

THE CORPORATION OF THE TOWN OF WASAGA BEACH

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

**Held Tuesday, September 24, 2013 at 7:00 p.m.
In the Council Chambers**

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

1. CALL TO ORDER

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

2. DISCLOSURE OF PECUNIARY INTEREST - None

3. ADOPTION OF MINUTES

MOVED BY G. WATSON

SECONDED BY D. FOSTER

RESOLUTION NO. 2013-16-01

RESOLVED THAT the Minutes of the Regular Meeting of Council, held Tuesday, September 10, 2013 at 7:00 p.m. in the Council Chambers, are hereby adopted as circulated.

CARRIED

4. DEPUTATIONS, PETITIONS AND PUBLIC MEETINGS

PUBLIC MEETING

A Public Meeting held pursuant to provisions of the *Planning Act* for an Official Plan and Zoning By-Law Amendment for lands located on the west side of Nancy Street, north of River Road West and west of Beck Street

Wasaga Distribution

Mayor Patterson advised that notice of Public Meeting was published in the Wasaga Sun Newspaper on September 5th, 2013, and circulated to all property owners and assessed persons within 400 feet from the subject lands. The 20-day notice requirement for Public Meetings expired on September 24, 2013; therefore, this meeting was properly constituted as required by the *Planning Act*.

The land subject to the proposed Official Plan Amendment and proposed Zoning By-Law Amendment is located on the west side of Nancy Street, north of River Road West and west of Beck Street. The subject lands are rectangular in shape and are approximately 1,393 square metres (14,004 square feet) in size. The legal description of the site is Part of Lot 10, Concession 16 (former Township of Sunnidale) Town of Wasaga Beach, County of Simcoe. The lands are currently vacant with forested cover and known municipally as 90 Nancy Street.

The proposed Official Plan Amendment would re-designate the subject land from the current Residential designation to an Institutional designation.

The proposed Zoning By-Law Amendment would rezone the subject lands from the Residential Type One (R1) Zone to the Institutional Special Exception (I) Zone with site specific zoning exceptions.

The effect of the proposed Official Plan Amendment and Zoning By-Law Amendment would be to permit the development of a gravel yard for storage and staging. The applicant is proposing fencing and landscaping to buffer the proposed development from the neighbouring residential lands.

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: Correspondence received September 17th, 2013 from the Nottawasaga Valley Conservation Authority noting no objection to the proposed Official Plan or Zoning By-Law Amendment as the lands are not located in a flood susceptible area, a hazardous site, nor located in an erosion hazard area.

Letters of Concern: None

Letters of Objection: A signed letter dated September 18th, 2013 was received representing a number of residents living along Nancy Street. The letter notes opposition to the proposed rezoning noting it will have adverse impact on the quality of life, reduction in property value, increased industrial traffic, noise and dust, and further lack of buffering that will only worsen an existing eyesore. The letter also requests action be done in regards to completion of an environmental assessment, financial impact on residents and applicable compensation, as well as request for site features including landscaped areas, dust control, limited hours of operation, and no night lighting.

The Mayor inquired of Ms. Nicholson if any further letters or correspondence in regard to this application had been received to which the Clerk responded that no further correspondence had been received.

Mayor Patterson advised that Ms. Kristine Loft of Loft Planning Inc. would make a brief presentation and to provide further details with respect to the proposed Official Plan Amendment and Zoning By-Law Amendment.

Ms. Loft thanked Mayor Patterson and noted that Mr. Paul Trace, Operations Manager from Wasaga Distribution was also in attendance. She advised that the subject property is #90 Nancy Street and Wasaga Distribution has been in existence since 1974. Residents can access the office and the area also has a yard and distribution area for the crews. The subject property backs onto the existing Wasaga Distribution and the new Fire Hall. Ms. Loft displayed photographs of the site taken from the cul-de-sac and the existing residential homes. The proposal is to expand to utilize #90 Nancy Street for storage and staging, equipment, cable, poles wiring, staging etc. for the crews to use. The lands are 1,393 square meters, vacant and tree covered. There is a tree preservation plan and some trees will be saved on the perimeter. The shape is rectangular and it abuts residential homes. No access proposed through Nancy Street and the lands will be merged with the existing Wasaga Distribution lands. She spoke to the proposed fencing with no gating system, site plan, and the fence location indicating that five (5) trees will be saved.

