

GRAVENHURST COMMITTEE OF ADJUSTMENT
FOR CONSENTS AND MINOR VARIANCES

******* AGENDA *******

**WEDNESDAY, APRIL 20, 2016
at 6:00 p.m. in the
Gravenhurst Municipal Office – Council Chambers**

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

WEDNESDAY, MARCH 16 - 6:00 P.M.

**GRAVENHURST MUNICIPAL OFFICES
COUNCIL CHAMBERS**

M I N U T E S

PRESENT WERE: Committee Members
Chair Bob Colhoun
Randy Jorgensen
Graeme Murray
Laura Meikle

Staff: Katie Kirton, Manager of Planning Services and Secretary-Treasurer
Susan Flemming, Recording Secretary and Deputy Secretary-Treasurer

1. ADOPTION OF AGENDA

Moved by Laura Meikle
Seconded by Randy Jorgensen

#08 BE IT RESOLVED THAT the Agenda as presented to the Committee of Adjustment on March 16, 2016, be adopted.

CARRIED.

2. ADOPTION OF MINUTES

Moved by Randy Jorgensen
Seconded by Laura Meikle

#09 BE IT RESOLVED THAT the Minutes of the Gravenhurst Committee of Adjustment meeting dated January 20, 2016, be adopted.

CARRIED.

Chair Colhoun advised that there is one Consent Application, and two Minor Variance Applications on the Agenda for Committee's consideration.

3. DISCLOSURE OF PECUNIARY INTERESTS

Nil.

4. UNFINISHED BUSINESS

The Chair announced that Committee Member John Dowdell has resigned as of March 14, 2016, and that staff will be recruiting a new member to fill his position.

5. APPLICATION FOR CONSENT

a) Application B/25/2015/GR – Patrick and Kaia FARMER

Correspondence was received from:

- The Plans Examiner;
- The Parks & Trails Technician;
- The Septic Inspector;
- The Emergency Planning Co-ordinator; and
- The District of Muskoka.

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

Rick McCann, agent, presented his rationale for approval of the application, and explained that the deficient frontage proposed for the retained parcel was as a result of a proposal to separate the properties at a natural indentation in the shoreline. Mr. McCann also requested that Committee remove the Cash-in-lieu of Parkland dedication fee since there are already two existing dwellings on the property.

No further public comments were received.

The Committee questioned if the driveway would be shown on the survey which was confirmed by the Planner. The Planner also answered questions regarding docking, fish habitat, District comments regarding potable water, the septic system and the cash-in-lieu condition. The Planner advised that the cash-in-lieu condition is permitted by the Planning Act and a Town policy and that it generally is applied to the severed lot, but in this case it will apply to the smaller retained portion. The Planner also recommended that the condition remain as part of the decision and that the funds received are used for the creation of a new park or upgrading public parkland for the public interest.

Moved by Laura Mickle

Seconded by Randy Jorgensen

#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 Granted for Application No. B/25/2015/GR – Patrick & Kaia FARMER.

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.
- (3) Cash-in-lieu of parkland dedication be paid to the Town of Gravenhurst in the amount of 5%.
- (4) The subject lands be brought into conformity with the Zoning By-law by means of the severed/retained lands being zoned for their intended use.
- (5) The applicant will obtain the necessary permits and complete the demolition and removal of the existing Dwelling and Sewage System located on severed lands.
- (6) The owner shall apply to the Town and pay all fees associated with the removal of the one foot reserve located between Tomingas Road and the subject lands;
- (7) The owner shall enter into an agreement with the Town pursuant to Section 51(26) of the Planning Act, R.S.O. 1990 to notify future owners of both the severed and retained lots that a portion of Tomingas Road is not maintained year-round by the municipality and that the owner acknowledges and understands that the municipality has no intention or obligation to extend the year-round maintained portion of the road to service the property.

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.

6. APPLICATIONS FOR MINOR VARIANCE

a) Application A/01/2016/GR – Brian LANSFIELD & Andree VIGNEAULT

Correspondence was received from:

- The Plans Examiner;
- The Director of Infrastructure;
- The Fire Prevention Officer;
- The Septic Inspector; and,
- The Emergency Planning Coordinator.

The Planner provided additional information relevant to the application, and recommended that the application be deferred pending further information from the applicant.

The agent, Rick McCann, requested that the application be deferred. He further indicated that a survey has just been completed and that the cabin is only one foot (0.3 metres) setback from side lot line not 3 metres as shown on the sketch. The application will be amended to reflect the surveyed information.

The Committee questioned if there may be additional discrepancies on the site plan and the agent replied that he has not yet seen the survey. The Planner advised that any additional non-complying items could be added to the minor variance if required, depending upon the age of the structure.

Moved by Laura Meikle
Seconded by Graeme Murray

#11 BE IT RESOLVED THAT Application No. A/01/2016/GR – Brian LANSFIELD & Andree VIGNEAULT, be deferred.

DEFERRED.

b) Application A/03/2016/GR – Terry & Amanda BEAUCHAMP

Correspondence was received from:

- The Plans Examiner;
- The Septic Inspector; and,
- The Fire Prevention Officer.

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

The Committee questioned why the garage is proposed to be located so far away from Sedore Road. The Owner replied that it was due to the required setback from the Bell easement and that they did not want it located too close to the house. He also noted that the lot is very narrow.

Moved by Randy Jorgensen
Seconded by Laura Meikle

#12 BE IT RESOLVED THAT Application No. A/03/2016/GR – Brian LANSFIELD & Andree VIGNEAULT, be approved and that the necessary Notice of Decision be prepared.


CARRIED.

7. ADJOURNMENT

The motion to adjourn was moved by Laura Meikle and seconded by Randy Jorgensen. The meeting adjourned at 6:32 p.m.

Bob Colhoun
Chair
:sf

Susan Flemming
Deputy Secretary-Treasurer

 GRAVENHURST <small>GATEWAY TO MUSKOKA</small>	THE CORPORATION OF THE TOWN OF GRAVENHURST	
	To:	Committee of Adjustment
	From:	Katie Kirton, Manager of Planning Services
	Date:	April 20th, 2016
	Subject:	B/04/2016/GR; KORN, Susan

RECOMMENDATIONS

Based on the analysis contained below, Development Services staff recommends:

THAT consent be granted, provided that the requirements of the following condition is satisfied:

- (1) A Deed and/or 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.

PURPOSE

The purpose of this report is to provide background information and recommendations related to Consent Application B/04/2016/GR.

The application was submitted in order to establish a utility easement in favour of Bell Canada on lands municipally known as 1303 South Kabshe Lake Road. The underground cables are existing and no additional development or site alteration would be required as a result of this application. A location map and Schedule are attached.

PROPERTY INFORMATION

a) Lot Dimensions:

Lot Area: 1.3 hectares
Lot Frontage: 106.0 metres

b) Servicing:

Private water supply and private sewage system.

c) Access:

Municipally maintained road: South Kabshe Lake Road

d) Site Inspection and Characteristics:

A site inspection was conducted on March 30th, 2016 by Katie Kirton and Jeremy Rand.

e) Surrounding Land Uses:

The surrounding land uses are residential waterfront in nature.

f) Shore Road Allowance:

Owned.

