



DEVELOPMENT COMMITTEE

REPORT

Held Wednesday, February 20, 2013 at 1:30 p.m.
In the Classroom, Town Hall

PRESENT:	N. Bifulchi	Councillor/Chair
	D. Foster	Deputy Mayor
	S. Wells	Councillor
	M. Bercovitch	Councillor
	C. Patterson	Mayor
	G. Vadeboncoeur	Chief Administrative Officer
	R. Kelso	Manager of Planning and Development
	D. Herron	Senior Planner
N. Wukasch	Planner	
T. Jarratt	Zoning Administrator	
D. Wulff	Recording Secretary	

1. CALL TO ORDER

Councillor Bifulchi called the meeting to order at 1:30 p.m.

2. DISCLOSURE OF PECUNIARY INTEREST - None

Councillor Bifulchi asked for the Committee's consideration to the move the Agenda items related to the four (4) Deputations to the beginning of the meeting to allow for the consultants and representatives for the parties involved to be in attendance. The Committee was in full agreement.

3. DEPUTATIONS/PRESENTATIONS/PUBLIC MEETINGS

Deputations

- a) **Mr. Ray Duhamel, Planner – Jones Consulting Group – Request for Marl Lake Village Sign Variance & Sunnidale Trails Sales Pavilion Extension**

Mr. Kelso welcomed Mr. Ray Duhamel of Jones Consulting Group to the table.

Mr. Duhamel highlighted the request from Pacific Homes regarding the extension of the sales pavilion located on Sunnidale Road. Mr. Duhamel used a composite to show the

existing sales pavilion on Sunnidale Road that was used for the sales of the Marl Lake Village development and would continue to be used for the sales of the future Sunnidale Road subdivision by Pacific Homes. Mr. Duhamel advised of the developer's intent to move forward with their development following court delays that are now completed.

Mr. Duhamel gave a brief estimation of the developer's plans for the construction which included the projected completion of servicing for the spring of 2014 and registration of Phase 1 on or around the summer of 2014 dependant on how sales proceed.

Mr. Duhamel advised that the permit for the existing development sign for Pacific Homes advertising for the Marl Lake Village subdivision on Ryther Road will need to be renewed to allow for the completion of the development.

The Chair thanked Mr. Duhamel for his presentation.

b) Ms. Iona Tough, Mr. Gary Reid, Mr. Peter Sharpe & Mr. Fred Sproule – Habitat for Humanity – Proposed Beck Street Build

Mr. Kelso welcomed Ms. Iona Tough, Mr. Gary Reid, Mr. Peter Sharpe & Mr. Fred Sproule from Habitat for Humanity to the table.

Ms. Tough, the Chair for the Habitat for Humanity Committee advised of the following:

- Fred Sproule and Gary Reid head up the Building Committee for the Habitat for Humanity adding that they have worked diligently while offering leadership for the last 8 (eight) houses that have been built;
- Habitat for Humanity has built 8 (eight) houses in the last 10 (ten) years with three (3) of these houses being within the Town of Wasaga Beach;
- There is the hope for a proposed second Restore shop that will be located in Wasaga Beach;
- Habitat for Humanity does not simply give their homes away;
- The partner family is expected to give back to the Habitat for Humanity by way of 500 hours of sweat equity;
- The partner family also pays an interest free mortgage with payments that are geared to their income;
- The interest free mortgage payments actually allow for the group to build future homes for other families;
- Mr. Mark Crowe from Hamount Investments Ltd. has agreed to prepare the lot for building as well as install the foundation for the new home; and
- Habitat for Humanity will pay the developer for the site preparations with their contribution of \$10,000.00.

Ms. Tough thanked the Town of Wasaga Beach for all of their help in the past with the Habitat for Humanity's ventures.

Mr. Kelso advised that the proposed building lot will also require additional landfill adding that he has had discussions with the Director of Public Works who has indicated that the municipality does have some surplus of fill that may be able to be transported and put on the proposed site, following the approval of Council.

Ms. Tough advised that the Habitat for Humanity relies on many avenues for their time and donations like churches and businesses.

The Chair thanked Ms. Tough, Mr. Reid, Mr. Sharpe & Mr. Sproule for their presentation.

c) **Mr. Kirk Johnson – Review of Private Landfill Study Findings – Terraprobe Inc.**

Mr. Kelso welcomed Mr. Kirk Johnson of Terraprobe Inc. to the table.

