



## Planning Council - Minutes Tuesday, April 26, 2016 at 5:00 PM

Those in attendance were:

### Members of Council

Mayor Donaldson  
Councillor Colhoun  
Councillor Cairns  
Councillor Eiter  
Councillor Jorgensen  
Councillor Kelly  
Councillor Lorenz  
Councillor Pilger  
Councillor Watson

### Staff

S. Lucas                      Director of Development Services  
K. Thibeault                Director of Legislative Services / Clerk  
K. Kirton                     Manager of Planning Services  
A. Jones                      Chief Building Official

### A      **Closed Session**

### B      **Adoption of Agenda**

The agenda was amended to remove the proposed closed session discussion (sale of municipal property). Council agreed to add four deputation requests – Greg Break and Allison Durocher from Cottage Country Steel Docks, Randy Wicks from Wicks Construction Ltd., Arnie Coulson from Coulson's Scow Service and Ron Sclater all regarding Glen Echo Landing. Later in the meeting, Council agreed to add three additional deputations regarding Glen Echo from Karlan Stoddard, Fred Dwyer and James Mumby.

Moved by Councillor Pilger  
Seconded by Councillor Lorenz

**#72 BE IT RESOLVED THAT** the Council agenda as presented on April 26, 2016 be approved as amended.

**CARRIED**

### C      **Disclosure of Pecuniary Interest**

Councillor Lorenz declared a conflict of pecuniary interest with Public Meeting and the associated by-law for ZA 08-2016 for personal reasons. Later in the meeting Councillor Pilger declared a conflict of pecuniary interest for the same application and associated by-law for business reasons.

## **D Public Meetings**

### 1. ZA 04-2016 (JD Development Group - Steamship Bay Rd.) Report No. DEV 2016-19

The Manager of Planning Services provided a review of the report. Comments were received from Emergency Planning, Union Gas, District of Muskoka, Building department and the Fire department. 19 letters of objection were received from the public including the topics of high density, deviations from the original Wharf Master Plan, applicant does not own the subject property, equal opportunity for purchase, not in character of the architectural style of the surrounding developments, height will obstruct views and create related shadows, unit sizes are too small, do not permit townhouses, construction deficiencies in neighbouring structures, insufficient parking, intensified parking issues during special events, snow storage and removal, fire safety, green space, visual impact of the area, overpopulation, traffic congestion, proximity to Steamship Bay Rd., impact to property values and enjoyment for adjacent owners and incomplete development.

The Director of Development Services clarified components of the application. As the specifications in the application relate to procurement of additional property, staff recommended deferral of the application.

Wayne Simpson from Wayne Simpson and Associates, agent for the applicant, provided a review of the application and identified that further site plan approval is still required. Comments were made regarding height increases, units proposed including size and numbers, economics of the development and architectural design justifications. Mr. Simpson identified that the applicant would support the deferral.

Frank Jaglowitz, resident, provided comments regarding character of the existing buildings, ownership of the lands and developments including previous agreements, setbacks from Steamship Bay Rd., parking constraints, land currently owned by the municipality, compliance with the Wharf Master Plan, use of public space and docks, density, architectural design, consideration of an independent planning report and procedures for sale of municipal land. Mr. Jaglowitz asked Council to defer or deny the application and to provide proof of purchase of Evanco to JD Development.

Ross Statchuck, property manager and resident, provide comments regarding re-zoning processes including lands not owned by the applicant, sale of municipal property, the applicant's application and wordage provided from the planner, history of the planner, deficiencies in other facilities, size of facility, density, compatibility with the Wharf Master Plan, recent zoning amendments in contradiction with the Plan and impacts of developments.

Council requested and received information regarding the sale of land process, planning processes including future zoning amendments, compliance with the Official Plan and the legal status of the Wharf Master Plan and the nature of that document. Staff advised that the Wharf Master Plan document is a guide document and there are opportunities for amendment and that the sale of land process would be open to any interested applicants.

Council made comments regarding ongoing communication between developers and the community.

