

THE CORPORATION OF THE TOWN OF WASAGA BEACH

**MINUTES OF THE REGULAR MEETING OF
TOWN COUNCIL**

**Held Tuesday, March 26, 2013 at 7:00 p.m.
In the Council Chamber**

PRESENT:

C. Patterson	Mayor
D. Foster	Deputy Mayor
R. Anderson	Councillor
M. Bercovitch	Councillor
N. Bifulchi	Councillor
G. Watson	Councillor
S. Wells	Councillor
G. Vadeboncoeur	Chief Administrative Officer
T. Nicholson	Clerk
P. Archdekin	Deputy Clerk
N. Wukasch	Planner

1. CALL TO ORDER

Mayor Patterson called the meeting to order at 7:00 p.m.

2. DISCLOSURE OF PECUNIARY INTEREST

Councillor Watson declared a Pecuniary Interest with respect to the March 12, 2013 Council Minutes Closed Session due to a business relationship and March 19th Committee of the Whole Report Closed Session due to a business relationship.

Councillor Anderson declared a Pecuniary Interest with respect to the March 19, 2013 Committee of the Whole Closed Session due to a business relationship.

Councillor Wells declared a Pecuniary Interest with respect to the March 19, 2013 Committee of the Whole Closed Session Resolution 2013-03-02 Beach 1 Visioning as an immediate family member has a business relationship with an affected property owner and Community Services Committee meeting of March 19th, Resolution 2013-03-02, Probus Club Request/Delegation re Fee increase, as he is a member of the Probus Club.

Mayor Patterson declared a Pecuniary Interest with respect to the March 19th Community Services Committee meeting as he is a member of the Probus Club.

The Chief Administrative Officer clarified that the motion was to refer to staff for review and report; however, it is always better to be on the safe side and err on the side of caution.

3. ADOPTION OF MINUTES

Deputy Mayor Foster noted that as March is Epilepsy Awareness Month with today being National Purple Day he is wearing his purple shirt and tie as is the Mayor.

It was then;

MOVED BY D. FOSTER

SECONDED BY G. WATSON

RESOLUTION NO. 2013-05-01

RESOLVED THAT the Minutes of the Regular Meeting of Council held Tuesday, March 12, 2013 at 7:00 p.m. in the Council Chambers, are hereby adopted as circulated.

CARRIED

4. DEPUTATIONS, PETITIONS AND PUBLIC MEETINGS

PUBLIC MEETING

Pursuant to Section 34 and 36 of the *Planning Act*, 1990, a Public Meeting with respect to a proposed Zoning Amendment for lands located at 25 Mosley Street
2077143 Ontario Ltd. (Bridget Corallo) – 25 Mosley Street

Notice of Public Meeting was published in the Wasaga Sun Newspaper on March 7, 2013 and circulated to all property owners and assessed persons within 400 feet from the subject lands. This provided more than 20 days of notice for the public meeting; therefore, this meeting was properly constituted as required by the *Planning Act*.

The land is subject to the proposed Zoning By-Law Amendment is approximately 3,187 square metres (0.79 acres) of lands legally described as Lot 14, Plan 1458, Town of Wasaga Beach, County of Simcoe. The subject property is located at 25 Mosley Street.

The proposed Zoning By-Law Amendment would rezone the subject lands from the Tourist Commercial (CT) Zone and the Tourist Commercial Floodplain Holding (CTFH) Zone to a Tourist Commercial Exception (CT-E) and Tourist Commercial Floodplain Holding (CTFH) Zone.

The effect of the proposed Zoning By-Law Amendment would be to increase the period of time that a guest may occupy an existing Tourist Establishment Motel unit from a maximum of 31 days (1 month) to a maximum of 248 consecutive days (8 months).

The following written correspondence was received as a result of the circulation of the Notice of Public Meeting:

Letters of Support: None

Letters of No objection: A voicemail message indicating no objection was received on March 22, 2013, from the Nottawasaga Valley Conservation Authority.

A letter of no objection was received from the Simcoe County District School Board, dated March 12, 2013, indicated that guests who are using the units for a period of up to eight (8) months should be advised that accommodation in schools is not guaranteed and students may be accommodated in temporary facilities. School bus pickup points will be determined by the Board.

