



DEVELOPMENT COMMITTEE

REPORT

Held Wednesday, May 22, 2013 at 1:30 p.m.
In the Classroom, Town Hall

PRESENT:	N. Bifulchi	Councillor/Chair
	D. Foster	Deputy Mayor
	M. Bercovitch	Councillor
	N. Bifulchi	Councillor
	S. Wells	Councillor
	G. Watson	Councillor
	C. Patterson	Mayor
	G. Vadeboncoeur	Chief Administrative Officer/Deputy Clerk
	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

Councillor Bifulchi declared a conflict with Item **5(a)(i) - OP01/13 – D4 Closed Private Landfill Assessment Official Plan Amendment – Report back from Public Meeting** as the Committee member owns land adjacent to the County's closed landfill site located on Vigo Road. The Chair advised that she would hand the chair over the Deputy Mayor Foster for this Agenda item.

Deputy Mayor Foster declared a conflict with Item **5(e) - Committee of Consent/Adjustment Matters – specifically File No. A05/13 – 60 – 31st Street North** since he owns property in close proximity to the subject lands.

3. DEPUTATIONS/PRESENTATIONS/PUBLIC MEETING

Mr. Kelso introduced Stephen Denault who will be working within the Planning Department for the summer in the Planning Student position. Mr. Denault then left the meeting.

Delegations

a) Mr. Frank Protomanni – DAS Developments – Status Update on Commercial Retail Plaza

The Chair welcomed Mr. Frank Protomanni from DAS Developments to the table.

Mr. Protomanni advised of the following with respect to the status of the commercial retail plaza:

- There has not been any construction on the development site following the tree cutting since Site Plan Control Approval is still required.
- Ongoing work continues with the Nottawasaga Valley Conservation Authority towards their approval for the development;
- That no records that were submitted to the Planning Department indicated that there were firm tenants for the development, but rather that they would be proceeding towards that position;
- Have received first Board of Director approval from an anchor tenant which the developer has entered into an Offer to Lease which will go for final Board approval by the end of June; and
- Following approval from the Nottawasaga Valley Conservation Authority approval the developer anticipates the filling and clearing of the site by December followed by construction.

Councillor Bercovitch asked if there would be a possibility for the developer to erect a signage on the property. Mr. Protomanni advised that once he secures an anchor tenant he will prepare a rendering for a sign. Mr. Herron advised that the developer must proceed through the sign variance process for advertising signage.

Councillor Wells asked if Site Plan approval should be required before approval is given for signs on commercial properties. Mr. Herron advised that typically some type of development application approval is completed prior to development and signage.

Councillor Bifulchi thanked Mr. Protomanni for the update of his development.

b) Mr. Vito Donato - J. Donato Construction Ltd. – Request for Model Homes – 44th Street Units 18 to 22

Mr. Joe Donato was welcomed to the table.

Mr. Donato gave a very brief presentation seeking approval for five (5) Model Home permits for the development located on the west side of 44th Street North.

The Chair thanked Mr. Donato for his presentation and advised that this matter would appear later in the Agenda.

c) Ms. Kris Menzies - MHBC Planning – Acchione Proposal – 66 – 90 River Road East

Ms. Kris Menzies was welcomed to the table.

Ms. Menzies gave an update on the proposed development located at 66-90 River Road East and added that further to comments received by the Committee the developer will be able to refine his application which could then proceed to the Public Meeting process.

Ms. Menzies advised that developer is proposing a wider unit width of 6 metres and end units that are to be 6.5 metres wide. Ms. Menzies used a plan layout to show that by increasing the units widths, the distance between the buildings have been reduced which would require a variance from the Zoning By-Law 2003-60, as amended.

Ms. Menzies advised that on behalf of her client she would like to ask for the approval to allow for the application to proceed to the Public Meeting forum.

d) Ms. Kris Menzies – MHBC Planning – Sandpiper Proposal - 8 Sandpiper Lane

The Chair welcomed Ms. Menzies to the table.

Ms. Menzies introduced Mr. Tom Butkovic, the architect for the proposed development.

Ms. Menzies advised that this presentation is not a formal request for the Committee but rather an opportunity to seek guidance from the Committee prior to the formal Pre-Consultation application process.

