



DEVELOPMENT COMMITTEE

REPORT

Held Wednesday, October 23, 2013 at 1:30 p.m.
In the Classroom, Town Hall

PRESENT:

N. Bifolchi	Councillor/Chair
D. Foster	Deputy Mayor
M. Bercovitch	Councillor
S. Wells	Councillor
C. Patterson	Mayor
G. Vadeboncoeur	Chief Administrative Officer/Deputy Clerk
M. McWilliams	Fire Chief
R. Kelso	Manager of Planning and Development
D. Herron	Senior Planner
S. Martin	Planner
N. Wukasch	Planner
D. Wulff	Recording Secretary

1. CALL TO ORDER

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

2. DISCLOSURE OF PECUNIARY INTEREST

Councillor Bercovitch declared a conflict with Item 5(e) - Committee of Consent/Adjustment Matters as he resides in the neighbourhood pertaining to File No. A13/13.

3. DEPUTATIONS/PRESENTATIONS/PUBLIC MEETING

Delegations

a) Ms. Kris Menzies, MHBC Planning – DAS Planning Application Fee Rebate

The Chair advised that Ms. Menzies from MHBC Planning will not be attendance to present the delegation with respect to the matter.

4. UNFINISHED BUSINESS

File No.

- Z19/08 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; *(on hold)*
- OP05/08
- 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*
- Z21/10 Proposed 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; 28 August 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 9,
PS04/11 Part Lot 24 (geographical Township of Flos) – 22 February 2012; 27 June 2012- Public
Z13/11 Meeting 31 July 2012 *(On hold pending payment of Accounts Receivable)*
- 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; (On hold pending outcome of Tourism Accommodation Review)
- Z08/13 Proposed Zoning By-Law Amendment, Official Plan Amendment and Site Plan Control–
OP02/13 Wasaga Distribution – 90 Nancy Street - 28 August 2013; Public Meeting 24 September
SP02/13 2013; *On Agenda*
- Z03/13 Proposed Commercial Accommodation Rezoning (Acchionne) – 66 – 90 River Road East (former Allistonia Lodge property) – 12 June 2013; *On Agenda*
- PS03/13 Proposed Draft Plan of Subdivision – Marocco Subdivision – Ramblewood Drive – 27 March 2013; Public Meeting 27 August 2013
- PS04/12 Draft Plan Approved Subdivision – Villas of Upper Wasaga – Wasaga Sands Drive – Baycliffe Homes (Mr. Nick Falvo) – 12 June 2013; 25 September 2013

5. DEPARTMENT REPORTS

a) Official Plan Updates and Amendments

i) **OP04/13 & Z11/13 – Report back from Public Meeting – Accessory Dwelling Units Official Plan and Zoning By-Law Amendments**

Mr. Wukasch spoke to the matter. Mr. Wukasch advised that the proposed Zoning By-Law Amendment will not come into effect until the Official Plan Amendment has been approved by the County which gives some time to sort out the finer details of the requirements for second unit dwellings.

Councillor Bifulchi asked for clarification of how inquiries to the Planning Department for this issue are being handled in the interim. Mr. Wukasch advised that Staff has been advising any inquiries with the information that is available to date as well as pointing out some of the provisions that may need to be considered.

Mr. Kelso stated that Staff have not been advised of anyone who presently is underway with construction with a proposed second unit.

Deputy Mayor Foster entered the meeting at 1:38 p.m.

Councillor Wells agreed with the principle of the amendments however, he highlighted two (2) reservations:

1. Permission for second units within townhouse units which he indicated would cause some difficulty due to lack of parking and existing parking on grass;
2. Second dwellings within a basement or cellar only be allowed provided the floor is above sewer connection and there be a requirement for the installation of window wells to allow for natural light and emergency access.

Mayor Patterson suggested that Staff check with other municipalities like Barrie to see how this is being handled.

Councillor Bercovitch asked if construction of a carriage house or granny flat will ever be allowed within a certain sized lot. Mr. Wukasch advised that this possibility has been considered during the Housing Strategy process however there are many variables making it too complex to fit into a specific regulation. Mayor Patterson asked if this proposal could be considered site specific. Mr. Wukasch advised that this type of proposal would need to be considered through the site specific Zoning By-Law Amendment process.

Mr. Wukasch advised that discussions within the working group took place regarding whether the second units would be appropriate within townhouse developments. Mr. Wukasch stated that some proposed townhouse developments may work with the proposed requirements. Mr. Wukasch stated that to disqualify second units within townhouses in principle would go against the Provincial Policy requirements. Mr. Wukasch stated that townhouses will have more difficulty meeting the parking requirements to allow a second unit.

