



DEVELOPMENT COMMITTEE

REPORT

Held Wednesday, January 22, 2014 at 1:30 p.m.
In the Classroom, Town Hall

PRESENT:

N. Bifulchi	Councillor/Chair
D. Foster	Deputy Mayor
M. Bercovitch	Councillor
S. Wells	Councillor
G. Watson	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
B. Vickers	Chief Building Official
C. Taggart	Recording Secretary

1. CALL TO ORDER

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

2. DISCLOSURE OF PECUNIARY INTEREST

Councillor Wells declared a conflict with item **5(b)(ii) Use of Storage/Shipping Containers within the Town of Wasaga Beach** as an immediate family member has a business relationship.

The Chair declared a conflict with items **5(a)(i) Storage Zone – Official Plan Amendment OP05/13 – Zoning By-Law Amendment Z15/13, 5(b)(ii) Use of Storage/Shipping Containers within the town of Wasaga Beach** and **5(d)(i) Storage Zone – 2315 Fairgrounds Road – SP05/13** due to a similar family business.

3. DEPUTATIONS/PRESENTATIONS/PUBLIC MEETING

Public Meeting

Hamont Zoning By-Law Amendment Z14/13

Notice of Public Meeting was published in the Wasaga Sun Newspaper on December 26th, 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 and this meeting is therefore properly constituted as required by the Planning Act.

THE LAND SUBJECT TO THE PROPOSED ZONING BY-LAW AMENDMENT is located on Sandy Coast Crescent. The legal description of the subject lands affected by the proposed zoning amendment are described as Lots 14-20 Plan 51M-923. The subject lands are located in the Stonebridge By the Bay Plan of Subdivision.

THE PROPOSED ZONING BY-LAW AMENDMENT is a textual change that proposes to change the zoning provisions of the Residential Type 2 Third Exception (R2-3) Zone of Zoning By-law 2003-60 to reduce the minimum lot frontage requirement of 10 metres to 9 metres and minimum lot area requirement from 300 square metres to 266 square metres for semi-detached dwelling units.

THE EFFECT of the Zoning By-law Amendment would be to permit reduced lot area and frontage requirements for semi-detached dwellings, which will facilitate a change in the dwelling type for the subject lands from five single detached dwellings and four semi-detached dwellings, to a total of 12 semi-detached dwelling units.

As a result of the circulation of the Notice of Public Meeting no written comments were submitted.

The Chair asked Planning staff, if any further letters or correspondence in regard to this application had been received.

Ms. Jarratt advised that there were none.

The Chair asked Ms. Vienna Hutton to make a brief presentation and provide further details with respect to the proposed amendment.

Ms. Hutton explained that the lands affected by the proposed Zoning By-Law amendment are within Phase 4D of the Stonebridge subdivision. She advised that there is a demand for semi-detached units and therefore are proposing a total of 8 semi-detached units. The proposed unit area sizes are approximately 1654-1707 square feet and 1707-1801 square feet which are similar to existing units already constructed in the subdivision. Ms. Hutton further explained that the request for the Zoning By-Law amendment is to reduce the minimum lot frontage requirement of 10 metres to 9 metres and minimum lot area requirement from 300 square metres to 266 square metres to permit construction of the proposed units.

The Chair asked if anyone present would like to provide input either in support of, or in opposition to, this proposed amendment and if so, 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.

There were none.

The Chair asked if there were any further comments.

There were none.

The Chair asked members of Development Committee if they had any questions or comments with regards to the proposed Zoning By-law Amendment.

Deputy Mayor Foster asked if the unit sizes included basement area. Ms. Hutton advised that the unit sizes only included the main floor and loft area.

The Chair advised that comments received today will be considered and a decision made as to whether Committee will recommend the proposed Zoning By-Law proceed further through the approvals process.

The Chair further advised that anyone receiving Notice of the Public Meeting would receive Notice of the Decision of Council in this matter. If they 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 are to please leave their name and address with Christine Taggart the recording secretary or make a written request to the Clerk of the Town of Wasaga Beach.

4. UNFINISHED BUSINESS

File No.

