

**Minutes of  
Town of Gravenhurst  
Planning Council – April 23<sup>rd</sup>, 2013 - 4:30 p.m.**

Those in attendance were Mayor Donaldson, Councillors Cairns, Colhoun, Donoghue, Jorgensen, King and Watson.

Councillors Bratty and Lorenz had previously advised that they would be absent from the meeting.

Also in attendance were the Chief Administrative Officer D. Weldon, Director of Development Services S. Lucas, Senior Planner K. Kirton and Recording Secretary Pat Cauley.

**I. Closed Session - 4:30 p.m.**

Moved by Councillor King  
Seconded by Councillor Watson

- #76 BE IT RESOLVED THAT** the next portion of the meeting be closed to the public in order to consider personal matters about an identifiable individual including municipal or local board employees, and advice that is subject to solicitor-client privilege, including communications necessary for that purpose, pursuant to Clause 239 (2) of the Municipal Act, 2001, C.25.

On verbal motion of Councillors Donoghue and Cairns the meeting reconvened in Open Session at 4:55 p.m.

On verbal motion by Councillors Colhoun and Cairns the meeting adjourned at 4:55 p.m.

The meeting reconvened at 5:00 p.m.

**II. Adoption of Agenda**

The Mayor advised that Item numbers 2 and 5 of the Revised Agenda would be moved to Minor Amendments and that the Housekeeping Amendments would also be discussed at that time.

Council agreed.

Moved by Councillor King  
Seconded by Councillor Cairns

- #77 BE IT RESOLVED THAT** the agenda as presented to Council on April 23<sup>rd</sup>, 2013 be adopted as amended.

CARRIED.

**III. Disclosure of Pecuniary Interest**

Nil.

#### **IV. Public Meetings – 5:00 p.m.**

1. ZA02-2013 King, Bruce (Lake Muskoka)

The Senior Planner advised that notices were sent on April 2<sup>nd</sup>, 2013 and provided an explanation of the proposed rezoning.

The Senior Planner advised that the following correspondence was received.

- 1) Building Department;
- 2) Public Works;
- 3) Emergency Planning;
- 4) District of Muskoka.

Comments from the public were received from Linda McNeil, who asked for clarification on the location of the driveway.

The Senior Planner recommended that the by-law be approved.

Mayor Donaldson indicated that the by-law would be considered by Council later in the evening and explained the 20-day appeal period.

2. ZA04-2013 Palter, Gilbert, Elisa & Robert (Lake Muskoka)

The Senior Planner advised that notices were sent on April 2<sup>nd</sup>, 2013 and provided an explanation of the proposed rezoning.

The Senior Planner advised that the following correspondence was received.

- 1) Building Department;
- 2) Emergency Planning;
- 3) District of Muskoka;
- 4) Veridian Connections;
- 5) Two neighbouring property owners;
- 6) South Muskoka Lake Community Association.

Mr. Greg Corbett, agent for the applicant, was present and provided an overview of the application, reiterating that the proposed structure would be for sun/shade only and would never be closed in or used for habitable space.

No comments were received from members of the public.

Members of Council inquired about whether the colours and materials could be controlled through the Site Plan process.

The Senior Planner recommended that the by-law be denied.

Mayor Donaldson indicated that the by-law would be considered by Council later in the evening and explained the 20-day appeal period.

3. ZA05-2013 – Osborn, Glenn (Kahshe Lake)

The Senior Planner advised that notices were sent on April 2<sup>nd</sup>, 2013 and provided an explanation of the proposed rezoning.

The Senior Planner advised that the following correspondence was received.

- 1) Building Department including the Septic Inspector;
- 2) Emergency Planning;
- 3) District of Muskoka;
- 4) Kahshe Lake Ratepayers' Association.

The applicant provided an overview of the application and reasons for the request.

No comments were received from members of the public.

A brief discussion ensued regarding the size of the sleeping cabin and access to the shoreline.

The Senior Planner recommended that a portion of the by-law be approved and a portion be denied.

