1. **CONVENE**

Moved by Dan Armour  

**IT IS RECOMMENDED THAT:** We do now convene as a Development Services Committee at 1:02 p.m.  

Carried.

2. **ADOPTION OF AGENDA**

Moved by Dan Armour  

**IT IS RECOMMENDED THAT:** The Development Services Committee Agenda dated February, 2019, be hereby adopted as printed and circulated, with the deletion of Item 5.1 Invited and Ceremonial Presentations.  

Carried.

Chair Alcock notified attendees that the matter of Pine Haven Estates subdivision would be re-advertised for a future public meeting.
3. **DISCLOSURE OF PECUNIARY INTEREST**

-Nil-

4. **MEETING MINUTES – FOR INFORMATION**

4.1 January 16, 2019

5. **INVITED AND CEREMONIAL PRESENTATIONS**

5.1 Joint Public Meeting with the District Municipality of Muskoka

5.1.1 Report Number DEV-2019-29 - OPA #14 & Z/48/2017/HTE - Vista Investments Muskoka Inc. (Larry Ross) - 553 South Mary Lake Road

5.1.2 Subdivision File S2018-6 and Condominium File C2018-5 (Pine Haven Estates)

Matter was deleted from the agenda.

6. **ZONING BY-LAW AMENDMENTS – PUBLIC MEETINGS**

Chair Alcock provided a brief overview of the purpose and procedure of the meetings.


Elizabeth Reimer outlined the report and additional comments received since the report had been published (attached as Appendix “A”).

Chair Alcock called upon the applicant or their representative to provide comments.

Wayne Simpson, representing the applicant, provided further information to Committee (attached as Appendix “B”) and outlined the following:
- The application only pertains to the Longview building and there would be no change to the massing, height or number of units of the building currently under construction
- The proposal would reduce the height of the approved retaining wall and relocate the wall six feet further from the building to allow for backfill
- A section of the wall would be removed and replaced with landscaping to provide buffering and soften the look of the retaining wall from the lakeside
- The application was triggered by the height definition of the zoning by-law, measured from the side fronting on the water
- The removal of a portion of the retaining wall would constitute a storey under the height definition of the zoning by-law
- Staff had requested a specific figure for height on the opposite side of the building but 12 metres would not work as the height is approximately 13.4 metres when measured from the average finished grade
- Requested that Committee approve the height at 15 metres with no other restrictions

Chair Alcock asked if there was anyone present that wished to provide comments or ask questions regarding the application.

Brenda St. John, Huntsville, outlined concerns with the following:
- The application had come at a time when several waterfront owners were not in Huntsville and able to attend the meeting
- The lake association had not circulated the application for comment to all members
- Reducing the retaining wall would increase the overall height of the building
- The developer could potentially add more units than the approved number and approval could set a precedent for the future phases of the development
- That she was not opposed to all development, citing Grandview as an example of development in harmony with the environment
- Significant blasting had already occurred and Fairly Lake was already densely populated at the shoreline
- Increased heights would further destroy landscaped views of surrounding area for local residents and tourists

Ms. St. John requested that Committee not set a precedent by approving the amendment and ongoing destruction to the waterfront.

Ron Darrach, Huntsville, outlined the following:
- Protection of the watershed is paramount
- Concern with the impact of high density developments throughout Ontario
- Worry that approval would set a precedent for future development on site
- The existing zoning provisions of the site-specific by-law, signed by Mayor Doughty, should remain to protect the waterfront
- The waterfront is under attack and the new development is not suitable for Muskoka

Greg Swift, Huntsville, expressed concern with the development to date and its impact on Fairy Lake:
- Concern with the north shore of Fairy Lake
- Changing plans late in development would set a precedent for future development
- Requested that Committee not approve the amendment as there would be further amendments in the future
- Viewing the site from the lake, enough of the building was already exposed
Chair Alcock asked if there were any questions or comments from Committee Members.

Committee questioned if the retaining wall would be located next to the building.

Mr. Simpson clarified that the proposal would move the wall away from the building to create room for backfill and a planting area.

Committee questioned if the interior layout of the Longview building would change.

Mr. Simpson stated that no change was proposed except that the window height could be increased with the removal of a portion of the retaining wall.

Committee questioned how the development would appear looking from the West side of the property.

Mr. Simpson stated that the depth of the building would increase in width and vegetation planted on the retaining wall would be visible.

Committee questioned if the Longview building could be seen from the lake.

Mr. Simpson stated that it would only be visible through a gap between two other buildings, and landscaping would be visible.

Committee questioned if the height increase could be applied to any other building on the Grandview site.

