

June 28, 2022

**Taboo Resort Hotel Expansion
Muskoka Lakes Association comments/comparison regarding
proposed Zoning By-law changes**

<u>Matter/Issue</u>	<u>Allowed/Required</u>	<u>Ask</u>	<u>Increase</u>
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A. Density

Zoning By-law (ZBL)

Maximum # of rooms (in a Tourist Establishment)	109	183	74 (68%)
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ZBL 2010-04, Exception No. 188, paragraph (g)

However, 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. The ZBL calculation is to be based on the number of rooms, not the number of units. See the applicant's planning report, Section 3.1, fifth paragraph. Assuming 100 2-bedroom units:

Maximum # of rooms	109	283	174 (160%)
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Gravenhurst Official Plan (2016)

Maximum # of units	285	285	-
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Official Plan, under Urban Resort Commercial Area, Section C7.8.1.2 provides that the maximum density of development shall not exceed 30 units per gross hectare. The applicant's planning report indicates that the subject lands comprise 9.5 ha and that there are 102 existing townhouse units (102 townhouse units plus 183 hotel units equals 285 total units). However, Section C7.8.1.2a) provides that, for the purpose of this section, unit shall mean an individual room in a hotel. Therefore, each of the 2-bedroom units should be considered as two units, especially since they may be locked-off and used separately. Assuming 100 2-bedroom units:

Maximum # of units	285	385	100 (35%)
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Note: This assumes that the one block of condominium townhouse units constructed (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be demolished, so that it does not add to the unit count and that the approval to construct the 45 townhouse units is no longer in effect. We suggest this be a condition of approval.

OP, Section C7.8.1.2a)

B. Height

Zoning By-law

Maximum height	11 m (36 ft.)	20 m (66 ft.)	9 m (30 ft.) (82%)
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Note: The 20 m is exclusive of the mechanical penthouse. Assuming the mechanical penthouse is 3 m tall:

Maximum height	11 m (36 ft.)	23 m (75 ft.)	12 m (39 ft.) (109%)
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ZBL 2010-04, Exception No.188, paragraph (n)

Official Plan

Maximum height	15 m (49 ft.)	20 m (66 ft.)	5 m (16 ft.) (33%)
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Official Plan, Urban Resort Commercial Area-Taboo Expansion-General Development Policies, Section C7.8.3.2i)

Assuming the mechanical penthouse is 3 m tall, as per above:

Maximum height	15 m (49 ft.)	23 m (75 ft.)	8 m (26 ft.) (53%)
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Legal non-conforming use?

Maximum height	18.2 m	23 m (75 ft.)	4.8 m (16 ft.) (26%)
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The applicant's planning report, in Section 1.3, first paragraph, refers to a ZBA to increase the allowable height from the pre-existing maximum of 18.2 m to 20 m. 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? 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”?

C. Parking

Parking	Onsite	Offsite (across the highway at the golf course)
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The requirement is one space per guest room. Each 2-bedroom unit has two guest rooms, which, as noted above, 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. See Section 5.4.1 of the applicant’s planning report for its parking analysis.

ZBL Section 6.1.1(i) and (ii)-The general rule in Section 6.1.1(i) is that all off-street parking is required to be located on the same lot as the hotel. Section 6.1.1(ii) provides 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.

Please note, where the required off-street parking is provided in accordance with Section 6.1.1(ii), Section 6.1.1(iv) provides that the owner of both lots must enter into an agreement with the Town, registered on title, guaranteeing that the required parking shall continue until the owner provides alternate parking spaces.

See also ZBL 2010-04, Exception No. 188, paragraph (o).

D. Dark Sky Lighting

All lighting related to development must be installed to minimize impact on the night sky and 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.

See OP, Section C7.8.3.2o).

E. Lot coverage

OP Section C7.8.1.1f)-a minimum of 50% of the developable area shall be used for open space and recreational purposes.

OP Section C7.8..3.2b)-the maximum lot coverage of all buildings or structures shall not exceed 20 percent.

ZBL Exception No. 188, paragraph k)-maximum lot coverage shall be 20 percent and paragraph l)-open space shall be a minimum of 50 percent of the lot area.

We request staff confirm lot coverage requirements have been met.