

MINUTES OF THE MEETING OF THE PLANNING & DEVELOPMENT COMMITTEE HELD IN THE ADMINISTRATION OFFICE, 1024 HURLWOOD LANE, THURSDAY, DECEMBER 17, 2009 AT 7:30 P.M.

---

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

### 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 Proposed Zoning By-law Amendment for 8409 County Road No. 169.

MOTION PD121709-01: *Moved by Member Sled and seconded by Member Beach that an Application for a Zoning By-law Amendment with respect to 8409 County Road No. 169 be approved with a Holding Zone until MTO approval is received; AND FURTHER THAT the Deputy Clerk be directed to prepare a Draft Zoning By-law for consideration of Council.*

*CARRIED*

### DELEGATIONS

Stew Elkins, iTrans Consulting with respect to the Westshore Settlement Area Transportation Master Plan (**see Appendix "1"**).

MOTION PD121709-02: *Moved by Member Cox and seconded by Member Marriott that a presentation of iTrans Consulting with respect to the Westshore Settlement Area Transportation Master Plan be deferred until delegations have been received at the January Planning & Development Committee Meeting.*

*CARRIED*

Recess 9:00 p.m.

Reassembled 9:08 p.m.

### REPORTS FROM OFFICIALS (*for information*)

Building Report for the month of November 2009.

By-law Enforcement Report for the month of November 2009.

Society for the Prevention of Cruelty to Animals – Statement of Pound Services for the month of November 2009.

Director of Planning & Development with respect to a Verbal Report on Improvements to Highway No. 11.

**MOTION PD121709-03:** *Moved by Member Coyle and seconded by Member Cox that the following Reports from Officials be received as information:*

- (a) *Building Report for the month of November 2009;*
- (b) *By-law Enforcement Report for the month of November 2009;*
- (c) *Society for the Prevention of Cruelty to Animals – Statement of Pound Services for the month of November 2009; and*
- (d) *Director of Planning & Development re Verbal Report no Improvements to Highway No. 11.*

CARRIED

**REPORTS FROM OFFICIALS (for direction)**

Planning Report No. P09-160, 12/07/09, with respect to North Ridge Subdivision – Noise & Berm Fence on Fairgrounds Road.

**MOTION PD121709-04:** *Moved by Member Sled and seconded by Member Crichton that Planning Report No. P09-160, dated December 7, 2009, with respect to North Ridge Subdivision – Noise Berm & Fence on Fairgrounds Road be received; AND FURTHER THAT the Township of Severn approve the change in the noise berm design.*

CARRIED

Planning Report No. P09-161, 12/08/09, with respect to Severn Pines Quarry Hours of Operation – 2646 Nichols Line.

**MOTION PD121709-05:** *Moved by Member Coyle and seconded by Member Cox that Planning Report No. P09-1612, dated December 8, 2009, with respect to Severn Pines Quarry Hours of Operation – 2646 Nichols Line be received; AND FURTHER THAT the applicant be invited to a future meeting to review this request further, including comments from the Liaison Committee.*

CARRIED

**CORRESPONDENCE (for information)**

County of Simcoe, 12/07/09, with respect to Proposed Zoning By-law Amendment – 8409 County Road No. 169.

URS, 11/25/09, with respect to Highway 11 Class Environmental Assessment & Preliminary Design Study.

Ontario Municipal Board, 11/27/09, with respect to Official Plan Appeals.

Crozier & Associates, 12/09/09, with respect to Westshore Settlement Area Transportation Master Plan.

Ministry of Transportation, 12/11/09, with respect to Proposed Zoning By-law Amendment – 8409 County Road No. 169.

Robin Seligman, 12/14/09, with respect to Westshore Settlement Area Transportation Master Plan.

Howell, Sacks & Henry, 12/16/09, with respect to Westshore Settlement Area Transportation Master Plan.

**MOTION PD121709-06:** *Moved by Member Cox and seconded by Member Marriott that the following correspondence be received as information:*

- (a) *County of Simcoe, 12/07/09, with respect to Proposed Zoning By-law Amendment – 8409 County Road No. 169;*
- (b) *URS, 11/25/09, with respect to Highway 11 Class Environmental Assessment & Preliminary Design Study;*
- (c) *Ontario Municipal Board, 11/27/09, with respect to Official Plan Appeals;*
- (d) *Crozier & Associates, 12/09/09, with respect to Westshore Settlement Area Transportation Master Plan;*
- (e) *Ministry of Transportation, 12/11/09, with respect to Proposed Zoning By-law Amendment – 8409 County Road No. 169;*
- (f) *Robin Seligman, 12/14/09, with respect to Westshore Settlement Area Transportation Master Plan; and*
- (g) *Howell, Sacks & Henry, 12/16/09, with respect to Westshore Settlement Area Transportation Master Plan.*