Mayor Donaldson indicated that the by-law would be considered by Council later in the evening and explained the 20-day appeal period.

4. ZA 2-2013 – Town of Gravenhurst (Housekeeping Amendments)

The Senior Planner advised that notices were sent on April 2<sup>nd</sup>, 2013 and provided an explanation of the proposed amendments.

The Senior Planner advised that the following correspondence was received.

- 1) Canada Post;
- 2) District of Muskoka.

Greg Corbett, representative from Planscape, requested that this amendment be deferred pending additional time for the by-law to be reviewed.

The Senior Planner recommended that the by-law as circulated be adopted.

Mayor Donaldson indicated that the by-law would be considered by Council later in the evening and explained the 20-day appeal period.

5. SRC06-2012 – Grossman, Matthew & Avra (Kahshe Lake)

The Senior Planner advised that the notice was advertised in the local newspaper, being the Gravenhurst Banner, for two consecutive weeks commencing April 03, 2013 in accordance with the Municipal Act, 2001 and the Town's Procedural By-law.

The applicants were not present at the meeting.

Rick Hunter, agent for the applicant, was available to answer any questions.

6. SRC07-2012 – Winterburn, Mark & Kelly (Riley Lake)

The Senior Planner advised that the notice was advertised in the local newspaper, being the Gravenhurst Banner, for two consecutive weeks commencing April 10, 2013 in accordance with the Municipal Act, 2001 and the Town's Procedural By-law.

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

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

**V. Deputations/Delegations**

1. Sandi Allen re: Client Purchase of Original Shore Road Allowance

Ms. Allen advised that her client was interested in purchasing the shore road allowance abutting his property but would like Council to consider an alternate method of calculating the fee as the current method would cost approximately \$150,000.00.

2. Rick Hunter and Carol Darnley re: Darnley Zoning Amendment Application

Mr. Hunter and Ms. Darnley highlighted the information that had been circulated with the agenda and explained the reason for not wanting to build at the back of the property, including the steep topography, need to relocate the septic bed and that the natural vegetation would be disturbed. They further indicated that the suggested location would be significantly more expensive. Mr. Hunter explained that placing the addition where they were proposing, would allow the structure to be incorporated into the existing rock hill crop and no vegetation would have to be removed.

**VI. Minor Amendment Resolution**

1. Darnley/Housekeeping Amendment/Osborn/Palter

A lengthy discussion ensued with regard to the procedures relating to implementing specific proposals on the various properties in question.

Moved by Councillor Watson

Seconded by Councillor Donoghue

**#78 WHEREAS** Council has conducted a Public Meeting in accordance with the provisions of Section 34 of the Planning Act regarding a Proposed Zoning By-law for the Town of Gravenhurst (Darnley, Application No. ZA 35-2012; Housekeeping Amendment, Application No. ZA 08-2013; Osborn, Application No. ZA 05-2013; and Palter, Application No. ZA 04-2013).

**AND WHEREAS** it has been deemed necessary to incorporate further amendments to the Proposed Zoning By-law;

**AND WHEREAS** all amendments have now been incorporated into the Proposed By-law;

**AND WHEREAS** Section 34(17) of the Planning Act, R.S.O. 1990, Chapter P.13 provides that Council may determine whether further notice is to be given where a change is made to the Proposed By-law;

**NOW THEREFORE BE IT RESOLVED THAT** Council, after due consideration of the Proposed By-law and amendments thereto, concludes that the amendments are of such minor nature that no further notice need be given with respect to the Proposed By-law.

CARRIED

**VII. Unfinished Business**  
Nil.

**VIII. New Business**

1. Proposal for Alternative Original Shore Road Allowance Cost Calculation Measurement

The Director of Development Services summarized the report and the recommendation.

A lengthy discussion ensued with staff requested to bring back a report including recommendations and options for calculating costs.

2. Indemnification of Members of Council, Local Boards, Volunteers and Employees

The Chief Administrative Officer highlighted the report that had been circulated.

Clarification was requested on the types of outside activities members of Council could be involved in and whether coverage was available.