Mr. Johnson gave an overview of the engagement between Terraprobe Inc. and the Town of Wasaga Beach for the preparation of a study to determine any impacts of the private landfill sites within the surrounding environment as well as any potential impacts on human health and safety relating to the landfill sites. Mr. Johnson stated that Terraprobe Inc. has completed their report dated January 8, 2013 for Council and staff's review.

Mr. Johnson advised that the two (2) old private landfill sites are located on Longdale Road and Westbury Road. Mr. Johnson added that based on the County's Waste Management policies, the Town is required to place a 500 metre waste disposal assessment area surrounding any closed private landfills into a Holding (H) Zone which requires developers within close proximity to these sites to fulfil onerous studies prior to be able to proceed with their construction.

Mr. Johnson advised that following the review of the information with respect to the two (2) closed landfills; it should be noted that both landfill sites have been closed in excess of 40 years and there has been no indication of any impact of any leaching of water or any other evidence proving that these landfill sites are causing any impact on the community.

Mr. Johnson reported that the Town of Wasaga Beach will now be able to review the assessment report prepared by Terraprobe Inc. which will allow them to approach the County further to discuss the next steps with respect to this matter.

Mr. Johnson advised that the report summarizes the locations of the old private landfills and indicates Terraprobe's findings that ongoing D4 Assessment studies should not be required by developers within the assessment areas of the sites.

Mayor Patterson stated that the County should be cooperative when considering this proposal from the Town of Wasaga Beach.

The Chair thanked Mr. Johnson for his presentation.

4. UNFINISHED BUSINESS

File No.

- Z19/08 Proposed Service Commercial Official Plan Amendment & Zoning By-Law
OP05/08 Amendment – Mary Picard In Trust (Maram Building Corporation) – Hwy 26 & Fairgrounds Road; 15 Oct 08; Public Meeting 25 Nov 2008; Public Meeting 26 August 2009; *(on hold)*
- PS02/10 Draft Plan of Subdivision & Zoning By-Law Amendment – Sunnidale Estates Ltd.,
Z23/10 Fresun Estates Ltd. – River's Edge Subdivision, Phase 2, Freethy Road (Mr. Fred Picavet) – 24 November 2010 – 29 August 2012 – *On hold at the request of the applicant*
- OP02/10 Proposed Official Plan and Zoning By-Law Amendment – Wasaga Beach Village,
Z21/10 Phase 3 – Berkley Homes – 24 November 2010; 26 January 2011; 27 April 2011; 23 January 2013
- Z03/12 Proposed General Amendment to Section 3 – Accessory Uses, Building and Structures – Shipping Containers – 22 February 2012
- OP01/12 Woodlands Village Resort - Sceptre Developments – River Road West, Concession
PS04/11 9, Part Lot 24 (geographical Township of Flos) – 22 February 2012; 27 June 2012-
Z13/11 Public Meeting 31 July 2012 *(On hold pending payment of Accounts Receivable)*
- Z20/12 Proposed Zoning By-Law Amendment – 103B – 32nd Street South – John Valeriani – 28 November 2012; 12 December 2012; 23 January 2013
- Z21/12 Proposed Zoning By-Law Amendment – 38 – 12th Street North – Andrew Fuks – 28 November 2012; 12 December 2012; Council Public Meeting 22 January 2013; *On Agenda*
- OP03/12 Proposed Official Plan Amendment and Zoning By-Law Amendment – 878 Mosley
Z17/12 Street – Bremont Homes (Gary Breda) – 28 November 2012; 12 December 2012; 23 January 2013

Deputy Mayor Foster entered meeting at 1:42 p.m.

5. DEPARTMENT REPORTS

The Chair reiterated the Committee's agreement to allow the following items to be reviewed by the Committee at this point of the Agenda in the following order:

- 5(a)(i) OP01/13 – Closed Private Landfill Assessment Draft Policies
- 5(h)(iii) Habitat for Humanity – Proposed Beck Street Build (Unopened portion of Cedar Grove Drive R.O.W.)
- 5(h)(iv) Proposed Sales Pavillion Extension – Sunnidale Trails – Pacific Homes
- 5(h)(v) SV01/13 - Sign Variance Extension – Marl Lake Village, 661 River Road West, Part of Lot 26, Concession 8 – Pacific Homes

a) Official Plan Updates and Amendments

i) OP01/13 – Closed Private Landfill Assessment Draft Policies

MOVED BY S. WELLS

SECONDED BY M. BERCOVITCH

RESOLUTION NO. 2013-02-01

RESOLVED THAT the Development Committee receives the Report from Terraprobe dated January 28, 2013 entitled 'Closed Private Landfill Review' and direct staff to pursue the following:

- a) A resolution to Waste Management policy concerns with County Staff based on the recommendations in the Terraprobe Landfill Assessment Report;
- b) Prepare a draft Town Official Plan Amendment; and
- c) Have municipal representation attend the OMB Pre-Hearing for the County Official Plan to register as a party to the proceedings regarding the County Waste Management policies.

