

MINUTES OF THE MEETING OF THE PLANNING & DEVELOPMENT COMMITTEE HELD IN THE ADMINISTRATION OFFICE, 1024 HURLWOOD LANE, THURSDAY, APRIL 22, 2010 AT 7:30 P.M.

PRESENT:	Chair	Mark Taylor
	Members	Doug Beach Judith Cox Frank Coyle Ian Crichton Karen Marriott Phil Sled
STAFF:	Planner	Jason Brander
	Deputy Clerk	Sharon Goerke
	Director of Planning & Development	David Parks
	Chief Administrative Officer	Eric Peterson
	Zoning Administrator	Susan Votour

CALL TO ORDER

Chair Taylor called the meeting to order.

DISCLOSURE OF PECUNIARY INTEREST & THE GENERAL NATURE THEREOF

- "NIL"

PUBLIC MEETINGS

Public Meeting with respect to a New Comprehensive Zoning By-law for the Township of Severn. (see attached notes)

MOTION PD042210-01: *Moved by Member Cox and seconded by Member Marriott that comments received with respect to the Proposed Comprehensive Zoning By-law for the Township of Severn be referred to staff for a report.*

CARRIED

DELEGATIONS

- "NIL"

REPORTS FROM OFFICIALS (for information)

- "NIL"

REPORTS FROM OFFICIALS (for direction)

- "NIL"

CORRESPONDENCE (for information)

- "NIL"

CORRESPONDENCE (for direction)

Correspondence with respect to a New Comprehensive Zoning By-law for the Township of Severn:

- (a) Lehman & Associates – 04/07/10
- (b) Simcoe County District School Board – 03/18/10
- (c) MHBC Planning – 04/19/10
- (d) Mitchinson Planning & Development Consultants Inc. – 04/19/10
- (e) William & Terry Clemo, 04/22/10
- (f) Bob & Rosemary Alexander, 04/21/10
- (g) John & Terri Nash, 04/21/10
- (h) Anne-Marie Haynes & Cullen Driscoll, 04/22/10
- (i) Gloucester Pool Property Owners & Shareholders in the Gloucester Pool Water Access Corporation, 04/22/10
- (j) Bill Darker, 03/12/10
- (k) Meridian Planning Consultants Inc., 04/21/10 & 04/22/10
- (l) John Stanley Bowers, 03/28/10
- (m) Bob Downes, 03/15/10 & 03/16/10
- (n) Voyageur Resorts, 03/06/10
- (o) Tim Black, 04/09/10

MOTION PD042210-02: *Moved by Member Beach and seconded by Member Crichton that correspondence received with respect to the New Comprehensive Zoning By-law be referred to staff for a report.*

CARRIED

UNLISTED ADDITIONS

CONFIDENTIAL AGENDA

Reports from Officials

- "NIL"

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Correspondence

- "NIL"

ADJOURNMENT - 8:45 p.m.

MOTION PD042210-03: *Moved by Member Cox and seconded by Member Coyle that this meeting be and it is hereby now adjourned.*

CARRIED

Mark Taylor
Chair

Sharon R. Goerke
Deputy Clerk

NOTES OF A PUBLIC MEETING HELD IN THE ADMINISTRATION OFFICE, 1024 HURLWOOD LANE, THURSDAY, APRIL 22, 2010 AT 7:30 P.M.

PRESENT:	Chair	Mark Taylor
	Members	Doug Beach Judith Cox Frank Coyle Ian Crichton Karen Marriott Phil Sled
STAFF:	Planner	Jason Brander
	Deputy Clerk	Sharon Goerke
	Director of Planning & Development	David Parks
	Chief Administrative Officer	Eric Peterson
	Zoning Administrator	Susan Votour

The Chair stated that a public meeting has been called in accordance with the Planning Act with respect to a New Comprehensive Zoning By-law for the Township of Severn.

The Chair stated that the purpose of public meetings are to inform and provide the public with the opportunity to ask questions or to express views with respect to development proposals. In accordance with By-law No. 2007-153, members of the Planning & Development Committee were there to observe and listen to comments.

The Chair continued by outlining the format of the public meeting to those in attendance as follows:

- (a) The Township's Consultant will generally explain the purpose and details of the Zoning By-law;*
- (b) Next, the public will be permitted to ask questions and express views on the By-law and then the public portion of the meeting will be closed; and*
- (d) Next, members of the Committee will be given an opportunity to ask questions for clarification on the By-law.*

At the conclusion of the meeting the Township's Consultant, and if required Township staff, will be given the opportunity to respond to the questions and comments received.

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The Chair advised that as this is the first formal meeting on the proposed By-law, there will be no recommendation for adoption to Council this evening. Further information may be requested from staff prior to considering the final draft of this By-law having due regard for the comments received this evening.

The Chair advised that if individuals wish further notification on the Proposed By-law, please record your name, address and telephone number on the contact list at the rear of the Council Chambers.

PUBLIC MEETING

Chair Taylor requested the Director of Planning to present the particulars of this public meeting and the notice given.

The Director of Planning advised that the Township's new Comprehensive Zoning By-law pertains to all lands within the boundaries of the Township of Severn. The purpose of the new Comprehensive Zoning By-law is to modernize and update the zoning provisions that are used by the Township to regulate the use of land and the location of buildings within the municipality. The proposed By-law has been divided into various sections such as Administration and Interpretation, Establishment of Zones, General Provisions, Parking and Loading Requirements, Zone Regulations, Exception Zones, Definitions and Zoning By-law Maps.

The Township's New Comprehensive Zoning By-law is to repeal and replace all existing Zoning By-laws now in effect within the Township. This would include the repealing of the Township of Orillia Zoning By-law No. 1993-50, as amended, the Township of Matchedash Zoning By-law No. 788/78, as amended, the Township of Tay Zoning By-law No. 1767, as amended, the Township of Medonte Zoning By-law No. 1990-22, as amended, and the Village of Coldwater Zoning By-law No. 720, as amended. The Township's new Comprehensive Zoning By-law will implement the land use policy of the Township's Official Plan, and will be one of the principal documents used to ensure the proper and orderly development of the municipality.

Notice of the public meeting was given in accordance with the Planning Act on March 11, 2010. Several submissions of correspondence has been received with respect to the Proposed Zoning By-law as follows:

Lehman & Associates, 04/07/10

We have been advised of the Zoning By-law update for the Township and have the following comments to offer:

Section 3.32.6 of the current Zoning By-law contains a setback relating to TransCanada PipeLines Limited. We request that this setback remain in the new Zoning By-law. Please note that TransCanada has revised their setback and we offer the following revision for your consideration.