**CARRIED**

**CORRESPONDENCE (for direction)**

- “NIL”

**UNLISTED ADDITIONS**

**CONFIDENTIAL AGENDA**

**Reports from Officials**

- “NIL”

**Correspondence**

- “NIL”

**ADJOURNMENT - 9:52 p.m.**

**MOTION PD121709-07:** *Moved by Member Marriott 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 - PLANNING & DEVELOPMENT COMMITTEE HELD  
IN THE ADMINISTRATION OFFICE, 1024 HURLWOOD LANE, THURSDAY,  
DECEMBER 17, 2009 AT 7:30 P.M.

---

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

*The Chair stated that a public meeting has been called with respect to development within the municipality.*

*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 Planner will generally explain the purpose and details of the application;*
- (b) Next, the applicant will present any further relevant information;*
- (c) Next, the public will be permitted to ask questions and express views on the proposal 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 proposal.*

*At the conclusion of the meetings, the applicant, and where possible, Township staff will be given the opportunity to respond to the questions and comments received.*

*The Chair advised that after the formal public meetings are concluded, the Committee will consider the application with due regard to the presentations and views expressed this evening.*

*The Chair stated that if Township Council decides in favour of the application by adopting the Committee's recommendation, members of the public who have provided oral submissions or written objections but disagree with the decision may appeal the decision to the Ontario Municipal Board, as entitled under the Planning Act.*

### **PUBLIC MEETING**

*Chair Taylor requested the Township Planner to present the particulars of a Proposed Zoning By-law Amendment for 8409 County Road No. 169.*

The Planner advised that the purpose of the Public Meeting is to introduce a Proposed Zoning By-law Amendment for 8409 County Road No. 169 from the Community Facility Exception One (CF-1) Zone to a General Commercial (C1) Exception Zone.

The effect of the proposed amendment to the Zoning By-law is to permit the following uses on the subject property:

1. A bank or financial institution including an automated teller machine;
2. Business, professional or administrative offices;
3. Retail commercial establishment (including the sale of liquor, wine and beer); and
4. Personal service shop, including video rentals.

The following provisions would apply to the property:

- (a) The lot shall not require frontage on an improved public road to permit the erection of a building or structure;
- (b) Maximum gross floor area of all structures – 770 square metres;
- (c) Minimum yard requirements:
  - Front Yard – 10 metres
  - Rear Yard – 6 metres
  - Interior Side Yard – 6 metres

The affected lands are also subject to Site Plan Control Application No. SP-06-09.

Notice of the public meeting was given in accordance with the Planning Act on November 6, 2009 and a sign was posted on-site. The following correspondence was received with respect to this application:

**County of Simcoe, 12/07/09**

Thank you for sending the above noted application to the County of Simcoe for review. The County's Transportation and Engineering Department has reviewed the application and have the following comments:

1. The County's GIS air photo of the subject property identifies this location as being on a section of the County Road that is under the control of the County. However, this property is actually located on a section of the County Road that is under the control of and maintained by the MTO.

The County of Simcoe defers any comments to the MTO. If you require any further information, please do not hesitate to contact me.

**Ministry of Transportation, 12/11/09**

We have now had an opportunity to review the above-noted amendment and have no objection to it.

MTO is currently reviewing the associated Site Plan, Traffic Impact Study, and Stormwater Management Submission, for which comments will be sent under separate cover. All access will be restricted within the existing easement, however, the exact location will be determined upon our review of the Traffic Impact Study. Future development of the adjacent site (8335 County Road 169) and access to the site will be subject to MTO review and approvals.

All buildings and structures must be set back a minimum distance of 14 m from the highway property limit. This includes, but is not limited to, fire routes, loading docks, stormwater management facilities, etc. Parking may be permitted a minimum distance of 3 m from the highway property limit, provided they are surplus to the requirements of the municipality. In summary, anything that is vital to the operation of the site must be located outside of the 14 m setback area.

Prior to any construction being undertaken, MTO permits are required (including site grading/site servicing). MTO building, entrance, encroachment and sign permits are required. I trust this is sufficient to our requirements. If you need any further information, please do not hesitate to contact me.

**Randy Austin & Dana English, 12/17/09**

I'd like it to be known that we oppose the zoning amendment of the subject property to allow for uses outlined in Application No. Z-05-09 for the following reasons:

- 1) The proposed site is not serviced with sanitary sewers. There is concern about adjacent wetlands and contamination.
- 2) There are currently undeveloped serviced commercial lots available in the main business core of Washago.
- 3) If the access to this proposed development is directly off County Road 169 and the proposed development is a new LCBO store the redirection of patrons would have a drastic impact on the viability of the "downtown core" which is currently struggling. The proposed would change the traffic flow patterns for existing businesses that rely on the patrons of the LCBO to park once and walk to other businesses for their supplies.

