

May 3, 2019

Norfolk County  
Planning Department  
185 Robinson Street  
Simcoe ON N3Y5L6

Attention: Steve Collyer, BCD  
Planner

Dear Mr. Collyer:

**MINOR VARIANCE APPLICATION  
EXPANSION OF A LEGAL NON-CONFORMING USE  
LOT 10 NORTH  
BOATHOUSE LANE, LONG POINT**

On behalf of Mr. McGowan, I am pleased to submit the enclosed Planning Justification for the application for the enlargement of a legal non-conforming use in respect to the above-captioned lands (referred to in this letter justification as the "Site").

The Site is located on Lot 10 North on the north side of Boathouse Lane in Long Point (West), and is part of a group of boathouses under lease by the Ministry of Natural Resources and Forestry (MNRF). The Site is approximately 74 square metres in size and currently occupied by an existing boathouse that has legally existed prior to the passing of the by-law. Mr. McGowan entered into a long term lease on these lands with the MNRF in 1997, and continues to use the boathouse that is in close proximity to his cottage on Perch Lane.

Mr. McGowan intends to replace the entitlement he already has with an expanded new boathouse. The proposal would provide a more suitable size boathouse to accommodate a larger boat and additional storage. To confirm, no living space is proposed. The new structure will not increase the degree of non-conformity as the size of the new boathouse would be within the limits of the by-law. Thus, the Proposed Application is to allow the expansion of a legal non-confirming use as new buildings are not permitted in the Hazard Lands zone.

Under Section 45(2)(a)(i) of the Planning Act, Committee has the authority to permit enlargements or extensions of non-conforming uses...

*“in addition to the powers under subsection (1), the committee upon any such application, (a) where any land, building or structure, on the day the by-law was passed, was lawfully used for a purpose prohibited by the by-law, may permit, (i) the enlargement or extension of the building or structure, if the use that was made of the building or structure on the day the by-law was passed, or a use permitted under subclause (ii) continued until the date of the application to the committee, but no permission may be given to enlarge or extend the building or structure beyond the limits of the land owned and used in connection therewith on the day the by-law was passed,...”*

Furthermore, Section 9.6.3.1 of the Norfolk Official Plan permits the Committee of Adjustment to deal with Minor Variance Applications.

Schedule B-13 of the Norfolk County Official Plan designates the Site as Hazard Lands. Section 7.3.2(b) land use policy sets out the policies for this designation and recognizes there are some areas of extensive development on Hazard Lands. As set out in Schedule 'A', this area is identified as a Resort Area, that already has been significantly built-up and reasonable compromise is appropriate in terms of the County permitting the reconstruction of existing development. The proposed replacement of an existing boathouse is consistent with the intent of the Official Plan and appropriate as an expansion of an existing structure. There are no anticipated issues as a result of the Proposed Application.

Furthermore, the intent of the Hazard Lands policy is to protect these lands as they have inherent environmental hazards such as flooding, erosion, which pose risk to loss of life, property, etc. The policy aims to provide caution and constraints in land use development so hazards are avoided and as described in 7.2.2, reasonable compromise is to be made between the extent of the hazard and the continued use and future development of the area. Both the MNRF and the Long Point Conservation Authority have provided authorization for this Proposed Application, as part of the approvals process.

The Subject Lands are zoned Hazard Lands (HL) in the Norfolk County Zoning By-law (I-Z-2014), as illustrated in Figure 2 on Schedule A-46. This Zone recognizes that certain areas have development constraints based on environmental features like flooding or erosion. The HL zone uses are very limited and does not include buildings or structure unless used as an open pavilion and for sanitary facilities or change house for bathers. However, this application is a matter of continuing the established use for the same purpose. The proposed variance maintains the general intent of the Zoning By-law as the boathouse is an existing legal non-confirming use, and the request is simply to allow the expansion of it as the by-law was changed after construction of the boathouse.

The use of the property is not changing and the increase in size of the structure will be consistent with the neighbouring boathouses. An increase in footprint does not increase the degree of non-conformity, create intensification, impact neighbouring properties or impact the functionality of the existing use or area. The intent of the zoning by-law is met as the use and massing provides for a compatible development. The Proposed Application is consistent with the in-force and effect policy framework including the Planning Act; the approval of the requested variance will permit to expand an existing legal non-conforming use, is appropriate for these lands, and represents good land use planning.

We appreciate the collaborative discussions we've had with you, including your review and support for this request. Please find enclosed the following submission, comprising a complete application:

- One original copy of the completed Application for Minor Variance;
- A cheque in the amount of \$1,406.00, payable to Norfolk County as the application fee;
- A cheque in the amount of \$480.25, payable to LPRCA as the application fee;
- A copy of the legal survey;
- A sketch of the proposed boathouse;
- Proof showing the existing boathouse was legally permitted prior to the passing of the bylaw; and,
- Authorization to act on behalf of the Owner (MNR), to be received.

We respectfully request that you accept this application and place it on the June 19, 2019 Public Meeting agenda for consideration by the Committee of Adjustment. In the meantime if you have any questions please do not hesitate to contact me.

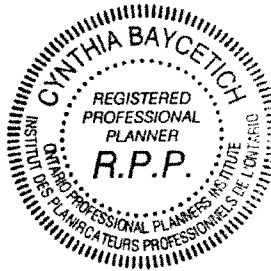
Thank you for your assistance.

