

MINUTES OF THE MEETING OF THE PLANNING & DEVELOPMENT COMMITTEE
HELD IN THE ADMINISTRATION OFFICE, 1024 HURLWOOD LANE, THURSDAY,
JUNE 19, 2014 AT 7:00 P.M.

PRESENT:	Chair	Mark Taylor
	Members	Mike Burkett Judith Cox Ian Crichton Jane Dunlop Rob Ferguson Ron Stevens
STAFF:	Director of Planning & Development	Andrew Fyfe
	Clerk	Sharon Goerke
	Chief Administrative Officer	Henry Sander

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 – 2733 Hodgins Road.

MOTION PD061914-01: *Moved by Member Cox and seconded by Member Ferguson that an Application for a Zoning By-law Amendment for 2733 Hodgins Road be approved; AND FURTHER THAT the Clerk be directed to prepare a Draft By-law for consideration of Council.*

CARRIED

DELEGATIONS

- "NIL"

REPORTS FROM OFFICIALS (for information)

Building Report for the Month of May 2014.

By-law Enforcement Report for the Month of May 2014.

SPCA Report for the Month of May 2014.

Planning Report No. P14-038, 06/06/14, with respect to an Application for a Zoning By-law Amendment – 2733 Hodgins Road.

MOTION PD061914-02: *Moved by Member Stevens and seconded by Member Cox that the following Reports from Officials be received as information:*

- (a) Building Report for the month of May 2014;*
- (b) By-law Enforcement Report for the month of May 2014;*
- (c) SPCA Report for the month of May 2014; and*
- (d) Planning Report No. P14-038, 06/06/14, with respect to an Application for a Zoning By-law Amendment – 2733 Hodgins Road.*

CARRIED

REPORTS FROM OFFICIALS (for direction)

Planning Report No. P14-039, 06/11/14, with respect to a Proposal for Consent Applications B-10/11-14 – 2956 Southorn Road.

MOTION PD061914-03: *Moved by Member Stevens and seconded by Member Ferguson that Planning Report No. P14-039, dated June 11, 2014, with respect to Consent Applications B-10/11-14 – 2956 Southorn Road be deferred to staff for a report on the contamination on site and the remedial action required for the future use of this land; AND FURTHER THAT the information be provided for the July 3, 2014 Council meeting.*

CARRIED

Planning Report No. P14-040, 06/11/14, with respect to Pilkington Island - Site Plan Agreement Amendment – 2239 Pilkington Lane.

MOTION PD061914-04: *Moved by Member Crichton and seconded by Member Dunlop that Planning Report No. P14-040, dated June 11, 2014, with respect to 2239 Pilkington Lane be received; AND FURTHER THAT the Tree Preservation Plan and Site Plan Control Agreement be approved.*

CARRIED

CORRESPONDENCE (for information)

Bruce Stanton, 05/27/14, with respect to Hamlet Bridge / Port Severn Road.

MOTION PD061914-05: *Moved by Member Stevens and seconded by Member Ferguson that a letter from Bruce Stanton, M.P. dated May 27, 2014, with respect to the Hamlet Bridge & Port Severn Road be received as information.*

CARRIED

CORRESPONDENCE (for direction)

- "NIL"

UNLISTED ADDITIONS

- "NIL"

CONFIDENTIAL AGENDA

Reports from Officials

- "NIL"

Correspondence

- "NIL"

ADJOURNMENT – 7:50 p.m.

June 19, 2014

MOTION PD061914-06: *Moved by Member Cox and seconded by Member Stevens that this meeting be and it is hereby now adjourned.*

CARRIED

Mark Taylor
Chair

Sharon R. Goerke
Clerk

NOTES OF PUBLIC MEETINGS HELD IN THE COUNCIL CHAMBERS OF THE
ADMINISTRATION OFFICE, 1024 HURLWOOD LANE, ON THURSDAY, JUNE 19,
2014 AT 7:00 P.M.