Ms. Reimer clarified that the proposed height increase would be specifically for the Longview building.

Committee questioned why the applicant was changing the development plans at this stage in the project.

Mr. Simpson stated that his client had reviewed the aesthetics of the building going into the marketplace and determined that reducing the height of the wall would solve structural problems and provide an opportunity for landscaping to soften the appearance of the retaining wall.

Committee questioned if the number of units could increase through the proposed amendment.

Mr. Simpson stated that there would be no change to the approved number of units or the gross floor area.
IT IS RECOMMENDED THAT: Development Services Committee recommend to Council that Zoning By-law Amendment Z/69/2018/HTE be APPROVED, changing the zoning from a Tourist Commercial (C4) Zone with exception 0228 to a Tourist Commercial (C4) Zone with amended exception 0228 to permit a maximum building height of 15.0m when measured from the average finished grade along the side of the building facing the lake, and 12.0m from the opposite side.

Carried.


Elizabeth Reimer outlined the report and additional comments received since the report was published (attached as Appendix “C”).

Chair Alcock called upon the applicant or their representative to provide comments.

Lanny Dennis, representing the applicant, outlined the following:

- The majority of the proposed dwelling would come no closer to the water than the existing non-complying setback
- The irregular shape of the lot and the streams on site made it difficult to site the cottage and septic without some relief
- The existing septic system would be replaced with a tertiary treatment unit greater than 30 metres from the shoreline
- Both the principal and accessory lot coverage would be under the permitted maximums
- The proposed dwelling would be buffered by mature vegetation and orientated to have minimal impacts on the abutting property
- The existing cleared area would be used to minimize environmental disruption
- The boathouse structure was below the permitted maximum and mature tree cover along the shoreline would be augmented with new plantings

Jeff Lovegrove, representing the applicant, stated the following:

- that the stream shown on the mapping to the north is not actually a stream
- The stream to the south had been rerouted at some point and the location had been identified by a surveyor to maintain the required setback
- The building had been designed as a low-profile structure to blend into the treeline
Chair Alcock asked if there was anyone present that wished to provide comments or ask questions regarding the application.

-Nil-

Chair Alcock asked if there were any questions or comments from Committee Members.

Committee questioned if the boathouse would provide water depth for two slips.

Mr. Lovegrove stated that the design was not finalized, but that the boathouse had been orientated to reduce the look of garage doors and make the structure less impactful on the water.

Committee questioned where the new well would be located.

Mr. Lovegrove responded that it was not yet determined but would meet all required setbacks.

Committee questioned the mitigation measures that would be taken during construction.

Ms. Reimer clarified that a neighbouring property had owner had expressed concerns with a septic line running under the existing road, but that the Town did not have jurisdiction as the road was over private property.

Mr. Lovegrove stated that the applicant had reached out to neighbours due to the extensive amount of roadwork required and that mitigation measures would be implemented prior to the start of construction.

Moved by Dan Armour

**DEV16-19**

IT IS RECOMMENDED THAT: A fish habitat assessment has concluded that this reach of shoreline is not Type 1 Fish Habitat;

THEREFORE IT IS RECOMMENDED THAT: the Shoreline Residential One (SR1) Zone be changed to a Shoreline Residential One (SR1) Zone with an exception to reduce the front yard setback from 20.0m to 18.7m for a dwelling only, and that Section 3.5.1 shall not apply.

Carried.

7. REPORTS FROM MUNICIPAL OFFICERS

7.1 Planning Matters

7.1.1 Report Number DEV-2019-30 - SPA/149/2018/HTE - 1807396 Ontario Ltd. (Melissa Key & Tim Cantelon) - 68 West Road
Curtis Syvret outlined the report.

a) Deputation - Lauren Spivak, Duncan Ross Architect

Ms. Spivak did not speak to the application.

Moved by Jason FitzGerald

IT IS RECOMMENDED THAT: the Director of Development Services APPROVE Site Plan Application SPA/149/2018/HTE;

AND THAT: The agreement be prepared to the satisfaction of the Town;

AND FURTHER THAT: the Mayor and Clerk are hereby authorized to sign any necessary documentation.

CONDITIONAL ON: All final plans, agreements and drawings being to the satisfaction of the Town and all other commenting agencies.

Carried.


AND


The above items were addressed concurrently.