Mr. Wukasch reported that the requirement for additional parking to accommodate second units has been considered which would restrict second units on properties with smaller frontages.

Discussion ensued regarding the issue of existing parking within smaller townhouse complexes that could be compounded if an additional unit would be permitted.

Discussion continued amongst the Committee and it was decided that they would change the wording of the resolution to authorize the adoption of the Official Plan Amendment but not the associated proposed Zoning By-Law Amendment and give verbal direction to Staff regarding the Zoning By-Law Amendment.

Mr. Kelso highlighted the timeline for the proposed amendments. The Committee continued to discuss the possibility of proceeding with the Official Plan Amendment which would give time for Staff to work with Committee on their zoning issues.

Discussion ensued regarding the Provincial legislation that has been enacted to municipalities for the implementation of Official Plan and Zoning By-Law provisions to allow for second units within residential dwellings.

The Chair reread the amended resolution. It was then;

MOVED BY M. BERCOVITCH
SECONDED BY S. WELLS

RESOLUTION NO. 2013-10-01

RESOLVED THAT the Development Committee receives the Staff Report prepared by the Planning Department Planner dated October 23, 2013 on the Accessory Dwelling Units in Residential Dwellings and authorize the adoption of the Official Plan Amendment No. 34.

CARRIED

ii) OP03/13 & Z09/13 – Report back from Public Meeting – Beach Areas One & Two Official Plan and Zoning By-Law Amendments

Ms. Martin highlighted the information report following the Public Meeting and Open House where positive comments were received from the public. It was then;

MOVED BY S. WELLS
SECONDED BY M. BERCOVITCH

RESOLUTION NO. 2013-10-02

RESOLVED THAT the Development Committee recommend to Council that the Staff Report prepared by the Planning Department Planner dated October 23, 2013 describing the Statutory Public Meeting held in regards to the Proposed Official Plan and Zoning By-law Amendments and Community Improvement Plan for the Beach Area One and Two Community Improvement Project Area be accepted for information; and

That the project continue through the appropriate municipal planning review and process.

CARRIED

iii) OP02/13 & Z08/13 – Report back from Public Meeting – Official Plan and Zoning By-Law Amendment– Wasaga Distribution – 90 Nancy Street

Ms. Martin gave a brief follow-up to the Public Meeting for the Zoning By-Law Amendment and Official Plan Amendment at 90 Nancy Street.

Councillor Wells indicated that he did not have a problem with the principle of the application however, he stated that he did not support the application due to the relief that is required for buffering between the commercial and abutting residential properties. It was then;

MOVED BY M. BERCOVITCH
SECONDED BY S. WELLS

RESOLUTION NO. 2013-10-03

RESOLVED THAT the Development Committee recommend to Council that the application for Official Plan Amendment and Zoning By-law Amendment made by Wasaga Distribution be adopted.

CARRIED

b) Zoning Amendments

i) 2013 Consolidation – Comprehensive Zoning By-Law 2003-60, as amended

Mr. Kelso advised that the consolidation of the Comprehensive Zoning By-Law 2003-60, as amended which included all of the zoning amendments from the last year. It was then;

MOVED BY S. WELLS

SECONDED BY M. BERCOVITCH

RESOLUTION NO. 2013-10-04

RESOLVED THAT the Development Committee recommends that with regards to the land use Schedules of Zoning By-Law 2003-60, as amended, Council consider the consolidation of the schedules to include zoning amendments previously passed by Council up to and including August 2013.

CARRIED

ii) Z03/13 – Report back from Public Meeting - Proposed Commercial Accommodation Rezoning (Acchionne) – 66 – 90 River Road East (former Allistonia Lodge property)

Mr. Herron spoke to the matter highlighting with a quick summary of the developer's proposal to construct 14 townhomes on the subject property.

Discussion was held regarding the proposed mixed use within the development.

Mr. Herron advised that the MLEO has indicated that licensing could be used as a secondary tool in extreme cases with the option to remove the business license however this type of neighbourhood control has not ever been used as an option.

The Chair reiterated that the Staff Report was for information adding that the zoning issues are still being worked through with Staff and the developer. It was then;

MOVED BY M. BERCOVITCH

SECONDED BY S. WELLS

RESOLUTION NO. 2013-10-05

RESOLVED THAT that the Development Committee recommend to Council that it accept the Staff Report prepared by the Senior Planner dated October 23, 2013 on the public comments received at the Public Meeting held on June 25th, 2013 for the application to amend 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, for information.