Yours truly,



Cynthia Baycetch, MCIP, RPP

Cc. Jordy McGowan, Applicant



**For Office Use Only:**

File Number	<u>ANPL2019160</u>	Application Fee	<u>\$1406</u>
Related File Number	<u>—</u>	Conservation Authority Fee	<u>\$480.25</u>
Pre-consultation Meeting	<u>—</u>	OSSD Form Provided	<u>N/A</u>
Application Submitted	<u>May 3/19</u>	Planner	<u>Steve</u>
Complete Application	<u>May 3/19</u>	Public Notice Sign	<u>yes</u>

**Check the type of planning application(s) you are submitting.**

- ☐ Consent/Severance/Boundary Adjustment  
☐ Surplus Farm Dwelling Severance and Zoning By-law Amendment  
☒ Minor Variance  
☐ Easement/Right-of-Way

**Property Assessment Roll Number:** 28 54 030 050 246 00 0000 | 54305021300**A. Applicant Information****Name of Owner** Roger McGowan | MNR LEASE

It is the responsibility of the owner or applicant to notify the planner of any changes in ownership within 30 days of such a change.

**Address** 164 Paris Rd, Unit 101  
**Town and Postal Code** Brantford ON, N3R 6M4  
**Phone Number** 5197562480  
**Cell Number** \_\_\_\_\_  
**Email** info@touchofgray.ca

**Name of Applicant** Jordy McGowan  
**Address** 16 Magnolia St  
**Town and Postal Code** Brantford ON, N3R 1P7  
**Phone Number** 5197562481  
**Cell Number** 5198611594  
**Email** info@touchofgray.ca

**Name of Agent** Cynthia Baycetch  
**Address** 50 Franklin St  
**Town and Postal Code** Brantford ON, N3R1T1  
**Phone Number** \_\_\_\_\_  
**Cell Number** 5197712004  
**Email** cbayceti@yahoo.com

Please specify to whom all communications should be sent. Unless otherwise directed, all correspondence and notices in respect of this application will be forwarded to the agent noted above.

☐ Owner
 ☐ Agent
 ☒ Applicant

Names and addresses of any holder of any mortgages, charges or other encumbrances on the subject lands:

#### B. Location, Legal Description and Property Information

- Legal Description (include Geographic Township, Concession Number, Lot Number, Block Number and Urban Area or Hamlet):

SWAL CON "A" PT LOT 14 BOATHOUSE LOT 10

Municipal Civic Address: n/a

Present Official Plan Designation(s): ~~RESORT RESIDENTIAL~~ Hazard Lands

Present Zoning: Hazard Lands

- Is there a special provision or site specific zone on the subject lands?

☒ Yes ☐ No If yes, please specify:

See attached planning justifications

- Present use of the subject lands:

Boathouse

4. Please describe **all existing** buildings or structures on the subject lands and whether they are to be retained, demolished or removed. If retaining the buildings or structures, please describe the type of buildings or structures, and illustrate the setback, in metric units, from front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, and height on your attached sketch which must be included with your application:

Existing Boathouses

5. If an addition to an existing building is being proposed, please explain what it will be used for (for example a bedroom, kitchen, or bathroom). If new fixtures are proposed, please describe.

Store Boats

6. Please describe **all proposed** buildings or structures/additions on the subject lands. Describe the type of buildings or structures/additions, and illustrate the setback, in metric units, from front, rear and side lot lines, ground floor area, gross floor area, lot coverage, number of storeys, width, length, and height on your attached sketch which must be included with your application:

New Boathouse ( 35' LENGTH X 20' WIDE X 16' HIGH )

7. Are any existing buildings on the subject lands designated under the *Ontario Heritage Act* as being architecturally and/or historically significant? Yes ☐ No ☒

If yes, identify and provide details of the building:

8. If known, the length of time the existing uses have continued on the subject lands:  
Unknown

9. Existing use of abutting properties:

Boathouse

10. Are there any easements or restrictive covenants affecting the subject lands?

☐ Yes ☒ No If yes, describe the easement or restrictive covenant and its effect:

### C. Purpose of Development Application

Note: Please complete all that apply.

#### 1. Site Information

#### Existing

#### Proposed

Please indicate unit of measurement, for example: m, m<sup>2</sup> or %

Lot frontage	_____	_____
Lot depth	_____	_____
Lot width	_____	_____
Lot area	_____	_____
Lot coverage	_____	_____
Front yard	_____	_____
Rear yard	_____	_____
Left Interior side yard	_____	_____
Right Interior side yard	_____	_____
Exterior side yard (corner lot)	_____	_____

#### 2. Please outline the relief requested (assistance is available):

'expansion of a legal non-confirming use'

#### 3. Please explain why it is not possible to comply with the provision(s) of the Zoning By-law:

'The bylaw was changed after construction of the boathouse. Please see attached planning justification.'

#### 4. Description of land intended to be severed in metric units:

Frontage:	_____
Depth:	_____
Width:	_____
Lot Area:	_____
Present Use:	_____
Proposed Use:	_____

Proposed final lot size (if boundary adjustment): \_\_\_\_\_



If a boundary adjustment, identify the assessment roll number and property owner of the lands to which the parcel will be added: \_\_\_\_\_

Description of land intended to be retained in metric units:

Frontage: \_\_\_\_\_

Depth: \_\_\_\_\_

Width: \_\_\_\_\_

Lot Area: \_\_\_\_\_

Present Use: \_\_\_\_\_

Proposed Use: \_\_\_\_\_

Buildings on retained land: \_\_\_\_\_

**5. Description of proposed right-of-way/easement in metric units:**

Frontage: \_\_\_\_\_

Depth: \_\_\_\_\_

Width: \_\_\_\_\_

Area: \_\_\_\_\_

Proposed Use: \_\_\_\_\_

**6. List all properties in Norfolk County, which are owned and farmed by the applicant and involved in the farm operation:**

Owners Name: \_\_\_\_\_

Roll Number: \_\_\_\_\_

Total Acreage: \_\_\_\_\_

Workable Acreage: \_\_\_\_\_

Existing Farm Type: (for example: corn, orchard, livestock) \_\_\_\_\_

Dwelling Present?: ☐ Yes ☒ No If yes, year dwelling built \_\_\_\_\_

Owners Name: \_\_\_\_\_  
Roll Number: \_\_\_\_\_  
Total Acreage: \_\_\_\_\_  
Workable Acreage: \_\_\_\_\_  
Existing Farm Type: (for example: corn, orchard, livestock) \_\_\_\_\_  
Dwelling Present?: ☐Yes ☐No If yes, year dwelling built \_\_\_\_\_