Moved by Councillor Watson, seconded by Councillor Lorenz that ZA 04-2016 (JD Development Group – Steamship Bay Rd.) be deferred. **CARRIED**

2. ZA 05-2016 (Hicks - Kahshe Lake)  
Report No. DEV 2016-20

The Manager of Planning Services provided a review of the application. Comments were received from the Building department, the Septic Inspector, Fire department, District of Muskoka and Kahshe Lake Ratepayers. Staff recommended approval of the application

Rick McCann, agent for the application, outlined the application.

There were no questions from members of the public.

Council requested and received information regarding the septic setback and classification of the boathouse.

3. ZA 07-2016 (Nelson - Muskoka Rd. S)  
Report No. DEV 2016-21

The Manager of Planning Services provided a review of the application. Comments were received from Union Gas, Emergency Planning, Building Department and the District of Muskoka. Staff recommended approval of the application.

Pater Swaneck, resident, provided a review of the application and need for the expansion.

There were no comments from members of the public or Council.

4. ZA 08-2016 (Farrow - Bay St.)  
Report No. DEV 2016-22

Having previously declared a conflict of interest for personal reasons, Councillor Lorenz left the meeting at 6:27 pm. Councillor Pilger also declared a conflict of interest for business reasons and left the room at 6:30 pm.

The Manager of Planning Services provided a review of the application. Comments were received from the Parks and Trails Technician, Fire Department, Building Department, Union Gas, Emergency Planning, District of Muskoka and the Gravenhurst Heritage Advisory Committee. Three letters of objection were received from residents including the topics of inappropriate density, drainage, parking, location for snow and waste removal, impact of property values and enjoyment of neighbouring properties and character of the community. Staff recommended approval of the application.

Sava Varadas of Plan Muskoka, agent for the application, provided an overview of the proposal and identified the reasoning for the request. Comments were supplied relating to the size and design of the building including units per floor, parking, green space, and identified flexibility with the layout.

Tyler Allair, resident, provided comments regarding the size of the lot and proposed building, negative impact on tourism operations, value to the community, high density and occupancy, current business operations, noise related to traffic, garbage, snow removal etc., impact on enjoyment of the area, esthetics of the area, existing rental units available and impact on property values.

Council requested and received information regarding the storm water management plans, heritage design plan, flexibility of the design and removal of trees. Council provided comments regarding enhanced communication from the developer with the community.

Moved by Councillor Watson, seconded by Councillor Kelly that ZA 08-2016 (Farrow – Bay St.) be deferred. **CARRIED**

5. ZA 09-2016 (Wuthmann - Bass Lake)  
Report No. DEV 2016-23

Councillors Lorenz and Pilger returned to the meeting at 7:25 pm.

The Manager of Planning Services provided a review of the application. Comments were received from the Building department, Parks and Trails Technician, District of Muskoka and the Fire department. A letter of support was received from a neighbouring property owner. Staff recommended approval of the application

Rick McCann, agent for the applicant, was available for questions.

There were no comments from members of the public.

Council requested and received information regarding a composting toilet and sewage system classifications.

6. SRC 03-2013 (Reid - Bearpaw Lake)  
Report No. DEV 2016-24

There were no comments from the applicant, members of the public or Council.

7. SRC 06-2015 (Moulton & Poirier Roswell - Riley Lake)  
Report No. DEV 2016-25

There were no comments from the applicant, members of the public or Council.

8. RC 01-2013 (Cline - North Muldrew Lake Rd.)  
Report No. DEV 2016-26

There were no comments from the applicant, members of the public or Council.

**E Deputations**

1. Joe Latham re: Glen Echo Landing

Joe Latham, resident, provided information to Council regarding historical use of Glen Echo Landing, working collaboratively with interested parties, impact of encroachments at the landing and support the report, resolution and by-laws as presented to Council.

Council discussed uses of boats onsite and at storage locations and communications with staff.

2. Greg Break and Allison Durocher from Cottage Country Steel Docks re: Glen Echo Landing

Mr. Break identified that nothing further was required to be added.

