

**Town of Georgina
Lake Drive Shoreline Jurisdiction Ad Hoc sub-Committee
MEETING**

Tuesday, February 21, 2017
6:30 PM
Council Chambers- Civic Centre

1. CALL TO ORDER
2. ROLL CALL
3. ELECTION OF CHAIR AND VICE CHAIR
4. CONSIDERATION OF REPORTS ON THE AGENDA

Pages 1 - 6

- (1) Notes from January 20, 2017 meeting:
 - A. Committee services Coordinator Sarah Brislin notes (pages 1 – 3)
 - B. Town Solicitor, Andrew Biggart notes (Pages 4-6)
5. COMMUNICATIONS
6. OTHER BUSINESS
 - (1) Schedule upcoming meeting dates.
7. MEETING ADJOURNED

January 30, 2017

Lake Drive Shoreline Jurisdiction Ad Hoc Committee Sub-Committee.

In attendance:

Councillor Dan Fellini, Committee member

Dave Szollosy, Committee member

Alan Drenfeld, Committee member

Andrew Biggart, Town Solicitor

Sarah Brislin, Committee Services Coordinator

The Committee reviewed the Sub-Committee's Terms of Reference and initiated formalizing the action plan and layout of policy.

It was determined that the Policy will not address every single exception but will capture the general overarching scenarios. A process will be established for Ad-hoc determination of the rare scenarios.

The Policy will require a purpose. The Purpose will identify the intentions, process and desired outcomes.

The Policy will:

- Identify Lands (abutting Lake Drive, located to the West and North). The Committee will attach a Map to the Policy to help owners identify the area that is covered by the policy.
- Qualifying lands will need to be defined for the application of the Policy.
- Eligible owners will be defined in the policy
- A secondary policy will examine usage.
- A consistent width of untraveled road allowance will be determined based on the Town's requirements.
- Lots will need to be surveyed/ Establish an R Plan
 - R Plan needs to consider validly existing lot lines
 - This needs to be a primary consideration
- A summary of costs to owners will be identified in one section of the policy

- The Policy will define eligibility for the various options available under the plan will be Transfer, Lease or Licence.
 - Identify opportunities available to owners.
 - Eligible owners will be provided with a Deed, Lease or license.
 - Owners can only be eligible for an application to one abutting lot.
 - An indemnity provision will be included.
 - Lease or license – subject to change (potential objections)
 - Letters will be sent to verify boundaries and ask for objections a time limit for a response would be outlined.
- Beach associations – Possibly will fall under license, unless incorporated.
- Fences (under secondary usage policy) Policy to define the provisions for use.
- Process for non-responsive people
 - People who refuse to sign, apply, etc. but continue to use the land.
 - People who are unaware of the requirement to respond (foreign land owners)
- In terms of timelines and costs
 - It was suggested that interested applicants be asked for a nominal deposit to cover the cost of the R-Plan(s)
 - Applicants would be under no obligation to commit to a (transfer, lease or license)
 - the cost would be credited to the transfer if the applicant chose to pursue it after the lots are created
 - Applicants would be refunded if they decided after the lots were created that they were not interested.
 - Steps included:
 - Notice to residents
 - Deyril to disseminate blank letter to members of the Lake Drive Group to gauge their interest
 - Letters mailed residents, potential eligible residents.
 - Letters will ask people to declare and interest (but not requiring people to commit to the process outcomes.
 - Letters will advise people of the deposit required upfront
 - If people are not interested, there is no need to survey the property.
 - Letter will be drafted by Committee
 - Addresses will be pulled from a Town database
 - The first step is to create RFPs (anticipated to take 3 months to complete RFP process).
 - 3 RFPs will be created for R-Plans to be performed
 - Church to Varney
 - Varney to McNeil

- McNeil to the end of Lake Drive E (Hedge Rd).
 - RFPs will include a clause to turn down bids (so Committee can sole source to a cheaper company – determined through the competitive process).
- The Town will need to pass a by-law to declare surplus lands. This will need to be one of the first steps.
- Standard price for sale will need to be determined.
- A reasonable cost of survey needs to be determined.
- The cost of registering needs to be determined.
- A payment plan (to be added to tax roll over 10 year period) if possible.
- Determine the cost of deposit prior to the survey.