Owners Name: \_\_\_\_\_  
Roll Number: \_\_\_\_\_  
Total Acreage: \_\_\_\_\_  
Workable Acreage: \_\_\_\_\_  
Existing Farm Type: (for example: corn, orchard, livestock) \_\_\_\_\_  
Dwelling Present?: ☐Yes ☐No If yes, year dwelling built \_\_\_\_\_

Owners Name: \_\_\_\_\_  
Roll Number: \_\_\_\_\_  
Total Acreage: \_\_\_\_\_  
Workable Acreage: \_\_\_\_\_  
Existing Farm Type: (for example: corn, orchard, livestock) \_\_\_\_\_  
Dwelling Present?: ☐Yes ☐No If yes, year dwelling built \_\_\_\_\_

**Note: If additional space is needed please attach a separate sheet.**

**D. Previous Use of the Property**

1. Has there been an industrial or commercial use on the subject lands or adjacent lands? ☐Yes ☒No ☐Unknown  
If yes, specify the uses (for example: gas station, or petroleum storage):
  
2. Is there reason to believe the subject lands may have been contaminated by former uses on the site or adjacent sites? ☐Yes ☒No ☐Unknown
  
3. Provide the information you used to determine the answers to the above questions:

4. If you answered yes to any of the above questions in Section D, a previous use inventory showing all known former uses of the subject lands, or if appropriate, the adjacent lands, is needed. Is the previous use inventory attached? ☐ Yes ☒ No

**E. Provincial Policy**

1. Is the requested amendment consistent with the provincial policy statements issued under subsection 3(1) of the *Planning Act, R.S.O. 1990, c. P. 13*? ☒ Yes ☐ No

If no, please explain:

2. It is owner's responsibility to be aware of and comply with all relevant federal or provincial legislation, municipal by-laws or other agency approvals, including the Endangered Species Act, 2007. Have the subject lands been screened to ensure that development or site alteration will not have any impact on the habitat for endangered or threatened species further to the provincial policy statement subsection 2.1.7? ☒ Yes ☐ No

If no, please explain:

3. Have the subject lands been screened to ensure that development or site alteration will not have any impact on source water protection? ☒ Yes ☐ No

If no, please explain:

Note: If in an area of source water Wellhead Protection Area (WHPA) A, B or C please attach relevant information and approved mitigation measures from the Risk Manager Official.

4. Are any of the following uses or features on the subject lands or within 500 metres of the subject lands, unless otherwise specified? Please check boxes, if applicable.

**Livestock facility or stockyard** (submit MDS Calculation with application)

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Wooded area**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Municipal Landfill**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Sewage treatment plant or waste stabilization plant**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Provincially significant wetland (class 1, 2 or 3) or other environmental feature**

☐ On the subject lands or ☒ within 500 meters – distance 40 m

**Floodplain**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Rehabilitated mine site**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Non-operating mine site within one kilometre**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Active mine site within one kilometre**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Industrial or commercial use (specify the use(s))**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Active railway line**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Seasonal wetness of lands**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Erosion**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

**Abandoned gas wells**

☐ On the subject lands or ☐ within 500 meters – distance \_\_\_\_\_

## F. Servicing and Access

1. Indicate what services are available or proposed:

### Water Supply

- |  |   |
|--|---|
| <input type="checkbox"/> Municipal piped water | <input type="checkbox"/> Communal wells         |
| <input type="checkbox"/> Individual wells      | <input type="checkbox"/> Other (describe below) |
- 

### Sewage Treatment

- |   |   |
|---|---|
| <input type="checkbox"/> Municipal sewers         | <input type="checkbox"/> Communal system        |
| <input type="checkbox"/> Septic tank and tile bed | <input type="checkbox"/> Other (describe below) |
- 

### Storm Drainage

- |   |                                       |
|---|---------------------------------------|
| <input type="checkbox"/> Storm sewers           | <input type="checkbox"/> Open ditches |
| <input type="checkbox"/> Other (describe below) |                                       |
- 

2. Existing or proposed access to subject lands:

- |   |  |
|---|--|
| <input type="checkbox"/> Municipal road | <input type="checkbox"/> Provincial highway                |
| <input type="checkbox"/> Unopened road  | <input checked="" type="checkbox"/> Other (describe below) |

Name of road/street:

PRIVATE BOAT HOUSE LANE

## G. Other Information

1. Does the application involve a local business? ☐ Yes ☒ No

If yes, how many people are employed on the subject lands?

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2. Is there any other information that you think may be useful in the review of this application? If so, explain below or attach on a separate page.

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#### **H. Supporting Material to be submitted by Applicant**

In order for your application to be considered complete, folded hard copies (number of paper copies as directed by the planner) and an **electronic version (PDF) of the site plan drawings, additional plans, studies and reports** will be required, including but not limited to the following details:

1. Concept/Layout Plan
2. All measurements in metric
3. Existing and proposed easements and right of ways
4. Parking space totals – required and proposed
5. All dimensions of the subject lands
6. Dimensions and setbacks of all buildings and structures
7. Names of adjacent streets
8. Natural features, watercourses and trees

In addition, the following additional plans, studies and reports, including but not limited to, **may** also be required as part of the complete application submission:

- ☐ Zoning Deficiency Form
- ☐ On-Site Sewage Disposal System Evaluation Form
- ☐ Environmental Impact Study
- ☐ Geotechnical Study / Hydrogeological Review
- ☐ Minimum Distance Separation Schedule
- ☐ Record of Site Condition
- ☐ Agricultural Impact Assessment

Your development approval might also be dependent on Ministry of Environment Conservation and Parks, Ministry of Transportation or other relevant federal or provincial legislation, municipal by-laws or other agency approvals.