The Official Plan designation is residential and the lands are to be re-designated to Institutional to match Wasaga Distribution and Fire Hall site. The existing ground is lower than Nancy Street and drains northerly. The land will require placement of fill and graded and sloped towards Nancy Street with a swale directing to northwest corner. Some significant trees will be saved. In conclusion, Ms. Loft noted that this is an outdoor stage area with no access to Nancy Street, the lands will be fenced to the residential side with buffering of a solid wood fence and landscaping. Specific trees will be saved as part of the tree preservation plan. The topping will be a fine granular top on the storage area and dust suppressant. The hours of operation are 7:30 a.m. – 4:00 p.m. with the exception of emergencies and lighting is for security purposes only.

Mayor Patterson thanked Ms. Loft for the presentation.

The Mayor inquired if there was anyone present that would like to provide input either in support of, or in opposition to, this proposed Official Plan Amendment and/or Zoning By-Law 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 meeting proceedings.

Dave McErlean, 39 Nancy Street - his main concern is that Wasaga Distribution is already an eyesore at end of the street with the fencing being more obvious now that brush has been taken down. He inquired if the wooden fence will extend along and if there will be a change to the mesh fencing. He is concerned with more of an eyesore that what is already there.

Ms. Loft referred to a diagram in the PowerPoint and noted the proposal is for a wood fence in two locations.

Mayor Patterson inquired if there were any further comments.

Brian Lane, 47 Nancy Street - he noted that this land was purchased a while ago with this intention and why didn't this happen earlier in the year when other residents were there. This is a seasonal street where residents come for just the summer. The season ended, they boarded and went home. Mr. Lane noted that he submitted a letter with signatures from twelve (12) permanent residents and would have had more had the rest of residents been here to sign.

Mayor Patterson asked again if there were any further comments.

Hearing none, he asked members of Council if they had any questions or comments with regards to the proposed Official Plan Amendment and/or proposed Zoning By-Law Amendment.

Deputy Mayor Foster requested a closer picture of the fence lines asking if there are two fences. Ms. Loft clarified that there are two fence lines with the northerly being the existing chain link fence that would come down and be replaced with a new wood fence.

Mayor Patterson also asked for another look at the fencing. Ms. Loft pointed it out and noted that she will speak with Mr. Trace about that portion of the fence.

The gentlemen noted that all they see is spools and equipment with no buffer expressing concern. Mayor Patterson felt sure the Town could work with Wasaga Distribution and the residents on a buffer.

Mayor Patterson advised that comments received will be referred back to a future Development Committee Meeting where they will be considered and a decision made as to whether Committee will recommend the proposed Official Plan Amendment and related Zoning By-Law Amendment to proceed further through the approval process.

Anyone receiving Notice of the Public Meeting will receive Notice of the Decision of Council in this matter. Anyone who did not receive Notice and would like to, was asked to please leave their name and address with the Town Clerk, Twyla Nicholson.

Mayor Patterson then closed the Public Meeting

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PUBLIC MEETING

A Public Meeting held pursuant to the *Planning Act* for an Official Plan and Zoning By-Law Amendment as it relates to Accessory Dwelling Units within residents

Accessory Dwelling Units within Residence (Apartments in houses)

Mayor Patterson advised that notice of Public Meeting was published in the Wasaga Sun Newspaper on September 5th and 19th, 2013. This provided more than 20 days of notice for the Public Meeting; therefore, the meeting was properly constituted as required by the *Planning Act*.

The proposed Official Plan and Zoning By-Law Amendment apply to lands used for residential purposes within the Town of Wasaga Beach.