PRESENT:	Chair	Mark Taylor
	Members	Mike Burkett Judith Cox Ian Crichton Jane Dunlop Rob Ferguson Ron Stevens
ALSO PRESENT:	Clerk	Sharon Goerke
	Chief Administrative Officer	Henry Sander
	Director of Planning & Development	Andrew Fyfe

Chair Taylor advised those in attendance that there is one public meeting called this evening in accordance with the Planning Act with respect to proposed developments within the municipality.

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

The Chair advised that the format of the public meetings will be as follows:

- 1. The Township Planner will generally explain the purpose and details of the application;*
- 2. Next, the applicant will present any further relevant information;*
- 3. 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*
- 4. Next, members of the Committee will be given the opportunity to ask questions for clarification on the proposal.*

June 19, 2014

The Chair advised that at the conclusion of the meeting the applicant, and if required Township staff, will be given the opportunity to respond to the questions and comments received. After the public meeting is concluded, this Committee will consider the application with due regard to the presentations and views expressed this evening. The Committee will then do one of three things:

- (1) recommend the application be approved by Township Council - at a future meeting, or*
- (2) deny the application, or*
- (3) defer the application pending further reports from Township staff.*

Chair Taylor advised that if Township Council decides in favour of the application by adopting this 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. If individuals wish further notification of this application, please record your name, address and telephone number on the appropriate list located at the rear of the Council Chambers.

PUBLIC MEETING NO. 1

The Chair requested the Township Planner to explain the intent and purpose of the Application for a Zoning By-law Amendment for 2733 Hodgins Road.

The Planner advised those in attendance that the purpose and effect of the proposed Zoning By-law Amendment is to amend Zoning By-law No. 2010-65 of the Township of Severn as it applies to property described as Part of Lot 14, Concession 13, geographic Township of North Orillia, now in the Township of Severn, municipally known as 2733 Hodgins Road. The proposed zoning by-law amendment would rezone the property from "Agricultural Holding (AG-H14)" to "General Industrial Holding (M1-H24)". This rezoning will restore the permitted uses allowed under the previous "Industrial (M2)" zone which previously applied to the land under the former Township of Tay zoning by-law. The effect of the rezoning is to allow for the construction of an industrial building in association with the adjacent business. Removal of the Holding restriction will be subject to the execution of a site plan agreement for the development of the site.

The Planner advised that notice of this application was given in accordance with the *Planning Act* on May 30, 2014 and the following correspondence has been received:

Planning Report No. P14-038, 06/06/14

Background

County Official Plan:	Rural and Agricultural (current) Rural (new)
Township Official Plan:	Highway Employment Area
Existing Township Zoning:	Agricultural Holding (AG-H14)
Proposed Zoning:	General Industrial Holding (M2-H24)
Legal Description:	Part of Lot 14, Concession 13, geographic Township of Tay

The subject land is a residential lot with an area of approximately 24 hectares (60 acres) with approximately 49 metres (160 ft.) of frontage on Hodgins Road. The location of the subject property can be seen in the key map on **Appendix 1**. Hodgins Road is a municipal street that basically serves as a service road for the commercial and industrial properties lying to the east of the 400 Highway. The subject property is currently used for material storage and assembly for the owner's dock business located on the adjacent parcel to the north. (**Appendix 2**: Aerial Image of the Subject Property).

In August of 2010, Council passed By-law No. 2010-65, the Township's new Comprehensive Zoning By-law. This replaced the zoning by-laws of the former Townships of Orillia, Medonte, Matchedash, Tay and the Village of Coldwater. At that time the previous Industrial Holding (M2- H) zoning in the former Township of Tay Zoning By-law that applied to the front portion of the property was replaced with an Agricultural Holding (AG-H14) zoning, which also extended across the rear of the property, under By-law 2010-65. The Holding restriction related to a former waste disposal site being located on lands to the north of the site. A satisfactory D-4 environmental assessment was to be submitted prior to development to ensure that the development would not be negatively impacted by proximity to the waste disposal site. The Ministry of Environment has now been confirmed that that restriction was imposed in error and the waste disposal site identified has been de-listed. Therefore, the requirement for a D-4 assessment is no longer relevant and the related holding restriction is no longer required.

