

**GRAVENHURST COMMITTEE OF ADJUSTMENT FOR CONSENTS
AND MINOR VARIANCES**

WEDNESDAY, FEBRUARY 20, 2013 - 6:00 P.M.

**GRAVENHURST MUNICIPAL OFFICES
COUNCIL CHAMBERS**

M I N U T E S

PRESENT WERE: Committee Members
Chair Bob Colhoun
John Dowdell
Garnet Schenk
Sandi Allan

Staff: Katie Kirton, Secretary-Treasurer and Senior Planner
Jeremy Rand, Planner II
Susan Flemming, Deputy Secretary-Treasurer and Recording Secretary

1. ADOPTION OF AGENDA

Moved by Sandi Allan
Seconded by Garnet Schenk

#06 BE IT RESOLVED THAT the Agenda as presented to the Committee of Adjustment on February 20, 2013, be adopted.

CARRIED.

2. ADOPTION OF MINUTES

Moved by Sandi Allan
Seconded by Garnet Schenk

#07 BE IT RESOLVED THAT the Minutes of the Gravenhurst Committee of Adjustment meeting dated January 16, 2013, be adopted.

CARRIED.

Chair Colhoun advised that there are three Consent Applications and two Minor Variance Applications on the Agenda for Committee's consideration.

3. DISCLOSURE OF PECUNIARY INTERESTS

Nil.

4. APPLICATIONS FOR CONSENT

a) Application B/34/35/2012/GR – Carole Foley

Correspondence was received from:

- the Plans Examiner;
- the Town's Septic Inspector;
- The Parks & Trails Technician;
- the District of Muskoka ; and,
- Mark Vinson.

The Planner provided additional information relevant to the application and recommended that the application be approved.

The applicant's agent was present but did not have a presentation.

No public comments were received

Committee did not have any comments or questions.

Moved by John Dowdell

Seconded by Garnet Schenk

#08 BE IT RESOLVED THAT having had regard to the matters prescribed under Section 53(12) of The Planning Act, R.S.O. 1990, c.P.13, that Consent be granted for Application No. B/34/35/2012/GR – Carole FOLEY.

CONDITIONAL ON:

- (1) A Deed and Schedule/Certificate of Consent for the severed lot be submitted to the Secretary-Treasurer (including all rights-of-ways), along with a registered (paper) copy of the reference plan.
- (2) A digital drawing file of the reference plan, compatible with AutoCad Version 13, shall be provided to the Town. A fee per lot being created be paid, in accordance with the current Fees and Services Charges By-law, to the Town to offset the cost of maintaining the Town's digital map base.
- (3) Cash-in-lieu of parkland dedication be paid to the Town of Gravenhurst in the amount of \$782.70.
- (4) Final approval be subject to the Town of Gravenhurst confirming that the severed and retained lots are satisfactory for on-site sewage disposal and that any problems identified by the Town with any existing sewage systems be corrected to the satisfaction of the Town of Gravenhurst.
- (5) That the proposed severed parcel be added to the abutting lands to the north, and that Section 50(3) / (5) of the Planning Act, R.S.O. 1990, Chapter P.13, be applied to all future transactions within the property.

REASONS:

The application will conform with the requirements of the Gravenhurst Zoning By-law and the Gravenhurst Official Plan and will meet the requirements of all commenting agencies.

CARRIED.

b) Application B/01/02/03/2013/GR – Mark and Rosemary ARMSTRONG

Correspondence was received from:

- the Plans Examiner;
- the Town's Septic Inspector;
- The Parks & Trails Technician;
- the District of Muskoka ;
- the Emergency Planning Coordinator;
- Brian & Wilma Bailey;
- Tom & Carol Black;
- Mike & Lisa Autier;
- Gerry & Christine Tanner;
- Steve & Anne Newroth;
- Robert & Dianne Purches;
- Danny & Gail Orser;
- Bruce Pratt & Nina Davies;
- Stan & Norma Henderson;
- Tom & Gail Porter;
- Kevin Manley;
- George & Erika Harris;
- Jill & Maurice Liberty;
- Tom & Cyndi Sturge; and
- Dave & Nancy Bennett & Agi Filzmaier.

The Senior Planner provided additional information relevant to the application and recommended that the application be deferred pending additional consultation.

The agent, Steve Fahner from Northern Vision Planning, agreed that there are issues with regard to the application. Mr. Fahner explained that the applicants were not present and that his clients are willing to meet with the neighbours to discuss their concerns. Mr. Fahner also reviewed the application and how it relates to the Provincial Policy Statement, the District Official Plan, the Gravenhurst Official Plan and the Zoning By-law. The agent presented his rationale for the Committee to grant conditional approval of the application.

Brian Bailey, spoke of behalf of the neighbouring property owners.