CARRIED

iii) Z10/13 – Lifting of the Holding Provision – Commercial Site Plan Minor Amendment – Lot 16, Registered Plan 1061

Ms. Martin advised that the application is for the proposed use for the existing storage for the Home Hardware location.

MOVED BY M. BERCOVITCH
SECONDED BY S. WELLS

RESOLUTION NO. 2013-10-06

RESOLVED THAT the Development Committee recommend that Council lift the Holding (H) symbol from the property legally described as Lot 16, Plan 1061 on Queensdale Avenue provided a revised Site Plan Agreement taking account of the subject lands is completed by the applicant.

CARRIED

iv) Z21/10 – Recommendation for Approval – Zoning By-law Amendment Application – Berkley Homes (Wasaga) Inc. – Wasaga Beach Village Phase 3

Councillor Bercovitch indicated his concern with the proposed development due to the awkwardness of the development plan and the possible difficulty for garbage trucks and emergency vehicles to move around within the site.

Mr. Wukasch confirmed that the County will remove the garbage from this proposed development.

Discussion ensued regarding the circulation and commenting process of Zoning By-Law and Official Plan Amendments to internal departments.

Mr. Vadeboncoeur left the meeting at approximately 2:16 p.m.

Discussion was held regarding the process of internal circulation of proposed developments and the response from the other internal departments. Mayor Patterson stated that Planning Staff must ensure that they receive responses from the internal departments that have been circulated.

The Chair called for a break in the meeting to allow time for the CAO to contact the Fire Chief regarding the access within the development.

Mr. Vadeboncoeur re-entered the meeting at approximately 2:22 p.m.

Councillor Bifulchi called the meeting back to order at 2:26 p.m. and advised that Agenda Item 5(b)(iv) would be reviewed once the Fire Chief arrived to the meeting.

c) Subdivision/Condominium Matters - None

d) Site Plan Matters**i) Review of DAS Developments Site Plan Application Fee**

Mr. Kelso highlighted the review of the Site Plan Application fees pertaining to large commercial projects following Staff determining that the DAS Development had paid municipal fees that exceeded most municipal comparables. Mr. Kelso highlighted the development at the Superstore and Walmart sites that happened prior to the comprehensive Planning Application Fees Review in 2010 and noted that their fees were considerably less.

Further discussion continued amongst the Committee regarding fees paid by previous developments.

Fire Chief McWilliams entered the meeting at 2:30 p.m.

MOVED BY M. BERCOVITCH
SECONDED BY C. PATTERSON

RESOLUTION NO. 2013-10-07

RESOLVED THAT the Development Committee receives the Planning Report prepared by the Manager of Planning and Development dated October 23, 2013, on the Need for the Review of Site Plan Control Planning Application Fee for Large Commercial Projects and recommends Council request staff to provide proposed revisions to the Rates and Fees By-law for Site Plan Control; and

Further that, Development Committee recommends Council accept the existing DAS Developments Site Plan application as a candidate for fee relief when the Rates and Fees By-law is updated.

CARRIED

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

B26/13	186 Main Street / Dowling
A11/13	469 Bluewater Lane / Kolish
A12/13	509 Shore Lane / Ramanauskas
A13/13	53 Knox Road East / Stein

Decisions

A12/13	509 Shore Lane / Ramanauskas
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Councillor Bercovitch's previously declared pecuniary interest was noted and the Councillor withdrew from the table.

MOVED BY C. PATTERSON
SECONDED BY S. WELLS

RESOLUTION NO. 2013-10-08

RESOLVED THAT the Development Committee does hereby receive the Notices fir B26/13, A11/13, A12/13 and A13/13 and the Decision for A12/13, for information.

CARRIED

Councillor Bercovitch returned to his place at the table.

f) **Planning Division**

i) **Vacant Lot Unit Report dated October 1, 2013**

MOVED BY C. PATTERSON
SECONDED BY M. BERCOVITCH

RESOLUTION NO. 2013-10-09

RESOLVED THAT the Development Committee receives the Vacant Lot Unit Report dated October 1, 2013, for information.

CARRIED

ii) **New Unit Report dated October 1, 2013**

MOVED BY S. WELLS
SECONDED BY M. BERCOVITCH

RESOLUTION NO. 2013-10-10

RESOLVED THAT the Development Committee receives the New Unit Report dated October 1, 2013, for information.