The effect of the amendments is to create policy to allow accessory dwelling units within residential homes, subject to certain zoning criteria in Wasaga Beach.

The Proposed Official Plan Amendment would amend the residential policies to allow accessory dwelling units within residential homes. The proposed Zoning By-Law Amendment would amend the General Provisions, and the R1, R2, and R3 Zones to permit accessory dwelling units in single-detached, semi-detached homes, and townhouses, provided that they meet the locational restrictions, servicing requirements, and zoning provisions set out in the amendment.

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: Simcoe County District School Board, September 10, 2013

A letter of no objection was received from the NVCA, dated September 17, 2013. The NVCA acknowledges that the proposed policies identify that second units should not be allowed in floodplains or other hazard areas, and therefore have no concerns with the amendments. The NVCA recommends against intensification in the floodplain and other hazard areas.

Letters of Concern: None

Letters of Objection: None

Ms. Nicholson, was asked if any further letters or correspondence in regard to this application? The Clerk responded that no further correspondence had been received.

Mr. Nathan Wukasch, Town Planner, made a brief presentation to provide further details with respect to the proposed amendment.

Mr. Wukasch thanked Mayor Patterson and advised that through a PowerPoint presentation he would speak to accessory dwelling units within residences.

Mr. Wukasch then proceeded with the PowerPoint presentation. He explained that an accessory dwelling unit is a self-contained unit with kitchen and bathroom, contained within another dwelling that he referred to as second units. The Provincial Government passed legislation that amended Acts and all Ontario municipalities must change their Zoning By-Laws and Official Plans to permit second units. Second units were looked at through the Housing Strategy and the Town is developing a home grown way of allowing second units. Earlier this evening an Open House was held from 5-7 p.m. Mr. Wukasch noted that housing in Wasaga Beach is dominated by single family dwellings; the Town has a high proportion of seniors and lower income families than the County average and not a lot of rental units. Mr. Wukasch then spoke to the benefits of second units.

The Official Plan Amendment is to amend the residential policies to give broad permissions for second units. The Zoning By-Law Amendment then creates details of where they can be permitted; locational criteria and servicing criteria and the Zoning standards. Important are the safety standards to permit one unit that meets certain criteria. Mr. Wukasch then spoke to where second units will not allowed; in flood plains, hazardous areas; homes not connected to full services, not on private roads and not in detached accessory buildings. Mr. Wukasch pointed out the areas on the PowerPoint map. There will also be Zoning restrictions; no short term accommodation; units have to meet building and fire codes and regulated where a second unit can be in size of building and parking space requirements and will not be permitted to pave or park on front lawn.

The next step will be to review comments then have a discussion with the Housing Strategy Implementation group, present the recommendations to Council and have the Official Plan and Zoning Amendment in place by the end of the year. The Planning Department will establish guidelines and information to present to the public to assist people in establishing a second unit which will be available on the web site. Mr. Wukasch noted that the Chief Building Official and Fire Chief were in attendance should there be any questions for them.

Mayor Patterson thanked Mr. Wukasch for the presentation and inquired 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 today's proceedings.

No response was received and Mayor Patterson asked a second time.

Dave Kratky; 78 Ansley – inquired if there has been any consideration to units in garages. Mr. Wukasch advised that there was discussion and consideration given to the historical challenges with rental and misuse of units that are in accessory detached buildings. The Committee by establishing standards people had to meet would be a challenge and decided not to permit the units in garages at this point.

Ray Mickevicius; 1700 River Road West – provided support for the proposal and appreciates the history of concerns. He does support and provided situations that could consider possibility of a new carriage house built into the By-Law conforming situations on estate lots with plenty of room and configured to be complimentary to the house and community and conform to rules. This would address concerns about the past history of bunkies and address questions for older folk in a pleasant way to maintain residence in an area without having to go to other options, which might not be as pleasing to individuals and would still conform to the intent of the proposal.

The Mayor asked if there were any further comments.

Teresa French-Stewart; 3 Coles Court - noted people's lives change and if you allow second units this will get rid of the bad reputation of living in unsafe places. Older people can't find a decent, safe place and lots of people want to live well and change their homes into rental accommodations.

