

**Minutes of
Town of Gravenhurst
Planning Council
January 22nd, 2013 - 5:00 p.m.**

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

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

Also in attendance were Director of Development Services S. Lucas, Senior Planner K. Kirton and Director of Legislative Services/Clerk C. Thwaites.

Mayor Donaldson advised that a revised report had been distributed for Zoning Amendment #62-2012 (Moody) and that there was the addition of one Minor Amendment resolution with respect to ZA63-2012 (Town of Gravenhurst) as well as a Closed Session being held at the end of the meeting.

Council agreed.

I. Closed Session

Nil.

II. Adoption of Agenda

Moved by Councillor Donoghue
Seconded by Councillor Colhoun

#15 BE IT RESOLVED THAT the agenda as presented to Planning Council on January 22nd, 2012 be adopted as amended.

CARRIED.

III. Disclosure of Pecuniary Interest

Nil.

IV. Public Meetings – 5:00 p.m.

1. ZA # 58-2012 – Elliott, Norman & Valerie (Muldrew Lake)

The Senior Planner advised that notices were sent on December 19th, 2012 and provided an explanation of the proposed rezoning.

The Senior Planner advised that the following correspondence was received.

- 1) Community Services Department;
- 2) Septic Inspector;
- 3) Emergency Planning ;
- 4) District of Muskoka;
- 5) One neighbour to the west.

Mr. Elliott was present and requested that Council defer the application until the next meeting as he had retained the services of a Planning Consultant.

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.

2. ZA # 59-2012 – Brabander, Ronald & Mary-Anne (Doe Lake)

The Senior Planner advised that notices were sent on December 19th, 2012 and provided an explanation of the proposed rezoning.

The Senior Planner advised that the following correspondence was received.

- 1) Community Services;
- 2) Septic Inspector;
- 3) Emergency Planning;
- 4) District of Muskoka;
- 5) Two Neighbours.

Mr. Rick McCann, agent for the applicant, provided an explanation of the purpose for the application.

No comments were received from the public.

Members of Council requested clarification on the size of the proposed and existing structures.

The Senior Planner recommended that the by-law as circulated 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. ZA # 61-2012 – Sussman, Malky (Sparrow Lake)

The Senior Planner advised that notices were sent on December 19th, 2012 and provided an explanation of the proposed rezoning.

The Senior Planner advised that the following correspondence was received.

- 1) Community Services;
- 2) Septic Inspector;
- 3) Emergency Planning;
- 4) Building Department;
- 5) District of Muskoka;
- 6) Snowcrest Riders Snowmobile Club;
- 7) Trent Severn Waterway.

The applicant was not present at the meeting.

Mr. David Strong, a neighbouring property owner, inquired about whether the public access to the lake would be impacted and indicated that he was not in opposition but wanted to ensure that public access to the lake and the existing snowmobile trails would be maintained.

Members of Council requested clarification on the shore road allowance, the location of the snowmobile trail, the location of the structure, the proximity to the provincially significant wetland area, whether access to the lake should be obstructed, and whether a dwelling would normally be permitted on commercially-zoned property.

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.

4 ZA # 62-2012 – Moody, Joanne (Lake Muskoka)

The Senior Planner advised that the notices were sent on December 19th, 2012 and provided an explanation of the proposed rezoning.

The Senior Planner advised that the following correspondence was received.

- 1) Community Services;
- 2) Septic Inspector;
- 3) Building Department
- 4) Emergency Planning;
- 5) District of Muskoka;
- 6) Treasury Department;
- 7) One Neighbour.

Mr. Bob List, agent for the applicant, provided comments on whether an official plan amendment should be required for this type of application, that an environmental impact study should be required where development already exists, and that the optimum water level should not be a concern given the elevation of the existing structure.

No comments were received from the public.

Members of Council requested clarification on the existing structure, servicing, whether the existing structure should have been demolished in accordance with the building permit issued for the second structure, the timing of the issuance of the building permit for the demolition and whether the permit was completed, the setback for septic, and whether a zoning amendment had been applied for to permit two structures on one property.