Ms. Menzies gave a brief history of the subject property located on Sandpiper Lane that is a rectangular lot fronting on the bay. Ms. Menzies advised that the property is

the current location of a cottage court which the developer proposes to redevelop into residential units with a rental component to be available for these units.

Ms. Menzies showed of the original concept of a three (3) storey apartment building, using a plan layout that showed the proposed visitor parking, the lot area which is triangular in shape, elevations of the proposed 54 unit complex with an amenity space on the roof.

Further the developer considered a medium-density development which produced a second concept with a underground garage and pool in the front of the building. Ms. Menzies handed out layout plans to the Committee and to illustrated the proposed development with the building angled at the front and a walkdown to the beach area. She stated that the townhouse height would be lower than the maximum height permitted in the Zoning By-Law 2003-60, as amended. Ms. Menzies advised that this concept would allow for more amenity space in the front yards of the units rather than just the driveway area and stated that the front of the building would be set back further than the backs of the abutting existing homes.

Ms. Menzies advised that the developer prefers the second concept however he did not want to proceed down one avenue if there appeared to be any start up issues and is looking for comments from the Committee with respect to the two concept plans.

Deputy Mayor Foster asked for confirmation that the proposed parking will be below grade. Ms. Menzies advised that the parking is proposed to be below grade except for the four (4) proposed visitor's parking spaces.

Ms. Menzies advised that the proposed lawn area within the development will be part of the common element and reported that there will be less rear yard than what is typically seen for a traditional townhouse.

Councillor Wells reiterated his concerns with the need for many variances within new proposed development. Councillor Wells advised that he liked the concept but is concerned with the draft list of variances.

Ms. Menzies advised that the proposal was interesting from a planning prospective as the type of tenure determines the yard definitions.

Ms. Menzies highlighted the following matters regarding the proposed development:

- The proposed townhouse dwellings meet the height requirements within the Zoning By-Law 2003-60, as amended;
- The dwelling unit widths are close to the required zoning regulations; and

- Depending on the final tenure of the property, the yard requirements may be considerably less than what is required under Zoning By-Law 2003-60, as amended.

Ms. Menzies highlighted the use of the surrounding properties close to the subject property.

Councillor Wells stated his concern regarding the possible impact to the existing dwellings on the street especially to the north of the subject property due to the proposed location closer to the lotlines and the height of the proposed building which could cause some concerns with the effect of shade on the existing buildings.

The Chair thanked Ms. Menzies for her presentations.

4. UNFINISHED BUSINESS

File No.

Z19/08 OP05/08	Proposed Service Commercial Official Plan Amendment & Zoning By-Law 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; <i>(on hold)</i>
PS02/10 Z23/10	Draft Plan of Subdivision & Zoning By-Law Amendment – Sunnidale Estates Ltd., Fresun Estates Ltd. – River’s Edge Subdivision, Phase 2, Freethy Road (Mr. Fred Picavet) – 24 November 2010 – 29 August 2012 – <i>On hold at the request of the applicant</i>
OP02/10 Z21/10	Proposed Official Plan and Zoning By-Law Amendment – Wasaga Beach Village, Phase 3 – Berkley Homes – 24 November 2010; 26 January 2011; 27 April 2011; 23 January 2013; 27 March 2013
Z03/12	Proposed General Amendment to Section 3 – Accessory Uses, Building and Structures – Shipping Containers – 22 February 2012
OP01/12 PS04/11 Z13/11	Woodlands Village Resort - Sceptre Developments – River Road West, Concession 9, Part Lot 24 (geographical Township of Flos) – 22 February 2012; 27 June 2012- Public Meeting 31 July 2012 <i>(On hold pending payment of Accounts Receivable)</i>
Z20/12	Proposed Zoning By-Law Amendment – 103B – 32 nd Street South – John Valeriani – 28 November 2012; 12 December 2012; 23 January 2013; 27 March 2013; <i>On Agenda</i>
OP01/13	Closed Private Landfill Assessment Draft Policies - 20 February 2013; 27 March 2013; 24 April 2013; <i>On Agenda</i>
Z01/13	Proposed Zoning By-Law Amendment – Corallo (2077143 Ontario Ltd.) – 25 Mosley Street - 20 February 2013; Public Meeting 26 March 2013; 24 April 2013

Councillor Bifulchi's previously declared Pecuniary Interest was noted and she withdrew from the table. The Chair handed over the table to Deputy Mayor Foster.