Town Public Works Department has no objections.

Letters of Concern: None

Letters of Objection: None

Mayor Patterson asked the Planner if any further letters or correspondence in regard to this application had been received. Mr. Wukasch advised that nothing further had been received.

Ms. Miriam Vasni, of D.C. Slade Consulting, made a brief presentation providing further details with respect to the proposed amendment.

Ms. Vasni presented a Power Point presentation of the proposed property to be rezoned. She noted the location of the property being the corner of Mosley and Willow Street across from Playland Parking Lot and spoke to surrounding businesses around the property. The application is to convert the six (6) motel units into long term occupancy units. These are located behind the two existing restaurants. The proposed rezoning is to rezone a portion of the property from Tourist Commercial to Tourist Commercial Exception Zone. The effect would increase the number of days a person can stay in the units from 31 to 248 consecutive days, so this is not a permanent residency. The two (2) restaurant units are facing Mosley and one has been rented for summer as a candy store. The residential units are at the rear of the building and have individual parking to individual units. The owner has completed a number of upgrades to interior and exterior, fenced in the property; parking area paved, outdoor stairs eaves and downspouts repaired/replaced, façade improvement and rear swale established for drainage.

The site is safe and clean and there is sufficient parking for units and restaurant. The units have been painted, fixtures updated, repaired/replaced tiles, units have met the requirements of the *Building Code* and have been inspected by Fire, Building and By-Law Departments.

The lands are designated Tourist Commercial. The Town's Official Plan has no policies regarding conversion of Tourism Commercial Units; however, it encourages longer term use. Ms. Vesna noted that she has read the Housing Strategy Study commenting that it is well done. She then referred to the statistics noting that in the past twenty years the population has increased 172% and 88% of the current housing stock are single family dwellings and there is only one social housing unit operated by the County. Due to the lack of rental accommodations on the market cottage courts and motels are being rented on longer term basis. The health and safety, property standards has become a concern and the Town is dealing with that issue. This property is an ideal candidate for longer term and is under a commercial license. The building is sound and the units are inspected every year. There were no concerns raised by Town staff during the inspection just last week. Each unit has a kitchen, living area, bedroom and bathroom. The proposed Zoning Amendment will meet the needs of emergency housing, short term housing and affordable housing. The owner, Bridget Corallo is in attendance should Council have any questions for her.

Mayor Patterson thanked Ms. Vasni for her presentation.

The Mayor then asked if there was anyone present that would like to provide input either in support of, or in opposition to, this proposed amendment. If so, they were asked to please stand and clearly state their name and address in order that it may be correctly entered into the records of the proceedings.

Mr. Tony Todaro, Mosley Street, stated that he lives next door to the property and if this change is permitted it will change the vision of Wasaga Beach. Just last week he attended a meeting talking about Wasaga Beach as a big tourist place and now before Council is an application that a tourist business will be changed into residential or partially residential. He questioned if the Town needs to create this kind of residential use in a tourist area. Mr. Todaro questioned what kind of people come to Wasaga Beach for six months then leave.

Mr. Todaro then questioned if Council even knows what goes on around this property, stating he does due to living next door. The people that are there do nothing, get drunk, use the outside as a washroom anywhere, anytime, there are no police around and nobody checks on the property. You can't teach ethics and these people have no ethics. If Council approves this change he stated that he will submit his application to change his property and have drunkards also.

The Town has a vision to bring nice people to the community and he does not believe this will attract the kind of people Council wants in their vision. He understands that people want to make money but he did not support this application.

Mayor Patterson thanked Mr. Todaro for his comments.

The property owner, Ms. Corallo stated for the record that Mr. Todaro is two doors over, not right next door.

Mayor Patterson inquired if there were any further comments.

Hearing none, he then asked members of Council if they have any questions or comments with regards to the proposed Zoning By-Law Amendment.

Councillor Watson inquired of the *Innkeepers Act* and the Landlord and Tenant Act and if there would be an issue going forward.