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1. Notwithstanding all other provisions and standards of this by-law, no permanent building or structure may be located within 7 metres of the TransCanada pipeline right-of-way. Accessory structures shall have a minimum setback of at least 3 metres from the limit of the right-of-way. No building or structure is permitted within 3 metres of the right-of-way.

If not already in place, to facilitate the inclusion of the TransCanada Pipeline on your schedules we can provide a GIS shape file to the Township. Please let me know if you would be interested in this option. A confidentiality agreement would be required prior to releasing the files.

Thank you for the opportunity to comment. We would appreciate being advised as to how our comments will be addressed in the Zoning By-law and receiving a copy of the decision and final By-law. If the decision can be provided either by email to darlene@lehmanplan.ca or by mail or fax at 705-727-9217, it would be greatly appreciated.

If you have any questions with respect to the above, please do not hesitate to contact our office.

Simcoe County District School Board, 03/18/10

Thank you for circulating a copy of the Draft Comprehensive By-law for the Township of Severn to this office for review. Planning staff and design and construction staff have reviewed the requirements and offer the following comments:

Institutional Zone (I) Zone Requirements

Building Height (max.): 11m

We recommend that the maximum be increased to 14 metres to allow for the construction of schools that will be three storeys in height.

Planning staff respectfully request that the Township of Severn increase the maximum height requirement to provide for the needs of the Simcoe County District School Board. The proposed new Zoning By-law is a well written document that will compliment the Township's Official Plan.

MHBC Planning, 04/19/10

Further to our letter of November 10, 2009, we have had the opportunity to review the Township's second draft of the Comprehensive Zoning By-law dated March 2, 2010, as well as the Planning and Development Committee Report P10-013 relative to a number of Mr. Orsi's active development applications. We continue to support the general direction of the draft By-law.

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We acknowledge the approved zoning for the 12 lot subdivision (SV-T-0801) and Phase I of the Menoke Beach Subdivision (SV-T-0702) have now been reflected on the zoning schedule. Thank you.

We also acknowledge that the required interior side yard setback for the ER zone has now been reduced from 9 m to 6 m. While this is still larger than the original 4.5 m setback, we recognize that 6 m is a fair compromise that still allows for appropriate dwelling unit separation.

Future Locke and Rimkey Subdivisions

We had previously raised the issue of the increased lot area and frontage requirements for privately serviced lots in the R1 and ER zones in the former Township of Orillia Zoning By-law 1993-50, relative to the future Locke and Rimkey Subdivisions respectively. The differences between the original by-law and what this comprehensive zoning by-law is proposing are as follows:

Zone	Current R1	Proposed R-1
Min. Lot Area (full services)	670 sq. m.	600 sq. m.
Min. Lot Frontage (full services)	18 m	14 m
Min. Lot Area (private services)	2,000 sq. m.	4,000 sq. m.
Min. Lot Frontage (private services)	30 m	60 m

Zone	Current ER	Proposed ER
Min. Lot Area (full services)	N/A	N/A
Min. Lot Frontage (full services)	N/A	N/A
Min. Lot Area (private services)	6,070 sq. m.	8,000 sq. m.
Min. Lot Frontage (private services)	50 m	60 m

The rationale provided by Planscape for both R1 and ER Zone was that the new numbers were based on comparison of a range of lot frontages and areas. Furthermore, it was indicated that lot sizes are generally based on an environmental capacity of the area, and in the absence of such capacity study,

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the larger lot areas and numbers were appropriate. We understand that this rationale was provided after having reviewed standards from the Township's existing by-law and other comparable municipalities. We agree that an Environmental Capacity Report is necessary to determine the appropriate number of lots for a privately serviced subdivision; such studies were prepared, reviewed and approved for both the Locke (SV-T-0703) and Rimkey (SV-T-0704) subdivisions. We also recognize that for Locke and Rimkey, site-specific zoning by-laws will implement the appropriate zoning for the subdivisions.

Our concerns is focused on the public's perception of any amendment to these new minimum standards in order to achieve greater densities for privately serviced lots within subdivision developments. We feel that the by-law could create a situation where the perceived impact of any reduced lot area and frontage, as recommended by an Environmental Capacity Report, would become exaggerated as a result of the increased minimum standards. This could potentially cause friction with area residents, raising questions as to why the applicant is applying for area and frontage reductions that stray so far from the minimum Township standards. Furthermore, the Provincial, County and Township policies all support compact developments, the efficient use of land and resources, and creating opportunities for intensification. With that understanding, the Township should seek to establish reduced minimum lot areas and frontages within the Comprehensive Zoning By-law, not larger.

We ask that the Township reconsider the minimum lot area and frontage provisions for privately serviced lots, and revise the numbers to the lower comparable standards as evaluated in Discussion Paper 3, in an effort to support opportunities for further intensification and compact development from within the Township. We ask the Township revise the standards as follows:

Zone	Minimum Lot Area	Minimum Lot Frontage
ER	6,000 sq. m.	50 m
R1	1,855 sq. m.	30 m

We trust you will consider the above recommendations and look forward to the next draft of the Zoning By-law.

Mitchinson Planning & Development Consultants Inc., 04/19/10

We are writing on behalf of Silver Spring View Estates Limited, Mark Rich Homes Limited, Golfview Estates Ltd., 861945 Ontario Limited and Royal Heights Estates Limited regarding the Township's new proposed Comprehensive Zoning By-law.

We have reviewed the March 2nd draft By-law with respect to our clients' landholdings as well as from a general perspective. The draft document is comprehensive, well written and user friendly and the zoning schedules are significantly improved.

Given the nature and complexity of a zoning consolidation exercise, we have identified some issues and concerns as outlined in the following:

1. "Area 1", South of Division Road Secondary Plan (North Valley Estates, SV-T-99002, Zoning By-law Nos. 200-50 & 2005-143

Current Zoning: Estate Residential (ER) and Environmental Protection (EP)

Proposed Zoning: ER and EP – Schedules S-9-11, S-9-14

The North Valley Estates subdivision consists of 96 estate residential lots. Phase I comprises 33 lots and was registered in September 2005. The subdivision and implementing zoning by-laws were reviewed in accordance with the Estate Residential ER provisions of the former Township of Orillia's Zoning By-law No. 1993-50.