3. Randy Wicks from Wicks Construction Ltd. re: Glen Echo

Mr. Wicks provided a review of the use of Glen Echo landing and the impacts of the encroachments. He supported the documents provided by staff and offered support to conduct the works required at the site.

4. Arnie Coulson from Coulson's Scow Service re: Glen Echo

Mr. Coulson identified that landings provide essential services and outlined the importance of the Glen Echo highlighting history, safety, communication and partnerships.

5. Ron Sclater re: Glen Echo

Mr. Slater provided comments regarding the survey, communications with stakeholders and change of use at the landing. He requested the Town provide a time limit for the encroachments to be removed.

Karlan Stoddard, Fred Dwyer and James Mumby requested to be added as deputations regarding Glen Echo Landing. Council agreed to permit the addition.

6. Karlan Stoddard re: Glen Echo

Ms. Stoddard, resident, provided comments regarding history of encroachments, noise from Glen Echo landing, unauthorized boats and requested peace and quiet.

Council requested and received information regarding Town approval of fences and land surveys.

7. Fred Dwyer re: Glen Echo

Mr. Dwyer provided information regarding history of Glen Echo landing, increased use, environmental impacts, residential growth, use of commercial marinas and lack of communication. He requested Council defer any decision regarding Glen Echo to permit further communication.

Council provided a review of communications and history of Council's involvement with the area.

8. James Mumby re: Glen Echo

Mr. Mumby provided comments regarding the activity and noise at Glen Echo landing including noise outside of the permitted hours.

The Director of Development Services provided details regarding statutory notice and existing and proposed by-laws for traffic and parking control.

**F Minor Amendment Resolutions**

**G Unfinished Business**

**H New Business**

1. Heavy Vehicle Traffic/Parking at Glen Echo Road  
Report No. DEV 2016-27

The Director of Development Services provided a review of the presented report including history of Glen Echo landing, results of consultation with stakeholders and recommendations to move forward.

Council made comments regarding the stakeholder consultation, encroachments and their removals, use of neighbouring commercial marinas, public safety, access for emergency and municipal maintenance vehicles, compromises for the users and elevated traffic levels.

Moved by Councillor Eiter

Seconded by Councillor Kelly

**#73 WHEREAS** a Council resolution, dated May 12, 2015 directed staff to prepare by-laws regulating parking and heavy vehicle traffic on Glen Echo Road;

**AND WHEREAS** prior to the preparation of the by-law, staff was to commission a land

survey of the area, and to conduct additional consultation with representatives of the groups that either use, or are impacted by the landing, which has since taken place;

**AND WHEREAS** a phased approach to is appropriate in consideration of the past use of the site, improved safety and functionality of the site, and the fact that the site is not suited to accommodate a marina and associated parking facility;

**BE IT RESOLVED THAT** By law No. 93-53 (Heavy Vehicle Traffic Use Using Glen Echo Road) be amended to expand the area the By-law applies to 25 metres, as opposed to the current 5 metres;

**AND THAT** signage at the launch and along the roadway be improved to clearly identify the regulations and acceptable re-allocated parking locations;

**AND THAT** By-Law No. 2008-43 - Parking Control, be amended to prohibit vehicular parking within 25-metres of the shoreline, taking effect as of the earlier of the following two timeframes:

- January 1, 2017; or
- Upon completion of capital improvements and/or signage alteration necessary to replace the parking spots lost as a result of the prohibition.

**AND THAT** By-Law No. 2008-43 - Parking Control, be further amended to prohibit overnight parking (between the hours of 2 am and 6 am) from October 1 to May 1 on an annual basis.

## **CARRIED**

### 2. SPA 08-2016 (Renaissance Leisure Group (2004) Inc. - Muskoka Beach Rd.) Report No. DEV 2016-28

The Manager of Planning Services provided a review of the report. Staff recommended approval of the application. Representatives from Taboo Resort were available for comments or questions.

