Corporation of the Town of Huntsville

DEVELOPMENT SERVICES COMMITTEE

Meeting held on Wednesday, January 15, 2020 at 1:00 p.m.
in the Huntsville Civic Centre, Municipal Council Chambers

Attendance

Chair: Councillor Jason FitzGerald

Members: Councillor Dan Armour
Mayor Karin Terziano (Ex-Officio)
Councillor Jonathan Wiebe

Absent: Councillor Nancy Alcock

Staff: Denise Corry Chief Administrative Officer
Jasmine Last Planning Administrative Assistant (Recording Secretary)
Kirstin Maxwell Director of Development Services
Elizabeth Reimer Senior Planner
Curtis Syvret Planner

1. CALL TO ORDER

Committee was called to order at 1:00 p.m.

2. ADOPTION OF AGENDA

Moved by Jonathan Wiebe

IT IS RECOMMENDED THAT: The Development Services Committee Agenda dated January 15, 2020 be hereby adopted as printed and circulated.

Carried.

3. DISCLOSURE OF PECUNIARY INTEREST

Nil

4. MEETING MINUTES – FOR INFORMATION

4.1 The December 11, 2019 meeting minutes were received for information only.

5. DEPUTATIONS

Nil
6. **PUBLIC MEETINGS**

Chair FitzGerald provided a brief overview of the purpose and procedure of the public meetings.


Curtis Syvret outlined the report.

Chair FitzGerald called upon the applicant or their representative to provide comments.

Trista Eades, applicant, stated that she was present to answer questions.

Chair FitzGerald asked if there was anyone present that wished to provide comments or ask questions regarding the application.

Nil

Chair FitzGerald asked if there were any questions or comments from Committee Members.

Nil

Moved by Jonathan Wiebe

**DEV02-20**

**IT IS RECOMMENDED THAT:** Council APPROVE Zoning By-law Amendment Z/50/2019/HTE, changing the zoning on a portion of 2030 Lone Pine Drive from a Rural One (RU1) Zone to a Rural Residential (RR) Zone; and on 2080 Lone Pine Drive from a Rural Residential (RR) Zone to a Rural One (RU1) Zone.

Carried.

6.2 **Report Number DEV-2020-06 - Z/40/2019/HTE - 2571700 Ontario Inc. (Sarjit Uppal) - 15 Manominee Street**

Curtis Syvret outlined the report.

Chair FitzGerald called upon the applicant or their representative to provide comments.

Danielle Dixon, representing the applicant, outlined the intent to open a licensed childcare centre with 54 spaces for children, citing the need for the service in Huntsville due to the lengthy wait list for existing childcare centres, and noted that the proposed centre would be licensed so that families could apply for subsidies.
Chair FitzGerald asked if there was anyone present that wished to provide comments or ask questions regarding the application.

Cindy Fleury, neighbouring tenant, objected to the proposed use, citing concerns including the following:

- The number of available parking spaces for the upper level were already reduced due to accessible parking, the placement of garbage dumpsters, and snow storage in the winter;
- The proposed playground area could only accommodate 20 children at a time;
- The impact of the reduction of parking spaces on existing businesses;
- That the proposed playground area would block the entrance to the other vacant commercial space;
- The existing adjacent methadone clinic;
- The negative impact of noise on existing businesses;
- Safety concerns for children due to the elevation of the road compared to the parking lot.

Chair FitzGerald asked if there were any questions or comments from Committee Members.

Committee requested further information regarding the proposed area for the daycare and where parking would be allocated, and the existing businesses within the building.

Mr. Syvret explained that the proposed daycare would occupy half of the vacant commercial space accessed from Manominee Street and previously occupied by Fabricland; that six parking spaces were proposed to be used for a playground area; and that there were approximately 10 businesses that used the shared parking lot.

Committee questioned if there were a number of parking spaces allotted to each business.

Mr. Syvret stated that parking was calculated for the overall site and that the zoning by-law did not require the allotment of spaces to internal units, although there could be an agreement through the lease.

Ms. Fleury stated that parking spaces are not allotted and that based on her research a figure of 3 required parking spaces per 1000 square feet should be required.

Committee clarified if the only non-compliance was the number of parking spaces.

Mr. Syvret concurred, noting that the required number of parking spaces had increased over time with subsequent zoning by-laws and as uses within the building have changed over time, and that more parking spaces are required now than when the building was originally developed.
Committee questioned if the angled parking spaces on the lot were usually full.

Ms. Fleury stated that the spaces were not usually full, but that the business owners wanted clients to be able to park in front of their offices.

Committee questioned how many staff would be employed at the daycare.

Ms. Dixon stated that it would approximately nine and it was unknown at this time if every staff member would have a vehicle.

Committee requested further details regarding the proposed playground area and access into the space.

Ms. Dixon outlined the intent to build a six-foot wooden fence around the playground; that it was a Ministry requirement that the playground be adjacent to the daycare; that a larger playground area was not required due to the rotation of children within the space; and that the space does not share an entry point with other businesses.

Committee requested further details regarding the D4 area.

Mr. Syvret stated that since the staff report was published, staff had received a Phase 2 environmental site assessment. Mr. Syvret outlined the process for a D4 site assessment and concluded that the subsequent studies had found risks associated with the non-operating dump site.

Kirstin Maxwell further stated that due to the nature of the proposed use, the applicant would be required to get a change of use permit which would address mitigation if there were any environmental concerns identified through that process.