The previous Industrial (M2) zoning was enacted by By-law 2005-106 which was passed in response to an application made by the property owner to facilitate development in conjunction with his adjacent business (Taylor Docks). The Holding restriction related to the need for a site plan agreement prior to the development of the site.

June 19, 2014

It is proposed to re-instate the previously existing Industrial zoning status with the equivalent zoning under By-law 2010-65 and replace the Holding restriction related to proximity to a waste disposal site with the previous holding restriction tied to the requirement for a site-plan agreement. When a site plan agreement is ready for execution, the matter will be brought back to Council for its approval of development proceeding.

As authorized by Planning Committee at their September 19th, 2013 meeting, as staff become aware of any site-specific zoning corrections, they are brought forth to a public meeting as a municipally initiated zoning amendment. This approach is intended to give the Township the ability to deal with mapping errors in a more timely fashion and minimize the potential hardship on affected property owners. This situation appears to be a good reflection of the type of circumstances this approach was intended to address as the proposed rezoning is intended to restore the previously existing permissions which were obtained in response to an application.

Agency Comments

W. Asia Polus, Corridor Management Planner, Ministry of Transportation, Engineering Office, Central Region, Corridor Management Section

Further to your e-mail, dated June 02, 2014 the Ministry of Transportation has reviewed the above noted submission in accordance with the requirements under the Ministry's Public Transportation and Highway Improvement Act and the following outlines our comments:

- Please be advised that the ministry has no objection to the Proposed Zoning By-Law amendment of the land located at 2733 Hodgins Road from the Agricultural Holding (AG-H14) to "General Industrial (M2)" zone.
- Once the re-zoning has been granted the proponent will be required to apply for site plan approval. At that time the Township will circulate the site plan drawings and all supporting documents to MTO for review and approval. Please note that all development applications within 45m of Hwy 400 limits or within a 395m radius of the centrepoint of an intersection with Hwy 400 will require MTO review and Building and Land Use permit (B&LU permit) approvals.
- According to our record, this stretch of Hodgins Road is located within the land owned by the ministry therefore the Entrance Permit may be required.
- As part of the review process you will be required to submit 3 copies of the formal site plan.

June 19, 2014

- In addition, if site lighting is proposed, 3 copies of a lighting plan and report will also be required. The ministry only accept plans in LUX. To ensure that glare does not occur onto the R-O-W, please be aware that the highway property limits must be clearly defined so that our electrical office can verify the amount of acceptable light trespass on the highway ROW.
- All final plans and reports must be stamped and signed by a P. Eng., licensed in Ontario.
- The ministry controls all signage within 400m of any provincial highway ROW and all signage within 400m control area shall be placed only under a valid ministry issued sign permit.

Further to my comments regarding the above noted subject, attached below, please accept additional comments, which I did not include previously.

- As you are aware, the land is adjacent to the ministry property therefore in addition to a full scale (1:500) site plan, the ministry may require the applicant to submit a site servicing and grading plan and a storm water management report for our review and approval.
- All above and below grade structures must be setback 14m from the MTO property limits. Please note that facilities vital to the operation of the site (ie. fire route, required parking, underground utilities/storage/parking, loading areas etc) must not be located within the 14m setback limits.

Permits must be obtained from our office ...

The above comments are consistent with the Ministry's comments in similar situations and have been forwarded to the applicant. Implementation will be addressed through the site plan agreement process.

No other agency comments were received.

Discussion

Township of Severn Official Plan

The subject lands are designated as "Highway Employment Area". The Plan's direction on the uses permitted under that designation is excerpted below.

C11.3 PERMITTED USES

The land designated “Highway Employment Area” will be used primarily for those uses which primarily rely upon vehicular traffic and the motoring public for their economic existence and/or uses that serve the residents of the Township and may include, but shall not necessarily be limited to, motels; eating establishments inclusive of drive-in or take-out restaurants; motor vehicle service stations and dealerships; motor vehicle gasoline bars; self-storage units; auction barns and farm implement sales and service establishments; marine sales and service establishments; recreational vehicle and trailer sales and service establishments; a builder's supply outlet; garden nursery sales and commercial greenhouses, animal hospitals, gift or antique shops, arts and craft shops, taverns, service shops (light and personal), farmers market or other similar uses which serve the specialized needs of area residents on an occasional basis.