ANALYSIS & OPTIONS

Staff has reviewed and analyzed the application against the following planning documentation, policies and regulations in preparing a recommendation.

Provincial Policy Statement

The application, as submitted, is consistent with the Provincial Policy Statement.

Official Plan Policies

The property is designated *Natural Heritage Area*, as identified in the Town of Gravenhurst Official Plan.

Staff are of the opinion that the application meets the intent and policies of the Town of Gravenhurst Official Plan as the underground cables for the Bell Easement are existing. No additional development or site alteration is required for this application.

Zoning By-law 10-04

Current Zoning: Environmental Protection (EP)

The Consent Application B/04/2016/GR meets the requirements of Zoning By-law 10-04, as amended.

CONSULTATION

The subject property has been posted. Additionally, all neighbouring property owners within 60.0 metres of the subject lands and appropriate agencies have been circulated for comment, as per the requirements of the Planning Act, R.S.O. 1990 as amended.

COMMUNICATIONS PLAN

Notification has been provided and a Public Hearing has been scheduled in accordance with the Planning Act, R.S.O. 1990, as amended.

ATTACHMENTS

1. Key Map
2. Site Plan

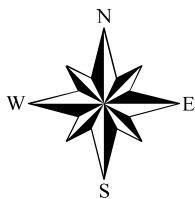
RESPECTFULLY SUBMITTED BY:

Author: Katie Kirton, Manager of Planning Services

Approved by: Scott Lucas, Director of Development Services

KK:cw

KEY MAP



0 40 80 160 240 320
Metres
1:5,000

Proposed Consent Application B/04/2016/GR
KORN, Susan
Part of Lot 11, Concession 7 (Kahshe Lake)
in the former Township of Morrison
now in the Town of Gravenhurst
District Municipality of Muskoka
Being Parts 1 to 9, Plan 35R-16359
Municipally known as 1303 South Kahshe Lake Rd.
Roll No. 030-017-03003

SCHEDULE

Proposed Consent
Application No. B/04/2016/GR
KORN, Susan
Part of Lot 11, Concession 7 (Kahshe Lake)
in the former Township of Morrison
now in the Town of Gravenhurst
District Municipality of Muskoka
Being Parts 1 to 9, Plan 35R-16359
municipally known as 1303 South Kahshe Lake Road
Roll No. 030-017-03003

Date: April 5, 2016

LEGEND

SSIB DENOTES SHORT STANDARD IRON BAR (0.025mX0.025mX0.60m)
IBR DENOTES IRON BAR IN ROCK
RP DENOTES ROCK POST
(PI) DENOTES PLAN 35R-16359
M DENOTES FOUND SURVEY MONUMENT
(WT) DENOTES WITNESS MONUMENT
(IA) DENOTES MONUMENT WITH INACCESSIBLE MARKINGS
HBP DENOTES HYDRO BELL POLE
(1390) DENOTES P. R. KITCHEN O.L.S.
(1613) DENOTES ALAN J. WROBECZ O.L.S.

WATER TABLE

RADIAL TIES TO PRESENT WATER'S EDGE FROM STATION @	
AZIMUTH	DISTANCE
26214'	34.3
26337'	25.1
26337'	31.7
26337'	28.2
26337'	30.3
26715'	23.0
27334'	22.0
28117'	21.5
28633'	20.5
28633'	19.0
30611'	20.3
31139'	22.1
31647'	22.3
31720'	24.5
32031'	25.0
32238'	29.0
32237'	29.5
32346'	30.9
32441'	30.9
32508'	28.9
32520'	28.9
32547'	28.0
32641'	30.3
32727'	30.3
32835'	37.7
32835'	37.7
33016'	37.7
33020'	37.7
33044'	37.7
33125'	37.7
33129'	37.7
33232'	37.7
33306'	37.7
33337'	37.7
33418'	37.7
33434'	37.7
33514'	37.7
33580'	37.7
33933'	37.7
34019'	37.7
34247'	37.7
34304'	37.7
34325'	37.7
34330'	37.7
34432'	37.7
34554'	37.7
34558'	37.7
34601'	37.7
34644'	37.7
34741'	37.7
34912'	37.7
34915'	37.7
35030'	37.7
35205'	37.7
35407'	37.7
35431'	37.7
35456'	37.7
35548'	37.7
35601'	37.7
35730'	37.7

MEAN COORDINATE TABLE (UTM GRID NAD83 CSRS EPOCH 2010)			
POINTNUMBER	NORTHING	EASTING	DESCRIPTION
101	4967159.526	635148.191	SSIB
103	4967178.728	635101.346	RP
198	4967274.821	635087.576	SSIB

ALL MEAN COORDINATES ARE IN METRES, ARE RELATED TO UTM ZONE 17 (81°00'W LONGITUDE) NAD83 CSRS AND HAVE A RELATIVE ACCURACY TO MEET THE REQUIREMENTS OF (RURAL) AREA AT A 95% CONFIDENCE LEVEL.
THE COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH THE CORNERS OR BOUNDARIES SHOWN ON THE PLAN.

PLAN 35R-25014

RECEIVED AND DEPOSITED

DATED: JANUARY 14, 2016

"CONNIE CHASSIE"

REPRESENTATIVE FOR THE LAND REGISTRAR FOR THE LAND TITLES DIVISION OF MUSKOKA (35).

