GRAVENHURST COMMITTEE OF ADJUSTMENT FOR CONSENTS AND MINOR VARIANCES

WEDNESDAY, APRIL 17, 2013 - 6:00 P.M.

GRAVENHURST MUNICIPAL OFFICES COUNCIL CHAMBERS

M I N U T E S

PRESENT WERE: Committee Members
Vice Chair Randy Jorgensen
John Dowdell
Garnet Schenk
Sandi Allan

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

- -

1. ADOPTION OF AGENDA

Moved by Garnet Schenk
Seconded by Sandi Allan

#22 BE IT RESOLVED THAT the Agenda as presented to the Committee of Adjustment on April 17, 2013, be adopted.

CARRIED.

2. ADOPTION OF MINUTES

Moved by John Dowdell
Seconded by Randy Jorgensen

#23 BE IT RESOLVED THAT the Minutes of the Gravenhurst Committee of Adjustment meeting dated March 20, 2013, be adopted.

CARRIED.

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

3. DISCLOSURE OF PECUNIARY INTERESTS

Nil.

4. APPLICATIONS FOR CONSENT

a) Application B/07/2013/GR – Larry BAXTER

Correspondence was received from:

- the Plans Examiner;
- the Town's Septic Inspector;
- the Emergency Planning Coordinator;
- the District of Muskoka; and,
- the Ministry of Transportation Ontario.

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

Tom Bunker, agent, advised he was unsure that the District Municipality of Muskoka would require as much as a 3.0 metre road widening along the top of the subject property and requested flexibility with the related proposed condition.

No public comments were received.

The Committee questioned requiring a condition to ensure the severed and benefitting lots merge, and the flexibility of the District's road widening request. The Senior Planner advised a clause will be included in the Notice of Decision to ensure merging of the parcels, and advised that the applicant or agent will be in direct contact with the District of Muskoka concerning the road widening condition and will have an opportunity at that time to discuss the details of the widening.

Moved by Sandi Allan
Seconded by Garnet Schenk

#24 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/07/2013/GR – Larry BAXTER.

(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) A 3 metre road widening across the frontage of the severed and retained parcles be dedicated to the District of Muskoka.

(4) The lands be subject to an Agreement with the District of Muskoka pursuant to Section 51(26) of the Planning Act, R.S.O. 1990, as amended, respecting the location of wells in relation to the Muskoka Road.

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/08/2013/GR – Timothy and Donna Lee COLES

Correspondence was received from:

- the Plans Examiner;
- the Emergency Planning Coordinator; and,
- the District of Muskoka.

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

The applicants were present.

No public comments were received.

The Committee questioned the ability of the severed lot to be developed with a single detached dwelling, and the location of the existing driveway in relation to the proposed severed lot. The Planner confirmed that the severed lot will meet the requirements of the zoning By-law in order for development to proceed. Tim Coles advised there are two entrances on the severed lot, connected by one driveway.

Moved by Garnet Schenk
Seconded by Sandi Allan

#25 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/08/2013/GR – Timothy and Donna Lee COLES.

(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 $233.18.

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.

5. APPLICATION FOR MINOR VARIANCES

a) Application A/07/2013/GR – Douglas and Ann TANNER

Correspondence was received from:

- the Plans Examiner;
- the Town's Septic Inspector;
- the Emergency Planning Coordinator;
- Veridian Connections;
- Alan Hills;
- George Karasmanis; and
- Greg Martin.

The Planner provided additional information relevant to the application, and recommended that the application be deferred in order to re-circulate the Notice of Public Hearing.

Doug Murray, agent, advised that both he and the applicants would appreciate the application proceeding. The Notice did not mention the request for an increased height, however, Douglas Tanner has spoken to his neighbors about the proposed height. The neighbors are aware that the existing garage will be demolished and a larger garage built in its place. The increase to size will be towards the interior of the lot, away from the closest neighbor. The sleeping cabin has been on the property for some time. The Planner confirmed that two items were omitted from the Notice of Public Hearing: the proposed height of the garage and recognition of the existing sleeping cabin.