It is recognized that in certain circumstances the size, configuration, and location of the Highway Employment Area will lend themselves to other forms of commercial or dry industrial uses, some of which may be permitted in other land use designations in this Plan. Council may permit retail and service commercial uses and light industrial uses that may not be dependent solely on passing traffic. Council will, in the Comprehensive Zoning By-law, identify the size and type of these additional uses.

The properties along Hodgins Road represent a cluster of businesses which are oriented towards the “cottager” market. Like the nearby boating related businesses, Taylor Docks benefits from the highway exposure to north-bound seasonal residents. It would be considered as a “Dry” industrial use.

As the uses permitted under the General Industrial zone are compatible with the neighbouring industrial and commercial properties it is believed that the proposed rezoning of the subject lands will not have a negative impact on its neighbours. Although, the previous Industrial zoning only applied to the front portion of the subject lands, it is recommended that the M2 zoning line be extended to include the area that has historically been used for material storage and assembly. The balance of the lands would be left in the Rural (RU) zoning.

The effect of the proposed rezoning is to reinstall the previous existing zoning and recognize the area historically used by Taylor Docks in conjunction with their business on the adjacent property to the north. This will facilitate the intended construction of a building required to expand their existing business. This intent is in conformity with the Township’s Official Plan.

June 19, 2014

A draft by-law has been prepared for consideration of the Committee (**Attachment 3**).

Financial Impact

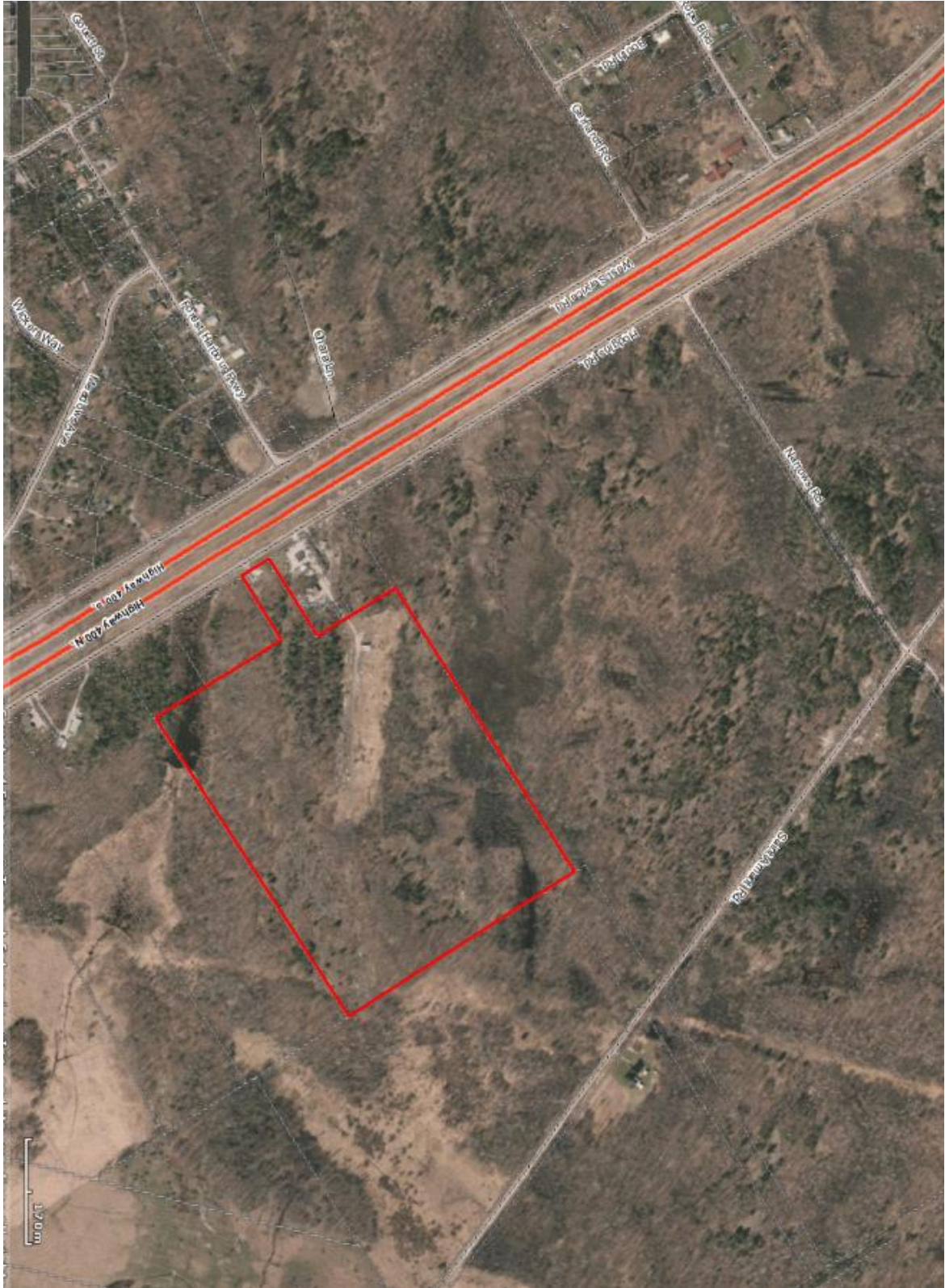
All costs are the responsibility of the applicant.

