



## Committee of Adjustment - Minutes Wednesday, January 17, 2018

Those in attendance were

### Committee Members

Randy Jorgensen, Chair  
Paul Kelly, Vice Chair  
Graeme Murray  
Garnet Schenk

### Staff

K. Kirton      Manager of Planning Services (Secretary-Treasurer)  
A. Ghikadis    Planner  
K. Orsan        Planning Technician  
W. Speicher    Recording Secretary (Deputy Secretary-Treasurer)

### Regrets

Laura Meikle

### 1. Call to Order

The Chair called the meeting to order at 5:00 p.m.

### 2. Adoption of Agenda

Moved by Paul Kelly  
Seconded by Garnet Schenk

**#1 BE IT RESOLVED THAT** the Agenda as presented to the Committee of Adjustment on January 17, 2018, be adopted.

### CARRIED

### 3. Adoption of Minutes

#### i) Minutes - Committee of Adjustment - November 15, 2017

Glen Egan spoke from the audience to express concern with the lack of detail in the November 15, 2017, draft minutes for Unfinished Business Item No. 4. a) Application No. B/12/2017/GR, Karol Kuhn.

The Chair advised the minutes have been prepared for approval by the Committee and will be considered as presented.

Moved by Paul Kelly  
Seconded by Garnet Schenk

**#2 BE IT RESOLVED THAT** the Minutes of the Gravenhurst Committee of Adjustment meeting dated November 15, 2017, be adopted.

**CARRIED**

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

**4. Disclosure of Pecuniary Interest**

None noted.

**5. Applications for Minor Variance**

i) A/42/2017/GR - 1536124 Ontario Inc.

Correspondence was received from:

- The Plans Examiner;
- The Infrastructure Technician;
- The Deputy Fire Chief; and,
- Rob Scott.

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

Steve Fahner, agent, presented rationale for approval of the application.

No comments were received from the public.

The Committee had no comments or questions.

Moved by Paul Kelly

Seconded by Graeme Murray

**#3 BE IT RESOLVED THAT** Application No. A/42/2017/GR – 1536124 Ontario Inc., be approved and that the necessary Notice of Decision be prepared.

**CARRIED**

ii) A/38/2017/GR - Muskoka Bay Villa 1 Corp.

Correspondence was received from:

- The Plans Examiner;
- The Infrastructure Technician;
- The Deputy Fire Chief;

- The Manager of Economic Development;
- The District of Muskoka;
- Canada Post;
- Veridian Connections; and,
- Union Gas.

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

Ryan Guetter, agent, distributed copies of the information packages prepared for the meeting recently held by the applicant with the residents, to inform the residents of the development proposal subject of the Minor Variance application before the Committee. He presented rationale for approval of the application.

No comments were received from the public.

The Committee questioned the agent and the Planner with regard to notice to the community, the larger building footprints permitted if development proceeded under the current Zoning By-law regulations, application of the minor variance, if approved, on the applicant's entire holdings, environmental scoping to water, entrances to the site, visibility and impact of the proposal, and servicing requirements. No concerns were identified by the Committee.

Moved by Paul Kelly

Seconded by Graeme Murray

**#4 BE IT RESOLVED THAT** Application No. A/38/2017/GR – Muskoka Bay Villa 1 Corp., be approved and that the necessary Notice of Decision be prepared.

## **CARRIED**

iii) A/39/2017/GR - Rooney, Mary

Correspondence was received from:

- The Plans Examiner;
- The Town's Septic Inspector; and,
- The Deputy Fire Chief.

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

Rudy Couture, agent, presented rationale for approval of the application. He noted the drawing had indicated a proposed height of 5.93 metres. The Committee is considering a minor variance of 5.9 metres only. Should the variance be considered for 5.93 metres? The Planner advised the Zoning By-law requires a consideration to one decimal point only, with no rounding of a calculation. Staff has no concern with the variance as presented to the

Committee.

No comments were received from the public.

