

June 28, 2022

Sent by email

Town of Gravenhurst
3-5 Pineridge Gate
Gravenhurst, Ontario
P1P 1Z3

Attention: Planning Council

Dear Sirs/Madams:

Re: Application by Renaissance Leisure Group (2004) Inc. (applicant) for certain zoning by-law amendments for lands located at 1209 Muskoka Beach Rd.

We are writing to you on behalf of the Muskoka Lakes Association (MLA) and the Friends of Muskoka (FOM) with respect to the above-noted application. The MLA has over 2,000 members and represents approximately 11,000 people in the District of Muskoka. The FOM has over 4,000 supporters in the District.

There have been numerous development proposals regarding Taboo over the years. For example, the MLA was a party to a settlement agreement in 2000 concerning development at Taboo, together with the Town, Great Gulf and the South Muskoka Lake Community Association (SMLCA).

Our comments relate primarily to density and height. Please see our chart attached.

A. Density

The currently in effect zoning by-law (ZBL), 2010-04 Exception No. 188, applicable to this property provides that the maximum number of rooms in a tourist establishment/hotel is 109.

The applicant is seeking approval for 183 units, a 68% increase. The applicant indicates that there will be a mix of one bedroom and 2-bedroom units and the 2-bedroom units will be designed so that the second bedroom can be used as part of the unit as a whole or separately locked-off from the remainder of the unit. See the applicant's planning report, Section 3.1, fifth paragraph. However, the ZBL calculation is based on the number of rooms, not the number of units. The applicant does not provide any breakdown between the number of one bedroom and 2-bedroom units. Assuming 100 of the 183 units will be 2-bedroom units, the number of rooms would be 283, a 160% increase.

The distinction between rooms and units will become clear in the discussion regarding the Official Plan below.

The currently in effect official plan (OP), Gravenhurst Official Plan 2016, Section C7.8.1.2 provides that the maximum density of the development shall not exceed 30 units per gross hectare. The applicant's planning report indicates that the subject lands comprise 9.5 hectares and that there are 102 existing townhouse units. Therefore, a total of 285 units is permitted. Subtracting the 102 townhouse units leaves 183 units available. This is what the application requests.

However, Section C7.8.1.2a) goes on to state that, for the purposes of this section, **unit shall mean: a) an individual room in a hotel.** Thus, at a minimum, every 2-bedroom unit constitutes 2 units for purposes of the OP calculation. This is especially true, since units may be locked-off and used separately. Assuming 100 2-bedroom units, there would be 385 units, exceeding the 285 maximum by 35%. There is a lack of conformity with the Official Plan.

To provide some context, OPA 10 approved in 1980, and repeated in zoning by-law P692-80 applicable to the subject lands at that time, provided that the maximum density of development shall not exceed 30 units per gross hectare (12 units per gross acre) and, for purposes of this plan, unit shall mean: i) An individual room or suite in the hotel provided that **each room with sleeping facilities in such suite shall be considered a hotel unit.**

We respectfully submit that the **maximum number of units should be capped at 285, inclusive of 102 townhouse units and 183 hotel units, counting each hotel unit with two bedrooms as two units.**

Please note that this assumes the one block of condominium townhouse units previously constructed on the subject site (out of a proposed seven blocks totalling 45 units) will be demolished, so that it does not add to the unit count and that the approval to construct the 45 units is no longer in effect. Staff might consider making this a condition of approval.

B. Height

The currently in effect ZBL provides for a maximum height of 11 m (36 ft.).

The applicant is seeking approval for a maximum height of 20 m (66 ft.), **excluding mechanical penthouse.** Assuming the mechanical penthouse is 3 m (10 ft.) tall, the request is for a maximum height of 23 m (76 ft.) or an increase of 12 m (39 ft.) or 109% or more than double the permitted height.

The currently in effect OP provides for a maximum height of 15 m (49 ft.). As noted above, the request is ostensibly for a maximum height of 23 m (76 ft.) or an increase of 8 m (26 ft.) or 53%. There is a lack of conformity with the OP.