Appendix "1"



June 19, 2014

Appendix "2"



June 19, 2014

Appendix "3"

THE CORPORATION OF THE TOWNSHIP OF SEVERN

BY-LAW NO. 2014-XX

BEING A ZONING BY-LAW TO REGULATE THE USE OF LAND AND THE CHARACTER, LOCATION AND USE OF BUILDINGS OR STRUCTURES ON CERTAIN LANDS DESCRIBED AS PART OF LOT 14, CONCESSION 13, GEOGRAPHIC TOWNSHIP OF TAY, NOW IN THE TOWNSHIP OF SEVERN (2733 HODGINS ROAD)

WHEREAS the matters hereinafter set out comply with the Official Plan in effect for the Township of Severn;

AND WHEREAS the Council of the Corporation of the Township of Severn deems it advisable to amend the provisions of Zoning By-law No. 2010-65, as otherwise amended, as they apply to those lands described as Part of Lot 14, Concession 13, geographic Township of Tay, now in the Township of Severn, municipally known as 2733 Hodgins Road;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWNSHIP OF SEVERN HEREBY ENACTS AS FOLLOWS:

1. THAT Schedule "C-1" of Zoning By-law No. 2010-65, as otherwise amended, is hereby amended by changing the Zone Classification on certain lands described as Part of Lot 14, Concession 13, geographic Township of Tay, now in the Township of Severn, from the Agricultural Holding Fourteen (AG -14) to the General Industrial Holding Twenty Four (M2-H24) in accordance with Schedule "1" attached hereto and forming part of this By-law.
2. THAT Section 10.3 entitled "List of Holding Provisions" of Zoning By-law No. 2010-65, as amended, is hereby further amended by adding the following to Table 10.1 – Holding Provisions to the end thereof:

June 19, 2014

Zone Symbol	Holding Provision	Property/Legal Description	Schedule No.	By-law No.	Provisions	By-law Removing "H"
M2	H24	Pt. Lot 14 Concession 13 Tay 2733 Hodgins Road	C-1	2014-XX	i) Site plan agreement	

3. THAT Zoning By-law No. 2010-65, as otherwise amended, is hereby amended to give effect to the foregoing, but Zoning By-law No. 2010-65, as otherwise amended, shall in all other respects remain in full force and effect save as same may be otherwise amended or herein dealt with.
4. THAT subject to the provisions of the *Planning Act*, R.S.O. 1990, as amended, this By-law shall come into force on the date it is passed by the Council of the Corporation of the Township of Severn.

By-law read a first and second time this day of , 2014.

By-law read a third time and finally passed this day of , 2014.