Moved by Jason FitzGerald

IT IS RECOMMENDED THAT: Applications RC/20/2018/HTE, RC/21/2018/HTE be approved in accordance with the Road and Shore Road Allowance Closing Policy and Procedure;

CONDITIONAL ON:
1. The Applicant pay all survey, legal and associated expenses;
2. The sale price for the land proposed to be closed be in accordance with the Fees and Charges By-law, as amended;
3. The applicable fee, in accordance with the Town’s “Shore Road Allowance Closure as a Requirement of Planning Applications” policy, as amended, be provided;
4. A survey, in duplicate, be provided showing the road allowance as a specific part on the Plan;
5. A registered Transfer/Deed of Land for the road allowance be filed with the Municipality within one year from the date of the
motion approving the application or the motion will be considered null and void and a new application will be required;
6. That any utility plant located on the property proposed to be closed be given an easement;
7. The shore road allowance is hereby declared as surplus to the Town’s needs;
8. The portion of the shore road allowance being closed merge in title with the lot to which it is being added;
9. That the Mayor and Clerk are hereby authorized to sign the necessary documentation pertaining to the closure and sale of said shore road allowance.

Carried.


Moved by Jason FitzGerald

IT IS RECOMMENDED THAT: Application RC/22/2018/HTE be approved in accordance with the Road and Shore Road Allowance Closing Policy and Procedure;
CONDITIONAL ON:
1. The Applicant pay all survey, legal and associated expenses;
2. The sale price for the land proposed to be closed be in accordance with the Fees and Charges By-law, as amended;
3. The applicable fee, in accordance with the Town’s “Shore Road Allowance Closure as a Requirement of Planning Applications” policy, as amended, be provided;
4. A survey, in duplicate, be provided showing the road allowance as a specific part on the Plan;
5. A registered Transfer/Deed of Land for the road allowance be filed with the Municipality within one year from the date of the motion approving the application or the motion will be considered null and void and a new application will be required;
6. That any utility plant located on the property proposed to be closed be given an easement;
7. The shore road allowance is hereby declared as surplus to the Town’s needs;
8. The portion of the shore road allowance being closed merge in title with the lot to which it is being added;
9. That the Mayor and Clerk are hereby authorized to sign the necessary documentation pertaining to the closure and sale of said shore road allowance.

Motion to Defer

Moved by Dan Armour

IT IS RECOMMENDED THAT: Application RC/22/2018/HTE be deferred until such time as staff have received a satisfactory
resolution from the applicant regarding the boathouse on the subject lands.  

Carried.

7.2 Corporate Matters

7.2.1 Report Number DEV-2019-19 - 2018 Building Permit Program Overview

Christopher Nagy outlined the report that was presented for information only.

7.2.2 Report Number DEV-2019-34 - 2018 Planning Applications Overview

Kirstin Maxwell outlined the report that was presented for information only.

8. PREVIOUS BUSINESS


A discussion occurred regarding the provisions for backyard hens.

Motion to Suspend

Moved by Jason FitzGerald  

IT IS RECOMMENDED THAT: The rules of procedure regarding delegations not on the agenda be suspended.  

Carried.

Deputation – Darcy Ball

Mr. Ball outlined difficulties with meeting the provisions of the proposed by-law.

Moved by Jonathan Wiebe  

IT IS RECOMMENDED THAT: Development Services Committee recommend to Council that Zoning By-law amendment Z/63/2018/HTE be APPROVED.  

Carried.

8.2 Development Services Committee Mandate

Moved by Dan Armour  

IT IS RECOMMENDED THAT: The Development Services Committee supports the Development Services priorities as outlined in the 2018-2022 Term of Council Mandate Letter, as amended to include updating the Community Improvement Plan.
THEREFORE IT IS RECOMMENDED THAT: The priorities be incorporated into the 2018-2022 strategic plan. Carried.

Motion to Defer

Moved by Dan Armour

IT IS RECOMMENDED THAT: The matter of the Development Services Committee Mandate be deferred to the next Committee meeting to incorporate items identified in the division’s business plan as well as previous direction given by Council. Carried.

9. GENERAL INFORMATION

9.1. Development Charges and Housing Affordability Technical Consultations

9.2. Trillium Housing - Municipal Mortgage Funds

9.3. Staff Delegated Approvals - January 12 - February 8, 2019:

- Waterfront/Residential Development - 3 Site Plan Agreements
- Consent Applications - 6 Decisions

10. NEW BUSINESS

Waiving of Fees – Backyard Hens

Committee discussed waiving the application fees for a privately initiated zoning by-law amendment regarding backyard hens. Committee opted not to waive the fees.

11. ADJOURNMENT

Moved by Jonathan Wiebe

IT IS RECOMMENDED THAT: We do hereby adjourn at 3:55 p.m. Carried.

__________________________
Chair, Councillor Nancy Alcock