**All final plans must include the owner's signature as well as the engineer's signature and seal.**

## I. Transfers, Easements and Postponement of Interest

The owner acknowledges and agrees that if required it is their solicitor's responsibility on behalf of the owner for the registration of all transfer(s) of land to the County, and/or transfer(s) of easement in favour of the County and/or utilities. Also, the owner further acknowledges and agrees that it is their solicitor's responsibility on behalf of the owner for the registration of postponements of any charges in favour of the County.

## Permission to Enter Subject Lands

Permission is hereby granted to Norfolk County officers, employees or agents, to enter the premises subject to this application for the purposes of making inspections associated with this application, during normal and reasonable working hours.

## Freedom of Information

For the purposes of the *Municipal Freedom of Information and Protection of Privacy Act*, I authorize and consent to the use by or the disclosure to any person or public body any information that is collected under the authority of the *Planning Act, R.S.O. 1990, c. P. 13* for the purposes of processing this application.

  
Owner/Applicant/Agent Signature

May 3 2019  
Date

## J. Owner's Authorization

If the applicant/agent is not the registered owner of the lands that is the subject of this application, the owner must complete the authorization set out below.

I/We Roger McGowan am/are the registered owner(s) of the lands that is the subject of this application for site plan approval.

I/We authorize Jordy McGowan to make this application on my/our behalf and to provide any of my/our personal information necessary for the processing of this application. Moreover, this shall be your good and sufficient authorization for so doing.

  
Owner

April 28, 2019  
Date

\_\_\_\_\_  
Owner

\_\_\_\_\_  
Date

**K. Declaration**

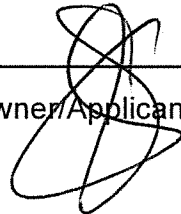
I, Robert McKeown of Brampton

solemnly declare that:

all of the above statements and the statements contained in all of the exhibits transmitted herewith are true and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of *The Canada Evidence Act*.

Declared before me at:

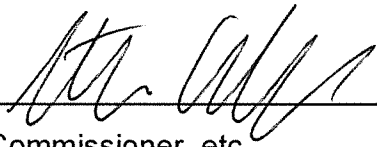
Simcoe

  
Owner/Applicant/Agent Signature

In Norfolk County

This 3<sup>rd</sup> day of May

A.D., 20 19

  
A Commissioner, etc.

Steven James Collier,  
a Commissioner, etc., Province of Ontario  
for the Corporation of Norfolk County  
Expires April 3, 2021





NAD\_1983\_UTM\_Zone\_17N  
© Norfolk County

DISCLAIMER: This map is for information purposes only. Norfolk County takes no responsibility for, nor guarantees, the accuracy of the information contained within the map.

1: 1,000



### Legend

- ? Planning Inquiries
- ? <all other values>
- ? Amendment
- ? Severance
- ? Minor Variance
- ? Site Plan
- ? Subdivision
- ? Zoning
- ? Other
- Zones 1-Z-2014
- Zone
- Zone with Holding Provision
- Special Provisions
- Site Plan Control
- Zoning Amendments
- Lakeshore Erosion Prone Area
- Property Lines
- Roll Numbers
- Civic Address
- Plan Lines
- DraftPlan
- Reg Plan Lot Numbers
- Roads
- Norfolk\_10000-500

### Notes



THE  
LOT

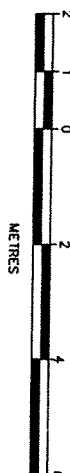
PLAN

PART 2  
RIGHT - OF - WAY

Proposed to  
be re placed.

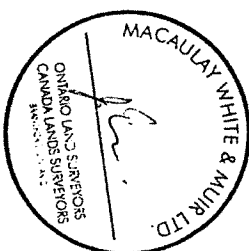
SKETCH SHOWING LOCATION  
OF BOAT HOUSE ON LOT 10 NORTH  
THE MARSH IN FRONT OF  
LOT 14, CONCESSION "A"  
(GEOGRAPHIC TOWNSHIP OF SOUTH WALSLINGHAM)  
COUNTY OF NORFOLK

SCALE 1:100



MACAULLAY, WHITE & MUIR LTD.

© COPYRIGHT 2018



## ELEVATIONS

ELEVATIONS ARE GEODETIC, CGVD2013, DERIVED FROM REAL TIME NETWORK OBSERVATION, UTM ZONE 17, NAD83 (CSRS) (2010).

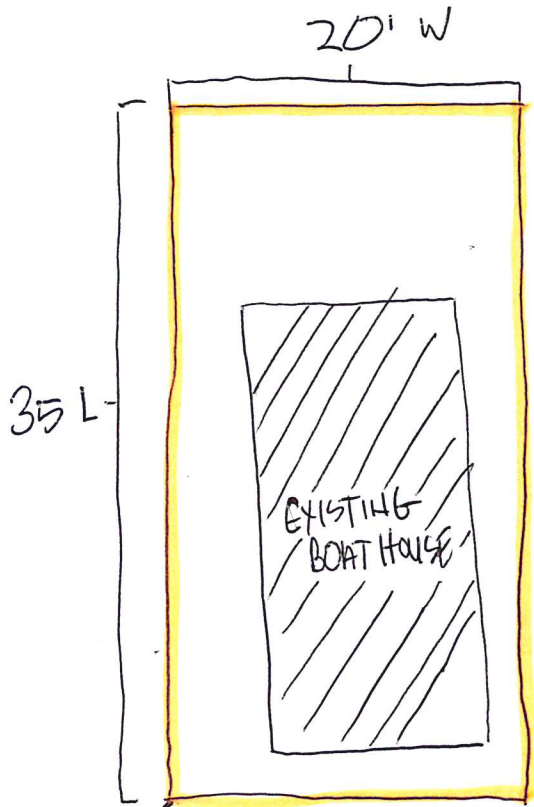
NOVEMBER 21, 2018

**MACAULAY, WHITE & MUIR LTD.**

4440 HARDY ROAD, UNIT 2, BRANTFORD, ONTARIO, N3T 5L8  
TEL. 519-752-0040 FAX. 519-752-0087 [mwnsurvey@bellnet.ca](mailto:mwnsurvey@bellnet.ca)

