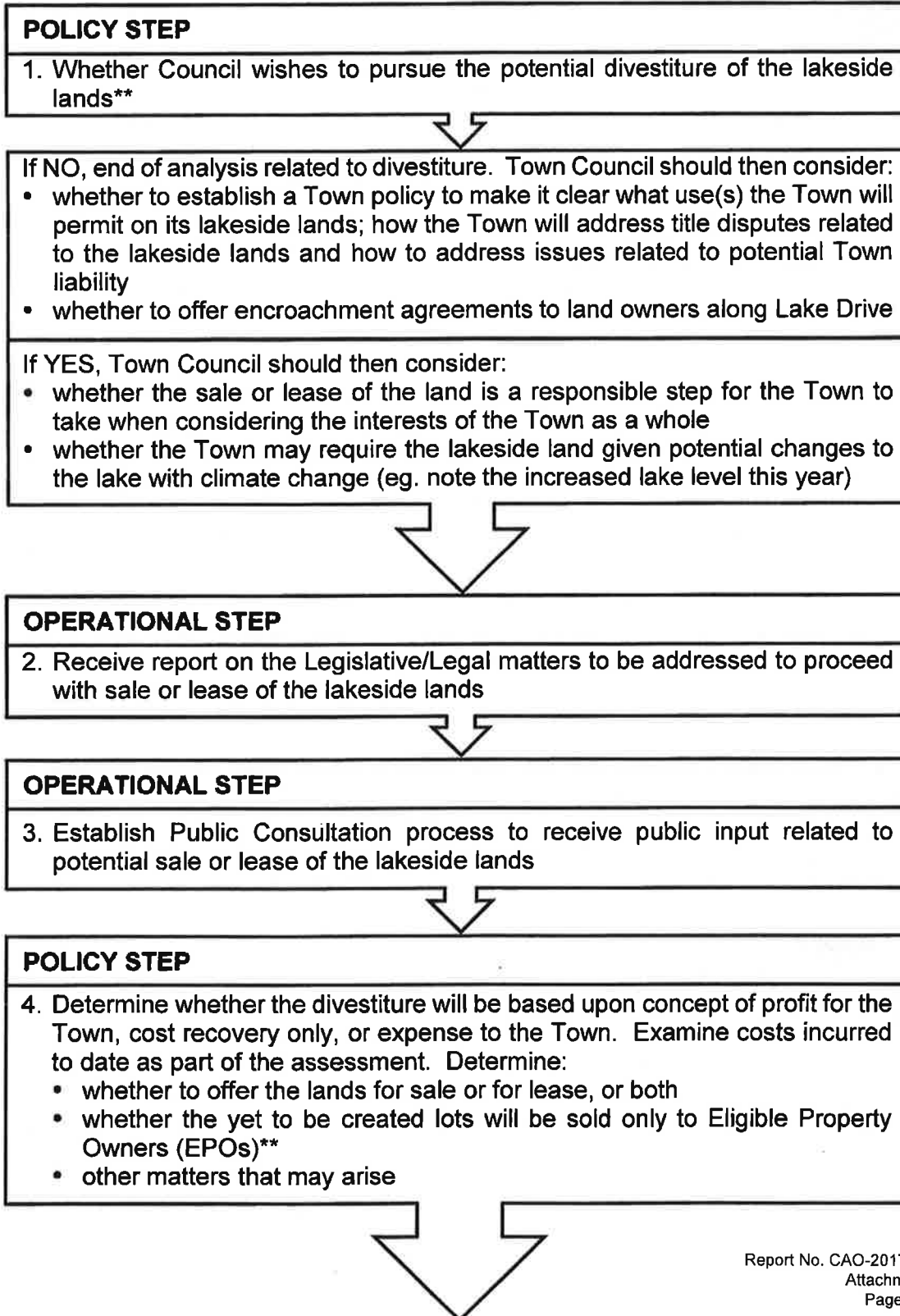
In support of Strategic Plan Action Item 4.15 staff recommend moving forward with the policy and operational steps outlined in the Lake Drive Shoreline Jurisdiction Action Plan.

Recommended & Approved by:



Winanne Grant, B.A., AMCT, CEMC
Chief Administrative Officer

MATTERS TO BE DECIDED BY COUNCIL*



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POLICY STEP
5. Town must determine the extent of the lands along Lake Drive to potentially be divested.