Section 6.4 (Table 6.2) Lot Requirements: The table contains several changes to the existing ER lot standards:

- minimum lot area is increased from 6,070 sq. m to 8,000 sq. m
- minimum lot frontage is increased from 50 m to 60 m
- minimum interior side yard is increased from 4.5 m to 6 m
- special provision for a reduction in the 15 m exterior side yard has been removed
- maximum building height has been decreased from 10 m to 9 m

Due to the changes, many of the existing Phase I lots/homes will become legal non-complying. As the second and third phases of the Draft Plan have not yet been registered, many of the future lots will not comply with the new ER requirements. While we appreciate the consolidation exercise is aimed at standardizing the range of lot requirements contained in the municipality's various zoning by-laws, the new provisions should not create legal non-complying situations or impact developments in process.

In accordance with the Township's Official Plan, one of the primary determinants for development on private services is the environmental capacity of the site. A hydro-geological study was prepared and approved for the North Valley subdivision and the approved number of lots complies with the existing ER Zone requirements. An increase in the lot area and

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frontage requirements will necessitate a further zoning amendment for Phases 2 and 3 despite the fact that the subdivision has been draft approved, zoned and is supported by a capacity analysis. As such, the existing approvals must continue to be recognized.

Overall, the increased lot provisions will likely trigger site specific zoning amendments for most ER developments despite the hydro-geological capacity of a site. This represents additional time, cost and municipal administration. Further, in light of current planning policies which require intensification, compact form and the efficient use of land/resources/infrastructure, municipal zoning policies should implement these directives through smaller minimum lot standards rather than through increased standards.

Given the preceding, we request the Township maintain the current lot provisions of the ER Zones as contained in By-law 1993-50.

Section 3.32.2 b) Environmental Protection Setback: A 10 m setback for uses abutting an Environmental Protection (EP) Zone is required for lands located outside of a settlement area. Several lots in the current and future phases of the subdivision contain an interior side yard which abuts EP lands, including lands which although zoned EP, are owned by the Township and used for stormwater management purposes. The new provision will have the effect of increasing the side yard setback from 4.5 m to 10 m and will also impact the location of accessory structures on all lots abutting EP zones (ie. shed, gazebo, etc.)

The North Valley subdivision was subject to a comprehensive planning process, including approval of an environmental impact study (EIS). Additional development setback requirements were not required. As such, we recommend that some policy flexibility be introduced to address these types of situations. It is recommended that Subsection b) be modified by adding the following to the end of the policy:

“... This setback may be modified without an amendment to the Zoning By-law subject to the findings of an Environmental Impact Study approved by the Township. The setback does not apply where the EP lands are used for a public purchase such as stormwater management.”

Schedule S-9-11: The Schedule does not reflect the EP zones located within the Phase I M-Plan.

2. **“Area 2”, South of Division Road Secondary Plan (Part of Lots 1 & 2, Con. 4, former Twp. Of Orillia, Zoning By-law No. 2000-40)**

Current Zoning: *Residential Exception (R1-7-H), Residential Exception (R3-2-H), Rural Exception (RU-12-H) and EP*

Proposed Zoning: *Rural Residential (RR), Agricultural (AG) and EP; Schedules S-9-3, S-9-4, S-9-7, S-9-8*

The subject lands were approved for approximately 300 residential units and are zoned Residential R1 and R3 with special exceptions and Rural with special exceptions which permit certain residential uses, specific development standards, recreational facilities and associated infrastructure. Zoning By-law No. 2000-40 was approved by the OMB and does not appear to be reflected in the draft By-law. The approved zoning must continue to be recognized by the new By-law.

Section 6.3 (Table 6.1) Permitted Uses: The proposed new Residential RM1 and RM2 Zones replace the existing Residential R3 Zone in By-law No. 1993-50. The R3 Zone permitted medium density uses including townhouses, triplexes and low rise apartments. However, a triplex is not identified as a permitted use in the new RM1 Zone and should be included. Further, there is not definition of “Dwelling, Multiple” in the new Definitions section of the draft By-law.

Section 6.4 (Table 6.2) Lot Requirements:

- The proposed RM1 lot coverage of 35% is quite low given current planning, building and urban design standards and trends. We recommend it be increased to a maximum of 45% for multiple unit dwellings ranging from semi-detached units to townhouses.
- The proposed RM1 and RM2 maximum density of 37 units per ha is low for most medium density developments. We recommend a maximum density of 40 units/ha for multiples, 47 units/ha for street townhouses and 53 units/ha for low rise apartments.

3. **“Area 3”, South of Division Road Secondary Plan (SV-T-99006, Zoning By-law No. 2000-39)**

Current Zoning: *Residential Exception (R1-8-H), Residential Exception (ER-5-H), General Industrial Exception (M2-4-H), Recreational Open Space (OS-H) and EP*

Proposed Zoning: *R1-5H1, ER-1-H1, M2-2-H1, OS-H1, OS and EP - Schedules S-9-8, S-9-13*

The Area 3 development is approved for approximately 160 residential units, recreational facilities and a range of industrial and commercial uses. The majority of the provisions of site specific Zoning By-law No. 2000-39 appear to be reflected in the draft By-law.

Section 3.32.2 b) Environmental Setback: The Area 3 development was subject to an approved EIS which did not specify additional development setbacks. As such, the modification outlined under Item 1 is again recommended.

Section 6.5.1 Exceptions (R1-5): The exception should also refer to the lot requirements of Table 6.2, as certain medium density uses are permitted by the site specific by-law and the associated lot requirements should be referenced.

Section 7.4 (Table 7.2) Lot Requirements for Commercial Zones: The existing site specific by-law permits a range of commercial uses in the M2 Zone. The new M2-2 provisions of the draft By-law state these uses include Space Extensive Commercial C5 uses. However, the C5 lot requirements require a minimum lot area of 1,000 sq. m and a minimum lot frontage of 25 m, whereas the existing site specific by-law has no minimum lot area or frontage requirements.

Section 8.3 (Table 8.1) Permitted Uses in Industrial Zones: There are a few uses currently permitted under the existing By-law which do not appear to be permitted by the draft By-law, depending on how they are defined, as well as other policies of the By-law (ie. accessory retail uses, custom workshop & workshop, outdoor display & sales).

Schedule S-9-13: There appears to be a minor drafting error on the Schedule (refer to attached).

4. Royal Heights Estates Limited (SV-T-0602, Zoning By-law No. 2007-82, Marchmont)

Current Zoning: Residential IR1) and EP
Proposed Zoning: R1-9-H5; Schedule S-6

The subject subdivision is approved for 24 lots on private services. The subdivision is not yet registered. The number and size of lots was determined through an approved hydro-geological report and the lots comply with the existing R1 provisions of By-law No. 1993-50. The stormwater management facility is zoned EP and will be dedicated to the Township.