Mayor Patterson asked once again if anyone else wished to make comment.

Hearing none, he asked members of Council if they had any questions or comments with regards to the proposed applications.

Councillor Watson inquired of the driveway size and 55% being the lot. Mr. Wukasch responded there is a driveway width requirement and minimum landscaping will avoid the yard being treated as a driveway. During the Zoning review we will have to ensure that a sketch is submitted to show where the parking is and treatment to distinguish parking from rest of landscape area.

Mayor Patterson advised that the comments received will be referred back to Development Committee where a decision will be made whether to recommend the proposed amendments proceed further through the approval process.

If you would like to receive the Notice of Decision for the proposed Official Plan and Zoning By-Law Amendments, 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

a) Simcoe County District School Board – Education Development Charges Notice of Public Meetings

Councillor Wells requested that the notice be put on the Town’s Website. It was then;

MOVED BY S.WELLS

SECONDED BY M. BERCOVITCH

RESOLUTION NO. 2013-16-02

RESOLVED THAT the correspondence received from the Simcoe County District School Board – Education Development Charges Notice of Public Meetings, be received, for information.

CARRIED

CORRESPONDENCE – Requiring Action

a) Fire Prevention Week – October 6th – 12th, 2013

MOVED BY D. FOSTER

SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2013-16-03

WHEREAS the 2013 Fire Prevention Week theme is “Prevent Kitchen Fires”; and,

WHEREAS fire losses in Canada have improved but still remain unacceptably high thereby necessitating improved fire prevention measures; and,

WHEREAS the needless loss of lives and property as a result of fire could be significantly reduced or eliminated by individual and community fire prevention programs; and,

WHEREAS the Town of Wasaga Beach is committed to ensuring the safety and security of all those living in and visiting our Town.

THEREFORE BE IT RESOLVED THAT on behalf of Members of Council of the Corporation of the Town of Wasaga Beach, I, Mayor Cal Patterson, do hereby proclaim the week of October 6-12, 2013 as Fire Prevention Week, and I call upon the citizens of the Town of Wasaga Beach to participate in fire prevention activities at home, work and school. I also encourage businesses to actively promote and provide fire prevention programs and safety practices which will reduce the loss of life and property damage caused by fire.

CARRIED

CORRESPONDENCE – To be Referred – None

6. UNFINISHED BUSINESS – None

7. COMMITTEE & OTHER BOARDS REPORTS

a) Community Services Committee – September 17, 2013

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

MOVED BY N. BIFOLCHI

SECONDED BY G. WATSON

RESOLUTION NO. 2013-16-04

RESOLVED THAT Council does hereby adopt the Community Services Committee Report dated September 17, 2013, as circulated, and approves all actions contained therein.

CARRIED

b) Committee of the Whole – September 17, 2013

Mayor Patterson spoke to the highlights of the meeting and it was then;

MOVED BY M. BERCOVITCH
SECONDED BY D. FOSTER

RESOLUTION NO. 2013-16-05

RESOLVED THAT Council does hereby adopt the Committee of the Whole Report dated September 17, 2013, as circulated, and approves all actions contained therein.

CARRIED

c) General Government – September 19, 2013

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

MOVED BY S. WELLS
SECONDED BY G. WATSON

RESOLUTION NO. 2013-16-06

RESOLVED THAT Council does hereby adopt the General Government Committee Report dated September 19, 2013, as circulated, and approves all actions contained therein.

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 the Mayor and Clerk to Execute Agreements and Documents regarding the Transfer of Land (Joanne Crescent, Part 2, 51R-39118, Kovacs to Town; Part 3, 51R-39118 Town to Kovacs)**

MOVED BY R. ANDERSON
SECONDED BY S. WELLS

RESOLUTION NO. 2013-16-07

RESOLVED THAT a By-Law to Authorize the Mayor and Clerk to Execute Agreements and Documents regarding the Transfer of Land, be deemed to have been received and be deemed to be read a first, second and third time, passed and numbered No. 2013-78.