The Committee had no comments or questions.

Moved by Garnet Schenk

Seconded by Graeme Murray

**#5 BE IT RESOLVED THAT** Application No. A/39/2017/GR – Mary Rooney, be approved and that the necessary Notice of Decision be prepared.

**CARRIED**

iv) A/40/2017/GR - Antolick, Stephen & Susan

Correspondence was received from:

- The Plans Examiner;
- The Infrastructure Technician;
- The Deputy Fire Chief; and,
- Union Gas.

The Planner provided additional information relevant to the application, and recommended the application be approved. With regard to comments from Union Gas, the Planner advised staff consulted with the applicants' agent who advised the applicants have obtained locates previously for Union Gas lines and are confident the site will not conflict with the existing gas line.

Savas Varadas, agent, presented rationale for approval of the application, and confirmed the applicants are confident with the proposed location of the Garage in relation to the gas line. However, if necessary, the line could be re-routed.

No comments were received from the public.

The Committee questioned whether the gas service is for the applicants' house only. The agent confirmed this to be his understanding.

Moved by Graeme Murray

Seconded by Garnet Schenk

**#6 BE IT RESOLVED THAT** Application No. A/40/2017/GR – Stephen and Susan Antolick, be approved and that the necessary Notice of Decision be prepared.

**CARRIED**

## 6. Applications for Consent

### i) B/23/2017/GR - McFarland, Charles, Pamela, Kenneth, & Bari

Correspondence was received from:

- The Plans Examiner;
- The Infrastructure Technician;
- The Town's Septic Inspector;
- The Deputy Fire Chief;
- The GIS/Planning Technician;
- The District of Muskoka; and,
- The Kahi Lake Ratepayers' Association.

The Planning Technician provided additional information relevant to the application and recommended the application be approved.

One of the applicants was present to answer questions.

No comments were received from the public.

The Committee had no comments or questions.

Moved by Garnet Schenk

Seconded by Graeme Murray

**#7 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/23/2017/GR – Charles, Pamela, Kenneth, and Bari McFarland

### **CONDITIONAL ON:**

- (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.
- (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) The subject lands be brought into conformity with the Zoning By-law by means of the lands being zoned for their intended use.
- (4) The applicant will enter into a Consent Agreement with the Town of Gravenhurst in order to require that Site Plan Control will be imposed prior to any development on these lots.

(5) 5% Cash-in-lieu of parkland dedication be paid to the Town of Gravenhurst.

(6) 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**

ii) B/24/2017/GR - Crawley, Sean

Correspondence was received from:

- The Plans Examiner;
- The Infrastructure Technician;
- The Deputy Fire Chief; and,
- The District of Muskoka.

The Planning Technician provided additional information relevant to the application and recommended the application be approved.

John Crawley, agent, expressed concern regarding the calculated amount of cash in lieu of parkland dedication to be paid, which staff has advised will be \$1,400.00. This seems excessive compared to the \$60.00 required at time of lot creation nine years ago.

No comments were received from the public.

The Committee questioned the Planner with regard to the calculation and purpose of cash in lieu of parkland dedication. The Planner advised the Planning Act provides the ability for municipalities to request cash in lieu of parkland dedication during a lot creation process, and reviewed the method for determining the amount, including a requirement to obtain vacant land values from the Municipal Property Assessment Corporation (MPAC).

Moved by Graeme Murray

Seconded by Garnet Schenk

**#8 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/24/2017/GR – Sean Crawley

**CONDITIONAL ON:**

- (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.
- (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) A new Site Plan is required to show that each lot has its own drywell to receive foundation drainage.
- (4) 5% Cash-in-lieu of parkland dedication be paid to the Town of Gravenhurst.
- (5) 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**

**7. New Business**

**8. Adjournment**

Moved by Garnet Schenk, seconded by Paul Kelly, the meeting adjourned at 6:06 p.m.

"Original Signed"

Chair

"Original Signed"

Deputy Secretary Treasurer