Z19/08	Proposed Service Commercial Official Plan Amendment & Zoning By-Law Amendment –
OP05/08	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	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 – <i>On hold at the request of the applicant</i>
Z03/12	Proposed General Amendment to Section 3 – Accessory Uses, Building and Structures – Shipping Containers – 22 February 2012 – <i>On Agenda</i>
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 – <i>Applicant has lost control of property</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; (On hold pending outcome of Tourism Accommodation Review)
Z03/13	Proposed Commercial Accommodation Rezoning (Acchionne) – 66 – 90 River Road East (former Allistonia Lodge property) – 12 June 2013; <i>On Agenda</i>
PS03/13	Proposed Draft Plan of Subdivision – Marocco Subdivision – Ramblewood Drive – 27 March 2013; Public Meeting 27 August 2013
PS04/13	Donato Construction – Golf Course Road Subdivision – Extension to Draft Plan Approval
Z14/13	Proposed Zoning By-Law Amendment to site specific Residential Type 2 Third Exception – Lots 14-20, Plan 51M-923 - Hamount Investments Ltd. – 18 December 2013 – Public Meeting 22 January 2014 – <i>On Agenda</i>

5. DEPARTMENT REPORTS

a) Official Plan Updates and Amendments

i) **Storage Zone – Official Plan Amendment OP05/13 - Zoning By-Law Amendment Z15/13**

The Chair moved away from the table and Deputy Mayor Foster took over the proceedings.

Mr. Herron explained that the owner has expressed a need for outside storage within the Town.

Mayor Patterson asked if the property it is fenced at the back. Mr. Herron advised that he believes that there is but that they could look at that matter during the site plan process.

It was then;

MOVED BY M. BERCOVITCH
SECONDED BY S. WELLS

RESOLUTION NO. 2014-01-01

RESOLVED THAT Development Committee recommend Council hold a Public Meeting pursuant to the requirements of the *Planning Act*, to obtain public and agency input with regards to the applications to amend the Official Plan and Comprehensive Zoning By-Law submitted by 1515365 Ontario Inc. (Evan Sone, The Storage Zone), for lands legally described as Part of Lot 36, Concession 4, Parts 1 & 2 of 51R-17041, and Part 1 of 51R-36840, in the Town of Wasaga Beach.

CARRIED

b) Zoning Amendments

i) Hamount Zoning By-law Amendment – Z14/13

The Chair returned to the table and resumed proceedings.

Councillor Wells asked if any of the existing planned units had already been pre sold. Ms. Hutton advised that no units had been pre sold.

It was then;

MOVED BY S. WELLS
SECONDED BY M. BERCOVITCH

RESOLUTION NO. 2014-01-02

RESOLVED THAT Development Committee recommends that the zoning by-law to amend the text of the site specific Residential Type 2 Third Exception (R2-3) Zone of Zoning By-Law 2003-60 affecting lands legally described as Lots 14-20, Plan 51M-923, in the Town of Wasaga Beach be forwarded to Council for consideration.

CARRIED

ii) Use of Storage/Shipping Containers within the Town of Wasaga Beach

The Chair moved away from the table and Deputy Mayor Foster took over the proceedings. Councillor Wells stepped away from the table.

Ms. Jarratt explained that the Town does not currently have any regulations in place to deal with storage containers and therefore the purpose of her report. Ms. Jarratt also advised that various uses of storage containers have risen.

Councillor Watson agreed that residentially storage units should not be allowed unless it is a very temporary situation. He then questioned why on the commercial end, the Town would be having storage containers be put through the building permit process.

Councillor Bercovitch asked if the matter has this has come up due to concern that someone may try connecting plumbing or heating.

Mr. Kelso advised that planning staff have met with commercial owners and discussed terms of permanent occupancy, for example vendors and retail uses. Mr. Kelso advised that storage containers have been used as components in buildings. He then advised that after meetings with owners in beach area one, staff have learned that they would like to move forward with the option of using containers. Mr. Kelso commented that there are various uses including storage, or as a component of overall building. Mr. Kelso advised that guidelines have not been nailed down for storage as yet and are now also looking at occupancy of storage units. Mr. Kelso offered that policies and guidelines, which staff could bring forward to Committee, and municipal protocol could then be developed in addressing these structures.

Mr. Vickers advised that there is legitimate concern, as storage containers are deemed to be structures and are therefore affected by building code requirements and building code can be imposed. Mr. Vickers advised that as storage containers have become more prevalent in the Town the idea has come to the Planning Department that there should be regulations, and can use the building permit process to deal with the matter and legalize. Mr. Vickers advised that there are currently containers within the Town without building permits.

Deputy Mayor Foster asked about the storage containers on the OPP lands and the Swartzky's containers. Mr. Vickers advised that the Town has no authority over provincial lands, and that the containers that Swartzky has are on Town property and that there is an agreement in place and there is building permit for those containers.

Mayor Patterson agreed that storage containers should not be in residential areas. Mayor Patterson then commented that he expected a recommendation from Planning Staff on the matter.

Councillor Bercovitch commented that in Toronto storage containers are used for food preparation and retail and asked how they are dealt with. Mr. Vickers advised that they would require inspections.