Section 6.4 (Table 6.2) Lot Requirements: The table contains several changes to the existing R1 lot standards:

- Minimum lot area is increased from 2,000 sq. m to 4,000 sq. m
- Minimum lot frontage is increased from 30 m to 60 m
- Special provision for a reduction in the exterior side yard has been removed
- Maximum building height has been decreased from 11 m to 9 m

The approved draft plan will not comply with the new R1 standards. Consistent with the comments and concerns raised under Item 1 regarding minimum lots standards, the existing approval must be recognized. We request the Township maintain the existing R1 provisions.

Section 3.32 a) Environmental Protection Setback: A 3 m setback for uses abutting an Environmental Protection DP Zone is required for lands located within a settlement area. Lot 24 abuts the future fenced stormwater management pond. The new provision will have the effect of increasing the side yard setback from 1.5 m to 3 m even though the abutting lands are not environmentally significant.

We recommend that Subsection a) be modified by adding the following to the end of this policy:

“... This setback may be modified without an amendment to the Zoning By-law subject to the findings of an Environmental Impact Study approved by the Township. The setback does not apply where the EP lands are used for a public purpose such as stormwater management.”

5. **Royal Heights Estates Limited (SV-T-0401, By-law No. 2006-59, Marchmont)**

Current Zoning: Residential Exception (R1-10)
Proposed Zoning: R1-9-H5; Schedule S-6

The subject subdivision is registered and consists of 20 privately serviced lots. The number of lots was determined by an approved hydro-geological study and they comply with the existing R1 standards. The proposed changes to the R1 lot standards will create a legal non-complying situation for existing homes, while the vacant lots will become existing lots of record. Similar to the comments under Item 4 preceding, we request that the existing R1 lot standards be maintained.

6. Section 5 Agricultural and Rural Zones (AG and RU)

Section 5.3 (Table 5.1) Permitted Uses: In keeping with the existing By-law and the Official Plan policies, we recommend that the following uses as defined by the Draft By-law also be permitted in the AG and RU Zones: agricultural building, agricultural produce warehouse, agricultural use, custom workshop, home industry, home occupation, outdoor display & sales, outdoor storage and place of worship.

Section 5.4 (Table 5.2) Lot Requirements – RU: With respect to a residential use in the RU Zone, the minimum lot area has been increased from 0.2 ha to 10 ha and the lot frontage increased from 15 m to 60 m. The existing By-law contains specific provisions for a residential use in the RU Zone as the area requirements for residential are not the same as for other types of rural uses. In keeping with the existing By-law and with previous comments regarding smaller minimum lot standards, the existing lot provisions should be maintained (and the associated residential provisions revised accordingly, ie. lot coverage).

7. Section 6 Residential Zones

Section 6.3 (Table 6.1) Permitted Uses: Many By-laws permit a place of worship within residential (and commercial zones), as it is a complimentary use. It is recommended that a place of worship also be permitted within all residential zones.

Section 6.4 (Table 6.2) Lot Requirements – Rural Residential (RR): In keeping with previous comments regarding minimum lot standards, it is recommended that the RR lot provisions be revised to a minimum lot area of 2,000 sq. m and a minimum frontage of 30 m.

8. Section 9 Miscellaneous Zones

Section 9.3 (Table 9.1) Permitted Uses –Open Space (OS): The following uses were permitted under By-law 1993-50 and should continue to be permitted – an accessory single detached dwelling and agriculture. We also note that “Recreational Establishment, Public” is not a defined term in the draft By-law (we assume it is meant to be “Recreational Establishment” as defined).

9. General Comments

Building Heights: We note that most building heights are reduced from existing By-law 1993-50. For example, residential buildings in the Residential R1 Zone have been reduced from 11 m to 9 m, commercial buildings in the Space Extensive Commercial C5 Zone have been reduced from 15 m to 11 m, and buildings in the General Industrial M2 Zone have been reduced from 15 m to 11 m. Based on current building and urban design trends and on policies in other municipal by-laws, we recommend the following minimum building heights:

- Single detached and multiples 11 m
- Low rise apartments 12 m
- Commercial/Industrial/Recreational 12 to 15 m depending on the specific zone

Section 3.20 a) Outdoor Display: Outdoor display should also apply to certain industrial uses, as appropriate. Further, Section 3.2.1 Accessory Uses, Building and Structures, states where a building or structure is permitted it also includes any accessory uses (ie. outdoor display would be an accessory use). However, Section 3.20 and 3.21 deal specifically with Outdoor Display and Outdoor Storage, both of which are accessory uses, are also defined terms and are listed as permitted uses in certain zones. This requires further review and clarification.

Section 3.32.7 Watercourse Setbacks: Similar to our comments regarding EP setbacks, some policy flexibility should be provided for developments which have an approved EIS. We recommend the following wording be added:

“... These setbacks may be modified without an amendment to the Zoning By-law subject to the findings of an Environmental Impact Study approved by the Township.”

Section 4.2.6 b) Width of Driveways: We appreciate the requirement to specify a maximum driveway width, however, an 8 m maximum is not wide enough to accommodate a 3 car garage. A minimum driveway of 10.5 m is required at the garage which can be tapered down to 8 m. Depending on the Township’s interpretation/application of this provision, it may require modification to avoid minor variances for 3 car garages.

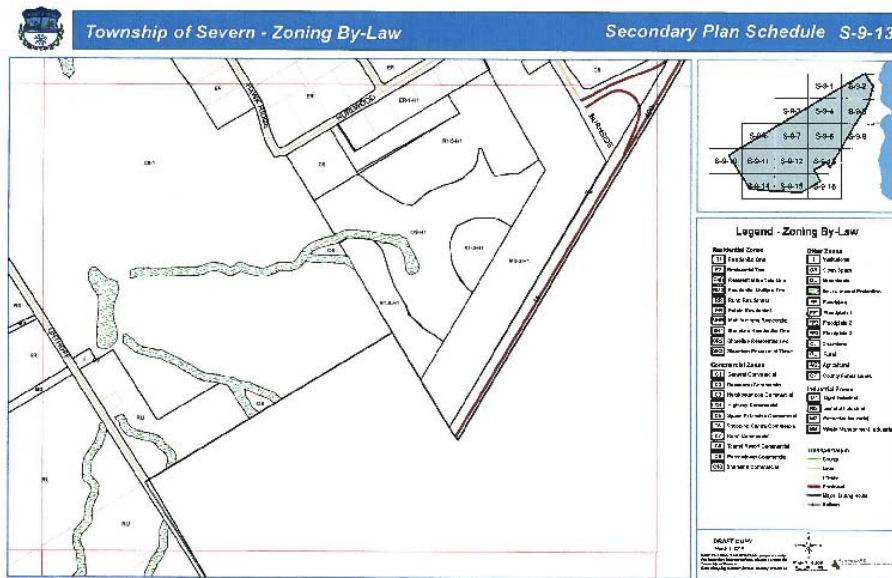
Section 10.3 (Table 10.1) Holding Provisions and Schedules: We note that the holding provision is still shown for Royal Heights Estates SV-T-0401: R1-9-H5, Schedule S-6. The By-law should be amended accordingly.