3. Appointing Municipal Law Officers

Received.

**IX. By-laws**

It was requested that the by-laws for King, Palter and Osborn be considered separately. Councillor King declared a pecuniary interest with regard to the Housekeeping Amendments.

Moved by Councillor Jorgensen  
Seconded by Councillor Cairns

**#79 BE IT RESOLVED THAT** the following by-laws be received and read a first time.

- |             |                                                           |
|-------------|-----------------------------------------------------------|
| Bill No. 40 | Zoning By-law (King)                                      |
| Bill No. 41 | Zoning By-law (Palter)                                    |
| Bill No. 42 | Zoning By-law (Osborn)                                    |
| Bill No. 44 | To Close a Shore Road Allowance (Grossman – Kahshe Lake)  |
| Bill No. 45 | To Close a Shore Road Allowance (Winterburn – Riley Lake) |

Bill No. 46 To Indemnify Council Members and Employees Against Certain Pecuniary Loss  
or Liability

Bill No. 47 Appointing By-law Students

CARRIED.

Moved by Councillor Watson  
Seconded by Councillor Cairns

**#80 BE IT RESOLVED THAT** the following by-law be read a first time.

Bill No. 43 Zoning By-law (Town of Gravenhurst – Housekeeping Amendments)

CARRIED

Moved by Councillor Donoghue  
Seconded by Councillor Cairns

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

Bill No. 102 Zoning By-law (Darnley)(2012)

Bill No. 34 Site Plan Control By-law

Bill No. 40 Zoning By-law (King)

Bill No. 41 Zoning By-law (Palter)

Bill No. 42 Zoning By-law (Osborn)

Bill No. 44 To Close a Shore Road Allowance (Grossman – Kahshe Lake)

Bill No. 45 To Close a Shore Road Allowance (Winterburn – Riley Lake)

Bill No. 46 To Indemnify Council Members and Employees Against Certain Pecuniary Loss  
or Liability

Bill No. 47 Appointing By-law Students

CARRIED.

Moved by Councillor Watson  
Seconded by Councillor Cairns

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

Bill No. 43 Zoning By-law (Town of Gravenhurst – Housekeeping Amendments)

Having previously declared a pecuniary interest Councillor King refrained from voting.

DEFERRED

Moved by Councillor Donoghue  
Seconded by Councillor Cairns

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

By-law No. 2013-39

Zoning By-law (Darnley)

By-law No. 2013-40	Zoning By-law (King)
By-law No. 2013-41	Zoning By-law (Palter)
By-law No. 2013-42	Zoning By-law (Osborn)
By-law No. 2013-43	To Close a Shore Road Allowance (Grossman – Kahshe Lake)
By-law No. 2013-44	To Close a Shore Road Allowance (Winterburn – Riley Lake)
By-law No. 2013-45	To Indemnify Council Members and Employees Against Certain Pecuniary Loss or Liability
By-law No. 2013-46	Appointing By-law Students

CARRIED.

**X. Adoption of Minutes**

March 26<sup>th</sup>, 2013

Moved by Councillor Donoghue  
Seconded by Councillor Colhoun

**#84 BE IT RESOLVED THAT** the minutes of the Council meeting of March 26<sup>th</sup>, 2013 be adopted as circulated.

CARRIED.

**XI. Closed Session**

Nil.

**XII. Report from Closed Session**

Mayor Donaldson advised that a Closed Session had been held at the end of the previous Planning Council Meeting which resulted in changes at the Opera House. She further advised that a Closed Session had been held prior to this evening's meeting with nothing to report.

**XIII. Confirming By-law**

Moved by Councillor King  
Seconded by Councillor Watson

**#85 BE IT RESOLVED THAT** Bill No. 48 to confirm the Council Meeting held on April 23<sup>rd</sup>, 2013 be passed and numbered By-law No. 2013-47.

CARRIED.

**XIV. Adjournment**

On verbal motion by Councillors Watson and Colhoun, the meeting adjourned at 7:50 p.m.

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Mayor

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Acting Deputy Clerk