Ms. Corallo advised that nothing changes from how she operates today. Under the *Innkeepers Act* she rents to tourists on a weekly basis. Last summer she had beach front employees ask if they could rent from her while working. Under the current By-Law she is only permitted to rent to them 31 days and that is why she is asking for longer rental period. Councillor Watson then inquired of the legal aspect after 31 days. Ms. Corallo responded that contrary to a Landlord, she does not ask for first and last month rents and there is no lease; however, they do provide a security deposit then pay according to their stay.

Mayor Patterson noted that the comments received today will be referred back to Development Committee where a decision will be made whether to recommend the proposed Zoning By-Law Amendment proceed further through the approval process.

Anyone receiving Notice of the Public Meeting will receive Notice of the Decision of Council in this matter. If you did not receive the Notice and would like to receive a copy of the Notice of Decision for the proposed Zoning By-Law Amendment, they were asked to please make a written request to the Clerk of the Town of Wasaga Beach.

Mayor Patterson then closed the Public Meeting.

5. CORRESPONDENCE – Received for Information - None

CORRESPONDENCE – Requiring Action

a) World Autism Awareness Day – April 2nd, 2013

MOVED BY D. FOSTER

SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2013-05-02

WHEREAS Autism is not a mental illness; it is the result of a neurological disorder that affects the functioning of the brain; and,

WHEREAS Autism Spectrum Disorder is more prevalent than Down Syndrome, Cystic Fibrosis, Childhood Cancer or Multiple Sclerosis; and,

WHEREAS one in ninety four people are affected; and,

WHEREAS there is no cure for autism and it is a lifelong disability; however, with the coping mechanisms individuals can lead productive and fulfilling lives;

THEREFORE BE IT RESOLVED THAT Council does hereby proclaim April 2nd, 2013 as *World Autism Awareness Day* in the Town of Wasaga Beach.

CARRIED

b) Daffodil Month – April 2013

MOVED BY G. WATSON

SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2013-05-03

WHEREAS people in our community are touched by cancer every day; and,

WHEREAS since the first *Daffodil Month* campaign more than 50 years ago, people in our community have helped the Canadian Cancer Society fund research that is helping more people in our community survive cancer; and,

WHEREAS the Canadian Cancer Society is leading the way in the fight against cancer in communities across Ontario by empowering, informing, supporting and improving the lives of Canadians living with cancer and rallying Canadians to make cancer history; and,

WHEREAS 6600 Canadian Cancer Society volunteers in the South-Muskoka Unit along with thousands of volunteers across Ontario are showing their support for people living with cancer throughout the month of April; and,

WHEREAS *Daffodil Month* reminds us to learn about the steps we can take to reduce our risk of cancer and celebrates the tremendous contributions of volunteers and donors;

THEREFORE BE IT RESOLVED THAT the Town of Wasaga Beach does hereby proclaim the month of April to be *Daffodil Month* and urge all citizens to fight back against cancer by supporting the Canadian Cancer Society's annual sale of daffodils and door-to-door fundraising campaign.

CARRIED

CORRESPONDENCE – To be Referred - None

6. UNFINISHED BUSINESS – None

7. COMMITTEE & OTHER BOARDS REPORTS

a) Community Services Committee – March 19, 2013

Councillor Bercovitch spoke to the highlights. Councillor Wells and Mayor Patterson noted that they will vote on all matters with the exception of the Probus Club and it was then;

MOVED BY N. BIFOLCHI
SECONDED BY R. ANDERSON

RESOLUTION NO. 2013-05-04

RESOLVED THAT Council does hereby adopt the Community Services Committee Report dated March 19, 2013, as circulated, and approves all actions contained therein.

CARRIED

b) Committee of the Whole – March 19, 2013

Mayor Patterson spoke to the highlights of the meeting. Councillors Anderson, Watson and Wells previously declared Pecuniary Interest was noted. It was then;

MOVED BY N. BIFOLCHI
SECONDED BY D. FOSTER

RESOLUTION NO. 2013-05-05

RESOLVED THAT Council does hereby adopt the Committee of the Whole Report dated March 19, 2013, as circulated, and approves all actions contained therein.

CARRIED

c) General Government Committee – March 21, 2013

Councillor Anderson spoke to the highlights of the meeting and it was then;

MOVED BY R. ANDERSON

SECONDED BY S. WELLS

RESOLUTION NO. 2013-05-06

RESOLVED THAT Council does hereby adopt the General Government Committee Report dated March 21, 2013, as circulated, and approves all actions contained therein.