My wife & I currently own and operate the Log Cabin Restaurant which is just around the corner from this proposed development (approx. 300 metres).

*Chair Taylor requested if the applicant had any further information to provide with respect to this application.*

Adam Brown, representative of the applicant, addressed the Committee and provided the following information:

- The original proposal included twin pads for two commercial uses which has now been downsized to one commercial use.
- A Traffic Impact Study has been completed and reviewed by the Township.
- The County of Simcoe and the Ministry of Transportation have provided comments that they have no objection to this proposal.
- Access to the site will be over an easement/right-of-way from County Road 169.

*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.*

Phil Azzopardi, addressed the Committee and expressed concerns with size of the entrance to the lot and requested clarification on the provision of 100 feet for commercial lot access.

- The access to the site is a registered right-of-way which is approximately 66 feet in width.
- The Township is not aware of the requirement for 100 feet of access which may be confused with the requirement for a minimum of 100 feet frontage for commercial lots.

Kay Bonsu, addressed the Committee and inquired as to why the development has been downsized to one commercial building.

- When reviewing details of the design there was concern with overburdening the site and therefore the proposal was downsized.

Joel Azzopardi, addressed the Committee and expressed concerns with highway safety with the entrance being off of County Road 169. The Ministry of Transportation and the County of Simcoe have reviewed the proposal and do not object.

- C.C. Tatham has also reviewed the proposal in detail and with the development being downsized to one commercial unit the traffic impact will be minimal for the area.

Phil Azzopardi, addressed the Committee and expressed concerns that this development will not be required to connect to the Washago Water & Sewer System. The ground service is close to the Cambrian Shield and there is a potential for contamination from a septic system. The business should not be allowed on this site without municipal water and sewer services.

Adam Brown stated that:

- The development will support a well and septic on site.
- The connection to water and sewer would certainly be preferred if the services were available from this site.
- The applicant has approached the abutting landowner for access to the municipal services which was denied.
- The planning policies for this site under the Township of Orillia Official Plan support development with well and septic.
- While it is not mandatory, the applicant is being encouraged to consider connecting to municipal services.

Joel Azzopardi, addressed the Committee and expressed his concerns with the environmental impact of this development with a septic system being approved. The water and sewer system in Washago was installed to protect the local environment including rivers and lakes.

Boyd Smith, addressed the Committee and inquired if the traffic flow from the site would be controlled by traffic lights and the number of parking spaces being provided.

Adam Brown stated that:

- The traffic study completed did not warrant stop lights in this location with the anticipated level of traffic.
- There will be 52 parking spaces provided on site.

Rod Harth, addressed the Committee and inquired as to the statistics in the traffic study and the number of vehicles expected to be generated from this site.

Adam Brown stated that:

- The Trip Generator Manuals were used to determine the traffic flow from the site.
- There will be a very minimal increase in traffic from this development.
- The traffic study has been reviewed and approved by the Township.

Phil Azzopardi, addressed the Committee and inquired if this development could be increased in the future which could generate additional traffic.

The Planner stated that:

- The Zoning By-law for this development will be site specific and any changes in the future will require an additional zoning amendment through the public process.

Kay Bonsu, addressed the Committee and inquired if there was an alternative access available to the site.

Adam Brown stated that:

- The only alternative access would be through privately owned lands adjacent to the site.
- The owner of the adjacent lands has denied access for this purpose.
- The registered right-of-way is a legal access to the property.

Phil Azzopardi, addressed the Committee and advised that all businesses should be located in the downtown core of Washago and the residents are not in favour of this proposal.

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

There were no further comments from staff or the applicant.

*As there were no further comments, the Chair declared the public meeting on this application to be closed at 7:53 p.m.*

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

Member Beach inquired as to the width of the access easement and advised that the property was created with the right-of-way for access.

- The easement is approximately 65 feet wide.

Member Sled indicated that the Ministry of Transportation correspondence states “All access will be restricted within the existing easement, however, the exact location will be determined upon our review of the Traffic Impact Study. Future development of the adjacent site (8335 County Road 169) and access to the site will be subject to MTO review and approvals”. In view of the comments, this proposal should be held for final approval from the Ministry of Transportation. The applicant should also conduct a further review to determine the availability of connecting to municipal services.

- The only access to municipal services is through adjacent lands which has been denied by the owner.

**(See Resolution No. PD121709-01)**