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Barristers and Solicitors

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April 25, 2017

BY EMAIL

File No. 134092

Mayor and Council Members
Township of Lake of Bays
1012 Dwight Beach Road, RR #1
Dwight, ON P0A 1H0

Dear Mayor and Council Members:

**Re: Bigwin Island
Dry Dock Area Development**

**Re: Port Cunnington Marina Expansion
Z-21/16 LOB
B-14/16 LOB**

We act on behalf of the Port Cunnington Ratepayers Association in the above-captioned matters.

The Port Cunnington Marina expansion application is of concern to our client for a number of reasons, including: the detrimental impacts of intensification of the marina operations both on land and water; increased boating traffic and safety issues within the channel; increased vehicular traffic and safety issues along Port Cunnington Road and at the marina's entrance; and the potential use by the Bigwin Island resident members and guests to access the Island from the marina rather than using the approved landing at Norway Point.

Our client has been made aware by David Smith of Eagle Landing Company that it is proposing to develop the dry dock area located on the north side of the Island opposite the Port Cunnington Marina. While no formal applications have yet to be submitted to the Township, our client wishes to vigilantly monitor this proposal and be an active stakeholder/participant in any consideration of it.

There is a somewhat lengthy history of planning applications respecting the redevelopment of Bigwin Island over the past few decades and the conditional approvals that were secured from the Township and the Ontario Municipal Board related to those applications. Commitments were made and conditions imposed respecting that redevelopment of Bigwin Island which must not be forgotten or ignored.

April 25, 2017

Page 2

It is not the intention of this initial letter to provide a detailed enumeration of these commitments and conditions. We urge Council to inform itself of the detailed history of the approvals that have been obtained over the years and the legal agreements entered into intended to address imposed conditions and secure their implementation.

My client and its planner would welcome the opportunity of continuing their dialogue with your Planning Director to elaborate upon their understanding of this background information, a strong grasp of which is essential for understanding the planning context of the current development of Bigwin Island and assessing any future applications respecting it.

To simply highlight a few matters:

- The Port Cunnington community dock had a limited and temporary approval for certain barge traffic;
- The Bigwin Island north dry dock area is to be maintained but not expanded;
- Norway Point is to be the access point for residents and guests accessing Bigwin Island;
- Norway Point is also obliged to have a barge landing area capable of handling sewage and propane trucks servicing Bigwin Island;
- Official Plan policies and OMB decisions address these points;
- Temporary permissions must not be made permanent; and
- Obligations and commitments must be enforced.

My client and I wish to be kept advised of Council's consideration of both of these above-captioned matters and notified of meetings at which either matter is on a meeting agenda or the subject of a staff report. By copy of this letter, we hereby request that the Clerk make note these requests.

My client intends to maintain the on-going dialogue it has had with Mr. Smith respecting both of these matters.

Should you have any questions or require further clarification respecting this letter and request, please do not hesitate to contact the undersigned.

April 25, 2017

Page 3

Yours truly,

AIRD & BERLIS LLP

A. Yantsis

for: Leo F. Longo

LFL/ek

cc: Harold Elston,
David Smith, Eagle Landing Company
Port Cunnington Ratepayers Association
Marie Poirier
Ms. Melissa Markham,
Director of Planning

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