Mr. Vadeboncoeur advised that the report was intended for general information. Mr. Vadeboncoeur then commented that the staff is looking at the matter from zoning with regard to setbacks, and that there is building code aspect as well. Mr. Vadeboncoeur then asked if the Zoning By-Law would be the tool to use to regulate storage containers.

Mr. Kelso advised that the report was intended to provide information and seek input from Committee before preparing amendments to the Comprehensive Zoning By-Law and proposing recommendations. Mr. Kelso then advised that staff also want to explore and come up with protocol for the building department so a consistent application of rules could be set out.

Councillor Watson commented that tractor trailers are being used as storage as well within the Town, and asked if they would also become a part of this matter.

Mr. Vickers advised that tractor trailers fall under the highway traffic act because they consist of wheels and a hitch. He then explained that the interpretations are different, and the Town does not have the authority to require a permit for trailers as they are a different legislation.

Barry advised that a policy has been added in the department with regard to storage containers.

It was then;

MOVED BY M. BERCOVITCH
SECONDED BY D. FOSTER

RESOLUTION NO. 2014-01-03

RESOLVED THAT Development Committee receives for information the Planning Staff report dated January 22, 2014, pertaining to the use of storage/shipping containers within the municipality.

CARRIED

c) Subdivision/Condominium Matters

i) Trillium Forest North – Extension to Draft Plan Approval – PS05/13

Councillor Bercovitch commented he had sat through a meeting relating to the DAS proposal and noted concern with flooding although he had no problem with granting extension. He then asked why there would be no hydrologist report for this subdivision.

Mr. Kelso advised that these lands are a different hydrological regime or drainage area and that Highway 26 creates a dam and becomes a control feature for the area. Mr. Kelso advised that there is a flood zone affecting the DAS lands area but that the other east side of Highway 26 is not.

Councillor Wells commented that this subdivision was first approved in 2008 and then extended in 2011 and now being requested again 2014, approximately 9-10 years old. Councillor Wells commented that he would like the developer, Zancor, be given notice that this should be the last extension and if the development is not underway before the next expiration that they be put through the full approval process again.

Deputy Mayor Foster commented that he agreed with Councillor Well's comments and asked about the 4 year extension that he had read in the report.

Mr. Wukasch advised that Zancor had requested a 4 year extension but the Town is remaining consistent with a 3 year extension.

It was then;

MOVED BY M. BERCOVITCH
SECONDED BY S. WELLS

RESOLUTION NO. 2014-01-04

RESOLVED THAT Development Committee recommend to Council to extend the draft approval for the Trillium Forest North plan of subdivision (Owner: Zancor North Inc., County of Simcoe File No. WA-T-0703), located at 237 Lyons Court, north of Ramblewood Drive, for a period of three years.

CARRIED

ii) J. Donato Construction – Block 4, Plan 51M-1021 – Lift Part Lot Control

Morley asked what the ramifications of this change.

Ms. Jarratt advised that this By-Law would allow units to be sold individually.

It was then;

MOVED BY
SECONDED BY

RESOLUTION NO. 2014-01-05

RESOLVED THAT the request to Lift Part Lot Control to permit the dividing of Block 4, Registered Plan 51M-1021 into five residential parcels of land be supported and the By-Law be forwarded to Council for consideration.

CARRIED

d) Site Plan Matters

i) Storage Zone - 2315 Fairgrounds Road – SP05/13

The Chair moved away from the table and Deputy Mayor Foster took over proceedings.

It was;

MOVED BY M. BERCOVITCH
SECONDED BY S. WELLS

RESOLUTION NO. 2014-01-06

RESOLVED THAT Development Committee recommend Council accept for information the Planning Staff Report dated January 22, 2014 pertaining to an application for Revision to Site Plan Approval submitted by 1515365 Ontario Inc. (Evan Sone, The Storage Zone), for lands legally described as Part of Lot 36, Concession 4, Parts 1 & 2 of 51R-17041, Part 1 of 51R-36840, in the Town of Wasaga Beach.

CARRIED

The Chair returned to the table.

e) Committee of Consent/Adjustment Matters

i) Notices and Decisions *(previously circulated to Council)*

It was;

MOVED BY S. WELLS
SECONDED BY D. FOSTER

RESOLUTION NO. 2014-01-07

RESOLVED THAT Development Committee does hereby receive the Notices for A22/13 and Decisions for A20/13, A21/13, B12/12 and B26/13 for information.

CARRIED

f) **Planning Division**

i) **Vacant Lot Unit Report dated January 2, 2014**

It was;

MOVED BY D. FOSTER
SECONDED BY S. WELLS

RESOLUTION NO. 2014-01-08

RESOLVED THAT the Development Committee receives the Vacant Lot Unit Report dated January 2, 2014, for information.

