



## DEVELOPMENT SERVICES COMMITTEE

### REPORT

Held Thursday, November 12, 2015 at 10:30 a.m.  
In the Classroom, Town Hall

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<b>PRESENT:</b>	N. Bifulchi	Deputy Mayor/Chair
	R. Anderson	Councillor
	B. Smith	Councillor
	R. Ego	Councillor
	S. Bray	Councillor
	B. Stockwell	Councillor
	B. Smith	Mayor
	G. Vadeboncoeur	Chief Administrative Officer
	A. McNeill	Director of Economic Development
	D. Herron	Manager of Planning & Development Review
	N. Wukasch	Planner
	T. Jarratt	Zoning Administrator
	L. Dykstra	Recording Secretary

### REGRETS:

#### 1. CALL TO ORDER

Deputy Mayor Bifulchi called the meeting to order at 10:30 a.m.

#### 2. DISCLOSURE OF PECUNIARY INTEREST

#### 3. DEPUTATIONS, PRESENTATIONS, PETITIONS AND PUBLIC MEETINGS

##### Delegations

##### i) Peter Marcucci – Eastdale Drive Zoning By-Law Amendment

Mr. David Marcucci was welcomed to the table. Mr. Marcucci advised he was professional planner, and that he was present on behalf of his brother, Peter Marcucci for lands owned by their parents on Eastdale Drive. He advised the lands are vacant and are described as Lot 26 on Plan 708. Mr. Marcucci, indicated he was presenting an application for zoning amendment that proposes to change the zoning for the lands from Accommodation Commercial to a Residential Type 1 Zone. He noted that the lands are currently designated Residential and that the proposed application would conform to the Official Plan. Mr. Marcucci provided a powerpoint presentation to the Committee which provided the location of the lot in relation to abutting lands, photos of the existing area, preliminary building elevations for a proposed dwelling, and the proposed location of the dwelling. He noted that the area has evolved from cottage courts to residential dwellings. Mr. Marcucci indicated that lands have a frontage of 96 feet are irregular in shape and are serviced with municipal water and sewer.

Mr. Marcucci advised that the application requests two exceptions to the zoning bylaw. The first exception pertains to a deck located above the garage a portion of which would encroach into the

front yard. The exception would permit a portion of the deck above 0.6 metres in height to encroach 1.2 metres into the front yard where currently, the zoning by-law does not permit such an encroachment. He noted the second exception would be for a set of front steps. He advised the zoning by-law allows a 1.2 metre encroachment into the front yard and the application is proposing a 2.4 metre encroachment.

The chair asked if there were any questions or comments.

Mr. Herron asked what the surrounding properties uses are. Mr. Marcucci advised that the surrounding properties had in previous years been used for cottage courts throughout the summer months but are now used as residential.

The chair thanked Mr. Marcucci for his presentation.

#### **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>
Z03/12	Proposed General Amendment to Section 3 – Accessory Uses, Building and Structures – Shipping Containers – 22 February 2012 – 22 January 2014 – 26 March 2014 – 28 May 2014 – Public Meeting July 22, 2014
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; <i>(On hold pending outcome of Tourism Accommodation Review)</i>
OP02/14 Z09/14	Proposed Official Plan Amendment and Zoning By-Law Amendment – Tourism Accommodation Conversions – July 23, 2013 – September 24, 2014
Z14/14	Proposed Zoning By-Law Amendment and Plan of Subdivision – Wasaga Heights – 41 <sup>st</sup> Street South – 17 December 2014 – 23 April 2015 – 21 May 2015
PS01/15 PS03/15	Proposed Plan of Subdivision – Hamount Investments Ltd. - 195 River Road East– 21 May 2015 – 13 August 2015
Z06/15	Proposed Zoning By-Law Amendment – Albert Vezeau – 60-19 <sup>th</sup> Street North – 23 June 2015
Z09/15 OP02/15	Susan Ellschie Proposed Official Plan Amendment and Zoning By-law Amendment, 15 October 2015, Public meeting scheduled for December 10, 2015

#### **5. DEPARTMENT REPORTS**

##### **b) Zoning Amendments**

##### **i) Marcucci Rezoning – Eastdale Drive – Z10/15**

It was then;

MOVED BY- Councillor Bonnie Smith

SECONDED BY- Councillor Ron Ego

RESOLUTION NO. 2015-11-01

RESOLVED THAT Development Services Committee recommend to Council that a Public Meeting be held at Development Services Committee 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 Peter Marcucci for lands located on Eastdale Drive, and legally described as Lot 26 Plan 708, in the Town of Wasaga Beach.