CARRIED

5(h)(iii) Habitat for Humanity – Proposed Beck Street Build (Unopened portion of Cedar Grove Drive R.O.W.)

MOVED BY S. WELLS

SECONDED BY M. BERCOVITCH

RESOLUTION NO. 2013-02-02

RESOLVED THAT the Development Committee recommends to Council that it consider the transfer of the Beck Street frontage of the unopened portion of the Cedar Grove Drive Right-of-Way to Habitat for Humanity for a 2013 Build site as a charitable donation.

CARRIED

5(h)(iv) Proposed Sales Pavillion Extension – Sunnidale Trails – Pacific Homes

MOVED BY M. BERCOVITCH

SECONDED BY S. WELLS

RESOLUTION NO. 2013-02-03

RESOLVED THAT the Development Committee recommends to Council that it approve the request from Pacific Homes for the extension to the permission for the location of an existing sales pavilion located on Sunnidale Road, Part of Lot 5, Concession 13, subject to the following conditions:

- 1) That the approval is for a term of five (5) years from the date of approval, or until the subdivision is sold out, whichever comes first;
- 2) That the owner is to enter into a Renewed Sales Pavilion Agreement.

CARRIED

5(h)(v) SV01/13 - Sign Variance Extension – Marl Lake Village, 661 River Road West, Part of Lot 26, Concession 8 – Pacific Homes

MOVED BY C. PATTERSON

SECONDED BY S. WELLS

RESOLUTION NO. 2013-02-04

RESOLVED THAT the Development Committee recommends to Council that it approve the request for a Sign Variance Renewal for the temporary billboard sign located at 661 River Road West advertising the Pacific Homes, Marl Lake Village development on Ryther Road, for a maximum period of two (2) years from April 27, 2013, or upon the development being sold out, whichever comes first.

CARRIED

b) Zoning Amendments

- i) **Z23/12 – Temporary Use By-Law Extension – Block 24, Registered 51M-923 – Stonebridge Boulevard – Hamount Investments Ltd. – Report back from Public Meeting**

MOVED BY M. BERCOVITCH

SECONDED BY S. WELLS

RESOLUTION NO. 2013-02-05

RESOLVED THAT the Development Committee recommends that Council approve the proposed Temporary Use By-Law for a temporary construction storage building on Block 24, Plan 51M-923 by Hamount Investments Ltd. for a period of 18 months.

CARRIED

ii) Z01/13 – Proposed Zoning By-Law Amendment – Corallo (2077143 Ontario Ltd.) – 25 Mosley Street

Mr. Wukasch gave an overview of the application received from the owner to rezone the subject property to allow for the exception to the zoning requirements to increase the number of consecutive days that a tourist establishment could be used from 31 days (1 month) to 248 days (8 months). Mr. Wukasch stated that Staff is recommending that this application proceed to the Public Meeting forum to be able to obtain public and external agency comments as well as determine what merit the rezoning process will have for this type of tourist accommodation property.

Councillor Wells asked if approval for this rezoning application could be precedent setting. Discussion continued regarding the possibility of precedence with respect to the issue of zoning amendments for temporary accommodations vs. full time rental.

Councillor Wells stated that when the matter relating to longer term rentals within the Tourism Accommodation zones first came to fruition and Council started looking at this issue, he thought that this possible rezoning would be for a timeline for one (1) year rather than eight (8) months. Councillor Wells stated that there may possibly be other establishments that may come forward for the same type of rezoning application.

Mr. Kelso stated that it will be beneficial to receive comments back with respect to the application which may allow for more specific direction regarding this matter. Mr. Kelso added that every piece of property is different in many aspects which would suggest that it is appropriate that each application be reviewed on an individual basis.

Mr. Kelso stated that it may be necessary to seek the planning opinion from the author of the Zoning By-Law 2003-60, as amended to determine the understanding of the zoning requirements regarding the different rental terms.