I REQUIRE THIS PLAN TO BE DEPOSITED UNDER THE LAND TITLES ACT

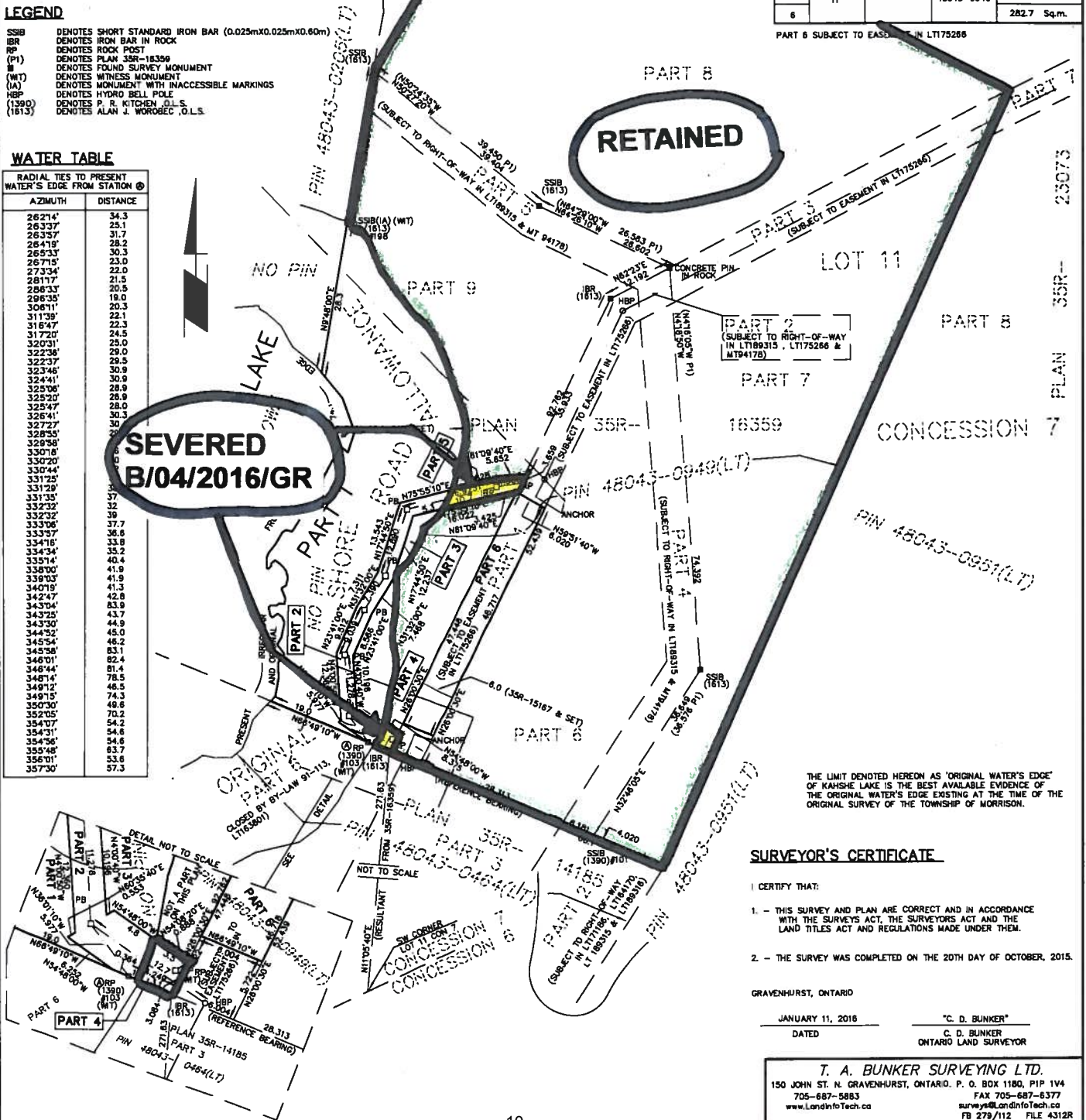
DATED: JANUARY 11, 2016

"C. D. BUNKER"

C. D. BUNKER

PART	LOT	CONCESSION	PIN	AREA
1	PART OF THE ORIGINAL SHORE ROAD ALLOWANCE IN FRONT OF LOT 11 CONCESSION 7			1457.0 Sq.m.
2				189.5 Sq.m.
3				161.2 Sq.m.
4				11.0 Sq.m.
5	PART OF 11	7	PART OF 48043-0949	41.9 Sq.m.
6				282.7 Sq.m.

PART 5 SUBJECT TO EASEMENT IN LTI75286



THE LIMIT DENOTED HEREON AS 'ORIGINAL WATER'S EDGE' OF KAHSHE LAKE IS THE BEST AVAILABLE EVIDENCE OF THE ORIGINAL WATER'S EDGE EXISTING AT THE TIME OF THE ORIGINAL SURVEY OF THE TOWNSHIP OF MORRISON.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT AND THE LAND TITLES ACT AND REGULATIONS MADE UNDER THEM.
- THE SURVEY WAS COMPLETED ON THE 20TH DAY OF OCTOBER, 2015.

GRAVENHURST, ONTARIO

JANUARY 11, 2016


DATED

"C. D. BUNKER"

C. D. BUNKER
ONTARIO LAND SURVEYOR

T. A. BUNKER SURVEYING LTD.

150 JOHN ST. N. GRAVENHURST, ONTARIO. P. O. BOX 1180, PIP 1V4
705-687-5883 FAX 705-687-6377
www.LandInfoTech.ca surveys@LandInfoTech.ca
FB 279/112 FILE 4312R

 GRAVENHURST <small>GATEWAY TO MUSKOKA</small>	THE CORPORATION OF THE TOWN OF GRAVENHURST	
	To:	Committee of Adjustment
	From:	Jeremy Rand, Planner II
	Date:	April 20th, 2016
	Subject:	A/01/2016/GR; LANSFIELD, Brian & VIGNEAULT, Andree

RECOMMENDATIONS

Based on the analysis contained below, Development Services staff recommends:

THAT Minor Variance Application A/01/2016/GR be approved.

PURPOSE

The purpose of this report is to provide background information and recommendations related to an amended Minor Variance Application No. A/01/2016/GR.

The application was submitted in order to facilitate the construction of a Garage and a Sleeping Cabin on the subject lands. If approved, the variance would permit the following:

- A Sleeping Cabin with a minimum Side Yard of 0.2 metres instead of the required 6.0 metres; and
- A Detached garage with a minimum Side Yard of 1.5 metres instead of the required 6.0 metres.

A location map and sketch are attached.

PROPERTY INFORMATION

a) Lot Dimensions:

Lot Area: 0.23 hectares
Lot Frontage: 21.3 metres

b) Servicing:

Private water supply and private sewage system.

c) Access:

Privately maintained road: North Shore Drive

d) Fish Habitat:

The property is located adjacent to unidentified fish habitat. This may affect the availability of a building permit for any shoreline work on the subject lands.

e) Site Inspection and Characteristics:

A site inspection was conducted in February 2016 by Jeremy Rand and Katie Kirton.

The subject property is mainly flat and contains a Dwelling with Decking, storage structures, a Sleeping Cabin and Docking facilities. The proposed Detached Garage and Sleeping Cabin are located on the northerly property line which contains a treed buffer between the subject lands and the neighbouring property. Both of the structures subject to this application are located to the rear of the Dwelling and would not be visible from the Optimal Summer Water Level.

f) Surrounding Land Uses:

Surrounding land uses are residential waterfront in nature containing Dwellings with setbacks to the Optimal Summer Water Level that do not meet current zoning requirements.

g) Shore Road Allowance:

Owned by the applicant.

ANALYSIS & OPTIONS

The original application was heard by the Committee of Adjustment on March 16th, 2016 and was deferred pending surveyed information on the location of existing structures. The applicant has submitted surveyed information which shows that the Sleeping Cabin is located 0.2 metres from the side lot line rather than 3.0 metres as was originally requested. The application has been amended and recirculated to neighbours.

Staff has reviewed and analyzed the application against the following planning documentation, policies and regulations in preparing a recommendation.

Provincial Policy Statement

The application, as submitted, is consistent with the Provincial Policy Statement.

Official Plan Policies

The property is designated *Waterfront Area*, as identified in the Town of Gravenhurst Official Plan.

The owners have undertaken a survey of the lands to confirm the location of the structures on site. The structures subject to the application are proposed to be located at least 30.0 metres from the

Optimal Summer Water Level and do not require extensive vegetation removal. All other requirements of the zoning by-law, including Height would be complied with.