The applicant's planning report in Section 1.3, first paragraph, refers to a zoning by-law amendment to increase the allowable height from the pre-existing maximum of 18.2 m (60 ft.) to 20 m [**excluding mechanical penthouse**] (actually 23 m (76 ft.)). It is unclear what this "pre-existing maximum" refers to. Is it meant to refer to a legal non-conforming use? Is it in reference to the height of: (i) the old Muskoka Sands Inn; (ii) the West Wing which burned down in 2014; or (iii) the existing East Wing built in 2000? If so, what is the height of the building being referred to? What was the applicable zoning with respect to height when this building was constructed?

Is this why the applicant notes that the footprint of the new development "generally" follows the old footprint? See, for example, the applicant's planning report, Section 3.1, paragraph one, "redevelop the Subject Site with a new hotel generally within the footprint of the former West Wing building and integrated with the existing East Wing building" and Section 3.1, paragraph two, "The hotel's massing is largely within previous hotels footprint".

Is this meant to bolster a legal non-conforming use argument? What is meant by "generally" and "largely"?

Our membership and supporters are very concerned about height and the "view from the canoe". We prefer to see greater lot coverage (provided significant tree removal and site alteration is not required), as opposed to increased height. The applicant's planning report, Section 1.2, third paragraph, states that: "It will integrate the remaining East Wing structure into a contemporary, state of the art building **designed to fit respectfully into the landscape along Lake Muskoka and provide sweeping views of the lake.**" We suggest these two statements are incompatible.

We recommend that the **maximum height be limited to 15 m, inclusive of the mechanical penthouse**, as currently specified in the Official Plan and consistent with the understanding between the applicant and the SMLCA referred to in the SMLCA's letter submitted to Planning Council in connection herewith.

C. Parking

The general rule is that all off-street parking must be located on the same lot as the hotel. There is an exception where such off-street parking is not possible or practical, provided that it is located on another lot within 152 m of the hotel. The applicant proposes to rely upon this exception and have a certain amount of the required parking spaces for the hotel be located across a District Road (being Highway 17/Muskoka Beach Rd. which links Gravenhurst to Bracebridge) at an expanded golf course parking lot. There is no indication as to why this is not possible or practical. Access to the additional parking spaces at the golf course will be by way of valet service across the busy District highway, which raises safety concerns.

The ZBA is necessary because the parking area is over 305 m (1,000 ft.) from the hotel.

Where such exception is relied upon, the ZBL requires the owner of both lots to enter into an agreement with the Town, registered on title, guaranteeing that the required parking continue until the owner provides alternate parking spaces. Staff might also consider making this a condition of approval.

Among other things, there is a requirement for one parking space per guest room. The applicant suggests that 183 parking spaces would be required in respect of the proposed hotel rooms. However, as noted above, each 2-bedroom unit has two guest rooms, which can be locked-off (creating a separate, second unit). Assuming 100 2-bedroom units, an additional 100 parking spaces would be required. We suggest that the 276 existing parking spaces and the proposed 11 additional parking spaces on-site should be maintained and that this be a condition of any approval. Please see Section 5.4.1 of the applicant's planning report for its parking analysis.

D. Dark Sky Lighting

We note that all lighting related to the development must be installed to minimize impact on the night sky and that more detailed specifications for lighting are to be incorporated in the site plan. We encourage staff to ensure that dark sky lighting is appropriately addressed in the site plan agreement.

E. Lot Coverage

We request staff confirm lot coverage requirements have been met. We note that maximum lot coverage of all buildings or structures shall not exceed 20%.

Yours very truly,



Ken Pearce

Director, Vice-President and Secretary,
Muskoka Lakes Association

Director and Secretary,
Friends of Muskoka

cc: Gravenhurst Mayor and Councillors
Melissa Halford, Director of Development Services

Adam Ager, Manager of Planning Services
Anne Stanway, President, South Muskoka Lake Community Association
Keith Duncan, President, Muskoka Bay Property Owners' Association
Mark Halpenny, President, Sunset Bay Cottagers' Association
Stephen Fahner, Northern Vision Planning Ltd.
Deborah Martin-Downs, President, Muskoka Lakes Association
Laurie Thomson, President, Friends of Muskoka