

NOTICE OF DECISION AND ADOPTION

Town of Wasaga Beach Council:

ADOPTED Official Plan Amendment 60 OP03/23

**PASSED an Amendment to Comprehensive Zoning By-law 2003-60, as amended,
Z10/23**

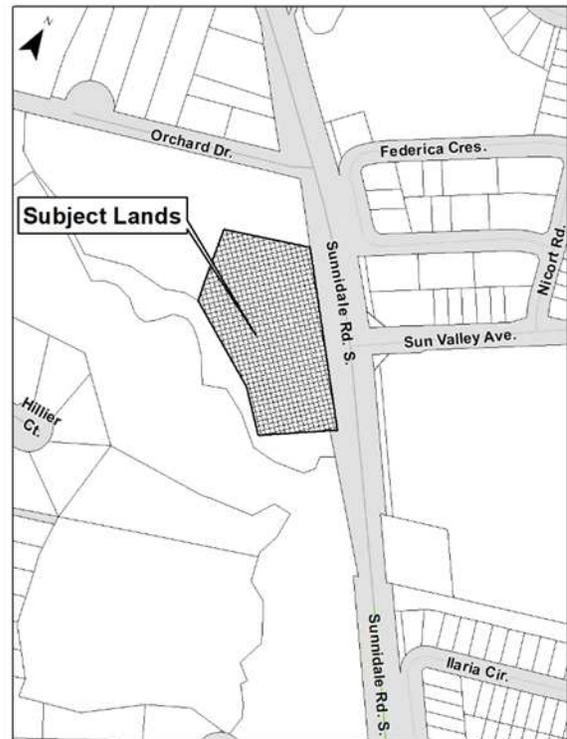
TAKE NOTICE that the Council of the Corporation of the Town of Wasaga Beach passed By-Law No. 2024-11 to adopt Official Plan Amendment No. 60 (File No. OP03/23) and By-law No. 2024-12 to amend the Town's Zoning By-law (File No. Z10/23) on the 15th day of February 2024, pursuant to Sections 17, 21, and 34 of the *Planning Act*, R.S.O. 1990, c.P.13, as amended.

THE SUBJECT LANDS THE SUBJECT LANDS are municipally addressed as 630 Sunnidale Road S, and are legally described as CON 14 PT LOT 4 51M463PT BLK 92 RP 51R25122 PARTS 1 & 4 LESS RP 51R28029 PART 1 & 2, in the Town of Wasaga Beach, County of Simcoe;

A KEY MAP showing the location of the subject property is provided with this notice.

THE PURPOSE AND EFFECT OF OFFICIAL PLAN AMENDMENT No. 60 is to re-designated the lands from the Country Club Community land-use designation to Medium Density Residential, Open Space and Natural Hazards land-use designations, to permit:

- Thirteen (13) residential townhouse dwellings, an open space block and natural hazards block.



THE PURPOSE AND EFFECT OF ZONING BY-LAW AMENDMENT 2024-12 is as follows:

- To re-zone the subject property from the “Rural” (RU) Zone to the “Residential Type 3 Holding – Exception 47” (R3H-47) Zone, “Open Space – Exception 5” (OS-5) Zone and “Environmental Protection – Exception 8” (EP-8) Zone.
- The “Residential Type 3 Holding – Exception 47” (R3H-47) Zone is proposed to enable the development with townhouse dwellings; within the “R3-47” Zone, the following zoning provisions are proposed.
 - No play area shall be required.

- For the purposes of applying the front, interior, exterior and rear yard setbacks the lands shall be considered to be one contiguous lot.
- The proposed road which forms a (standard) condominium road shall be considered a street for the purposes of the By-law.
- The “Open Space – Exception 5” (OS-5) Zone is proposed to be amended for an additional permitted use, being stormwater management facilities.
- The “Environmental Protection – Exception 8” (EP-8) Zone is proposed to be amended, to permit conservation uses, defined as being for woodland and wildlife management, and other activities connected with conservation of ecologically significant resources

WRITTEN AND ORAL SUBMISSIONS: Regard has been had for all written and oral submissions received before the decision was made in relation to this/these planning matter(s), as considered in the report on applications OP03/23 and Z10/23 presented to members of Council on February 15, 2022.

THE COUNTY OF SIMCOE IS THE APPROVAL AUTHORITY for Official Plan Amendment No. 60. The Town is forwarding Official Plan Amendment No. 60 to the County of Simcoe for approval. Take notice that any person or public body will be entitled to receive notice of the decision of the approval authority for Official Plan Amendment No. 60 if a written request to be notified of the decision is made to County Clerk, County of Simcoe Administration Centre, 1110 Highway 26, Midhurst, Ontario L9X 1N6.

WHEN AND HOW TO FILE AN APPEAL

In order to appeal the Zoning By-Law Amendment, notice of the appeal must be filed with the Clerk of the Town of Wasaga Beach no later than **Monday, March 18, 2024** and must:

- 1) Set out reasons for the appeal;
- 2) Be accompanied by the fee(s) prescribed by the Ontario Land Tribunal Act, as amended, in the amount of \$400.00 per appeal, in the form of a certified check; and
- 3) Submit completed ***Appellant Form(s)*** obtained from the Municipal Office or by visiting the Ontario Land Tribunal website at <https://olt.gov.on.ca/appeals-process/forms/>

ONLY INDIVIDUALS, CORPORATIONS AND PUBLIC BODIES as prescribed by the *Planning Act* may appeal a By-law and/or decisions in respect of a proposed Plan of Subdivision to the Ontario Lands Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

The applicant or any body may, at any time before the final Plan of Subdivision is approved, appeal any of the conditions imposed by the Town of Wasaga Beach to the Ontario Lands Tribunal by filing with the Town Clerk, or his/her delegate, a notice of appeal.

THE APPLICANT OR ANY BODY may, at any time before the final plan of subdivision/condominium is approved, appeal any of the conditions imposed by the Town of Wasaga Beach to the Ontario Lands Tribunal by filing with the Town Clerk, or his/her delegate, a notice of appeal.

You will be entitled to receive notice of any changes to the conditions of approval of the proposed Plan of Subdivision if you have made a written request to be notified of changes to the conditions.

APPEAL PROCEEDINGS

No person or public body shall be added as a party to the hearing of the appeal unless, before the By-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

At any time before approval of the final Plan of Subdivision, the applicant, any public body that made oral submissions at the public meeting or written submissions to the approval authority, or the Minister may appeal any of the conditions imposed by the Town to the Ontario Lands Tribunal by filing a notice of appeal with the Town Clerk.

No person or public body shall be added as a party to the hearing of an appeal regarding any changes to the conditions of approval, or of the decision of the approval authority, including the lapsing provisions of the conditions (as applicable), unless the person or public body, before the approval authority made its decision, made oral submissions at a public meeting or written submissions to the approval authority, or made a written request to be notified of the changes to the conditions or, in the Ontario Lands Tribunal's opinion, there are reasonable grounds to add the person or public body as a party.

HOW TO VIEW MATERIALS

Copies of the Official Plan Amendment, and Zoning By-law Amendment are available for inspection by requesting a copy via email at planning@wasagabeach.com or, by written request to the Planning Department, 30 Lewis Street, Wasaga Beach, Ontario, L9Z 1A1.

Public comments/ submissions and responses regarding the aforementioned files, which is available for viewing online by contacting the Planning Department at planning@wasagabeach.com or by written request to the Planning Department, 30 Lewis Street, Wasaga Beach, Ontario, L9Z 1A1.

DATED at the Town of Wasaga Beach this 27th day of February, 2024.

CLERK, TOWN OF WASAGA BEACH