As such, staff are of the opinion that the proposal would conform to the policies of the Town's Official Plan.

Zoning By-law 10-04

Current Zoning: Residential Waterfront Zone (RW-6) subject to Special provision 588 (S588)
The proposed variance would have the effect of permitting the following:

- A Sleeping Cabin with a minimum Side Yard of 0.2 metres instead of the required 6.0 metres; and
- A Detached Garage with a minimum Side Yard of 1.5 metres instead of the required 6.0 metres.

CONSULTATION

The subject property has been posted. Additionally, all neighbouring property owners within 60.0 metres of the subject lands and appropriate agencies have been circulated for comment, as per the requirements of the Planning Act, R.S.O. 1990 as amended.

COMMUNICATIONS PLAN

Notification has been provided and a Public Hearing has been scheduled in accordance with the Planning Act, R.S.O. 1990, as amended.

ATTACHMENTS

1. Key Map
2. Schedule(s)

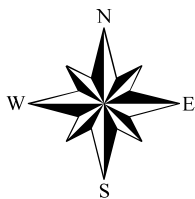
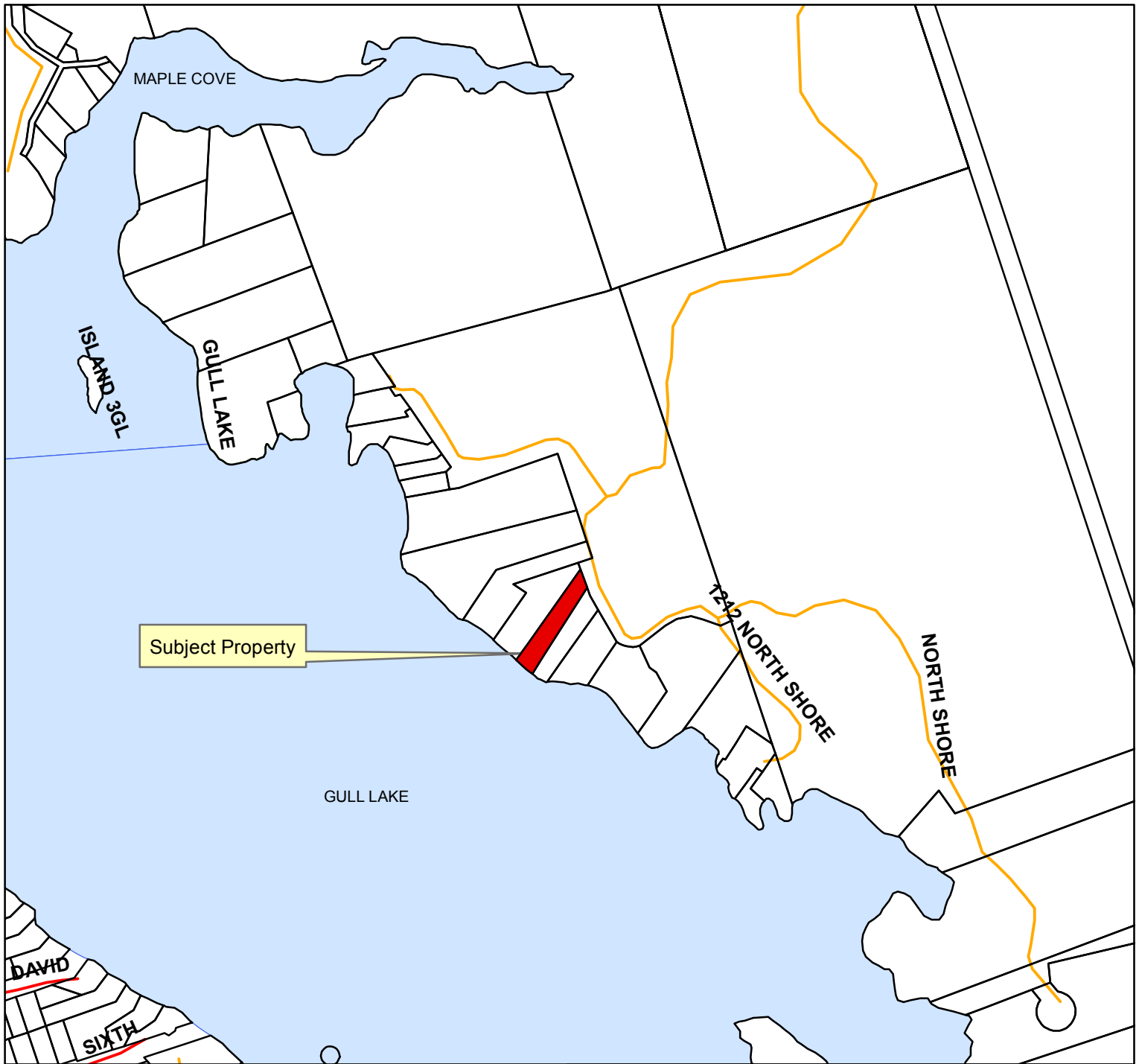
RESPECTFULLY SUBMITTED BY:

Author: Jeremy Rand, Planner II

Approved by: Katie Kirton, Manager of Planning Services

JR:cw

KEY MAP

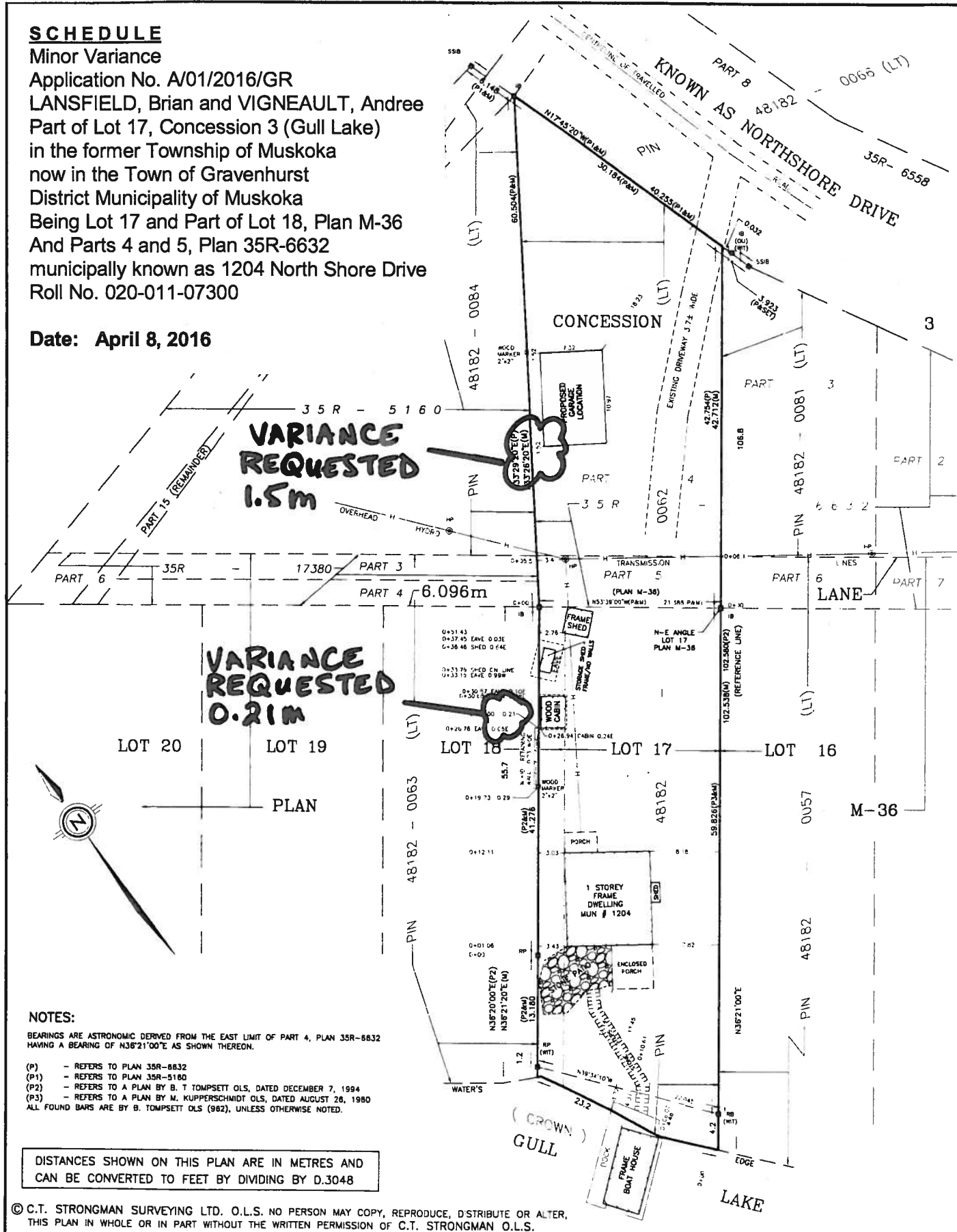


0 45 90 180 270 360
Metres
1:6,000

Minor Variance Application A/01/2016/GR
LANSFIELD, Brian and VIGNEAULT, Andree
Part of Lot 17, Concession 3 (Gull Lake)
in the former Township of Muskoka
now in the Town of Gravenhurst
District Municipality of Muskoka
Being Lot 17 and Part of Lot 18, Plan M-36
and Parts 4 and 5, Plan 35R-6632
Municipally known as 1204 North Shore Dr.
Roll No. 020-011-07300

Minor Variance

Date: April 8, 2016



C-5808

LEGEND

SSIB -DENOTES SHORT STANDARD IRON BAR
IB -DENOTES IRON BAR
RB -DENOTES ROCK BAR
RP -DENOTES ROCK POST
(M) -DENOTES MEASURED
(WIT) -DENOTES WITNESS
■ -DENOTES MONUMENT FOUND
@ -DENOTES WOOD MARKER (2"x2") PLANTED
(OU) -DENOTES ORIGIN UNKNOWN

SURVEYOR'S CERTIFICATE

1) THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, AND THE REGULATIONS MADE UNDER THEM.

2) THE SURVEY WAS COMPLETED ON THE 14th DAY OF MARCH 2016

SEVERN, ONTARIO
MARCH 24, 2016

J. C. STANTON
ONTARIO LAND SURVEYOR
CANADA LANDS SURVEYOR

**ASSOCIATION OF ONTARIO
LAND SURVEYORS
PLAN SUBMISSION FORM**

1963856



THIS PLAN IS NOT VALID
UNLESS IT IS AN EMBOSSED
ORIGINAL COPY
ISSUED BY THE SURVEYOR
In accordance with
Regulation 112H, Section 100A


C.T. STRONGMAN SURVEYING LTD.
Ontario Land Surveyors

4145 Burnside Line
Severn, Ontario L3V-0W1
Telephone (705) 329-0765
Fax (705) 329-0424
email: info@ctssurveys.ca

SEVERN – ONTARIO

AC16 File: 10332

C-5808

 GRAVENHURST <small>GATEWAY TO MUSKOKA</small>	THE CORPORATION OF THE TOWN OF GRAVENHURST	
	To:	Committee of Adjustment
	From:	Jeremy Rand, Planner II
	Date:	April 20, 2016
	Subject:	A/04/2016/GR; SUGAWARA, Fran & Zenko

RECOMMENDATIONS

Based on the analysis contained below, Development Services staff recommends:

THAT Minor Variance Application A/04/2016/GR be approved.

PURPOSE

The purpose of this report is to provide background information and recommendations related to Minor Variance Application A/04/2016/GR.

The application was submitted in order to permit a Dwelling addition. If approved, the variance would permit a Dwelling with a minimum setback to the Optimal Summer Water Level of 10.5 metres instead of the existing 13.0 metres.

A location map and sketch are attached.

PROPERTY INFORMATION

a) Lot Dimensions:

Lot Area: 0.6 hectares
Lot Frontage: 37.1 metres

b) Servicing:

Private water supply and private sewage system.

c) Access:

Municipally maintained road: Peninsula Road

d) Fish Habitat:

The property is located adjacent to unidentified fish habitat. This may affect the availability of a building permit for any shoreline work on the subject lands.

e) Site Inspection and Characteristics:

A site inspection was conducted in March 2016 by Jeremy Rand and Katie Kirton.

The subject property is developed with a Dwelling, Docking facilities, as well as a shed. The shoreline is very rocky with a large rock ridge between the Dwelling and the shoreline. The Dwelling is located on an angle to the shoreline and the area of the proposed addition is located on an existing Deck.

There is a wetland to the rear of the property that is zoned Environmental Protection Zone. The shoreline is mainly naturalized. There are a number of mature trees located between the Dwelling and the water which would reduce the visual impact of the proposed addition.

f) Surrounding Land Uses:

Surrounding uses are residential waterfront in nature on lots with similar frontages.

g) Shore Road Allowance:

Owned.

ANALYSIS & OPTIONS

Staff has reviewed and analyzed the application against the following planning documentation, policies and regulations in preparing a recommendation.

Provincial Policy Statement

The application, as submitted, is consistent with the Provincial Policy Statement.

Official Plan Policies

The property is designated *Waterfront Area* as identified in the Town of Gravenhurst Official Plan.

More specifically, the following Sections are considered to be the most notable in the review of this application. Section D 2.2 of the plan outlines policies related to the Character of the Shoreline Environment and states that:

Buildings in the Waterfront Area will be designed and constructed to blend in to the natural environment and preserve the historic architectural characteristics of the area. Council will adopt design guidelines for the Waterfront Area that will include architectural details and landscape elements that will implement these policies. The Zoning By-law implementing this Official Plan will include regulations that will:

- a) limit lot coverage within 20.0 metres of the shoreline;*

- b) require the shoreline area and 75 percent of the front 20.0 metres of the lot be maintained primarily in a natural vegetative state and prevent further encroachment into this area;*
- c) limit the height of buildings within 20.0 metres of the shoreline to mirror the natural tree line;*
- d) limit the size of marine related structures relative to the amount of shoreline frontage of the lot;*
- e) limit the size of boathouses relative to the lot area within 20.0 metres of the shoreline and the height of boathouses to one storey; and,*
- f) prevent the development of lands that are considered to be significant landscape features such as cliffs, steep slopes in excess of 40 percent, narrow channels and large areas of exposed barren rock.*

These policies shall apply to new development and redevelopment of existing lands and buildings that increase the gross floor area by 50 percent or more.