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

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

5. Housekeeping Amendment (Corporation of Town of Gravenhurst)

The Senior Planner advised that the notice was adverted in the Gravenhurst Banner for 1 week on December 26th, 2012 (issued on December 24th, 2012) as well as the Weekender on December 28th, 2012.

The Senior Planner advised that the following correspondence was received.

1) District of Muskoka.

Mr. Bob List, advised that he was pleased that the Official Plan would be reviewed, indicated that he had a couple of questions with regard to the provisions dealing with trailers but that he didn't have any concerns with the by-law presented.

Clarification was requested with regard to allowing habitation on commercial properties.

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.

V. Deputations/Delegations - Nil.

VI. Minor Amendment Resolution

Clarification was provided with respect to the Town of Gravenhurst Housekeeping By-law.

Moved by Councillor Lorenz
Seconded by Councillor Colhoun

#16 WHEREAS Council has conducted a Public Meeting in accordance with the provisions of Section 34 of the Planning Act regarding the Proposed Zoning By-laws for the Town of Gravenhurst (Town of Gravenhurst – Housekeeping Amendment, Application No. ZA63-2012):

AND WHEREAS it has been deemed necessary to incorporate further amendments to the Proposed Zoning By-law which 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 a 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 - Nil

IX. By-laws

Moved by Councillor Watson
Seconded by Councillor Donoghue

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

Bill No. 10 Amend 10-04 (Zoning) – Elliott
Bill No. 11 Amend 10-04 (Zoning) – Brabander
Bill No. 12 Amend 10-04 (Zoning) – Sussman
Bill No. 13 Amend 10-04 (Zoning) – Moody
Bill No. 14 Amend 10-04 (Zoning) – Town Housekeeping

CARRIED.

Moved by Councillor Watson and seconded by Councillor Donoghue that Bill No. 13 (Moody) be deferred.

Deferral CARRIED.

Moved by Councillor Donoghue
Seconded by Councillor Lorenz

#18 BE IT RESOLVED THAT the following by-laws be read a second time and referred to the Committee of the Whole Council.

Bill No. 10 Amend 10-04 (Zoning) – Elliott
Bill No. 11 Amend 10-04 (Zoning) – Brabander
Bill No. 12 Amend 10-04 (Zoning) – Sussman
Bill No. 14 Amend 10-04 (Zoning) – Town Housekeeping

CARRIED.

Moved by Councillor Jorgensen
Seconded by Councillor King

#19 BE IT RESOLVED THAT the following by-laws as reported in the Committee of the Whole, be read a third time, passed, numbered, and that the said by-laws be signed by the Mayor and Clerk, sealed with the seal of the corporation and engrossed in the By-law Book.

By-law No. 2013-10 Amend 10-04 (Zoning) – Elliott
By-law No. 2013-11 Amend 10-04 (Zoning) – Brabander
By-law No. 2013-12 Amend 10-04 (Zoning) – Sussman
By-law No. 2013-13 Amend 10-04 (Zoning) – Town Housekeeping

CARRIED.

X. Adoption of Minutes

December 19th, 2012

Moved by Councillor Colhoun
Seconded by Councillor King

- #20 BE IT RESOLVED THAT** the minutes of the Council meeting of December 19th, 2012 be adopted as circulated.

CARRIED.

XI. Closed Session

Moved by Councillor Lorenz
Seconded by Councillor Colhoun

- #21 BE IT RESOLVED THAT** the next portion of the meeting be closed to the public in order to consider

(X) litigation or potential litigation, including matters before administrative tribunals affecting the municipality or local board; (Planning Matters)

Pursuant to Clause 239(2) of the *Municipal Act, 2001*, C. 25.

CARRIED.

Council entered Closed Session at 6:30 p.m.

Council reconvened in Open Session at 6:47 p.m.

XII. Report from Closed Session

Nothing to report.

XIII. Confirming By-law

Moved by Councillor Colhoun
Seconded by Councillor Donoghue

- # 22 BE IT RESOLVED THAT** Bill No. 15 to confirm the Council Meeting held on January 22nd, 2013 be passed and numbered By-law No. 2013-14.

CARRIED.

XIV. Adjournment

On verbal motion by Councillors Donoghue and Lorenz, the meeting adjourned at 6:47 p.m.

Mayor

Clerk