



**Report** Reconsideration of the Closure of the Bass Lake Public Access Points

**Date** **Wednesday, June 7, 2023**

**From** **Niall Loble, Acting CAO/Director of Community Services & Operations**

### **Memo Report**

This document and its attachments are public and available in an accessible format upon request.

### **Analysis**

At Council on May 10<sup>th</sup>, 2023, a public delegation was received in respect to two public accesses to Bass Lake, that historically provided for a public access between Lakeview Drive and Bass Lake via a set or/sets of steps.

Through the development of Bass Lake, two narrow parcels of land were deeded to the Township, each approximately 6m wide by 35m deep that connect the road allowance owned by the Municipality and the shoreline allowance around Bass Lake.

It appears that these accesses were deeded to support access to the lake shoreline allowance by the Township; it is not clear whether these were deeded with the intention of public access to Bass Lake and no evidence has been found that any other private property has deeded access over these parcels to access Bass Lake. Further, no municipal infrastructure is located on these parcels.

In addition to these two accesses, two unopened road allowances historically have provided access to the lake shore:

- North Bass Road unopened road allowance once connected between Grey Road 17 and the shore. This road allowance was stopped up and conveyed by bylaw. This request was made in 2012 initially and was supported by bylaw in 2015.

#### **Attachments:**

- TR026-2012 North Bass Lake Road



- By-Law No 64-2015
  - South Bass Lake Road unopened road allowance connects on the east side of the lake and is the continuation on the east side of Bass Lake of the North Bass Lake Road, previously closed.

All three accesses (South Bass Lake unopened road allowance and the two accesses), present physical challenges for use as an access. All three access points encounter steep slopes and significant steep drops.

It does not appear that any works to facilitate access on the unopened road allowance of South Bass Lake Road were ever implemented.

At some point, wooden steps were built on one or both accesses from Lakeview to enable access down the cliff and to the shoreline. Some of these steps were designed and installed by the municipality initially, though were later amended and added to by persons unknown. The steps appear to have lacked regular maintenance after their initial installation, however, in 2007 direction was provided for staff to bring these steps to meet current Building Code standards:

Attachments:

- Bass Lake Stairs Report to Property and Recreation Committee, and Motion R80-2007

It appears that the later inspection report only related to steps on the western most of the two municipally owned access, adjacent to 139 Lakeview; it is not clear if the steps built on the more easterly access (between 111 and 119 Lakeview) were municipally constructed or maintained. Staff understand that there were once steps facilitating access to the shore on this access, but it is not clear who installed these or when, or who removed these and when they were removed.

In 2015, staff responded to concerns around the condition of these steps (on the eastern most access, adjacent to 139 Lakeview). As a result of inspection, these were blocked off and subsequently removed as they presented a concern to public safety. No new steps or means of access have been established since the steps were removed.

Attachments:



- CBO Report on Bass Lake Stairs
- September 14, 2015, Recreation and Property Minutes
- May 10, 2017, Council Minutes

There was correspondence with respect to this decision, reflecting that the lake access point had been commonly in use by residents of Lakeview Drive.

Attachments:

- April 2016 Minutes
- Closure of Bass Lake Steps
- May 19<sup>th</sup> Minutes

In 2019, as a result of two resident concerns regarding continued use of these accesses leading to trespass to private property and disturbance to property owners, reports OPS2019-05 recommended that road allowances accessing Bass Lake be closed and stopped up. It is noted that this report appears to have included the road allowance (South Bass Lake Road unopened road allowance), and the two access points, though these are not in fact, road allowances.

Attachments:

- OPS2019-05 presented to the Operations Committee in January 2019

During the further discussion of this report at the January 16<sup>th</sup> Committee of the Whole Meeting, an amended motion was tabled, that would have added to the closure of the road allowances (which, it is presumed, include the two accesses), the conveyance of these to an owner other than the municipality.

This motion was defeated.

An additional amendment to the motion was then tabled, that directed no further action in regard to the road allowances.

This motion was supported.

Attachments

- Committee of the Whole Minutes January 16<sup>th</sup> 2019
- Council Minutes January 23<sup>rd</sup> 2019



As staff understand it, this means that public access remains open at this time via both accesses from Lakeview Drive, and the unopened section of South Bass Lake Road, but that no municipal infrastructure remains in place to support this.

Staff believe that this is contrary to resident and public understanding.

In May 2023, a delegation to Council from a Lakeside Drive property owner supported by other residents of Lakeview Drive, was made to Council asking that the former closure of these accesses be reconsidered. This request has generated further community dialogue with residents sharing views both in support and contrary to public access.

A Motion to Reconsider is being brought before Council on June 7<sup>th</sup>, 2023. If this motion is supported, staff may then be directed to bring back a future recommendation and supporting information that may consider maintaining the accesses as open for use or amending this position. If the motion to reconsider is defeated, then the accesses will remain as they currently are, open for public use (noting that in both cases, physical public access is not currently possible given the terrain at both locations).

### **Financial Impact**

None at this time.

### **Strategic Priorities**

N/A

**Respectfully Submitted: Niall Loble, Acting CAO/Director of Community Services & Operations**