CARRIED

**ii) Pereira Appeal to OMB, Ontario Municipal Board and Legal Representation**

The chair asked if there are any questions or concerns. Councillor Anderson indicated he was not in favour. Councillor Smith informed the committee that the Pereira appeal to the Business License decision was deferred at the request of the applicant pending the OMB decision on the zoning amendment.

It was then;

MOVED BY- Councillor Bonnie Smith  
SECONDED BY- Councillor Ron Ego

RESOLUTION NO. 2015-11-02

Recommendation: THAT Development Services Committee recommend to Council that funds be made available to retain the legal services of Barriston LLP and planning professionals to defend, at the Ontario Municipal Board, the decision to refuse the application for Zoning By-Law Amendment submitted by Sean Pereira for lands at 58 River Road East to an upset cost limit of \$15,000.

CARRIED

**c) Subdivision/Condominium Matters**

**i) Molella Westbury Road – Extension to Draft Plan Approval – PS04/15**

It was advised by Nathan Wukasch that the owner of the property had agreed to the revisions to the conditions of draft approval.

It was then:

MOVED BY- Councillor Bonnie Smith  
SECONDED BY- Councillor Ron Ego

RESOLUTION NO. 2015-11-03

RESOLVED THAT Development Services Committee recommends Council support the extension of the draft approval of the Molella/Devlin Subdivision, owned by 1724785 Inc., located on the east side of Westbury Road for a period of three (3) years, subject to the revised conditions as attached to the Planning Staff report dated November 12, 2015.

CARRIED

d) **Site Plan Matters**

i) **Nick Vidinovski - 10 Main Street – Application for Site Plan Approval SP02/15**

The chair asked if there were any questions or concerns.

Councillor Anderson indicated that he was not in favour and would never be supporting the application.

Councillor Smith expressed her concern about the drawings and questioned what the back end of the containers would look like as it was not shown in the pictures that had been provided. Mr. Herron stated that the architectural treatment would be wrapped around the four sides of the structure and the rear would look similar to the front.

Mayor Smith stated that such design had been allowed throughout town, therefore he sees no reason why we should not be supporting the application. He questioned Mr. Herron if it were to be passed today, as it stands, would he be supporting the project. Mr. Herron answered that planning would support the project as the architectural elements would be a good fit for Beach Area 1 though detailed drawings are still required.

Mayor Smith stated that it had been indicated that the structures could still be there in ten years, however we would not know that. The town is in the process of putting a CIP in place to help remedy the property if needed. Mayor Smith stated that the councillors are to remove any bias towards the property owner.

Councillor Anderson informed that the owner had attempted to jump through too many loopholes leading to too many problems. Planning has had to jump through hoops to attempt to accommodate this developer.

Mr. Herron indicated to the committee that staff is seeking confirmation from committee that the building concept is acceptable. He added that staff is aware that detailed drawings need to be ratified as a part of the site plan review and will be working with the developer in this matter.

Deputy Mayor Bifulchi stated that she will not be supporting the project due to the containers not being able to be moved. She noted it has been three years and many plans have been brought forward with nothing done; there has never been a complete application brought forward. What we see in the plans today, does that fit with the plan that the development of the beach will be?

Mr. Vadeboncoeur informed that the containers are to be used on a temporary basis. The owner will enter into an agreement with the municipality and they will be removed when the property is redeveloped. When construction is finished, the containers will be constructed in such a manner that they can be picked up and moved when required. The property will eventually be redeveloped with a permanent structure.

Mr. Herron advised that the owner has been consistent in his message that he seeks to obtain some income from the site in a cost efficient manner and intends for the land to be developed fully over the course of time. The architectural treatment of the proposal has significantly improved and the

structures no longer look like shipping containers. Today the detailing of the building very much captures the feel of Beach Area 1.

Councillor Stockwell stated that in three years the developer has not had a standard process. Nothing should have stopped him for making a proper application.

Councillor Bray recognized that the town is looking to propose something similar in the same area where the developer has his property. Due to similar architecture, she would have a difficult time not approving something that the town plans to do themselves.

Deputy Mayor Bifulchi stated that there is no personal bias of any developer that comes to the table. If committee is not comfortable with the plans and pictures that have been brought forward, they should come to the planners with further questions. The Deputy Mayor stated that she would not be comfortable moving forward until a complete application is received as was asked in previous meetings before it was to be brought back before committee. If we approve this, we say “yes go spend the money” is there any turning back?

Councillor Stockwell stated that he is not a member of Development Services Committee, therefore cannot vote, however would like to state that unless the majority of council has confidence in the project, they should not vote for it. There does not appear to be an overall consensus as to “what we see is what we’re going to get”. He indicated he is concerned it will not come out as intended. He noted that nothing had been done by owners along the beach front since the fire, it took the town purchasing it to have something started.