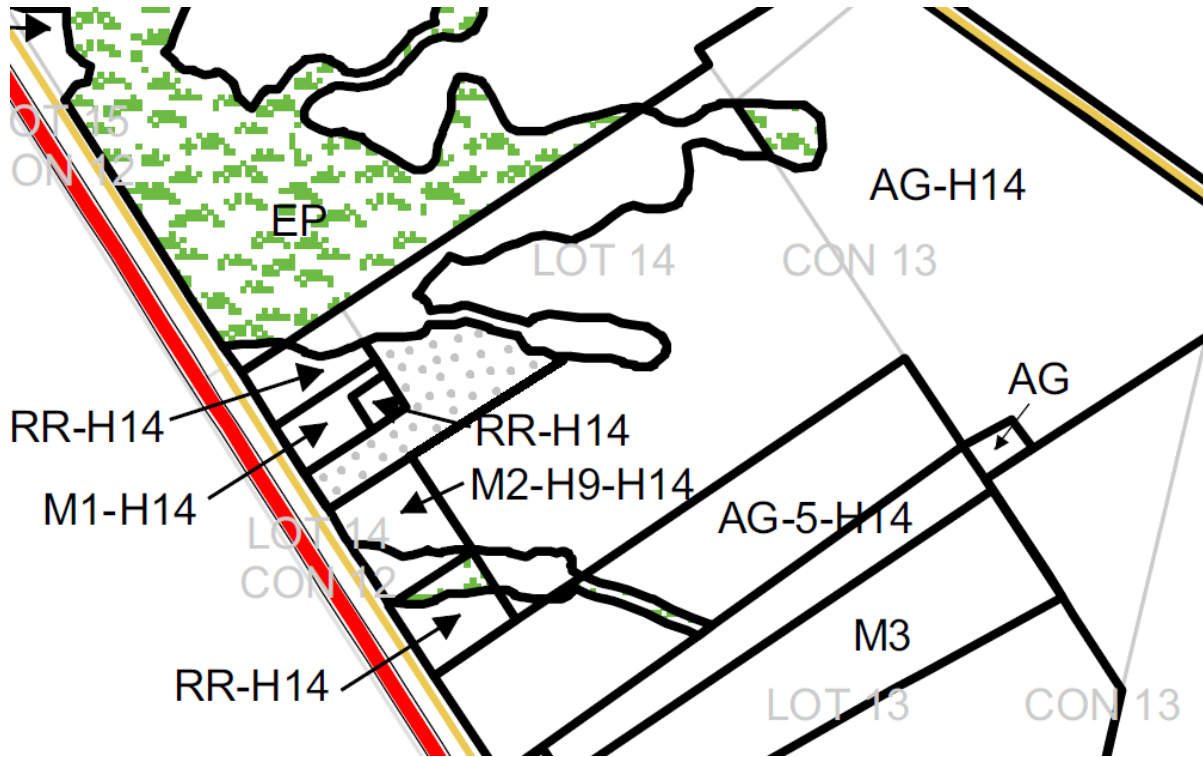
CORPORATION OF THE TOWNSHIP OF SEVERN

MAYOR

CLERK

SCHEDULE "1"

PART OF LOT 14, CONCESSION 13, GEOGRAPHIC TOWNSHIP OF TAY, NOW IN THE TOWNSHIP OF SEVERN



2733 Hodgins Road to be rezoned from the Agricultural Holding Fourteen (AG - 14) to the General Industrial Holding Twenty Four (M2-H24).

This is Schedule '1' to By-law No. 2014-XX
Passed the day of , 2014

MAYOR

CLERK

June 19, 2014

The Chair inquired if the applicant or his/her representative had anything to add to the presentation?

There were no comments from the applicant.

The Chair inquired if there were any persons present who had either questions or comments on the application? The Chair requested that those providing comments on the application please rise, state their name and address and spell their last name for the minutes. The Chair also advised that the names and addresses of those individuals who speak at the meeting will appear in the meeting minutes which are public documents.

There were no comments from the public.

The Chair inquired if there were any 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 on this application, the Chair declared the public portion of the meeting closed at 7:08 p.m.

The Chair inquired if members of the Committee required further clarification of the application or had any further comments.

There were no comments from the Committee.

(See Resolution No. PD061914-01)