CARRIED

g) **Building Division**

i) **Building Department Report dated October 1, 2013**

MOVED BY C. PATTERSON
SECONDED BY S. WELLS

RESOLUTION NO. 2013-10-11

RESOLVED THAT the Development Committee receives the Building Department's Report dated October 1, 2013, for information.

CARRIED

h) **Other Business**

i) **Age Friendly Community Planning Information Document**

Councillor Wells asked for clarification of what is planned following the release of the document. Ms. Martin advised that following discussion with Staff many of the issues outlined within the document have been completed.

Mr. Kelso added that many of the issues are suitable for the Healthy Community Network. Deputy Mayor Foster advised that Mr. Wukasch introduced the information to the Committee at their last meeting who will review the information and present Council with their proposals. It was then;

MOVED BY M. BERCOVITCH
SECONDED BY S. WELLS

RESOLUTION NO. 2013-10-12

RESOLVED THAT the Development Committee recommends that Council accept the Government of Ontario 2013 document "Finding the Right Fit, Age Friendly Community Planning" which provides guidelines and objectives for building communities and planning and design for a growing senior population, for information purposes.

CARRIED

ii) Revised Regulatory Fill Mapping by Nottawasaga Valley Conservation Authority – Policy Alternatives for Existing Development and Checkerboard Areas

Ms. Martin spoke to the matter. Discussion was held regarding the will be prepared by the Authority and circulated further. It was then;

MOVED BY C. PATTERSON
SECONDED BY S. WELLS

RESOLUTION NO. 2013-10-13

RESOLVED THAT the Development Committee accept the Staff Report prepared by the Planning Department Planner dated October 23, 2013 pertaining to NVCA Ontario Regulation 172/06 2013 draft map updates to the Regulated Areas Boundary Mapping, and that the Staff Report dated October 23, 2013 provide a summary of action to date as it pertains to review and discussion on the proposed 2013 mapping, for information.

CARRIED

The Chair stated that **Agenda Item 5(b)(iv) - Z21/10 – Recommendation for Approval – Zoning By-law Amendment Application – Berkley Homes (Wasaga) Inc. – Wasaga Beach Village Phase 3** would be reviewed at this point of the meeting.

Mr. Wukasch stated that Staff focuses on fire protection for the site adding the following:

- The functional site has identified fire suppression by providing watermain and water service proposing fire hydrants on the end of the 't' within the development; and
- The Site Plan will show the details of the fire route for further review.

Discussion ensued regarding the following:

- No Parking signs will be placed within the development to ensure that the fire route is kept clear allowing for access by emergency vehicles;
- The County will provide door to door garbage collection; and
- Chief McWilliam confirmed that the Fire Department vehicles do not back in or out of a development.

Further discussion continued regarding the circulation of development Site Plans for review and approval from internal municipal departments.

Chief McWilliam stated that he would review the ingress and egress for the development more specifically during the Site Plan process.

The Chair reread the resolution. It was then;

MOVED BY C. PATTERSON

SECONDED BY M. BERCOVITCH

RESOLUTION NO. 2013-10-14

RESOLVED THAT the Development Committee recommend to Council that the proposed Zoning By-law Amendment by Berkley Homes (Wasaga) Inc., for Phase 3 of the Wasaga Beach Village project on River Road West be passed.

CARRIED

Chief McWilliam left the meeting at 2:45 p.m.

iii) DB05/13 – Deeming By-Law – Home Hardware, Lot 16, Registered Plan 1061 Queensdale Avenue

MOVED BY M. BERCOVITCH

SECONDED BY S. WELLS

RESOLUTION NO. 2013-10-15

RESOLVED THAT the Development Committee recommend to Council that it adopt a By-Law, pursuant to Section 50(4) of the *Planning Act*, deem Lot 16, Plan 1061 and Lot 90, Plan 1696 on Queensdale Avenue not be a lot within a Registered Plan of Subdivision.

CARRIED

iv) Third Quarterly Financial Report – Planning and Building Divisions 2013 Operational Budget

MOVED BY M. BERCOVITCH

SECONDED BY C. PATTERSON

RESOLUTION NO. 2013-10-16

RESOLVED THAT the Development Committee receives the Third Quarterly Report of the Planning and Building Division for 2013, for information.