Councillor Wells stated that he did not have any issues with this matter proceeding to a Public Meeting to be able to see what comments would be received by residents, however looking forward at the context of the Housing Strategy Review moving forward. Councillor Wells added that if someone was looking for a rental unit that was more affordable, they would only be able to rent this unit for the maximum of eight (8) months. Councillor Wells stated that he thought that this matter coming forward would accommodate tourists as well as a longer rental term. Councillor Bifulchi agreed with Councillor Wells' comments.

Mr. Wukasch stated that there is definite evidence that long term rental is happening within tourist accommodation zones with some instances being for emergency housing situations.

Deputy Mayor Foster stated that following the Housing Strategy presentation at the Committee of the Whole meeting yesterday, it was proposed that a couple of test locations could be set up and reviewed. Deputy Mayor Foster questioned what criteria would be considered for these ‘test’ locations.

The Chair stated that although we cannot stop businesses from applying for this type of rezoning; the Town would need to consider any application that has been submitted to avoid any appeals to the Ontario Municipal Board. Mr. Kelso agreed and stated that the applicant is looking to legalize her situation as she rents out her units during the winter months on a longer term basis and rents to the travelling public during the summer months on a shorter term basis.

Mr. Kelso briefly highlighted the matter regarding the permanent use of seasonal accommodations that reviewed by the T.A.C. Committee.

Councillor Bercovitch asked if the building standards were similar for both permanent rentals and seasonal rentals. Mr. Kelso advised that he could not answer this question. Further discussion was held regarding possible standards for seasonal and permanent residents.

MOVED BY S. WELLS

SECONDED BY M. BERCOVITCH

RESOLUTION NO. 2013-02-06

RESOLVED THAT the Development Committee recommends to Council that it hold a Public Meeting pursuant to the requirements of the *Planning Act*, to obtain public and agency input with regards to the Zoning By-Law Amendment application submitted by 2077143 Ontario Ltd. (Corallo), for lands municipally known as 25 Mosley Street.

CARRIED

iii) Z21/12 – Proposed Zoning By-Law Amendment - Report back from Public Meeting – 38 – 12th Street North, Andrew Fuks

MOVED BY M. BERCOVITCH

SECONDED BY S. WELLS

RESOLUTION NO. 2013-02-07

RESOLVED THAT the Development Committee recommends to Council that it approve the proposed Zoning By-Law Amendment submitted by Andrew Fuks, for lands municipally known as 38 – 12th Street North, subject to the owner entering into a Development Agreement and providing securities.

CARRIED

g) **Building Division**

i) **Building Department Report dated February 7, 2013**

MOVED BY C. PATTERSON

SECONDED BY S. WELLS

RESOLUTION NO. 2013-02-11

RESOLVED THAT the Development Committee receives the Building Department's Report dated February 7, 2013, for information.

CARRIED

h) **Other Business**

i) **DB01/13 - Bremont Deeming By-Law – 878 Mosley Street – Bremont Homes, Mr. Gary Breda**

Councillor Wells advised that there are advertising billboards on the subject property. Mr. Herron reported that this matter as well as other matters of concern which have been noted by Staff and have been forwarded to the developer for their resolve.

MOVED BY S. WELLS

SECONDED BY C. PATTERSON

RESOLUTION NO. 2013-02-12

RESOLVED THAT the Development Committee recommends Council approve the Deeming By-Law for Lots 74, 75, 76, 77 and 82, Plan 837 submitted by 2015429 Ontario Inc. (c/o Bremont Homes).

CARRIED

ii) **Active Transportation Grant – Status of Active Transportation Implementation Monitoring**

Discussion ensued regarding the additional cost for the review in the form of taxes not to exceed \$100.00 as indicated in the resolution. Mr. Herron advised that the HST component of the consultant's will exceed the grant money by \$650.00; of which the Town will recover 100% of the federal tax and 78% of the provincial tax payable leaving a small shortfall of \$88.00 which will be the municipality responsibility. It was then;

MOVED BY S. WELLS

SECONDED BY M. BERCOVITCH

RESOLUTION NO. 2013-02-13

RESOLVED THAT the Development Committee recommends to Council that it accept a Grant from the Simcoe Muskoka District Health Unit in the amount of \$5,000.00 to conduct a program review of the Active Transportation Plan; and

That it approve an additional cost for the review in the form of taxes not to exceed \$100.00.