He questioned as to why the proposal for the entire site was only revealed at this meeting. Mr. Bailey reviewed the areas of concern for the neighbours and advised that while there is an existing hook up to a single water source, the residents can attest to the low substandard water pressure. He also stated that any applications required for the business park aspect should be submitted as soon as possible in order to consider all proposals at the same time. Mr. Bailey also requested that there should be buffering between the proposed lots and the business park.

The Committee did not have any questions or comments and requested that the Deputy Secretary Treasurer read the resolution to defer the application.

Moved by Garnet Schenk
Seconded by Sandi Allan

#09 BE IT RESOLVED THAT having had regard to the matters prescribed under Section 53(12) of The Planning Act, R.S.O. 1990, c.P.13, that Consent be deferred for Application No. B/01-03/2013/GR – ARMSTRONG, Mark & Rosemary.

REASONS:

The application will not conform with the requirements of the Gravenhurst Zoning By-law and the Gravenhurst Official Plan.

DEFERRED.

c) Application B/04/2013/GR – Reinhold LORENZ

Correspondence was received from:

- The Plans Examiner;
- the Town's Septic Inspector; and,
- the Parks & Trails Technician.

The Planner provided additional information relevant to the application and recommended that the application be deferred until such time as the applicant has submitted a favourable Aquatic Impact Statement, showing docking locations on both the Severed and Retained Lots and the applicant's agent confirming that there is a building envelope located outside of the Flood Elevation (213.58m) for the Severed and Retained Lots.

The applicant did not have a presentation.

No public comments were received

Committee did not have any comments.

Moved by John Dowdell

Seconded by Sandi Allan

- #10 BE IT RESOLVED THAT** having had regard to the matters prescribed under Section 53(12) of The Planning Act, R.S.O. 1990, c.P.13, that Consent be deferred for Application No. B/04/2013/GR – LORENZ, Reinhold.

DEFERRED

5. APPLICATION FOR MINOR VARIANCES

- a) Application A/31/2012/GR – Audrey GUTH

Correspondence was received from:

- the Town's Septic Inspector;
- the Emergency Planning Coordinator; and
- Randall Steeves

The Planner provided additional information relevant to the application, and recommended that the application be deferred pending the submission of an Aquatic Impact Statement

The agent, Jennifer Elliot, presented her rationale for the Committee to grant approval of the application.

Laura Sandwell, abutting property owner advised that she would prefer that the application be deferred and is concerned about the large size of the proposed cottage being out of character with other cottages in the neighbourhood.

Sandi Allan left the meeting at 6:58 p.m. during Ms. Sandwell's presentation.

Ms Sandwell also expressed her concern about the reduced side yard setback and safety issues with the parking lot and dock.

The Planner highlighted the fact the Applicant had scaled down their original proposal and agreed to restrict the maximum shoreline development area to 60.0 square metres, instead of the permitted 138.0 square metres.

The Committee requested to view the aerial maps and again and questioned the Planner regarding the dock size and location.

Moved by John Dowdell
Seconded by Garnet Schenk

- #11 BE IT RESOLVED THAT** Application No. A/31/2012/GR – Audrey GUTH, be deferred.

DEFERRED.

- b) Application A/02/2013/GR – Ian & Carolyn RACE

Correspondence was received from:

- the Town's Septic Inspector;
- the Kahshe Lake Ratepayers Association;
- Bill Walsh and Carol Darnley;
- Nancy Sutton Kehl; and
- Mary Bush

The Planner provided additional information relevant to the application, be deferred pending the submission of a report from a biologist ensuring that the existing dock would not have a negative impact on any potential sensitive Fish Habitat.

The applicant, Mr. Ian Race, advised that he had applied for a minor variance in order to recognize an existing dock that has been in place since he purchased the property 12 years ago. Mr. Race outlined his rationale for the Committee to approve the application including information from his daughter, who is a biologist. He also requested that the Committee waive the requirement for a fish habitat study, since they are not planning a new dock.

Bob Gordon, advised that he is related to the owners of the abutting property and estimated that in 2001, the dock was half of the distance into the water that it is today and that it extends in to the water approximately 32 feet.

The Committee requested that the Owner confirm the size and location of the dock.

The applicant enquired as to who would be responsible for the cost of the biologists report and the chairman indicated that the applicant would have to pay for the report.

Moved by Garnet Schenk
Seconded by John Dowdell

#12 BE IT RESOLVED THAT Application No. A/02/2013/GR – Ian & Carolyn RACE, be deferred.

DEFERRED

6. ADJOURNMENT

The motion to adjourn was moved by Garnet Schenk and seconded by John Dowdell. The meeting adjourned at 7:20 p.m.

Chair
:sf

Deputy Secretary-Treasurer