18-286

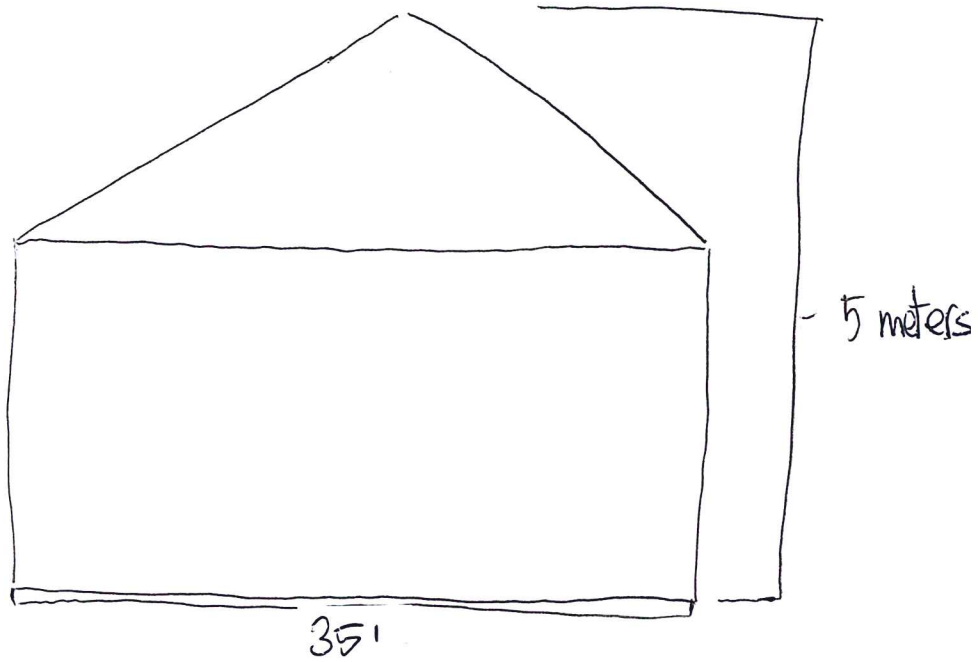
SKETCH SHOWING NEW BOATHOUSE  
FOR LOT 10 NORTH  
THE MARSH IN FRONT OF LOT 14  
CONCESSION "A"



LOT SIZE : 20' FEET WIDE X 40' FEET LENGTH  
EXISTING BOATHOUSE : 12' FEET WIDE X 25.7' FEET LENGTH  
PROPOSED BOATHOUSE : 20' WIDE X 35' FEET LENGTH  
MAX HEIGHT OF BOATHOUSE : 5 METERS HIGH  
TOTAL AREA : ( 700 sqft )

NEW STRUCTURE  
20' x 30'

PLAN VIEW



SIDE VIEW

PROPERTY ASSESSMENT ROLL NUMBER  
28 54 030 050 246 00 0000

LOT: 14

CONCESSION PLAN: "A" LOT 10 NORTH

## Steven Collyer

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**From:** Christopher Boothe <cboothe@lprca.on.ca>  
**Sent:** Monday, April 29, 2019 2:37 PM  
**To:** Steven Collyer  
**Subject:** FW: Proposed boathouse on MNR lands - Long Point

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Hi Steve,

LPRCA staff would have no objection to the proposed minor variance to expand the legal non-conforming use. It should be noted that the entire structure would be within the regulation limits of O.178/06. As such a permit from this office would be required prior to any development.

Staff can support a non-habitable accessory structure within the Lake Erie Flood Hazard provided it meets the following requirements:

- The floor area is less than or equal to 100 m<sup>2</sup>
- There is no opportunity for conversion into habitable space in the future

Let me know if you have any other questions.

Thanks,  
Chris

**Chris Boothe, MEPP**  
Resource Planning Technician

Long Point Region Conservation Authority  
4 Elm Street, Tillsonburg, ON N4G 0C4  
Office: 519-842-4242 or 1-888-231-5408 ext.235  
Email: cboothe@lprca.on.ca

ET 90 REV. 1970

DEPARTMENT OF  
NATIONAL REVENUE, TAXATION

ESTATE TAX ACT



B-2794795

MINISTÈRE DU  
REVENU NATIONAL, IMPÔT

LOI DE L'IMPÔT  
SUR LES BIENS TRANSMIS PAR DÉCÈS

CONSENT TO THE TRANSFER OF PROPERTY

PERMIS DE DISPOSER DE BIENS

DISTRICT TAXATION OFFICE BUREAU DE DISTRICT D'IMPÔT HAMILTON	DATE May 22 1972
ESTATE OF - SUCCESSION DE CECIL BOYD	DATE OF DEATH - DATE DU DÉCÈS Dec 22 1971

Consent is hereby given to the transfer, delivery, or payment over of the following property:

*Il est par les présentes permis de céder, livrer ou remettre les biens indiqués ci-après:*

REAL ESTATE: - interest of Cecil Boyd in a lease between himself and Long Point Beach Resort & Development Limited, which said lease is dated Sept. 10, 1956 - lying and being in the Township of South Walsingham in the County of Norfolk and Province of Ontario, as outlined in red on the plan survey hereto annexed together with the rights of way as outlined in yellow on the said plan of survey hereto annexed///

Any lien in respect of the aforesaid property created under the provisions of Section 43 of the Estate Tax Act is hereby discharged.

*Est par les présentes libéré tout privilège sur les biens susdits créé en vertu des dispositions de l'article 43 de la Loi de l'impôt sur les biens transmis par décès.*

The description of the property covered by this Consent is followed by three typed oblique strokes. Any addition, alteration or erasure renders this Consent null and void.