Council may consider variations to the standards in the Zoning By-law where the intent of these policies is maintained and where lesser standards would be in keeping with the character of the existing development in the area and where there are specific physical conditions on the land that warrant special consideration.

Although Section D2.2 of the Plan is only applicable to development that increase the gross floor area by 50 percent or more, it provides a good overview of the types of considerations for redevelopment on waterfront properties.

Given that the addition is located on an existing Deck and there amount of mature treed vegetation on site, the proposal would have an acceptably minimal visual when viewed from Muldrew Lake. Therefore, staff are of the opinion that the application conforms with the general intent of the Town of Gravenhurst Official Plan.

Zoning By-law 10-04

Current Zoning: Residential Waterfront Zone (RW-6C), in part and Environmental Protection Zone (EP), in part.

The proposed amending Variance would have the effect of permitting a Dwelling with a minimum Setback of 10.5 metres instead of the existing 13.0 metres, in order to facilitate the construction of a Dwelling Addition.

CONSULTATION

The subject property has been posted. Additionally, all neighbouring property owners within 60.0 metres of the subject lands and appropriate agencies have been circulated for comment, as per the requirements of the Planning Act, R.S.O. 1990 as amended.

COMMUNICATIONS PLAN

Notification has been provided and a Public Hearing has been scheduled in accordance with the Planning Act, R.S.O. 1990, as amended.

ATTACHMENTS

1. Key Map
2. Schedule(s)

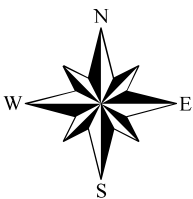
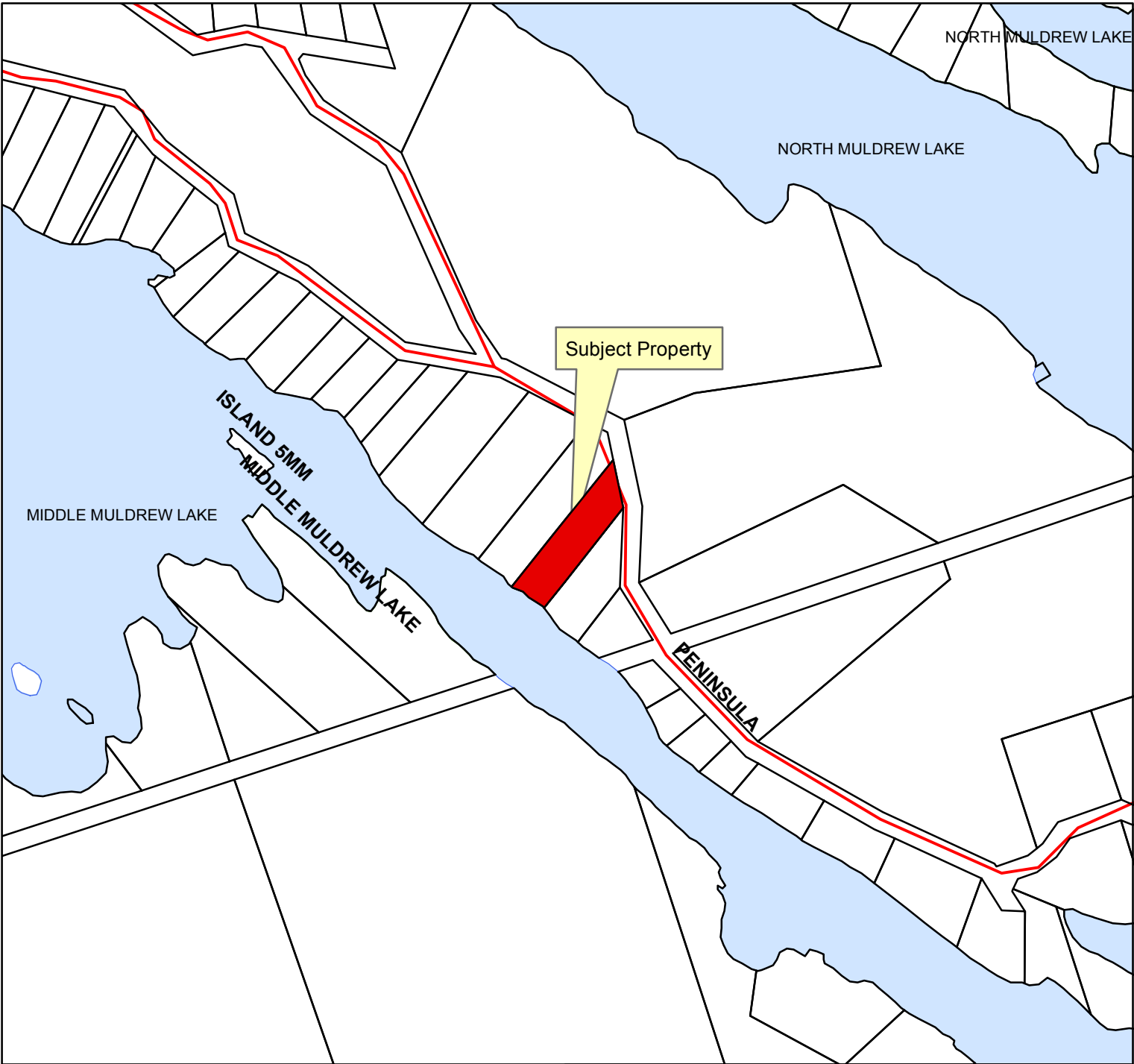
RESPECTFULLY SUBMITTED BY:

Author: Jeremy Rand, Planner II

Approved by: Katie Kirton, Manager of Planning Services

JR:cw

KEY MAP



0 50 100 200 300 400
Metres

1:6,000

Minor Variance Application A/04/2016/GR
SUGAWARA, Fran and Zenko
Part of Lots 33 and 34, Concession 3
in the former Township of Muskoka
now in the Town of Gravenhurst
District Municipality of Muskoka
Being Lot 28, Plan M-410
Municipally known as 694 Peninsula Road
Roll No. 020 023 04500

