

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

WEDNESDAY, MARCH 20, 2013 - 6:00 P.M.

**GRAVENHURST MUNICIPAL OFFICES
COUNCIL CHAMBERS**

M I N U T E S

PRESENT WERE: Committee Members
Chair Bob Colhoun
John Dowdell
Randy Jorgensen

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

1. ADOPTION OF AGENDA

Moved by Randy Jorgensen
Seconded by John Dowdell

#13 BE IT RESOLVED THAT the Agenda as presented to the Committee of Adjustment on March 20, 2013, be adopted.

CARRIED.

2. ADOPTION OF MINUTES

Moved by Randy Jorgensen
Seconded by John Dowdell

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

CARRIED.

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

3. DISCLOSURE OF PECUNIARY INTERESTS

Nil.

4. APPLICATIONS FOR CONSENT

a) Application B/05/2013/GR – Lois Parke

Correspondence was received from:

- The Parks & Trails Technician;
- The Emergency Planning Co-ordinator;
- The District of Muskoka; and
- Simon Clemo and Nicole Dawson.

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

The applicant was not present

No public comments were received

The Committee asked the Planner to confirm that the application was only to allow access to the existing underground equipment room. This was confirmed by the Planner.

Moved by Randy Jorgensen

Seconded by John Dowdell

#15 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/05/2013/GR – Lois PARKE.

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, to the Town to offset the cost of maintaining the Town's digital map base.

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/30/2012/GR – John and Rose MERTENS

Correspondence was received from:

- The Plans Examiner
- The Town's Septic Inspector;
- The Emergency Planning Coordinator;
- The KLRA;
- Michael & Judith Wayling;
- Rodney & Nancy Cronin;
- Joan Creighton; and
- Gail Azis

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

The agent, Rick McCann, presented his rationale for the Committee to grant approval of the application which included the presentation of a photo of the boathouse and an explanation that the extension to the boathouse would have minimal impact on neighbouring properties and that the Fish Habitat Assessment was also in support of the application. He explained that filled land was created on the property by crushed gravel left over from the construction of a neighbouring septic system.

The Committee enquired if it would be possible to move the garage from the filled area and the agent explained that a site may have to be created on the other side of the laneway. The agent also advised that his client may not proceed with the garage due to unsuitable terrain.

The Committee also enquired how the proposed boathouse addition will affect the existing boathouse. The agent advised that the applicants intend to remove and replace the existing boathouse/dock structure on a new steel dock.

Moved by Randy Jorgensen
Seconded by John Dowdell

#16 BE IT RESOLVED THAT Application No. A/30/2012/GR – John & Rose MERTENS, be approved conditional upon the applicant entering into a site plan agreement with the municipality.

CARRIED.

b) Application A/32/2012/GR – Jeff & Rebecca HULBERT

Correspondence was received from:

- the Town's Septic Inspector;
- The District of Muskoka; and
- Veridian Connections

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

The agent, Jennifer Elliot, presented her rationale for the Committee to grant approval of the application. She explained that the main reason for the Applicant's minor variance request is to allow them to build a larger deck for their children to have a safe place to play. She also advised that the applicants would be willing to meet with staff to discuss a reduction of the proposed lot coverage.

The Committee enquired if the applicant would need to change the design of the deck if they support staff's recommendation to approve only a part of the application and the Senior Planner confirmed that this would be necessary.

The Committee also expressed concern with the deck location in relation to the septic system. The agent advised that she could re-design the deck to satisfy any concerns of the septic inspector. The Chair suggested that the application should be deferred in order for the agent to re-work the design.

Moved by Randy Jorgensen
Seconded by John Dowdell

#17 BE IT RESOLVED THAT Application No. A/32/2013/GR – Jeff and Rebecca Hulbert, be deferred.

DEFERRED

c) Application A/03/2013/GR – JERRY & HILDA COHEN FAMILY TRUST

Correspondence was received from:

- The Plans Examiner;
- The Director of Infrastructure and Community Services
- The District of Muskoka;
- Veridian Connections and
- Robert List, agent for Marlene Popov

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

The agent, Savas Varadas of Wayne Simpson and Associates, presented his rationale for the Committee to grant approval of the application. He explained that the dwelling is already under construction and that the final grade of the building needs to be changed to keep part of the basement exposed, and for this reason a minor variance is required for an exemption to the maximum height requirement. The other alternatives would be to alter the grade or to blast. The building was designed so that it would not appear to be a three-storey structure which is not permitted in the Gravenhurst Official Plan. He also advised that his clients would

plant additional trees and shrubs to buffer the view of the exposed basement.