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Section 11, Definitions: It is important to carefully review the new definitions, as slight wording changes can inadvertently omit uses which are currently permitted under the existing by-laws.

Given the preceding matters, we would like to meet to review our submission in further detail prior to finalization or adoption of the new By-law. Thank you for the opportunity to comment on the Draft By-law. We look forward to continuing to work with the Township on this important planning initiative.

Attachment



William & Terry Clemo, 04/22/10

In the past several meetings and information sessions we have made our wishes clear, that we want the property at 3883 Menoke Beach Rod to remain Commercial 4 zoning as it had been in the past before Severn Township was created, till current. In the present draft it is shown at Residential zoning and we object to this being changed from Commercial without our permission.

We also object to our property being included in Westshore settlement area, as it had not been included in this area in the past on previous maps we were shown, because we were not part of the sewage system. The property's uniqueness in size, location regarding road and lake frontage, should give us the right to

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continue our past activities on the property without being included in the subdivision and the rules that go along with this. Our “grandfather” right of owning the property for over 40 years before Severn was even established as Severn Township should give us the right to keep our present way of life, or the right to choose to or not.

Bob & Rosemary Alexander, 04/21/10

My name is Bob Alexander and I am the secretary for the SDRCA (Severn Delta Road Cottagers Association) and also sit on the Board for the Orimat Road Association. I just returned from Florida last week and have had 2 calls from members concerned with changes proposed in the new By-laws to increase the set to 20 meters from the current 9 meters. Many of the properties on the Delta (along the Severn River & Deep Bay) have a steep rise from the water and with very rocky ground. I can see where this may cause some hardships for the new construction in our area. If the setback is from the high water mark then I would think that 9 meters is sufficient. I have lived here for 20 years now and have seen some very high water but nothing has come close to my home on the current setback.

I am hoping that property owners who have recently purchased land under the old By-laws with plans to build over the next couple of years are extended some consideration for their plans.

John & Terry Nash, 04/21/10

I do not have a cottage on my property but I am against the zoning update. I purchased the property on the assumption of building within the 9 metre By-law. I do not want to go to second tier of my property due to the lack of view that I have paid for, and the symptomatic problems of living up on a top level and entertaining at the lower level. We are not getting younger. I bought waterfront for a reason! Will existing homes within the 20 metre be grandfathered? Based on a 9 metre setback any cottage structure that we would undertake would still be 10 metres plus elevation well above any flood risk. A devaluation of property, and a problematic future residence is not in my best interest. I am against the 20 metre By-law.

Anne-Marie Haynes & Cullen Driscoll, 04/22/10

We are long time owners of a waterfront cottage property on the Severn River and we know many people who own cottages, have built cottages and others who plan to build cottages on this waterfront. We also are very familiar with changing water levels. We are not in favour of the above By-law change especially for those with steep shorelines where flooding would be no issue at a 9 metre setback. A 20 metre setback can take some to excessive elevations. We

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know people with steep shoreline properties and travel up and down can be real hardship. We also know others who purchased property and based their purchase decision on being able to build a cottage with the 9 metre setback in mind. That was the By-law when they purchased. If it is changed to 20 metres in our opinion this would considerably devalue their property. Elevation should be a consideration and not just setback.

Gloucester Pool Property Owners & Shareholders in the Gloucester Pool Water Access Corporation, 04/22/10

We are writing with respect to the Draft Zoning By-law and the provisions related to the lot coverage permissions for Gloucester Pool.

We are pleased to see that this draft of the By-law has based lot coverage for shoreline properties on the lot area within the first 60 metres of the shoreline. However, the permitted lot coverage of 15% for the SR2 and SR3 Zone in our opinion would permit development to occur that does not maintain the historic character of Gloucester Pool cottage development and would not maintain the character of the lake environment.

The primary issue on lakes such as Gloucester Pool will be the redevelopment of existing smaller cottages and Council must ensure that the provisions of the By-law do not allow as-of-right for buildings that are "out of character" with the scale of historic development that exists on the Pool. At a minimum, those who desire to construct the "monster cottage" should have to go through some form of planning approval (ZBA, MV).

We have attached tables that identify the permitted lot coverage based on size of frontage of a shoreline property and the permitted coverage. Based on these tables:

At 15% coverage, a 40 m lot would be permitted a coverage of 3,874 square feet of building. (This would apply to the ground floor of the main building and any accessory structures. The main building could also have a second storey in addition to this permitted coverage). At 15% coverage, a 50 m lot would be permitted 5,810 square feet of building coverage. At 15% coverage, a 100 m lot would be permitted 9,684 square feet of building coverage.

At 7% coverage, a 40 m lot would be permitted a coverage of 1,808 square feet of building. (This would apply to the ground floor of the main building and any accessory structures. The main building could also have a second storey in addition to this permitted coverage). At 7% coverage, a 60 m lot would be permitted 2,712 square feet of building coverage. At 7% coverage, a 100 m lot would be permitted 4,519 square feet of building coverage.

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Based on the values from the tables, it is my opinion that Council should consider maximum coverage requirements that are in the between 6% and 8% for shoreline lots on Gloucester Pool. These coverage values would permit modest development and would allow for public input on larger developments, by requiring Planning Act approvals. Council should also consider a maximum gross floor area for the principal building for all properties on Gloucester Pool.

