



Development Services – Planning Division  
180 Kent Street West  
Lindsay ON K9V 2Y6  
Tel: (705) 324-9411 Ext. 1246  
Fax: (705) 324-4027  
e-mail: [rholy@city.kawarthalakes.on.ca](mailto:rholy@city.kawarthalakes.on.ca)  
website: [www.city.kawarthalakes.on.ca](http://www.city.kawarthalakes.on.ca)

File No.: D05-35-017

July 20, 2017

Jason Szakasci  
900 Wilson Road North, Unit 804  
Oshawa, ON L1G 7T2

Dear Mr. Szakasci:

**Re: Finalizing Outstanding Deficiencies to Facilitate Assumption  
Rolling Hills Estates Subdivision, Bobcaygeon**

---

We have been trying to work with you for the past two years to get the outstanding deficiencies rectified in order that the subdivision could be assumed by the City. The list has been the subject of many discussions and site meetings.

Rezoning Matters

These two matters were to be dealt with through a rezoning application with the necessary background information submitted by the developer.

1. Maximum Dwelling Unit Size: A number of dwellings in the subdivision exceed to the 200 sq.m. maximum unit size. We had requested an addendum to the original hydrogeological study indicating that based on the existing development pattern, there would be sufficient water in the aquifer to support the removal of the 200 sq.m. dwelling unit limitation. The report would have also been used to provide a recommendation whether it is acceptable to remove the maximum water fixture requirements in the subdivision agreement. If approved, the subdivision agreement was also to have been amended accordingly.
2. Revegetation Area: The City recognized that the 15 meter revegetation area has not been implemented through development and would subsequently be difficult to enforce from a zoning perspective. Most residents have purchased these properties with the idea that they have the use of their entire back yards and have not adhered to this provision. An environmental consultant was to provide an addendum report to determine whether the revegetation buffer as well as prohibition of accessory structures within the revegetation buffer could be removed.

### Subdivision Agreement Matters

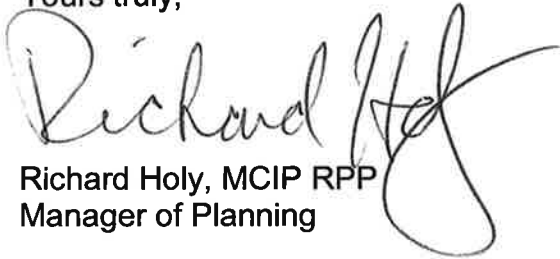
These four matters were to be dealt with either as amendments to the subdivision agreement or as outstanding works to be completed by the developer.

3. Retaining Wall: The subdivision agreement had required the developer to construct a retaining wall as a western boundary of the revegetation buffer, which has never been constructed. This provision was to be removed from the subdivision agreement in conjunction with the environmental report dealing with the revegetation buffer provision. Your engineer was also to provide an opinion that from an engineering perspective the wall was not required.
4. Waterfront Fencing: A split rail fence was installed between the lakeside lots and common area block along the water instead of the required chain-link fence as specified in the subdivision agreement. While Staff are supportive of this fencing type, the fence was not constructed on the property line between the waterside lots and common area block. While fencing was also to be installed between the common area blocks and the northern lot, an agreement was reached that this area could be demarcated with a plastic agricultural ribbon and metal stakes to avoid disrupting the environmental areas with heavy equipment. Once finalized, the subdivision agreement would be amended in this regard.
5. Beach Construction Permit: A permit for the beach construction was issued by KRCA but the remediation works were never fully completed.
6. Construction of Soak away Pits: The subdivision agreement required the construction of soak away pits as a means to control roof runoff and provide a groundwater recharge function. A rationale is required from your engineer as to why they are no longer required. If approved, the matter will be removed from the subdivision agreement.

The City has not been provided any information suggesting that these matters have been completed. The purpose of this letter is to provide you a 20 day timeframe from the date of this letter within which we require a written response from you whether you will finalize these matters and a timeframe for completion. Should you fail to provide a written response with a timeframe by August 9, 2017, the City will cash your securities and complete the outstanding works. Any unused securities will be returned to you.

Thank you for your attention to this matter.

Yours truly,

A handwritten signature in black ink, appearing to read "Richard Holy". The signature is fluid and cursive, with a large loop at the end.

Richard Holy, MCIP RPP  
Manager of Planning

RH

cc: Frank Stolwyk, Barrister and Solicitor,  
187 King Street East, Suite 101 Oshawa, ON L1H 1C2  
Robyn Carlson, City Solicitor  
Rob Taylor, Chief Administrative Officer  
Juan Rojas, Director of Engineering and Corporate Assets  
Aaron Sloan, Manager of By-law Enforcement  
Harold Bartlett, Rolling Hills Estates Homeowners Association