CARRIED

v) Beach Area One and Two Proposed Natural Hazards Study

Ms. Martin outlined the request from the Nottawasaga Valley Conservation Authority for the completion of a Shoreline Hazard Study for the development/zoning/designation limit for the lands between 3rd Street and 6th Streets with respect to the Beach Areas One and Two areas. With further review of this requirement, Staff determined that they should complete a Wave Rush Study at the same time to allow for the process to continue.

Councillor Bifulchi reiterated that this proposed Study would be for the beach side and asked if the Study would include the river side of the Beach Areas One and Two areas. Mr. Kelso confirmed that the Nottawasaga Valley Conservation Authority only commented on the beach side between 3rd Street and 6th Streets. Mr. Kelso briefly outlined the estimated cost for the proposed Study which will need to be presented to the Authority when complete as well as Council members.

Discussion ensued regarding whether the proposed Study was recommended or obligatory. The Chair advised that she believed it was obligatory.

Deputy Mayor Foster asked if the proposed Study would be allocated to the 2013 or the 2014 budget. Mr. Vadeboncoeur advised that the costs would be proposed for the 2014 budget. Discussion was held the proposed consultation process.

MOVED BY M. BERCOVITCH
SECONDED BY S. WELLS

RESOLUTION NO. 2013-10-17

RESOLVED THAT the Development Committee recommend to Council that it authorize staff to prepare a Terms of Reference (TR) for a Natural Hazard Study to be undertaken by the municipality for the Beach Area One and Two Community Improvement Project Area.

CARRIED

i) Departmental Accounts

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

MOVED BY C. PATTERSON
SECONDED BY M. BERCOVITCH

RESOLUTION NO. 2013-10-18

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

CARRIED

6. OTHER AGENCY REPORTS

a) Ainley Project Status Report dated September 30, 2013

MOVED BY C. PATTERSON
SECONDED BY S. WELLS

RESOLUTION NO. 2013-10-19

RESOLVED THAT the Development Committee receives the Ainley Project Status Report of September 30, 2013, for information.

CARRIED

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

MOVED BY M. BERCOVITCH
SECONDED BY S. WELLS

RESOLUTION NO. 2013-10-20

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

CARRIED

c) Planning Application Tracking System Report

MOVED BY S. WELLS
SECONDED BY M. BERCOVITCH

RESOLUTION NO. 2013-10-21

RESOLVED THAT the Development Committee receives the Planning Application Tracking System Report dated October 18, 2013, for information.

CARRIED

d) Healthy Community Network Committee Report dated September 19, 2013

Deputy Mayor Foster advised that due to the quorum requirements not being met for this meeting, the report was for information purposes. It was then;

MOVED BY C. PATTERSON
SECONDED BY S. WELLS

RESOLUTION NO. 2013-10-22

RESOLVED THAT the Development Committee hereby receives the Healthy Community Network Committee Report of September 19, 2013, for information.

CARRIED

e) Accessibility Advisory Committee Report dated June 27, 2013

MOVED BY C. PATTERSON
SECONDED BY M. BERCOVITCH

RESOLUTION NO. 2013-10-23

RESOLVED THAT the Development Committee hereby receives the Accessibility Advisory Committee Report of June 27, 2013, for information.

CARRIED

Mr. Vadeboncoeur asked Staff for a status update of the curbing at the Mosley Street Grill parking lot. Mr. Herron advised that Staff is looking at two approaches which include:

- 1) The comments received from Ainley Group indicating the preferred shared driveway to allow for adequate movement; and
- 2) From a legal approach with consideration of the Site Plan Control Agreement.

Mr. Herron advised that a meeting was scheduled between the parties however needed to be deferred to October 24th. Mr. Herron reiterated the goal to convince the parties of the direction of the common entrance.

Councillor Wells asked for an update for the property located at 361 Mosley Street. Mr. Kelso advised that Staff met with the new owners of the property. Mr. Kelso further advised that he has discussed how the existing securities will be dealt with following the purchase of the property.

Mr. Vadeboncoeur asked if Staff was aware of the expansion of the parking lot at the church property located at 208 Mosley Street which included the removal of some trees and installation of fence posts. Discussion ensued regarding the requirement for the minor revision through the Site Plan Control process. Mr. Kelso advised that Staff was not approached regarding the proposed changes to the church parking lot.

7. DATE OF NEXT MEETING

Wednesday, November 20, 2013 at 1:30 p.m. in the Classroom.

8. ADJOURNMENT

Councillor Bifulchi adjourned the meeting at 3:08 p.m.