5. DEPARTMENT REPORTS

a) Official Plan Updates and Amendments

i) **OP01/13 – D4 Closed Private Landfill Assessment Official Plan Amendment – Report back from Public Meeting**

Deputy Mayor Foster read the resolution.

Mr. Wukasch gave an overview of the Official Plan Amendment proposing to update the Waste Disposal policies within the Town's Official Plan which will affect the area within 500 metres of the existing waste disposal assessment area surrounding the County owned landfill. Mr. Wukasch highlighted the proposed changes which included the allowance of minor additions to an existing residential dwelling provided the addition does not increase the footprint of the building by more than 50% and is built on a slab-on-grade and/or above grade construction.

Councillor Wells advised that he felt that the criteria within the requirements did not include any indication that the development should also meet all other zoning requirements adding that this should be stated within the requirements. Mr. Wukasch advised that the addition of the wording for this requirement will be reviewed further. Mr. Kelso confirmed that this amendment is part of the Official Plan and it does not exempt any requirement from the Zoning By-Law 2003-60, as amended and added that consideration of specific language with respect to this concern will be considered.

The Chair returned to the table.

MOVED BY S. WELLS

SECONDED BY M. BERCOVITCH

RESOLUTION NO. 2013-05-01

RESOLVED THAT the Development Committee recommend to Council that it adopt the Official Plan Amendment for an update to the Town's Waste Disposal policies and closed private landfill sites as Official Plan Amendment #32 and authorize staff to forward the document to the County of Simcoe for approval.

CARRIED

b) Zoning Amendments

i) **Z20/12 – Proposed Zoning By-Law Amendment – Report back from Public Meeting – John Valeriani, 103B 32nd Street South**

Mr. Wukasch clarified the revisions that have occurred with the applicant's proposal since the last Public Meeting that includes the reduction in the size and height of the proposed garage which now complies with the Zoning By-Law 2003-60, as amended. Mr. Wukasch advised that the 'floodplain' portion of the property, which is currently zoned R1FH in the Zoning By-Law Amendment, will be rezoned to R1-27F as it makes sense to amend the zoning for the entire property. It was then;

MOVED BY C. PATTERSON
SECONDED BY S. WELLS

RESOLUTION NO. 2013-05-02

RESOLVED THAT Development Committee recommend to Council that no further notice is to be given regarding a minor change to the proposed Zoning By-Law Amendment that was made subsequent to the Public Meeting; and

Further that Development Committee recommend to Council that it approve the proposed Zoning By-Law Amendment submitted by John Valeriani for 103B 32nd Street South.

CARRIED

ii) Z03/13 – Proposed Commercial Accommodation Rezoning (Acchionne) – Request to Hold a Public Meeting – 66 – 90 River Road East (former Allistonia Lodge property)

Mr. Herron spoke to this matter highlighting the variances to the Zoning By-Law 2003-60, as amended that would be needed for the commercial accommodation 'street townhouse dwelling'. Mr. Herron stated that it is recommended that this application go forward to a Public Meeting to allow for comments from residents and agencies which would allow for the establishment of regulations for the proposed amendment.

MOVED BY S. WELLS
SECONDED BY M. BERCOVITCH

RESOLUTION NO. 2013-05-03

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 application to amend the Comprehensive Zoning By-Law submitted by 2323918 Ontario Limited, for lands legally described as Lots 2, 4, 5 and Part of Lot 3 on Plan 648 and Parts 1-3 on Plan 51R-2289, in the Town of Wasaga Beach.

CARRIED

iii) Z04/13 – Proposed Rezoning to exempt property from Street Requirement of Zoning By-Law 2003-60, as amended – 12 Norman Avenue, Michael Bartolini

The Chair advised that the applicant has withdrawn the application at this time.

c) **Subdivision/Condominium Matters**

- i) **PS01/11 – Donato-Puccini Subdivision – Request for 5 Model Home Permits – Units 18 – 22 – 96, 98, 100, 102 and 104 44th Street North, J. Donato Construction Ltd.**

MOVED BY S. WELLS

SECONDED BY M. BERCOVITCH

RESOLUTION NO. 2013-05-04

RESOLVED THAT the Development Committee recommends to Council that the Model Home Request proposed by J. Donato Construction Limited to construct one (1) five (5) unit freehold Townhouse building located on the west side of 44th Street North be considered for approval subject to the execution of a Model Home Agreement and the posting of Securities at the rate of \$10,000.00 per Model Home unit.

