

**TO:** MAYOR J. LEHMAN AND MEMBERS OF COUNCIL **FILE:** D12-417

**FROM:** S. NAYLOR, M.E.S., M.C.I.P., R.P.P., DIRECTOR OF PLANNING SERVICES

**NOTED:** R. FORWARD, MBA, M.Sc., P. ENG.  
GENERAL MANAGER OF INFRASTRUCTURE & GROWTH MANAGEMENT  
C. LADD, CHIEF ADMINISTRATIVE OFFICER

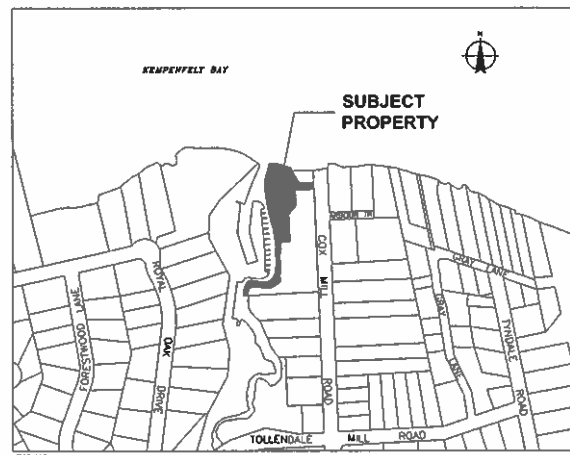
**RE:** BY-LAW TO EXEMPT THE PRIVATE MARINA ON COX MILL ROAD FROM THE PLAN OF CONDOMINIUM PROCESS UNDER THE PLANNING ACT

**DATE:** NOVEMBER 24, 2014

The purpose of this memorandum is to advise Council that the Planning Services Department, as the delegated decision making authority for Plan of Condominium applications, has recommended approval of the request to exempt the proposed Plan of Condominium from the Planning Act process. The implementing By-law for this exemption is on the November 24, 2014 Council Agenda.

In 2012, this property was part of a detailed Official Plan and Zoning By-law analysis (OPA 8/By-law 2012-097 & Zoning By-law 2012-100) as well as a Committee of Adjustment process that resulted in the creation of 9 single detached residential lots and the subject marina parcel.

The proposed Plan of Condominium will result in a change of tenure for the private marina through the individual ownership of the boat slips and joint ownership of the buildings, boardwalk, and parking lot (common amenities) that are existing on the subject lands. No additional development is proposed through this application,



Through the circulation process, the Lake Simcoe Region Conservation Authority (LSRCA) raised concern with the potential for future development on the site. To ensure that the future condominium corporation is aware of the required consultation if site alteration is contemplated, the owner, Harbour Management Corp., has agreed to include the following provisions in the Condominium Agreement:

1. That habitable buildings or structures shall be prohibited on the subject lands;
2. That construction of any new buildings or structures, including boathouses on individual dock lots, is prohibited; and
3. That any development or site alteration, including replacement of the existing dock structure on the subject lands, will require the prior written approval of the LSRCA and the City of Barrie.

As no additional development is proposed through this application, and the owner has voluntarily included provisions in the Condominium Agreement, the Planning Services Department has recommended approval of the By-law to exempt the proposed Plan of Condominium from the Planning Act process.

  
S. Naylor, M.E.S., M.C.I.P., R.P.P.  
Director of Planning Services