15% Lot Coverage	Lot Area Within 60 m of shore	Lot Coverage Permitted	
		Square Metres	Square Feet
Lot Frontage (m)	60	15%	10.76
40	2,400	360	3,874
60	3,600	540	5,810
80	4,800	720	7,747
100	6,000	900	9,684
120	7,200	1,080	11,621
140	8,400	1,260	13,558
160	9,600	1,440	15,494
180	10,800	1,620	17,431
200	12,000	1,800	19,368

10% Lot Coverage	Lot Area Within 60 m of shore	Lot Coverage Permitted	
		Square Metres	Square Feet
Lot Frontage (m)	60	10%	10.76
40	2,400	240	2,582
60	3,600	360	3,874
80	4,800	480	5,165
100	6,000	600	6,456
120	7,200	720	7,747
140	8,400	840	9,038
160	9,600	960	10,330
180	10,800	1,080	11,621
200	12,000	1,200	12,912

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8% Lot Coverage	Lot Area Within 60 m of shore	Lot Coverage Permitted	
		Square Metres	Square Feet
Lot Frontage (m)	60	8%	10.76
40	2,400	192	2,066
60	3,600	288	3,099
80	4,800	384	4,132
100	6,000	480	5,165
120	7,200	576	6,109
140	8,400	672	7,231
160	9,600	768	8,264
180	10,800	864	9,297
200	12,000	960	10,330

7% Lot Coverage	Lot Area Within 60 m of shore	Lot Coverage Permitted	
		Square Metres	Square Feet
Lot Frontage (m)	60	7%	10.76
40	2,400	168	1,808
60	3,600	252	2,712
80	4,800	336	3,615
100	6,000	420	4,519
120	7,200	504	5,423
140	8,400	588	6,327
160	9,600	672	7,231
180	10,800	756	8,135
200	12,000	840	9,038

6% Lot Coverage	Lot Area Within 60 m of shore	Lot Coverage Permitted	
		Square Metres	Square Feet
Lot Frontage (m)	60	6%	10.76
40	2,400	144	1,549
60	3,600	216	2,324
80	4,800	288	3,099
100	6,000	360	3,874
120	7,200	432	4,648
140	8,400	504	5,423
160	9,600	576	6,198
180	10,800	648	6,972
200	12,000	720	7,747

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Bill Darker, 03/12/10

I have examined the Zoning By-law Schedule B-4 and I note that my request to zone lot: CON 14 PT LOT 23, RP 51R15706 PARTS 1-7, 11-13, 16-17 as SR3 has been ignored and proposed zoning GL is indicated. This property contains 2 cabins and a seasonal dock at civic address: 1143 Grandview Lodge Rd. This email is notification that I may appeal the proposed zoning. I will be back at Sparrow Lake on April 22, but not in time to attend the meeting.

Meridian Planning Consultants Inc., 04/21/10

In reviewing the draft By-law I have a few comments:

- 1) Good job incorporating the Scollard ZBA and the Minor Variance. Everything looks good.
- 2) Same goes for the Brandon/Greenwood Townhouses
- 3) There may be some confusion between Sections 3.32.2 - Setback from EP lands and Section 3.32.7 – Setback from waterfeatures. Maybe a statement that where there is conflict, the most restrictive applies. This is however stated in 1.5(b).
- 4) The By-law changes the areas in Coldwater that were “Flood Proofing” in the previous by-law to “Floodplain” in this draft. Based on my read of the PPS and the definition of “Floodproofing Standard”, it may be appropriate to continue using “Flood Proofing” to identify the Zones referenced in Section 3.6.3 since the language refers to flood proofing measures. Section 3.6.1 clearly limits development in areas identified as Floodplain so keeping the lands identified in Section 3.6.3 as “Foodproofing” may eliminate confusion down the road.

I will also be sending you a letter separately regarding the coverage provisions for lots on Gloucester Pool. It is my hope that they can be reduced even further.

Meridian Planning Consultants Inc., 04/22/10

Further to our letter of October 29, 2009, our client, the Betel family, owns land in the Township located at Part Lot 3, Concession 1 (Orillia) located at 8601 Highway 12. The subject lands have a frontage along Highway 12 of about 370 metres and have a total lot area of about 5 hectares.

Our earlier submission requested that the Township consider allowing a range of mixed uses on our client’s lands in a manner contemplated by the Settlement Employment Area policies of the Severn Official Plan. According to Section C4.3 of the Township of Severn Official Plan the following uses are permitted in the Settlement Employment Area designation:

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- a) retail and service activities;
- b) accommodation;
- c) office uses;
- d) personal serviced shops;
- e) pharmacy;
- f) professional/office commercial services;
- g) restaurants;
- h) automobile sales and service establishments;
- i) dry land marina sales and service establishments;
- j) industrial uses within wholly enclosed buildings, such as manufacturing, assembling, processing, fabricating, warehousing and distribution facilities;
- k) research and training establishments;
- l) computer, electronics and data processing facilities;
- m) printing and associated service establishment;
- n) industrial malls, containing one or more uses permitted in this designation; and
- o) secondary uses in accordance with the policies of this Plan.

We have reviewed the Draft Zoning By-law proposed for the Township of Severn and we understand that our client's lands are proposed to be zoned Highway Commercial (C4-4). According to Section 7.5.4 of the draft By-law, the C4-4 Zone permits only a golf driving range. However, through recent discussions with Mr. Corbett we are advised that the Township is supportive of blended C4 and M1 permissions on the Betel lands. Our client would support this.

In reviewing use permissions outside of a blended C4/M1 Zone, our client would also appreciate consideration for the addition of "DSTM Retail Use" and "Grocery Store" as additional use permissions to the proposed C4/M1 blended zone. We believe these uses, if kept to a neighbourhood scale, are contemplated by the Official Plan and would be appropriate in this location. Our client would not be adverse to the establishment of a floor area maximum for these uses, if deemed appropriate by Council.

We would be pleased to meet with you to discuss our client's request in greater detail. We also note that we were not provided with notification of the April 22 public meeting despite requesting notice in our letter of October 30, 2009. We would appreciate receiving notification of any future decision with respect to the Township's Zoning By-law.

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John Stanley Bowers, 03/28/10

I am writing with regards to the changes to the Zoning By-laws of Severn Township. As I have a back injury I do not get around too much anymore and find it difficult to go to the live Town hall meetings to discuss the future growth of our region so I shall express my opinions in a letter.

With all the new development in Orillia, Cumberland Beach and Coldwater, I feel it might be best to concentrate urban growth in a limited are to these communities. The outlying areas should be designated green belts with an emphasis on agriculture, recreation in select areas, the protection of forested areas and the preservation of wetlands from urban sprawl and degradation of our modern lifestyle.

In the previously mentioned communities perhaps a policy of building upward rather than outward would keep more land open to natural activities. All too often farm, forest and wetlands are lost forever while other sections of a town or city sit idle because they have been overshadowed by some new project on the outskirts of town.

Just look at Orillia. More and more farmland and wood lots are disappearing to urban sprawl while other parts of the City lay bare and empty. If they allowed more upward growth the university could have been built in the heart of the City along with multi-storey apartments and condominiums to house the students and faculty members.

Unfortunately, they don't want such things so instead more outlying areas are paved over and the urban sprawl juggernaut continues on its path of destruction. I feel it is time to protect and preserve what remains of our disappearing natural world, and if that means halting urban sprawl and allowing upward growth in select areas then I will vote for that.