CARRIED

- iii) **Habitat for Humanity – Proposed Beck Street Build (Unopened portion of Cedar Grove Drive R.O.W.)** - This item was dealt with earlier in the Agenda.
- iv) **Proposed Sales Pavillion Extension – Sunnidale Trails – Pacific Homes** - This item was dealt with earlier in the Agenda.
- v) **SV01/13 - Sign Variance Extension – Marl Lake Village, 661 River Road West, Part of Lot 26, Concession 8 – Pacific Homes** - This item was dealt with earlier in the Agenda.
- vi) **DB02/13 – Curtosi/Dowling Deeming By-Law – Main Street & Cedar Grove Drive, Registered Plan 961**

MOVED BY S. WELLS

SECONDED BY C. PATTERSON

RESOLUTION NO. 2013-02-14

RESOLVED THAT the Development Committee recommends to Council that a By-law, pursuant to Section 50(4) of the *Planning Act* be adopted to deem Lots 1-8,19-37,40, 42, 43 and 46- 48 within Registered Plan 961 to no longer be within a registered plan.

CARRIED

Further to the previous discussion regarding Agenda Item 5(h)(iii) - **Habitat for Humanity – Proposed Beck Street Build (Unopened portion of Cedar Grove Drive R.O.W.)** Councillor Wells asked for clarification of what site preparation was required for the subject property to make it build ready. Mr. Kelso advised that a geotechnical assessment would be needed to determine high water levels and soil conditions, a drainage plan, the extension of sewer laterals, soil compaction and fill. Mr. Kelso advised that he has had discussions with the Director of Public Works regarding any excess fill that may be available from the Public Works landfill. Mr. Kelso highlighted

the meeting with Habitat for Humanity and the developer who has offered to prepare the subject property to allow for the building of the proposed new home.

Councillor Wells stated that he thought that the Town should consider helping with the proposed development within their jurisdiction, if needed. The Chair stated that any help that may be needed it should come back to Development Committee for further review.

Ms. Jarratt left the meeting at 2:09 p.m.

vii) Simcoe County Trails Connecting Communities Program (TCCP) Grant Application

MOVED BY C. PATTERSON

SECONDED BY S. WELLS

RESOLUTION NO. 2013-02-15

RESOLVED THAT the Development Committee recommends to Council that the Town submit an application to the County of Simcoe for grant funding through the “Trails Connecting Communities Program” to enhance the Town of Wasaga Beach Trail System.

CARRIED

i) Departmental Accounts

i) Planning and Building Department Accounts (January 1 - 31, 2013)

MOVED BY C. PATTERSON

SECONDED BY S. WELLS

RESOLUTION NO. 2013-02-16

RESOLVED THAT the Planning and Building Department Accounts for January 1 - 31, 2013, as reviewed by the Development Committee, are hereby confirmed.

CARRIED

6. OTHER AGENCY REPORTS

a) Ainley Project Status Report dated February 11, 2013

MOVED BY S. WELLS

SECONDED BY C. PATTERSON

RESOLUTION NO. 2013-02-17

RESOLVED THAT the Development Committee receives the Ainley Project Status Report of February 11, 2013, for information.

CARRIED

b) Public Works / Engineering Technologist Development Project Status Report dated February 7, 2013

MOVED BY C. PATTERSON
SECONDED BY S. WELLS

RESOLUTION NO. 2013-02-18

RESOLVED THAT the Development Committee receives the Public Works / Engineering Technologist Development Project Status Report of February 7, 2013, for information.

CARRIED

c) Planning Application Tracking System Report

MOVED BY C. PATTERSON
SECONDED BY S. WELLS

RESOLUTION NO. 2013-02-19

RESOLVED THAT the Development Committee receives the Planning Application Tracking System Report dated February 14, 2013, for information.

CARRIED

d) Healthy Community Network Committee Report dated January 17, 2013

MOVED BY C. PATTERSON
SECONDED BY S. WELLS

RESOLUTION NO. 2013-02-20

RESOLVED THAT the Development Committee hereby receives the Healthy Community Network Committee Report of January 17, 2013, for information.

CARRIED

e) Healthy Community Network Committee Goals for 2013 dated February 20, 2013

MOVED BY C. PATTERSON
SECONDED BY S. WELLS

RESOLUTION NO. 2013-02-21

RESOLVED THAT the Development Committee hereby receives the Healthy Community Network Goals of 2013 dated January 23, 2013, for information.

CARRIED

7. DATE OF NEXT MEETING

Wednesday, March 27, 2013 at 1:30 p.m. in the Classroom.

8. ADJOURNMENT

The Chair adjourned the meeting at 2:11 p.m.