First Meeting of Sub-Committee

January 30, 2017

Recognize that we need to create two policies:

POLICY A– deals with acquisition and exclusive use

POLICY B – addresses permitted uses (somewhat related to Zoning)

PART 1 from Terms of Reference (“TOR”) of Sub-Committee

NEED TO : acquire maps to determine which lands may be owned by the Town and to have MPAC capture all lands directly abutting the lake and to the north and west of Lake Drive. The completed map will be used as Schedule A to the policy to allow people to determine which lands are affected by the new policy.

Objective: Is to differentiate amongst all lands from those that qualify for application of the policy and those that would be exempt from the policy. Only eligible property owners can purchase newly created lots.

NEED TO: Determine uniform perpendicular measurement for untraveled portion of the road allowance (the shoulder).

POLICY A will apply to lands for which a transfer/lease would occur. POLICY B will apply to all lands in Schedule A.

PART 2 from Terms of Reference of Sub-Committee

NEED TO: Have lands surveyed in Reference Plan suitable for Registration. Intended that the R-Plan identify parts bounded by the lake, the untraveled portion of the road allowance and the straight line extensions from the lot lines existing on the other side of the road. The new survey and R-plan would be subject to the caveat that validly deed lot lines must be acknowledged and recognized in any R-Plan

Sections 2(a)(i)(ii)(iii)(iv) in the Sub-Committee’s TOR are to be addressed in Policy B

NEED TO: Create Specific section in Policy to address Costs (See Below)

Sections 2(v)(vi) in the Sub-Committee’s TOR are to be addressed in a specific policy section (Cost of Purchase/Lease/License)

PART 3 from Terms of Reference of Sub-Committee

See Part 2, above, and Policy B to deal with standards for reasonable use

PART 4 from Terms of Reference of Sub-Committee

Process will be either a deed a lease or a license.

“Eligible property owner” needs to be identified here.

“Eligible Property Owner” consist primarily of the owners of peperty across the traveled protion of the road allowance for the lake side lot.

Subsection (a) in the Sub-Committee’s TOR is to be addressed as follows:

- (i) is the be addressed in policy A
- (ii) lease or license must include requirement to provide insurance with indemnity provision
- (iii) is to be addressed in Policy B
- (iv) is the be addressed in separate section of the policy.

Deed will be based upon Draft R-Plan referenced in Part 2, above.

-Town will need to have no objection from abutting landowners before transfer can occur

PART 5 from Terms of Reference for Sub-Committee

Lease or License – based upon Draft R.-Plan

-lease or license to be subject to objection of adjacent property that may cause reassessment of terms of lease or license.

Subsection (a) of the Sub-Committee’s TOR is to be addressed as follows:

- (i) is the be addressed in policy A
- (ii) lease or license must include requirement to provide insurance with indemnity provision
- (iii) is to be addressed in Policy B
- (iv) is to be addressed in separate section of the policy.

PART 6 from Terms of Reference for Sub-Committee

Need to differentiate between lots in which Residents' Group(s) have an interest and many people want to use it but do not organize themselves in a manner that allows for deed/lease/license. This will have to be compared to lots offered for transfer/lease/license in which the Town is faced with a non-responsive eligible property owner.

Process for Moving Forward with R-plan:

To Do List

1. Determine if the Town has the ability to send out letters to all affected owners to determine if they are interested engaging the Town in the process of potentially buying, leasing or licensing the lake side lots.
2. Should there be a fee (possibly \$500) for responding positively to a notice of interest. Determine what would be a reasonable deposit for positive expressions of interest with deposit going toward costs of survey.
3. Determine the likely cost of registering approx. 400 lots along Lake Drive. (\$400 to \$500 per lot?)
4. Determine if a payment plan should be established that would allow for payment on tax rolls over a period not to exceed 10 years. Need to determine interest to be charged for any payment plan.
5. Create RFP for Surveyor and create timeline for response to RFP. Possibly create a different RFP for separate areas - likely from Church to Varney Road, Varney Road to McNeil (Willow Beach Conservation Area), from McNeil to end of Lake Drive east (Hedge Road).
6. Check to see if the lands have to be declared surplus by by-law. Check process for sale of portion of road allowance.
7. Check to see what amount of land beside the traveled portion of the road allowance is necessary for the Town to retain for Town purpose.
8. Determine if there is a stock/standard price that the municipality charges for sale of surplus land, specifically for closed up road allowance.

Agreed to meet again on February 21st at 6:30 pm.