CARRIED

d) Accounts – February 1-28, 2013

Councillor Anderson noted that all of the accounts have been approved in the individual Committee meetings and it was then;

MOVED BY R. ANDERSON

SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2013-05-07

RESOLVED THAT Council does hereby confirm the February 1-28, 2013 accounts in the amount of \$4,571,824.25.

CARRIED

8. NOTICES OF MOTION – None

9. MOTIONS – WHERE NOTICE HAS BEEN PREVIOUSLY GIVEN - None

10. BY-LAWS AND CONFIRMATORY BY-LAW

a) A By-Law to Authorize Execution of an Agreement with the Kowabunga Stand Up Paddle and Kayak and the Town of Wasaga Beach to Utilize Town Lands

MOVED BY D. FOSTER

SECONDED BY S. WELLS

RESOLUTION NO. 2013-05-08

RESOLVED THAT a By-Law to Authorize Execution of an Agreement with the Kowabunga Stand Up Paddle and Kayak and the Town of Wasaga Beach to Utilize Town Lands, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2013-27.

CARRIED

b) A By-Law to Amend Town of Wasaga Beach Comprehensive Zoning By-Law No. 2003-60, as Amended (Fuks – 38 - 12th St. N.)

MOVED BY N. BIFOLCHI
SECONDED BY R. ANDERSON

RESOLUTION NO. 2013-05-09

RESOLVED THAT a By-Law to Amend Town of Wasaga Beach Comprehensive Zoning By-Law No. 2003-60, as Amended, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2013-28.

CARRIED

c) Confirmatory By-Law

MOVED BY S. WELLS
SECONDED BY G. WATSON

RESOLUTION NO. 2013-05-10

RESOLVED THAT a By-Law to Confirm the Proceedings of the Council of the Town of Wasaga Beach at its Regular Meeting held Tuesday, March 26, 2013, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2013-29.

CARRIED

11. MAYOR AND COUNCILLORS REPORTS

Councillor Watson attended a Collingwood Regional Airport meeting; Eggstravaganza is Saturday at the RecPlex and the Rotary Club are preparing food and hampers for Easter.

Councillor Bifulchi attended NVCA meetings and Shoreline Strategy for Southern Georgian Bay.

Deputy Mayor Foster attended a Library Board meeting; Healthy Communities Network, County Council and noted that the garbage pickup changes on April 1st and there are new trucks. It was noted that Wasaga Beach will see an increase in service and there will be a financial savings County wide. On the Town's web site under Healthy Communities residents will find information on a DASH diet.

Councillor Wells attended the Women's Business Fair at the RecPlex.

Councillor Anderson attended a Hospital Board Meeting and the Beach Area 1 & 2 implementation meeting with property owners.

Councilor Bercovitch attended the implementation meeting for Beach Area 1 and 2 with business owners and attended the Business Fair at the RecPlex.

Mayor Patterson advised that he attended County Corporate Services and Performance Management meeting; Southern Georgian Bay Water Level meetings; Governance meeting; the funeral of John Morrow former County Warden; Hydro Conference; Royal Victoria Health Board, Chamber of Commerce, County Waste Management Public Meeting; Beach Area 1 and 2 property owners meeting; met with MP Kellie Leitch and Mayor Ellen Anderson to discuss the rail system and water levels; Hydro meetings; County Council and a Governance meeting.

12. CALLING OF COMMITTEE MEETINGS

Public Works	April 4 th at 8:30 a.m.
Development Committee	March 27 th at 1:30 p.m.
Community Services	April 16 th at 8:30 am.
General Government	April 18 th at 2:30 p.m.
Committee of the Whole	April 2 nd at 7:00 p.m.

13. QUESTION PERIOD

“A fifteen (15) minute session wherein persons in attendance at the Regular Meeting of Council have an opportunity to raise questions pertaining to items that were dealt with by Council on the evening’s Agenda.”

14. ADJOURNMENT

Mayor Patterson adjourned the meeting at 7:55 p.m.

The Minutes of this meeting were approved the 9th day of April 2013.

Cal Patterson, Mayor

Twyla Nicholson, Clerk