Deputy Mayor Bifulchi asked that if the town approves it today and we say that we like the drawings, does it put the town in a bad spot of we don’t agree on it later on? Deputy Mayor Bifulchi indicated that no one should move forward with anything until council gives their answer as to whether or not the project would be permitted.

Councillor Smith stated she would want to see the entire package; all the renderings.

Mr. Vadeboncoeur stated that Council retains the right to approve or not approve. There is work to be done and the developer is mindful of what is needed to be provided. The risk that is involved is on the developer, not the municipality.

Councillor Anderson posed the question has the developer ever developed anything in the years he’s been here?

Mr. Herron answered that he could not recall any specific projects. Staff are looking at the concept drawing of the building facades as a restart to the development proposal.

Mayor Smith indicated that whether this developer has done work in the past is irrelevant. Nothing being done for 8 years between now and the fire, is a two way street. Past or personal feelings need to be taken out and considerations need to be made in a fair manner. The mayor stated that “my comment about personal feelings should stand on the record”.

Councillor Stockwell informed that he understood what the mayor is saying. Council however, has stuck their neck out by saying we want some stability and control over what is going to happen in the future and time to come, power can be lost approving a project like this.

Discussion ensued pertaining to an amendment that would be made to the proposed resolution.

It was then;

MOVED BY- Councillor Bonnie Smith  
SECONDED BY- Councillor Ron Ego

RESOLUTION NO. 15-11-04

RESOLVED THAT Development Services Committee amend the motion 5d)i) pertaining the site plan application for 10 Main Street by deleting the word “accept” in the first paragraph and replacing it with the words “receive for information”.

CARRIED

Mayor Smith requested a recorded vote on the following resolution.

It was then;

MOVED BY- Councillor Bonnie Smith  
SECONDED BY- Councillor Ron Ego

RESOLUTION NO. 2015-11-05

RESOLVED THAT Recommendation: THAT Development Services Committee recommend to Council that it accept the architectural renderings proposed by 1126744 Ontario Inc., as attached to the Planning Staff report dated November 12, 2015, for the proposed development at 10 Beach Drive

THAT, staff process site plan application SP02/15 based upon the architectural renderings attached to the report,

and further, THAT staff report back to Development Services Committee upon the owner providing a complete submission of detailed plans and drawings acceptable to the Town. As amended.

Councillor Anderson-	Nay	
Deputy Mayor Bifulchi-		Yea
Councillor Ego-	Nay	
Councillor Smith-		Yea
Mayor Smith-		Yea

CARRIED

**e) Other Matters**

**i) 2015 Planning Application User Fee Update**

The chair asked that Mr. Herron speak to the matter. Mr. Herron pointed out that based on the number of applications that we received this year that the proposed fee increase would result in an additional \$10,000 in revenue for 2016.

Councillor Bray asked a question based on cash in lieu percentage. It was explained by Mr. Herron that the 2% commercial and 5% residential cash in lieu amounts are stipulated in the Planning Act and are applied against park improvements.

It was then;

MOVED BY- Councillor Bonnie Smith  
SECONDED BY- Councillor Ron Ego

RESOLUTION NO. 2015-11-06

RESOLVED THAT That Development Services Committee recommend to Committee of the Whole of Council as Budget Committee that the updated planning fees attached to the Planning Staff report dated November 12, 2015, and titled 2015 Planning Application User Fee Update be approved and included in the 2016 Budget.

CARRIED

## **6. CONSENT AGENDA**

The Chair asked if there were any items Committee wished to have pulled from the Consent Agenda to discuss, there were none. It was then;

MOVED BY- Councillor Bonnie Smith  
SECONDED BY- Councillor Ron Ego

RESOLUTION NO. 2015-11-07

RESOLVED THAT Development Services Committee hereby receives the Consent Agenda Items 6(a) through 6(g), and that the recommendations contained therein be adopted.

CARRIED

## **7. OTHER BUSINESS**

The Chair asked that if there was any new business to be brought forward at this time. Mr. Wukasch stated that he would like to address the Age Friendly initiative that has been ongoing. He informed the Committee that the process is in full swing and that there are multiple focus groups set up for the next week throughout the town. He noted that the first steering committee meeting was held on October 22<sup>nd</sup>, 2015 and was successful. He added that a survey was released to the broader community and has been well received. He noted that 140 responses were received online within the first week, seven locations have received hard copies and approximately 600 surveys have been distributed. He commented that present data will be gathered and a community meeting will be held December 9<sup>th</sup>. He further noted that in the New Year the consultants will gather all information and present it to the community.

## **8. DATE OF NEXT MEETING**

Thursday, December 10, 2015 at 10:30 a.m. in the Classroom.

## **9. ADJOURNMENT**

The Chair adjourned the meeting at 11:41a.m.