CARRIED

ii) **New Unit Report dated January 2, 2014**

It was;

MOVED BY M. BERCOVITCH
SECONDED BY S. WELLS

RESOLUTION NO. 2014-01-09

RESOLVED THAT the Development Committee receives the New Unit Report dated January 2, 2014, for information.

CARRIED

g) **Building Division**

i) **Building Department Report dated January 2, 2014**

It was;

MOVED BY S. WELLS
SECONDED BY D. FOSTER

RESOLUTION NO. 2014-01-10

RESOLVED THAT the Development Committee receives the Building Department's Report dated January 2, 2014, for information.

CARRIED

ii) **Building Department Update Going into 2014**

Deputy Mayor Foster asked about the requirement for smoke alarms in every bedroom. Mr. Vickers advised that this requirement is the big change in the Building Code and that it only applies to new construction.

Councillor Watson asked about the impact of these changes for and whether it would affect the plans examiner. Mr. Vickers advised that he didn't feel that there would be much of an impact.

Councillor Wells asked Mr. Vickers if he foresees that retro construction would be enforced to install smoke detectors. Mr. Vickers advised that this new requirement does not apply to

current construction, and that new building code requirements come in effect for all new construction going forward.

Councillor Wells then asked if the Fire Department would then impose a change for homes to install battery powered smoke detectors in all bedrooms. The Chair asked Mr. Kelso to contact Fire Chief McWilliam to discuss the matter.

It was;

MOVED BY M. BERCOVITCH
SECONDED BY S. WELLS

RESOLUTION NO. 2014-01-11

RESOLVED THAT Development Committee accepts the following information report relative to the Building Department going into 2014.

CARRIED

h) Other Business

i) Natural Hazards Study for the Beach Area One and Two Areas Request for Proposals

Mr. Herron advised that the Natural Hazard Study is the next building block to the development of Beach Area One and Two.

Councillor Watson asked why this study needs to be done as it is municipal property.

Mr. Kelso advised that this requirement of the study came out through the circulation of the OPA. Mr. Kelso then advised that the Natural Hazard Study would allow for and look at shoreline protection. He then advised that the Town needs to establish which the correct building envelopes are so that there will be no issues after the fact with the Ministry of Natural Resources.

It was then;

MOVED BY D. FOSTER
SECONDED BY S. WELLS

RESOLUTION NO. 2014-01-12

RESOLVED THAT Development Committee recommend to Council that it award the consulting services for the Natural Hazard Study for the Beach Area One and Two Areas to Shoreplan Engineering Limited, in the amount of \$42,000.00, plus HST.

RESOLVED THAT Development Committee recommend to Council that it add the costs of the Natural Hazard Study to the Beach Area 1 and 2 project financing as outlined in the 2014 budget for future recovery through the sale of Municipal Property and/or inclusion in the Special Area Rate.

CARRIED

i) Departmental Accounts

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

It was;

MOVED BY S. WELLS
SECONDED BY D. FOSTER

RESOLUTION NO. 2014-01-13

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

CARRIED

6. OTHER AGENCY REPORTS

a) Ainley Project Status Report dated December 11, 2013

Deputy Mayor Foster asked why Phase 5a and 5b for Park Place are still included on the report. Mr. Kelso advised that he would follow up with this and report back.

It was then;

MOVED BY M. BERCOVITCH
SECONDED BY S. WELLS

RESOLUTION NO. 2014-01-14

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

CARRIED

b) Public Works / Engineering Technologist Development Project Status Report dated January 13, 2014

It was;

MOVED BY S. WELLS
SECONDED BY D. FOSTER

RESOLUTION NO. 2014-01-15

RESOLVED THAT the Development Committee receives the Public Works / Engineering Technologist Development Project Status Report of January 13, 2014, for information.

CARRIED

c) Planning Application Tracking System Report

It was;

MOVED BY M. BERCOVITCH
SECONDED BY S. WELLS

RESOLUTION NO. 2014-01-16

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

CARRIED

d) Healthy Community Network Committee Report dated November 21, 2013

It was;

MOVED BY M. BERCOVITCH
SECONDED BY S. WELLS

RESOLUTION NO. 2014-01-17

RESOLVED THAT the Development Committee hereby receives the Healthy Community Network Committee Report of November 21, 2013, for information.

CARRIED

7. DATE OF NEXT MEETING

Wednesday, February 19, 2014 at 1:30 p.m. in the Classroom.

8. ADJOURNMENT

Councillor Bifulchi adjourned the meeting at 2:30 p.m.