**SYLVAIN CLOUTIER**

DEPUTY MINISTER OF NATIONAL REVENUE FOR TAXATION  
SOUS-MINISTRE DU REVENU NATIONAL POUR L'IMPÔT

*Trois traits obliques faits à la machine à écrire suivent la désignation des biens visés par le présent permis. Toute addition, modification ou rature rend le présent permis nul et de nul effet.*

1b

ORIGINAL

THIS AGREEMENT made the 28th day of November, 1997

B E T W E E N;

HELEN SCHNEIDER in her personal capacity  
and as Executrix of the Last Will and  
Testament of CHRISTIAN SCHNEIDER

Hereinafter called the ASSIGNOR  
OF THE FIRST PART

- and

ROGER WILLIAM MCGOWAN and SUZANNE LYNNE  
MCGOWAN of the City of Brantford, County  
of Brant, as joint tenants and not as tenants  
in common

Hereinafter called the ASSIGNEE  
OF THE SECOND PART

WITNESSES:

WHEREAS:

1. By A Lease dated the 10th day of September, 1956, Long Point Beach Resort & Development Limited, a company incorporated under the laws of the Province of Ontario, the landlord named therein, leased to Cecil Boyd the Lessee the premises known as the boathouse Lot for a term of ninety-nine years from September 10th, 1956, at a rent of Two Hundred (\$200.00) Dollars for said term and subject to the terms and conditions set forth therein;
2. Cecil Boyd assigned the said Lease to Christian Schneider and Helen Schneider on April 28th, 1972;
3. Christian Schneider died on or about the 18th day of May, 1996. Helen Schneider was appointed Executrix of the Last Will and Testament of Christian Schneider in his will, dated March 20th, 1977. There was no further Will or Last Testament for Christian Schneider.
4. The Assignees have requested the Assignor to sell the residue of the said term of years and to assign to them the lease ;

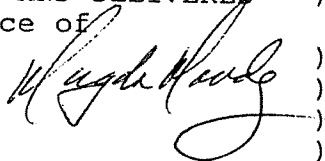
NOW THEREFORE in consideration of One (\$1.00) paid by the assignees to the assignor the receipt whereof is hereby acknowledged, the assignor as beneficial owner hereby assigns to the assignees as joint tenants and not as tenants in common the assignor's interest in the premises known as the boathouse lot, together with the rights-of-way attached to said lease, together with the unexpired residue of said terms of years and the lease and all benefits to be derived therefrom subject to the payment of the rent and the observance and performance of the covenants, provisos, and conditions on the part of the tenant contained therein.

The Assignor covenants and agrees to execute such further assurances in respect of this Assignment as the Assignees may reasonably require.

The Assignees covenant with the Assignor that the Assignees will throughout the residue of the said term of years and any renewal thereof, pay the rent reserved at the times and in such manner provided in the lease and observe and perform the covenants, provisos and conditions on the part of the tenant therein set forth and will indemnify and save harmless the assignor from all actions, suits, costs, losses, damages and expenses in respect of such covenants, conditions and agreements.

IN WITNESS WHEREOF the Parties hereto have hereunto set their hands and seals.

SIGNED, SEALED AND DELIVERED )  
in the presence of



Helen Schneider  
HELEN SCHNEIDER

)  
)  
)  
) Helen Schneider E.D.C.  
HELEN SCHNEIDER, Executrix  
) of the Estate of  
) CHRISTIAN SCHNEIDER