Council provided comments regarding additional public consultation efforts from the applicant and requested information regarding building schedule. The applicants identified that the schedule will depend on sales.

Moved by Councillor Watson  
Seconded by Councillor Pilger

**#74 BE IT RESOLVED THAT** application No. SPA 08-2016, submitted by Renaissance Leisure Group (2004) Inc. regarding a Site Plan Agreement Amendment for Taboo Resort, be approved.

## **CARRIED**

## I By-laws

Moved by Councillor Lorenz

Seconded by Councillor Watson

**#75 BE IT RESOLVED THAT** the following by-laws be read a first time:

- Bill No. 29 - Zoning (Hicks - Kashe Lake)
- Bill No. 30 - Zoning (Nelson - Muskoka Rd. S)
- Bill No. 31 - Zoning (Wuthmann - Bass Lake)
- Bill No. 32 - SRC (Reid - Bearpaw Lake)
- Bill No. 33 - SRC (Moulton and Poirier Roswell - Riley Lake)
- Bill No. 34 - RC (Cline - North Muldrew Lake Rd.)
- Bill No. 35 - Parking Amendments for By-law No. 2008-43
- Bill No. 36 - Heavy Vehicle Traffic - Glen Echo Rd.

### **CARRIED**

Councillor Lorenz requested Bill No. 34 RC (Cline - North Muldrew Lake Rd.) be voted separately.

Moved by Councillor Cairns, seconded by Councillor Watson that Bill No. 34 RC (Cline - North Muldrew Lake Rd.) be read a second time. **CARRIED**

Moved by Councillor Cairns

Seconded by Councillor Watson

**#76 BE IT RESOLVED THAT** the following by-laws be read a second time:

- Bill No. 29 - Zoning (Hicks - Kashe Lake)
- Bill No. 30 - Zoning (Nelson - Muskoka Rd. S)
- Bill No. 31 - Zoning (Wuthmann - Bass Lake)
- Bill No. 32 - SRC (Reid - Bearpaw Lake)
- Bill No. 33 - SRC (Moulton and Poirier Roswell - Riley Lake)
- Bill No. 34 - RC (Cline - North Muldrew Lake Rd.) **[Voted Separately]**
- Bill No. 35 - Parking Amendments for By-law No. 2008-43
- Bill No. 36 - Heavy Vehicle Traffic - Glen Echo Rd.

### **CARRIED**

Moved by Councillor Cairns

Seconded by Councillor Colhoun

**#77 BE IT RESOLVED THAT** the following by-laws be read a third and final time and engrossed into the By-law Book:

- By-law No. 2016-29 - Zoning (Hicks - Kashes Lake)
- By-law No. 2016-30 - Zoning (Nelson - Muskoka Rd. S)
- By-law No. 2016-31 - Zoning (Wuthmann - Bass Lake)
- By-law No. 2016-32 - SRC (Reid - Bearpaw Lake)

By-law No. 2016-33 - SRC (Moulton and Poirier Roswell - Riley Lake)

By-law No. 2016-34 - RC (Cline - North Muldrew Lake Rd.)

By-law No. 2016-35 - Parking Amendments for By-law No. 2008-43

By-law No. 2016-36 - Heavy Vehicle Traffic - Glen Echo Rd.

**CARRIED**

**J Adoption of Minutes**

1. Council Minutes - March 22, 2016

Moved by Councillor Colhoun

Seconded by Councillor Kelly

**#78 BE IT RESOLVED THAT** the minutes of the Council meeting dated March 22, 2016 be approved as circulated.

**CARRIED**

**K Closed Session**

**L Report from Closed Session**

**M Confirming By-law**

Moved by Councillor Watson

Seconded by Councillor Eiter

**#79 BE IT RESOLVED THAT** Bill No. 37 to confirm the Council Meeting held on April 26, 2016 be passed and numbered By-law No. 2016-37.

**CARRIED**

**N Adjournment**

Moved by Councillor Jorgensen, seconded by Councillor Eiter, the meeting adjourned at 9:05 pm.

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Clerk

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Mayor