OPERATIONAL STEP
6. Town to send out Notices to all EPOs (or others as determined by Council) to determine which EPOs are interested in obtaining legal interest in lakeside lots. Possibly collect money from EPOs (or others as determined by Council) for purpose of creating R-Plan

If insufficient response from EPOs, Town to decide whether to end process; if decision is to conclude process, Town takes no further steps, except as identified in response to NO in Policy Step 1
If sufficient numbers of EPOs (or others as determined by Council) declare an interest in obtaining a legal interest in a lakeside lot, Town to prepare an RFP to retain qualified Surveyor(s) to create lakeside lots**

POLICY STEP
7. Town to award contract to Surveyor(s) to create the lakeside lots and have R-Plan registered
• Town should identify any lots that already legally exist on the lakeside while creating new lots via R-Plan
• Town should address any disputes concerning title to lakeside lands that may arise as a result of title searches conducted during R-Plan creation

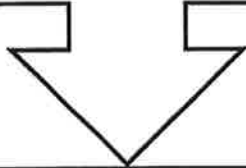
POLICY STEP
8. Town may decide to receive public input regarding Zoning By-law restrictions that may apply to all lakeside lots. Thereafter, the Town to prepare and give Notice of Zoning By-law which will apply to all lakeside lots (whether Town-owned or currently existing and owned by a different entity) in accordance with the *Planning Act*
• Town to receive comments on the Zoning By-law at a Public meeting

MATTERS TO BE DECIDED BY COUNCIL *

POLICY STEP

9. Town to determine the value of the lots based upon location, proposed zoning and market for the lots if they are to be sold or leased only to EPOs (or others as determined by Council)

- Town to decide whether it will proceed with sale of land based upon Town's sale of surplus land by-law or whether it will be sold based upon a different formula
- Town to determine whether it will value the lands itself or whether it will require the assistance of a property appraiser



If no property appraiser is required, Town to determine value of lands

If property appraiser required, Town to prepare RFP to retain qualified property appraiser to determine value of lands



POLICY STEP

10. Town to pass Zoning By-law to restrict the use of the lakeside lands / lakeside lots to uses deemed appropriate by the Town

- Town to respond to any appeals brought against the Zoning By-law



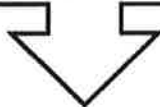
POLICY STEP

11. Town to establish a policy as to what access, if any, and use, if any, the Town will permit upon lakeside lands that remain with the Town (i.e. lands that have not been sold or leased)