) Roger William McGowan  
) ROGER WILLIAM MCGOWAN

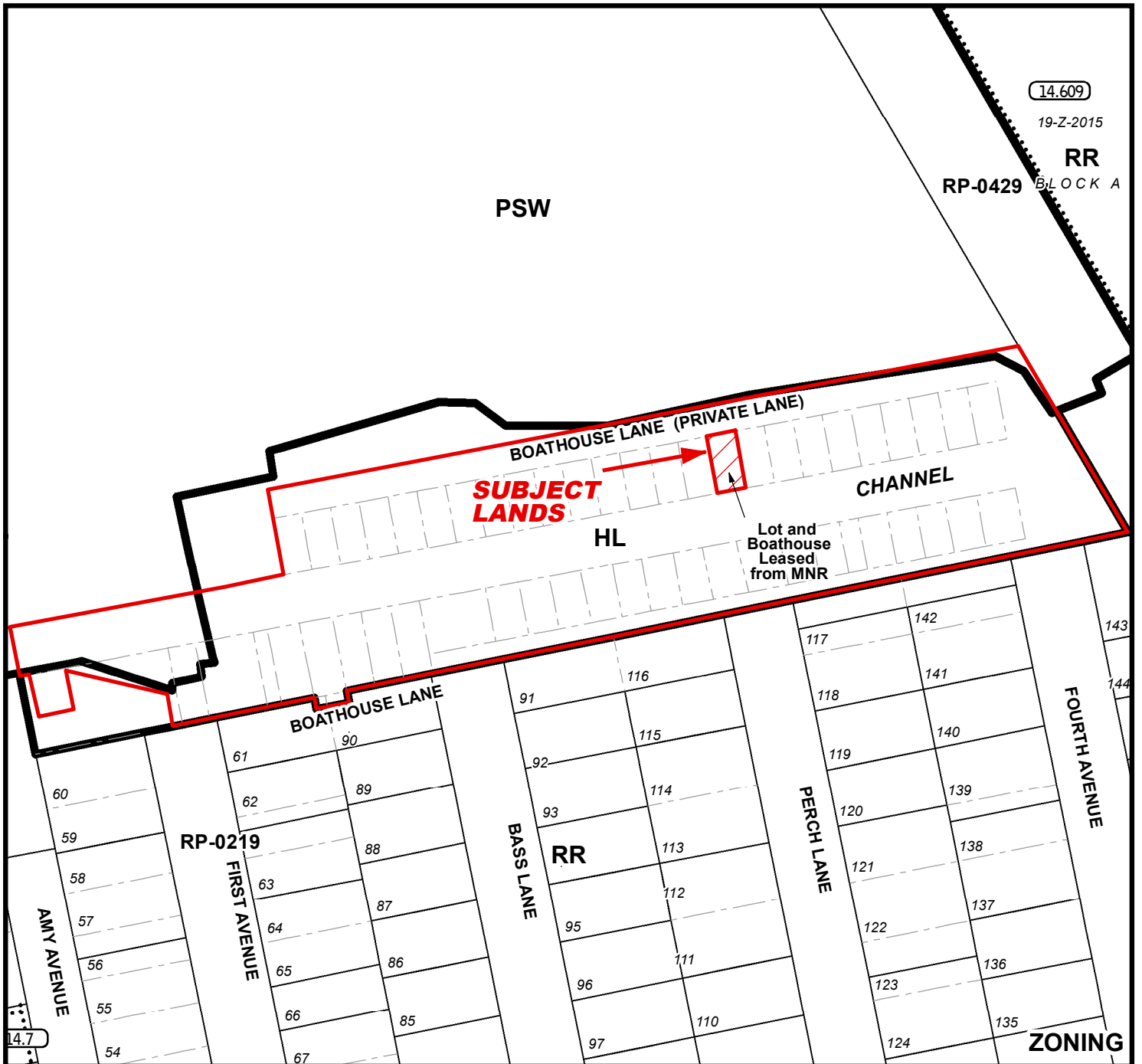
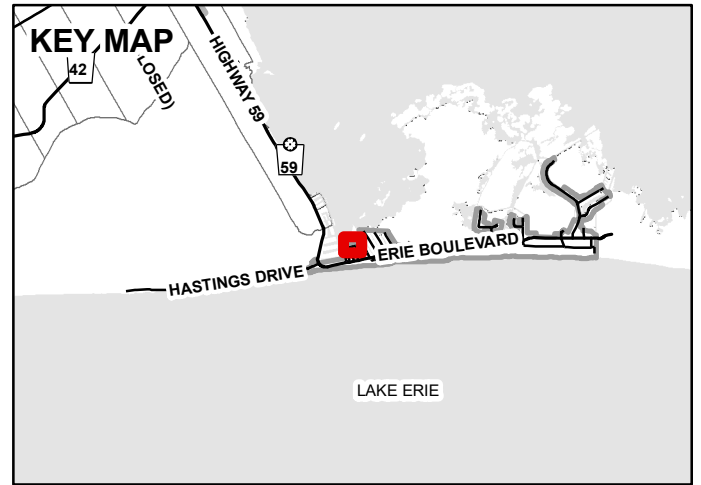
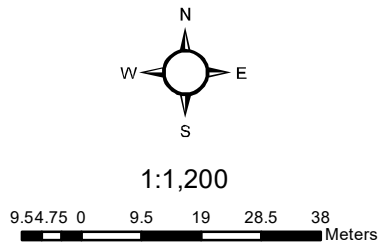
) Suzanne Lynne McGowan  
) SUZANNE LYNNE MCGOWAN