SCHEDULE

Minor Variance

Application No. A/04/2016/GR

SUGAWARA, Fran and Zenko

Part of Lots 33 and 34, Concession 3 (Muldrew Lake)

in the former Township of Muskoka

now in the Town of Gravenhurst

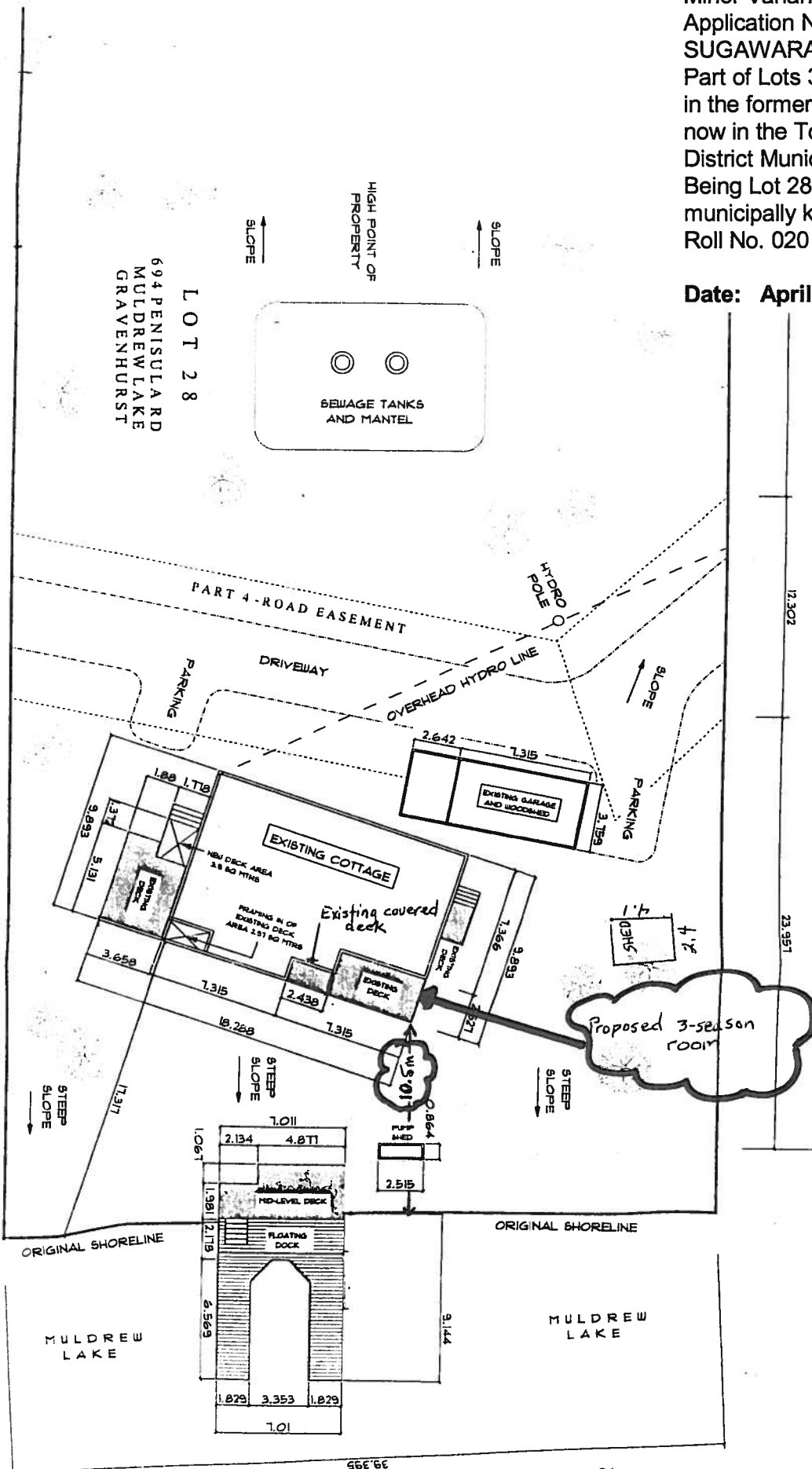
District Municipality of Muskoka


Being Lot 28, Plan M-410

municipally known as 694 Peninsula Road

Roll No. 020 023 04500

Date: April 8, 2016



 GRAVENHURST <small>GATEWAY TO MUSKOKA</small>	THE CORPORATION OF THE TOWN OF GRAVENHURST	
	To:	Committee of Adjustment
	From:	Jeremy Rand, Planner II
	Date:	April 20, 2016
	Subject:	A/05/2016/GR; OPRATKO, Thomas & Elizabeth

RECOMMENDATIONS

Based on the analysis contained below, Development Services staff recommends:

THAT Minor Variance Application A/05/2016/GR be approved subject to the following conditions being satisfied:

- That the applicant address the driveway encroachment for access to the subject lands.
- That the applicant verify that Lots 11 and 12 have merged on title.

PURPOSE

The purpose of this report is to provide background information and recommendations related to Minor Variance Application A/05/2016/GR.

The application was submitted in order to construct a Dwelling on the subject lands. If approved, the application would permit a Dwelling with a maximum Width of 18.3 metres at a Setback of 18.1 metres from the Optimal Summer Water Level where a Width of 17.6 metres is permitted.

A location map and sketch are attached.

PROPERTY INFORMATION

a) Lot Dimensions:

Lot Area: 0.3 hectares
 Lot Frontage: 60.5 metres

b) Servicing:

Private water supply and private sewage system.

c) Access:

Privately maintained road: Woodland Drive

d) Fish Habitat:

The property is located adjacent to unidentified fish habitat. This may affect the availability of a building permit for any shoreline work on the subject lands.

e) Site Inspection and Characteristics:

A site inspection was conducted on March 31, 2016 by Jeremy Rand and Katie Kirton.

The subject lands are mainly naturalized toward the rear of the property. The shoreline contains a mixture of mature treed vegetation, grass areas and rock outcropping. Much of the proposed Dwelling would be screened by this vegetation resulting in an acceptably minimal visual impact as a result of the increased width permitted.

A survey of the property shows that the driveway encroaches on the neighbouring property to the east. Staff have recommended that this encroachment be addressed prior to the Variance coming into effect.

f) Surrounding Land Uses:

Surrounding land uses are residential waterfront in nature. The property to the east is vacant except for the encroaching driveway. Properties in the area contain setbacks to the Optimal Summer Water Level that would not meet the setbacks as required in By-law 10-04. In addition, a review of aerial photography indicates that some of these properties would also not meet the maximum Width requirements.

g) Shore Road Allowance:

Owned.

ANALYSIS & OPTIONS

Staff has reviewed and analyzed the application against the following planning documentation, policies and regulations in preparing a recommendation.

Provincial Policy Statement

The application, as submitted, is consistent with the Provincial Policy Statement.

Official Plan Policies

The property is designated *Waterfront Area* as identified in the Town of Gravenhurst Official Plan.