Bob Downes, 03/15/10

There is no dwelling on the property – no definite plans. At some point we would like to put a building up. My understanding is the building setback needs to be 9 meters. My thinking was to keep it to one side of the property so as to allow for the severance. I hope to discuss the possible severance with you. One question if we were to divide it would that affect taxes in any way. Until we utilize it , it is just the same piece of vacant land, just severed for future possibilities

Bob Downes, 03/16/10

The property is such that it is plateau like, distinctly a lower level and then a much higher upper level. We are not ready yet but the original purchase 5 years ago approximately our plans were always to build on the lower level.

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We could go back 10 meters easily on the lower level making the elevation 10 meters or so. If it had to be 20 meters back it would mostly take away the benefit of waterfront. 20 meters would take us back the much higher 2nd elevation which is probably 30 meters “plus” elevation and no view of the water. What can we do now to avoid / prevent this major problem? A 20 meter setback would considerably devalue our property.

Changing the rules in the middle of the game so to speak seems unfair. How can we gain an exception based on these circumstances? Again right now we are not able to build yet realistically next year is a good possibility. Currently we do have a pretty good idea of layout and location. Please advise.

Voyageur Resorts, 04/19/10

We are concerned that the proposed zoning “Greenlands” of our property Part Lot 23, Concession 14, 1300 Torpitt Road would not allow us to create and sell 3 cottage lots.

We applied to the Planning Committee in August 2009 for 3 lots on Sparrow Lake, with the remaining +/- 40 acres to be donated to the Couchiching Conservancy to be kept wild as it is. The properties on both sides of our proposed lots are zoned SR2 and SR3.

We intend to be at the meeting April 22, 2010 but due to health concerns may not make it. We would like our proposed lots to be zoned so that cottages may be built on them.

Tim Black, 04/09/10

Thanks for the notice of the meeting, we definitely plan to be there, some things have come up for or school property on County Road 16. We have an opportunity to lease the building and land to a person that wants to put in an apartment with the remainder set up as storage units. There would be an immediate addition to the building (pending approval) with the possibility of future outbuildings on the property. I don't think that storage is an acceptable home business for a residential zoning.

I know it is short notice and understand if we have to apply for rezoning, but was wondering if there was any possibility of getting the property zoned to residential/commercial (that is what I understand to be the property zoning for this project) so we can proceed with building plans sooner, rather than waiting for a rezoning application. Sorry for any inconvenience, but this just came about in the past week, and there was nothing definite until now.

Chair Taylor requested the Township's Consultant, Planscape Inc., to present the particulars of a Proposed Zoning By-law..

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Greg Corbett, Planscape Inc., provided an overview of the Draft Comprehensive Zoning By-law (**see Appendix “1”**).

Chair Taylor requested if there was any persons present who required clarification or wished to speak in favour of or in opposition to this application.

Bob Downes, owner of 1617 Baldy Lane, addressed the Committee and advised that he had submitted correspondence with respect to his comments. Mr. Downes expressed his concerns with the increase in waterfront setbacks from 9 metres to 20 metres. Due to the topography of his property, if he complies with the 20 metre setback his dwelling will not have any view of the waterfront. Mr. Downes inquired if a site inspection of the property indicated that there were no erosion issues or issues with locating a septic system if the 9 metre setback could be grandfathered for a reasonable period of time.

Director of Planning

- Mr. Downes' correspondence was acknowledged and will become part of the minutes for public record.
- The setbacks are required to ensure the protection of our natural resources and in keeping with area provisions, the Township's Official Plan and Provincial Policies.

Phil Azzopardi, owner of 3374 Muskoka Street, addressed the Committee and requested clarification on holding designations within the community of Washago, why holding provisions are required when Building Permits are necessary to develop property and if there is an additional charge for the removal of a holding zone.

Director of Planning

- The property in Washago owned by Mr. Azzopardi will continue to have holding zones as there are issues with servicing and roads to be resolved prior to development.
- Holding zones are used under the Township's Official Plan policies to ensure that special issues are addressed prior to final approval.
- There is a \$500 fee for the removal of a holding zone and Building Permit fees are also required.

Phil Azzopardi, readdressed the Committee and requested clarification on future development within the community of Washago when there is limited capacity for services to support development. Washago and Coldwater have been designated as service areas but development within Washago has been restricted for years due to the lack of servicing available. Mr. Azzopardi advised that the holding zones should be removed as there is no further capacity for services and the roads are already available.

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Director of Planning

- The properties in question will continue to have holding zones until water and sewer services are available and the road requirements have been addressed.

Barry Peyton, Provista Group, addressed the Committee on behalf of his clients Amy & David Darker (1188 Grandview Lodge Road) and expressed their concerns with the setback of 60 metres in the Shoreline Residential zone. Mr. Peyton inquired if there is any flexibility with the setbacks in the new Zoning By-law and if replacement of legal non-complying buildings will be allowed with the new setbacks. Mr. Peyton and his clients have a proposal for development within the 60 metres and he requested clarification on setbacks within a Greenland Zone.

Consultant

- An amendment will be made to the Draft By-law that lands within the Greenland areas will be subject to the 60 metre setback in the Shoreline Residential Zone.
- If a structure is unsound, the owners will be permitted to rebuild to the legal non-complying status which is referred to in Section 3.18.3 of the By-law.

Jim Pinchin, owner of 1786 Peninsula Point Road, addressed the Committee and advised that he has an approved subdivision under Plan M-242 for this area. Mr. Pinchin has some minor issues with the flood overlay, holding zone and small EP areas. Also, the lands are owned by 2054399 Ontario Ltd. which should be reflected in the mapping. Mr. Pinchin also personally owns land in the Greenland area which needs to be reviewed.

Director of Planning

- Township staff has been negotiating with Mr. Pinchin and making some progress to address his concerns.

Nicola Mitchinson, Mitchinson Planning & Development Consultants Inc., addressed the Committee on behalf of her clients and advised that correspondence has been submitted with respect to amendments requested within the new By-law. The primary concerns are ensuring that standards set for existing approvals are carried forward into the new Zoning By-law.

Director of Planning

- The correspondence was acknowledged and will become part of the minutes for public record.
- Township staff will be meeting with the representative to review the contents of the correspondence.

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Bob Downes, readdressed the Committee and advised that he is also representing his neighbours and expressed concerns with the proposed waterfront setbacks. Due to the local terrain, some of the properties are on two levels and he would like to develop his property on the lower level. Having to build on the upper level to meet setbacks could have a detrimental affect on his property value. If the setbacks have been set to deal with flooding concerns on the river, then elevations for development should be adjusted to allow development closer to the waterfront.