CARRIED

- i) **PC01/13 – New England Village – Request for Exemption to Draft Plan of Condominium Approval – Stage 1, Phase 1 – 305 River Road West**

Mr. Herron and Mr. Wukasch left the meeting at 2:16 p.m.

Mr. Kelso spoke to this matter and advised that the developer is looking for Condominium approval for the project to be divided into two (2) separate Condominium approvals which was not what was initially anticipated for timing and cash flow issues. Mr. Kelso advised that this is not an optimum situation and added that a Shared Facilities Agreement will be needed which will be reviewed by the Town solicitor.

Deputy Mayor Foster stated his concern that the request may be premature and that the legal opinion should be in writing. Discussion continued regarding the financial implications of the timing of the project.

MOVED BY C. PATTERSON

SECONDED BY S. WELLS

RESOLUTION NO. 2013-05-05

RESOLVED THAT the Development Committee recommends to Council that it approve the application from 2190922 Ontario Limited for Exemption to Draft Plan of Condominium approval for the 57 residential townhouse units located in Stage 1 of Phase 1 of the New England Village project on lands legally described as Parts 1, 9, 24, 25 & 32, Reference Plan No. 51R-36613, provided payment of the Parkland Dedication Amount is received, a Certificate of Substantial Completion is issued and ratified by the Town, and a Shared Facilities Agreement with Stage 2 of Phase 1 is executed and registered on title by the owner.

CARRIED

d) Site Plan Matters**i) SP05/12 – Free Spirit Tours – Site Plan Information Report – Lot 12, Sunset Court**

Ms. Jarratt spoke to the matter. It was then;

MOVED BY C. PATTERSON
SECONDED BY S. WELLS

RESOLUTION NO. 2013-05-06

RESOLVED THAT the Development Committee recommends to Council that it receive the Staff Report prepared by the Zoning Administrator dated May 22, 2013 describing the proposed Site Plan application for Lot 12, Plan 1343, for Free Spirit Tours on Sunset Court, for information.

CARRIED

Deputy Mayor Foster's previously declared Pecuniary Interest was noted and Deputy Mayor Foster withdrew from the table.

e) Committee of Consent/Adjustment Matters**i) Notices *(previously circulated to Council)*****Notices *(previously circulated to Council)***

B13/13	203 & 209 Knox Road East / Masson
B14/13	68 – 74 th Street / Adams
A04/13	2127 Shore Lane / Darnley
A06/13	98 – 32 nd Street North / Stabile
A05/13	60 – 31 st Street North / Antunes

Decisions

B13/13	203 & 209 Knox Road East / Masson
B14/13	68 – 74 th Street / Adams
A04/13	2127 Shore Lane / Darnley
A06/13	98 – 32 nd Street North / Stabile
A05/13	60 – 31 st Street North / Antunes

Councillor Wells asked for clarification of the application for Consent for File No. B13/13 that is within the floodplain area. Ms. Jarratt advised that applicant owns three (3) separate lots and applied by way of Consent to separate the middle lot and add them to the existing two (2) lots which would result in two (2) larger lots.

MOVED BY S. WELLS

SECONDED BY M. BERCOVITCH

RESOLUTION NO. 2013-05-07

RESOLVED THAT the Development Committee does hereby receive the Notices for B13/13, B14/13, A04/13, A06/13 and A05/13 and the Decisions for B13/13, B14/13, A04/13, A06/13 and A05/13, for information.

CARRIED

Deputy Mayor Foster returned to table.

Ms. Jarratt left the meeting at 2:27 p.m.

f) Planning Division

i) Vacant Lot Unit Report dated May 2, 2013

MOVED BY M. BERCOVITCH

SECONDED BY S. WELLS

RESOLUTION NO. 2013-05-08

RESOLVED THAT the Development Committee receives the Vacant Lot Unit Report dated May 2, 2013, for information.