No public comments were received.

The Committee questioned the design of the proposed garage seeming to include habitable space and whether habitable space is permitted. Mr. Murray advised that the design will not include habitable space. Storage, a sliding door, and a balcony are proposed above the

garage. The balcony will have a removeable railing to more easily store canoes, etc.

The Committee requested further detail concerning a second storey, and the implications of the application proceeding without notice of the additional items. The Planner advised that additional regulations are in place to prevent the construction of a second storey. With respect to notice requirements, should the Committee choose to approve the application, the decision could be appealed on the grounds that insufficient notice was given.

The Senior Planner advised that a condition could be added to a decision to prohibit habitable space in the area above the garage. Sandi Allan moved that the resolution be amended to include such a condition. John Dowdell seconded the motion.

Moved by Garnet Schenk
Seconded by Sandi Allan

#26 **BE IT RESOLVED THAT** Application No. A/07/2013/GR – Douglas and Ann TANNER, be deferred in order that the Notice of Public Hearing may be re-circulated.

LOST.

Moved by Garnet Schenk
Seconded by Sandi Allan

#27 **BE IT RESOLVED THAT** Application No. A/07/2013/GR – Douglas and Ann TANNER, be approved and that the necessary Notice of Decision be prepared conditional upon no habitable space being permitted in the garage.

CARRIED.

b) <u>Application A/08/2013/GR – Robert and Jaroslaw POLKOWSKI, Alicja PIENKOWSKI, and Piotr SALUS</u>

Correspondence was received from:

- the Plans Examiner;
- Emergency Planning Coordinator; and,
- Veridian Connections.

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

The applicants were present.

No public comments were received.

The Committee had no comments or questions.

Moved by John Dowdell
Seconded by Garnet Schenk

#28 BE IT RESOLVED THAT Application No. A/08/2013/GR – Robert and Jaroslaw POLKOWSKI, Alicja PIENKOWSKI, and Piotr SALUS, be approved and that the necessary Notice of Decision be prepared, conditional upon the attic space being used for storage only and not for human habitation.

CARRIED.

c) Application A/09/2013/GR – Helene KORN

Correspondence was received from:

- the Plans Examiner;
- the Town's Septic Inspector;
- the Emergency Planning Coordinator; and,
- Veridian Connections;

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

Rick McCann, agent, was present.

No public comments were received.

The Committee had no comments or questions.

Moved by Sandi Allan
Seconded by Garnet Schenk

#29 BE IT RESOLVED THAT Application No. A/09/2013/GR – Helene KORN, be approved and that the necessary Notice of Decision be prepared conditional upon the applicant entering into a Site Plan Agreement with the Town.

CARRIED.

d) Application A/010/2013/GR – Pegi and Norman RAPPAPORT

Correspondence was received from:

- the Plans Examiner;
- Town's Septic Inspector;
- the Emergency Planning Coordinator and,
- Veridian Connections;

The Senior Planner provided additional information relevant to the application, and

recommended that the application be conditionally approved.

The applicants were present. Pegi Rappaport advised that no issues are anticipated for the installation of an effluent filter.

No public comments were received.

The Committee had no comments or questions.

Moved by Garnet Schenk
Seconded by John Dowdell

#30 BE IT RESOLVED THAT Application No. A/10/2013/GR – Pegi and Norman RAPPAPORT, be approved and that the necessary Notice of Decision be prepared, conditional upon the applicant entering into a Site Plan Agreement with the Municipality and retrofitting the existing septic tank with an effluent filter or applying for and installing a minimum tank size of 5,000 litres.

CARRIED.

6. ADJOURNMENT

The motion to adjourn was moved by Garnet Schenk and seconded by John Dowdell. The meeting adjourned at 6:52 p.m.

"Original Signed" "Original Signed"

Vice Chair Deputy Secretary-Treasurer

:ws