Mr. Varadas also spoke with regard to the comments received from Robert List, Planning Consultant, hired by the abutting neighbours. He advised that they have come to a verbal understanding and that they will submit a revised Site Plan to the Town in order to satisfy Mr. List's concerns.

Mr. Jeff Lovegrove, another agent for the applicant from Lovegrove Construction, advised that there is an existing circle driveway and that he will suggest that his client de-commission this driveway and have a simple driveway with one access only. He also advised that they will be going underground with hydro and that the proposal has been re-designed in order to maintain the natural landscape. He also addressed a concern received with the wood retaining wall that is located on both properties and advised that his client has agreed to stabilize the retaining wall with rock.

Robert List, from List Planning Ltd, explained that his clients are Marlene and Christine Popov and that they have a concern with the proposed height increase. He explained that the existing house was 18.0 feet from the property line, but the new structure will be 3.0 feet from the side lot line. Mr. List also advised that his clients are concerned with the effects of the construction. He understands that Site Plan Control has been imposed on the subject property and requests that the Site Plan be modified in order to illustrate the items outlined in his email. He also stated that repairs to damage to the windows and landscape that have occurred due to the site works should be implemented through the site plan agreement. He also stated that repairs to the retaining wall should occur on the Cohen property.

The Committee asked the Senior Planner to explain how the verbal agreement made between the parties can be implemented. The Senior Planner advised that the owners could enter into an amending agreement and that this site plan agreement amendment would need to be registered on title. The Committee also asked the applicant's agents if the requested site works could be completed.

Mr. Varadas advised that wording could be added to the Site Plan drawing itself rather than changing the text of the agreement to avoid a formal site plan agreement amendment process.

Mr. List advised that the Committee would need to impose a condition to submit a new agreement, alter the existing agreement, or have the descriptions added to the site plan drawing itself. He also stated that he agrees with Mr. Varadas, that proper textual notations on the site plan, rather than in the agreement itself, should be able to be done in order to avoid the necessity of a new site plan agreement.

The Committee asked the Planner to advise what his recommendation would be. The Planner advised that he was in agreement with the Mr. List and Mr. Varadas.

Mr. List expressed his appreciation to staff and the Committee for being open to a resolution of his client's concerns.

The Committee Chair asked if the Popov's concerns could be sorted out prior to the conclusion of the appeal period, both Mr. Varadas and Mr. List agreed that this could be done.

Moved by Randy Jorgensen
Seconded by John Dowdell

#18 BE IT RESOLVED THAT Application No. A/03/2013/GR – JERRY & HILDA COHEN FAMILY TRUST, be approved.

CARRIED.

d) Application A/04/2013/GR – Kevin & Arienne STRONG

Correspondence was received from:

- the Parks and Trails Technician; and
- the Emergency Planning Co-ordinator

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

The applicant was present for any questions but did not have a presentation

Committee did not have any comments.

Moved by Randy Jorgensen
Seconded by John Dowdell

#19 BE IT RESOLVED THAT Application No. A/04/2013/GR – Kevin & Arienne STRONG, be approved.

CARRIED

e) Application A/05/2013/GR – RYDE LAKE CAMP

Correspondence was received from:

- The Plans Examiner; and
- The Emergency Planning Coordinator;

The Planner provided additional information relevant to the application, and recommended that the application be approved conditional upon the applicant entering into a site plan

agreement amendment with the Town.

The applicants were present for questions but did not have a presentation.

The Committee complimented the owners of Ryde Lake Camp for being wonderful stewards of the land.

Moved by John Dowdell

Seconded by Randy Jorgensen

#20 BE IT RESOLVED THAT Application No. A/05/2013/GR – RYDE LAKE CAMP be approved conditional upon the applicant entering into a site plan agreement – amendment with the municipality.

CARRIED.

f) Application A/06/2013/GR – Cynthia McLEAN

Correspondence was received from:

- The Plans Examiner;
- The Parks and Trails Technician;
- The Emergency Planning Co-ordinator; and
- Veridian Connections.

The Planner provided additional information relevant to the application and recommended that the application be approved conditional upon the applicant entering into a site plan agreement with the municipality.

The agent, Richard Hunter, from Planscape advised that he was present for questions but did not have a presentation.

The Committee did not have any comments.

Moved by John Dowdell

Seconded by Randy Jorgensen

#21 BE IT RESOLVED THAT Application No. A/06/2013/GR – Cynthia McLEAN, be approved conditional upon the applicant entering into a site plan agreement with the municipality.

CARRIED

6. ADJOURNMENT

The motion to adjourn was moved by John Dowdell and seconded by Randy Jorgensen. The meeting adjourned at 7:26 p.m.

"Bob Colhoun"

Chair

"Susan Flemming"

Deputy Secretary-Treasurer