Director of Planning

- The correspondence received from Mr. Downes was acknowledged and will become part of the minutes for public record.
- Township staff will contact Mr. Downes in the future to discuss the setback requirements which are normal for development on waterfront.
- Some area municipalities have a 30 metre setback as opposed to the 20 metre setback proposed for the Zoning By-law.
- Mr. Downes has the right of appealing the Zoning By-law it matters cannot be resolved to his satisfaction.
- Provincial policies are now in place to address the depletion of water quality because shorelines have been disrupted due to development.
- It is common knowledge that development farther back from the water's edge is better for the environment and the future quality of our water.
- Buffers and the location of septic systems may be dealt with during development.

Amy Darker, owner of 1188 Grandview Lodge Road, addressed the Committee and advised that the Schedule B4 mapping is missing a bog area which should be outlined in the document. Part of the bog is located on crown land and part is located on private property. This area should be recognized for protection of the water and wildlife.

Director of Planning

- Township staff will meet with Mr. Peyton on her behalf to pinpoint this area and review an amendment to the Zoning By-law.

John Robbins, owner of 4324 Graham Road, addressed the Committee and advised that some of the properties on Tea Lake are quite small and the proposed setbacks would be detrimental to future development. He also expressed concerns with the maximum 10% increase for existing cottages.

Director of Planning

- New development is required to be further from the waterfront in order to protect our water quality.
- The new policies are to deter the replacement of small cottages with, for example, 3,000 square foot cottages on small lots in the same location as the former dwelling.

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- The rationale is supported for the protection and enhancement of the lake.
- The Committee of Adjustment can always review an Application for Minor Variance for future development.
- The same provisions will apply for a second storey on an existing dwelling.

David Walker, owner of 1161 Anderson Line, addressed the Committee and expressed concerns with development on a parcel of land he severed and now has listed for sale. Township staff advised a proposed purchaser that there were no guarantees that a Building Permit could be obtained for the property. As the approval for a Building Permit was a condition of sale, the proposed purchase price was greatly reduced.

Director of Planning

- The Director of Planning advised that staff would not have advised that a Building Permit would not be issued for this parcel of land.
- Perhaps the information provided by the proposed purchaser was a negotiation tool only.

Phil Azzopardi, readdressed the Committee and requested clarification that communities with water and sewer systems must connect to the services in order to develop within a service area.

Director of Planning

- There is capacity on the water and sewer system for 10 lots for development within Washago at this time.
- If development is proposed for a service area, the development must connect in order to obtain approval.

Chris Jones, Meridian Planning Consultants Inc., addressed the Committee and confirmed he had submitted correspondence for the record. Mr. Jones advised that he is representing the Betel family who are currently out of the country and own 12 acres of land in Marchmont which are designated as a settlement area in the Township's Official Plan. Mr. Jones requested that this property reflect a broad range of commercial and residential uses within the new Zoning By-law, as set out in the Township's Official Plan.

Director of Planning

- The correspondence was acknowledged and will become part of the minutes for public record.

Diane McKinzey, owner of 3931 Menoke Beach Road, addressed the Committee and expressed her concerns with the protection of wetland areas. There is a parcel of land at the corner of Amigo Beach Road and Menoke Beach Road that is wetland and is being filled in by the property owner which is threatening the wetland.

Director of Planning

- It is always the intention of the municipality to protect the wetlands with an Environmental Protection Zone.
- The Township does not have a Cut & Fill By-law at this time which would assist in relating the filling in of wetlands.
- The existing or new Zoning By-laws cannot regulate fill.
- The Department of Fisheries & Oceans is the authority to regulate the use of wetlands.

Beverly Thomson, owner of 3736 Menoke Beach Road, addressed the Committee and expressed concerns with this wetland area which is being filled in and trees removed by the property owner. She also expressed concern with runoff from area properties onto her farming operation. She has had to put in two water systems lately in order to protect her cattle which is their primary source of income. She also expressed concerns with fill being dumped across from her property on a drainage course which is causing silt runoff.

Director of Planning

- The septic reinspection program is still being conducted by the Septic Inspector in areas of the municipality.
- Residents on private septic systems are encouraged to maintain their system and pump every 5 years.
- All health issues can be dealt with under the Building Code and staff will be requested to review this area for septic inspections.

Beverly Thomson inquired if she would be able to obtain information from the proposed Zoning By-law that pertains to her lands.

Director of Planning

- The information can be picked up at the Township Administration Office, there are discs of the draft Zoning By-law available at the back table, and the document is also available on the Township's website.

Bob Downes, readdressed the Committee and requested if Township staff could attend on site at his property to review the setback requirements.

Director of Planning

- Township staff can certainly attend on site to assist with this matter. The setbacks can be reviewed including the location of a septic system and potential flooding of lakefront areas.

Chair Taylor requested if there was further information which staff or the consultant may wish to provide.

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Consultant

- The Township reviewed the five different By-laws with respect to setbacks which has been a difficult process.
- The concept was to try and put together the best scenario and review the impact on existing properties.
- The proposed setbacks will be reviewed further and discussed with Council prior to a decision.
- While reviewing the concerns expressed with setbacks, the municipality is bound by the Official Plan policies as well as restraints imposed by general practices throughout the Province that need to be met.

Bob Downes, readdressed the Committee and requested clarification on the need for setbacks in the first place.

Director of Planning

- The most prevalent reason for setbacks from waterways is the protection of the environment and potential leakage into area waterways.
- The farther back from the water's edge the better.
- The municipality will be endeavoring to find a balancing act with respect to setbacks.

As there were no further comments, the Chair declared the public meeting on this application to be closed at 8:42 p.m.

Chair Taylor requested if there were any questions or comments from members of the Committee.

Member Cox advised of her concerns with waterfront properties in the areas with potential flooding. Residents may not be aware of the policies for development or replacement of existing dwellings on a floodplain.

Director of Planning

- This is always a concern in floodplain areas, but the intent is to preserve future development so that residents are not investing large dollars in a floodplain area where insurance coverage may be revoked due to flooding.
- Residents should be proactive and check restrictions in these areas.

Member Sled advised that he is pleased with the process for the development of this Zoning By-law and that staff and the consultants have worked hard to reduce costs by doing a lot of work in-house. The proposed Zoning By-law is an excellent document and while the municipality cannot please everyone, it will be a much needed working document for the future. Member Sled advised that he will be working towards final approval of this document before the end of the term of Council.

(See Resolution Nos. PD042210-01 PD042210-02)