More specifically, the following Sections are considered to be the most notable in the review of this application. Section D 2.2 of the plan outlines policies related to the Character of the Shoreline Environment and states that:

Buildings in the Waterfront Area will be designed and constructed to blend in to the natural environment and preserve the historic architectural characteristics of the area. Council will adopt design guidelines for the Waterfront Area that will include architectural details and landscape elements that will implement these policies. The Zoning By-law implementing this Official Plan will include regulations that will:

- a) limit lot coverage within 20.0 metres of the shoreline;*
- b) require the shoreline area and 75 percent of the front 20.0 metres of the lot be maintained primarily in a natural vegetative state and prevent further encroachment into this area;*
- c) limit the height of buildings within 20.0 metres of the shoreline to mirror the natural tree line;*
- d) limit the size of marine related structures relative to the amount of shoreline frontage of the lot;*
- e) limit the size of boathouses relative to the lot area within 20.0 metres of the shoreline and the height of boathouses to one storey; and,*
- f) prevent the development of lands that are considered to be significant landscape features such as cliffs, steep slopes in excess of 40 percent, narrow channels and large areas of exposed barren rock.*

These policies shall apply to new development and redevelopment of existing lands and buildings that increase the gross floor area by 50 percent or more.

Council may consider variations to the standards in the Zoning By-law where the intent of these policies is maintained and where lesser standards would be in keeping with the character of the existing development in the area and where there are specific physical conditions on the land that warrant special consideration.

Although Section D2.2 of the Plan is only applicable to developments that increase the gross floor area by 50 percent or more, it provides a good overview of the types of concerns that should be taken into consideration for all redevelopment on a waterfront property.

The applicant has submitted a drawing showing that the property is described as Lots 11 and 12. While the lots have been deemed, staff are requesting that the applicant confirm that the lots have merged on title.

That being said, staff are of the opinion that given the minimal increase in Width requested, the setback to the water in excess of 18.0 metres along with the amount of mature treed vegetation on site, that the proposal would have an acceptably minimal impact to the visual impact of Muldrew Lake.

Zoning By-law 10-04

Current Zoning: Residential Waterfront Zone (RW-6B)

The proposed amending Variance would have the effect of permitted a Dwelling with a Width of 18.3 metres at a 18.1 metres setback to the Optimal Summer Water Level instead of the permitted 17.6 metres.

CONSULTATION

The subject property has been posted. Additionally, all neighbouring property owners within 60.0 metres of the subject lands and appropriate agencies have been circulated for comment, as per the requirements of the Planning Act, R.S.O. 1990 as amended.

COMMUNICATIONS PLAN

Notification has been provided and a Public Hearing has been scheduled in accordance with the Planning Act, R.S.O. 1990, as amended.

ATTACHMENTS

1. Key Map
2. Schedule(s)

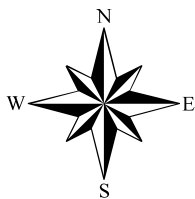
RESPECTFULLY SUBMITTED BY:

Author: Jeremy Rand, Planner II

Approved by: Katie Kirton, Manager, Planning Services

JR: ws

KEY MAP

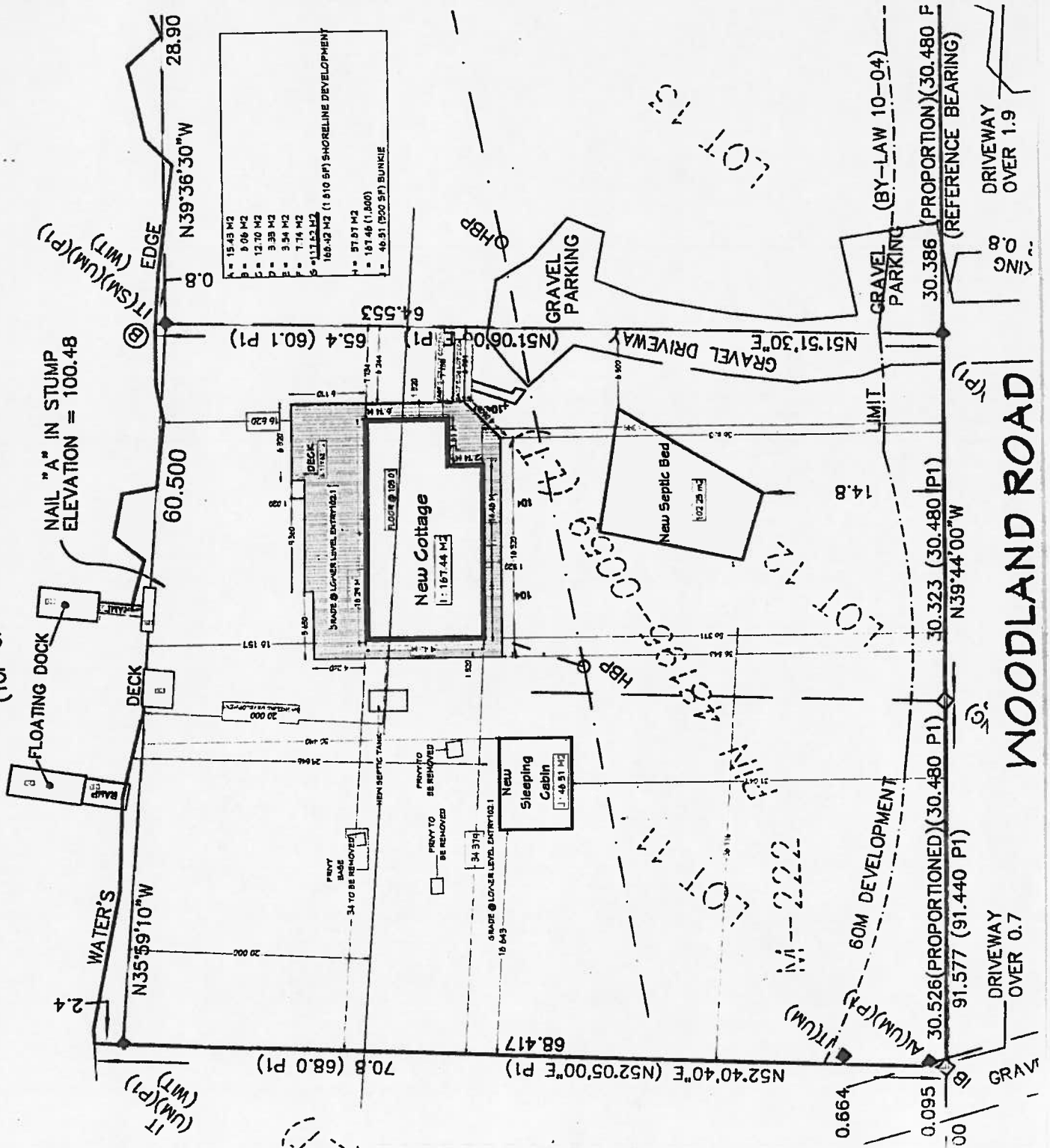


0 30 60 120 180 240
Metres
1:4,000

Minor Variance Application A/05/2016/GR
OPRATKO, Thomas and Elizabeth
Part of Lot 32, Concession 1 (Muldrew Lake)
in the former Township of Muskoka
now in the Town of Gravenhurst
District Municipality of Muskoka
Being Lots 11 and 12, Plan M-222
Municipally known as 1295 and 1297 Woodland Dr.
Roll Nos. 020-022-07800 and 020-022-07900

MULDREW LAKE

(TOP OF WATER = 100.00 APRIL 15, 2015)



SCHEDULE

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