CARRIED

b) A By-Law to Authorize Execution of an Easement Agreement Between Ina Zita and Victor Jonas Radziunas and the Town of Wasaga Beach (23 Iris Drive)

MOVED BY N. BIFOLCHI
SECONDED BY D. FOSTER

RESOLUTION NO. 2013-16-08

RESOLVED THAT a By-Law to Authorize Execution of an Easement Agreement Between Ina Zita and Victor Jonas Radziunas and the Town of Wasaga Beach, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2013-79.

CARRIED

c) A By-Law to Authorize Execution of Agreements Between the Nottawasaga Valley Conservation Authority, Lake Simcoe Region Conservation Authority and the Town of Wasaga Beach (Source Water Protection License Agreement)

MOVED BY S. WELLS
SECONDED BY N. BIFOLCHI

RESOLUTION NO. 2013-16-09

RESOLVED THAT a By-Law to Authorize Execution of Agreements between the Nottawasaga Valley Conservation Authority, Lake Simcoe Region Conservation Authority and the Town of Wasaga Beach, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2013-80.

CARRIED

d) Confirmatory By-Law

MOVED BY D. FOSTER
SECONDED BY S. WELLS

RESOLUTION NO. 2013-16-10

RESOLVED THAT a By-Law to confirm the Proceedings of the Council of the Corporation of the Town of Wasaga Beach at its Regular Meeting held Tuesday, September 24, 2013, be received and be deemed to have been read a first, second and third time, passed and numbered No. 2013-81.

CARRIED

11. MAYOR AND COUNCILLORS REPORTS

Councillor Wells attended the successful Bluesfest event.

Councillor Anderson attended Hospital Board and Risk Management Meeting.

Councillor Bercovitch attended the Breakfast at the Beach meeting and Bluesfest kickoff.

Deputy Mayor Foster attended Breakfast at the Beach; Library Board meeting; Healthy Communities Network; Bluesfest kick off and Home Show; Terry Fox Run raised \$15,200; County Council meeting under the new format and advised that the Nottawasaga Canoe Trip is set for September 28 and 10 a.m. and 1 p.m. with information on the Town's Website.

Councillor Bifulchi attended a Youth meeting; NVCA Strategic Plan and 2014 Budget meeting.

Councillor Watson attended Breakfast at the Beach and was the guest speaker on the Collingwood Regional Airport. He attended the Bluesfest Banquet kick off and festival; MP Kellie Leitch's Fundraiser for the YMCA and Hospice at Harvey's and the Regional Airport meeting.

Mayor Patterson attended Breakfast at the Beach; Probus Club meeting; Canadian Cancer Society Volunteer Service Awards and received his 10 year award. Boogie Woogie Bluesfest Banquet; Oro World's Fair; Beeton Fair and Back to Bluesfest; Collingwood Fire Hall new opening; Founding of the community plaque presentation for Utopia; Terry Fox Run; CPAC; Hydro Conference at Red Leaf; Leisure Time Club 25th Birthday; GNE opening; Marlwood qualifying Golf Tournament for Special Olympics; ESSA Salmon Festival closing ceremonies; Hydro meeting; Housing Strategy Implementation; County Council and COWOC under the new pilot project structure.

Mayor Patterson advised that upcoming on October 25th is the Stayner Curling Club 50th Anniversary celebrations and cake cutting.

12. CALLING OF COMMITTEE MEETINGS

Development Committee	September 25 th at 1:30 p.m.
Public Works	October 3 rd at 8:30 a.m.
Community Services	October 15 th at 8:30 a.m.
General Government	October 17 th at 2:30 p.m.
Committee of the Whole	October 1 st 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.”

13. ADJOURNMENT

Mayor Patterson adjourned the meeting at 8:13 p.m.

The Minutes of this meeting were approved by Council the 8th day of October 2013.

Cal Patterson, Mayor

Twyla Nicholson, Clerk