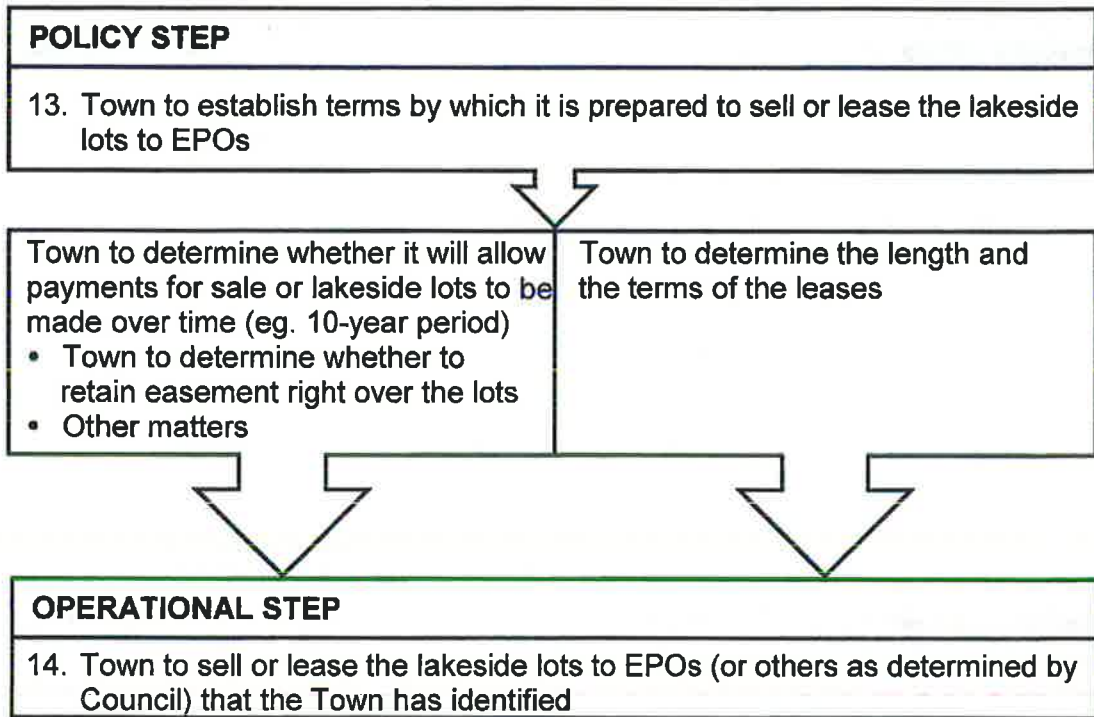


POLICY STEP

12. Town to establish a policy as to how it will deal with situations in which Cottage Associations with numerous members wish to make use of one lot and situations in which two persons wish to make use of one lot (i.e. can more than one person and can an association be an EPO for the purpose of obtaining an interest in one lot?)



MATTERS TO BE DECIDED BY COUNCIL*



****Definitions for the Purpose of the above Flow Chart**

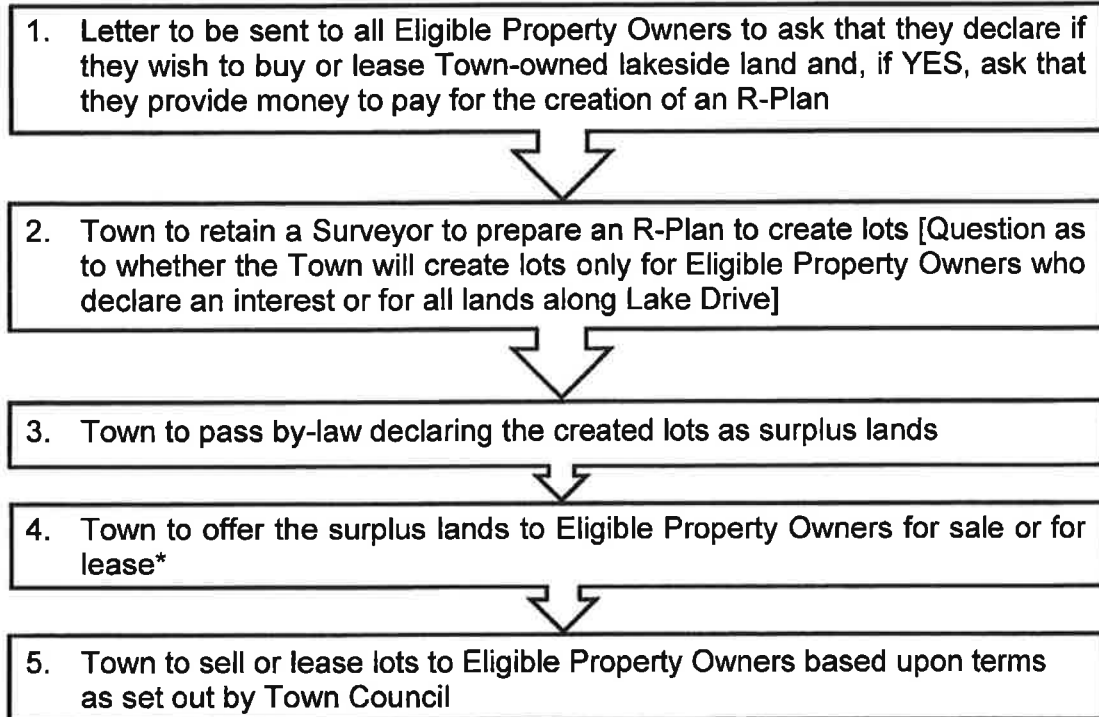
“Lakeside lands” means the lands from the shoreline to the travelled portion of the road allowance.

“Eligible Property Owner” means primarily the owners of property across the travelled portion of Lake Drive road allowance from the lakeside lot.

“Lakeside lots” means lots created upon the Lakeside lands.

*This Flow Chart is to be read as an overview of basic steps that should be undertaken. It is not an exhaustive list of each step that could or should necessarily be taken. Removing certain steps or adding additional steps may be necessary depending upon decisions made by Council and steps taken by third parties.

**PROCESS TO DEAL WITH LANDOWNERS
IF TOWN DECIDES TO DIVEST ITSELF OF LAKESIDE LANDS**



*See separate flow chart of matters to be addressed by Town Council