# MAP 1

## File Number: ANPL2019160

Geographic Township of

## SOUTH WALSINGHAM

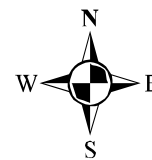




# MAP 2

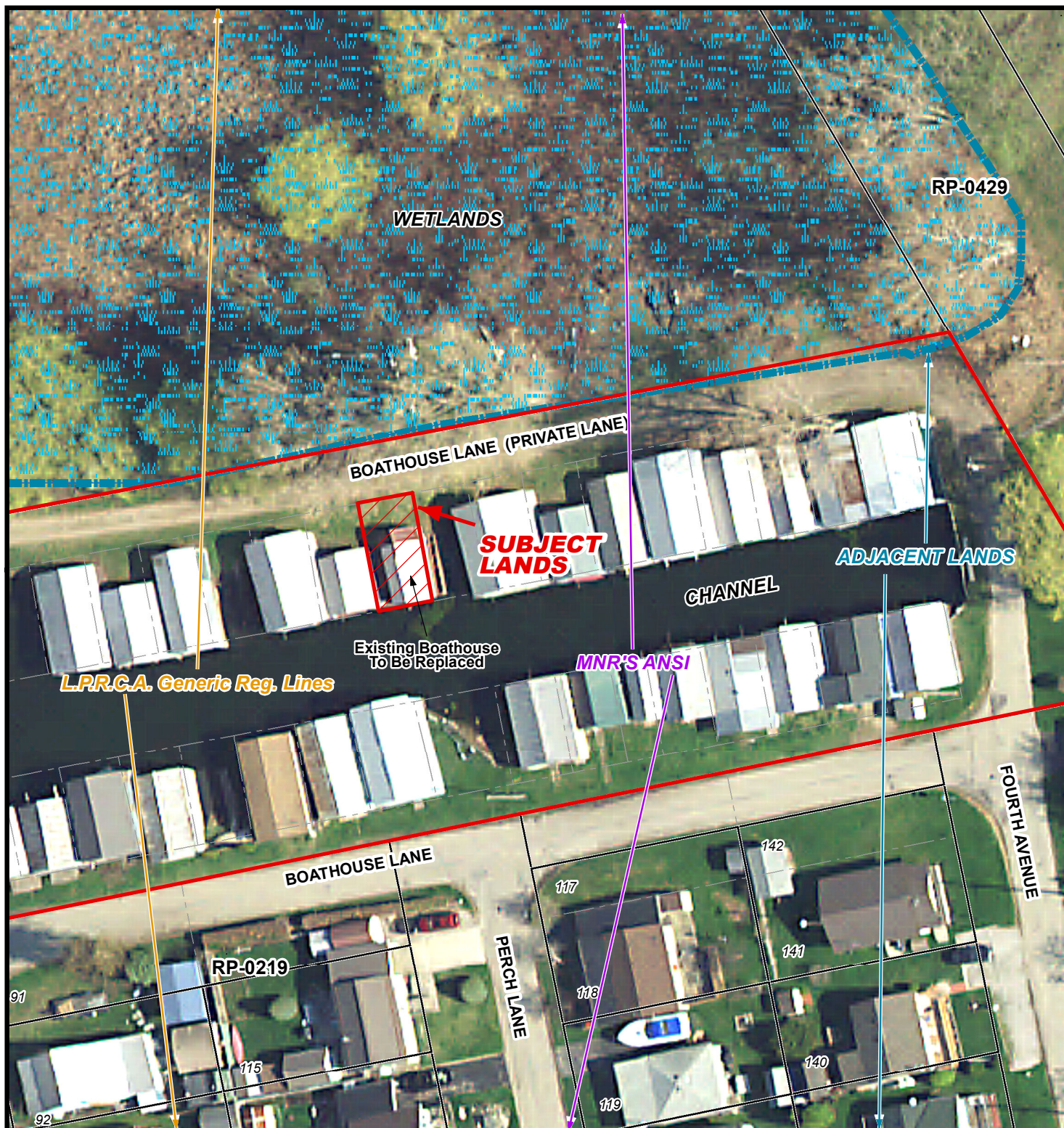
File Number: ANPL2019160

Geographic Township of SOUTH WALSINGHAM



4 2 0 4 8 12 16 Meters

1:600



# MAP 3

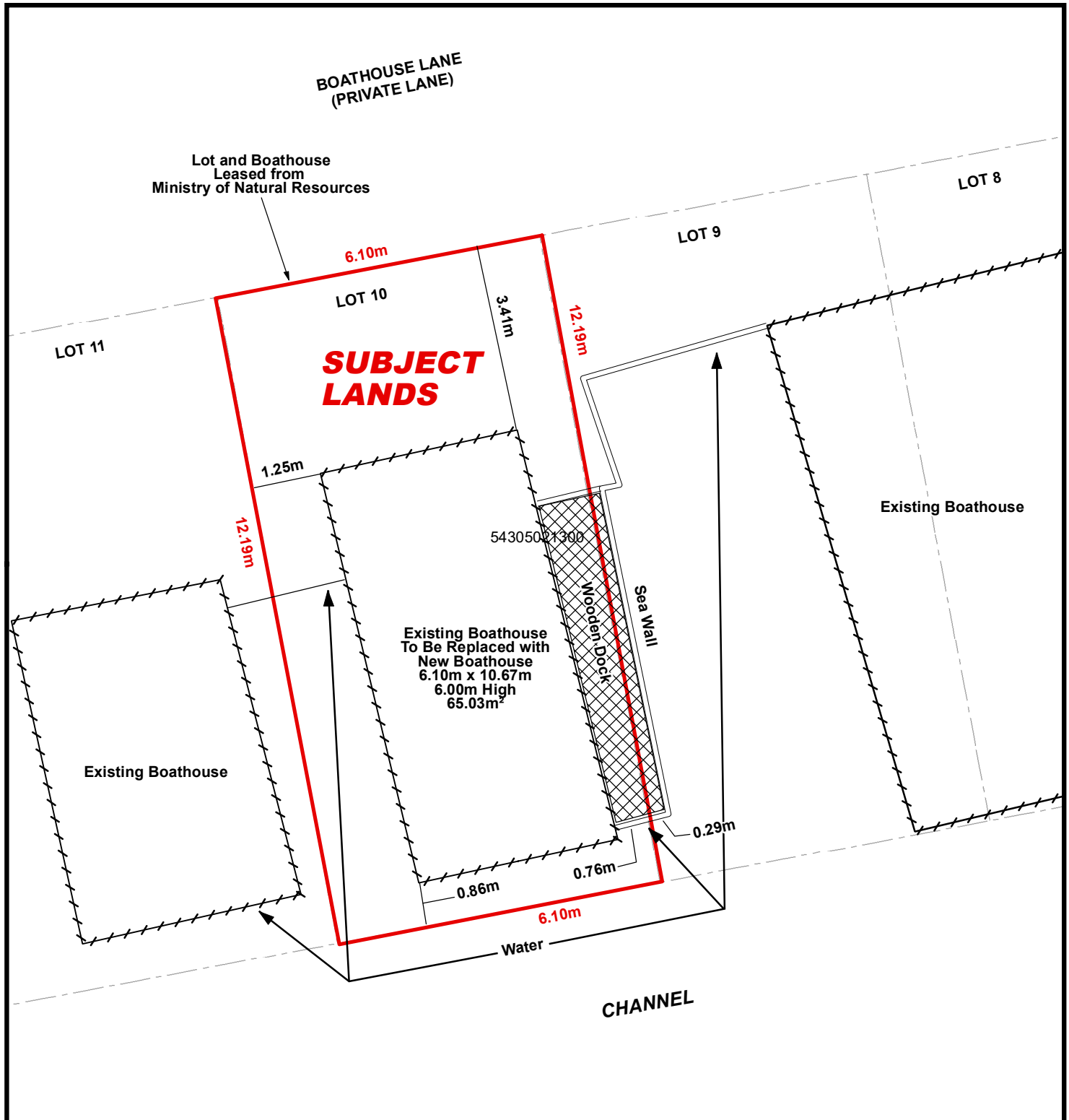
File Number: ANPL2019160

Geographic Township of SOUTH WALSINGHAM



0.5 1 1.5 2 Meters

1:100

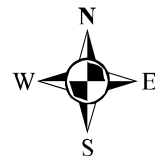




# LOCATION OF LANDS AFFECTED

File Number: ANPL2019160

Geographic Township of SOUTH WALSLINGHAM



0.5 1 1.5 2 Meters

1:100