CARRIED

ii) New Unit Report dated May 2, 2013

MOVED BY S. WELLS

SECONDED BY C. PATTERSON

RESOLUTION NO. 2013-05-09

RESOLVED THAT the Development Committee receives the New Unit Report dated May 2, 2013, for information.

CARRIED

g) Building Division

i) Building Department Report dated May 2, 2013

MOVED BY M. BERCOVITCH

SECONDED BY S. WELLS

RESOLUTION NO. 2013-05-10

RESOLVED THAT the Development Committee receives the Building Department's Report dated May 2, 2013, for information.

CARRIED

h) Other Business - None

i) Departmental Accounts

i) Planning and Building Department Accounts (April 1 - 30, 2013)

MOVED BY S. WELLS

SECONDED BY C. PATTERSON

RESOLUTION NO. 2013-05-11

RESOLVED THAT the Planning and Building Department Accounts for April 1 - 30, 2011, as reviewed by the Development Committee, are hereby confirmed.

CARRIED

6. OTHER AGENCY REPORTS

a) Ainley Project Status Report dated May 16, 2013

MOVED BY M. BERCOVITCH

SECONDED BY S. WELLS

RESOLUTION NO. 2013-05-12

RESOLVED THAT the Development Committee receives the Ainley Project Status Report of May 16, 2013, for information.

CARRIED

b) Public Works / Engineering Technologist Development Project Status Report dated May 17, 2013

Councillor Bercovitch asked for an update of the outstanding deficiencies within the Coral Sunrise subdivision which appear to still be incomplete. Councillor Bercovitch reported that the services for the finished topcoat were reportedly tendered last year and were not complete due to the change of season, however it appears that this work has not started to date. Councillor Bercovitch asked if there is anything that can be done for the residents with this matter.

Mr. Kelso advised that an appeal is needed directly to Mr. Cortellucci regarding the outstanding issues. Mr. Kelso advised that it is his understanding that the developer has not secured a contractor to complete the outstanding deficiencies within the development.

Mayor Patterson advised that he would follow up with Mr. Cortellucci with respect to the outstanding matters.

Councillor Wells asked if any legal recourse could be considered since this issue has been outstanding for so long.

Further discussion was held regarding the developer's lack of credibility which has resulted since they have not met their promises with regards to the completion of the outstanding deficient items within the development to allow for the assumption of the development.

Mr. Kelso advised that the Engineering Technologist has been specifically tasked with addressing these outstanding deficiencies and arrange meetings with the developer to which we have not received any co-operation to date. Mr. Kelso added that when he met with Mr. Salvatore a few months ago, he reiterated the need for the outstanding subdivision issues to be rectified.

MOVED BY S. WELLS

SECONDED BY M. BERCOVITCH

RESOLUTION NO. 2013-05-13

RESOLVED THAT the Development Committee receives the Public Works / Engineering Technologist Development Project Status Report of May 17, 2013, for information.

CARRIED

c) Planning Application Tracking System Report

MOVED BY C. PATTERSON

SECONDED BY S. WELLS

RESOLUTION NO. 2013-05-14

RESOLVED THAT the Development Committee receives the Planning Application Tracking System Report dated May 17, 2013, for information.

CARRIED

d) Healthy Community Network Committee Report dated April 18, 2013

MOVED BY C. PATTERSON

SECONDED BY S. WELLS

RESOLUTION NO. 2013-05-15

RESOLVED THAT the Development Committee hereby receives the Healthy Community Network Committee Report of April 18, 2013, for information.

CARRIED

e) Accessibility Advisory Committee Report dated October 25, 2012

MOVED BY S. WELLS

SECONDED BY M. BERCOVITCH

RESOLUTION NO. 2013-05-16

RESOLVED THAT the Development Committee hereby receives the Accessibility Advisory Committee Report of October 25, 2012, for information.

CARRIED

f) Accessibility Advisory Committee Report dated March 28, 2013

MOVED BY M. BERCOVITCH

SECONDED BY S. WELLS

RESOLUTION NO. 2013-05-17

RESOLVED THAT the Development Committee hereby receives the Accessibility Advisory Committee Report of March 28, 2013, for information.

CARRIED

7. DATE OF NEXT MEETING

Wednesday, June 12, 2013 at 1:30 p.m. in the Classroom.

8. ADJOURNMENT

Councillor Bifulchi adjourned the meeting at 2:35 p.m.