Committee questioned if there had been objections received from other lessees in the building.

Mr. Syvret responded that there had not.

Committee questioned if the angled parking spaces on site were available year-round for parking; whether the gravel area shown on the plan included parking spaces; and whether there was street parking allowed along Manominee Street.

Mr. Syvret responded the angled parking spaces were plowed at the time of his site visit, and that the gravel area could be used for parking. Mr. Syvret further stated that he did not believe that there was on-street parking on Manominee Street.
Moved by Jonathan Wiebe

**IT IS RECOMMENDED THAT:** Council APPROVE Zoning By-law Amendment Z/40/2019/HTE, changing the zoning from a Central Business District Mixed Use (C7) Zone to a Central Business District Mixed Use (C7) Zone with an exception:

- to add a day nursery as an additional permitted use within the existing building; and
- to recognize 196 parking spaces as meeting the requirements of the Zoning By-law for a day nursery use only.

Carried.

6.3 Report Number DEV-2020-05 - Z/45/2019/HTE - Branco - 51 Ferguson Road

Curtis Syvret outlined the report.

Chair FitzGerald called upon the applicant or their representative to provide comments.

Hue Grant, representing the applicant, stated that she was present to answer questions.

Chair FitzGerald asked if there was anyone present that wished to provide comments or ask questions regarding the application.

Nil

Chair FitzGerald asked if there were any questions or comments from Committee Members.

Committee questioned if the density was proposed to be increased.

Mr. Syvret explained that the dwelling is currently functioning as a single-family dwelling.

Ms. Grant stated that no further development was proposed at this time, and the zoning amendment was required to due to financing.

Moved by Jonathan Wiebe

**IT IS RECOMMENDED THAT:** Council APPROVE Zoning By-law Amendment Z/45/2019/HTE, changing the zoning from a Light Industrial - 0120 (M1-0120) Zone and Institutional (IN) Zone to a Residential Two (R2) Zone to recognize the existing residential use of the property.

Carried.
Elizabeth Reimer outlined the report.

Chair FitzGerald called upon the applicant or their representative to provide comments.

Graeme Huizinga, representing the applicant, concurred with staff’s recommendation.

Chair FitzGerald asked if there was anyone present that wished to provide comments or ask questions regarding the application.

George Anderson, abutting property owner, expressed concern for protecting the wetlands in the area, and questioned whether a setback from the wetland would be required for driveway.

Ms. Reimer clarified that the zoning by-law does not require a setback from lot lines for driveways, and that the environmental impact study addressed locating a driveway within the 15-metre wetland buffer. Ms. Reimer noted that an entrance permit would be required through the District of Muskoka and that the driveway would need to be located within the surveyed property boundaries.

Chair FitzGerald asked if there were any questions or comments from Committee Members.

Committee questioned if building envelopes would be identified through site plan control.

Ms. Reimer noted that the environmental impact study identified suitable development areas which would be implemented through the zoning by-law amendment.

Committee requested further information regarding the proposed boardwalk.

Ms. Reimer explained that the applicants were seeking access to the portion of the lot outside of the wetland, and the environmental impact study had concluded there would be no negative environmental impacts.

Mr. Huizinga added that the biologist had indicated that the proposed location of the driveway would have no negative impact on the function of the wetland, and that the boardwalk was requested to access the northerly portion of the southern severed lot, which would otherwise not be accessible due to the wetland.

Committee expressed concerns regarding the developable areas.
Mr. Huizinga stated that a 15-metre buffer was proposed from the wetland, as well as additional setbacks to structures; that the environmental impact study confirmed there were sufficient protection of the wetland features; and that it was his opinion that the proposal represents good planning.

Committee questioned if the high-water mark had been surveyed to address flooding.

Mr. Huizinga responded that a topographic survey had not been completed, but the boundaries of the wetland were evident on site and he was not aware of flooding issues on Concession Road 2 and 3 West.

Moved by Karin Terziano

**IT IS RECOMMENDED THAT:** Council APPROVE Zoning By-law Amendment Z/46/2019/HTE, changing the zoning from a Rural One (RU1) Zone to a Rural One (RU1-xxx1) Zone with exception xxx1, a Rural Residential (RR-xxx2) Zone with exception xxx1, a Conservation (C) Zone, a Rural Residential (RR) Zone, and a Conservation (C-xxx2) Zone with exception xxx2:

- Exception xxx1:
  - No structures shall be permitted within 18m of the wetland;
  - No clearing shall be permitted within 15m of the wetland;
- Exception xxx2:
  - A boardwalk with a maximum width of 2m shall be permitted to be constructed along the westerly side lot line;
  - A boardwalk shall be defined as: an elevated walkway constructed of wood planking, for pedestrian use only, and shall be constructed in a fashion that does not preclude the flow of water in accordance with pre-development characteristics, and be designed to the satisfaction of the Town and a biologist.

Carried.

6.5 Report Number DEV-2020-07 - Z/48/2019/HTE - Muskoka Bible Centre - 8 Pioneer Avenue

Elizabeth Reimer outlined the report.

Chair FitzGerald called upon the applicant or their representative to provide comments.

Clare Riepma, representing the applicant, stated that he was present to answer any questions.

Chair FitzGerald asked if there was anyone present that wished to provide comments or ask questions regarding the application.
Doug Vilim, Huntsville, questioned if the proposal would include a dock and expressed concerns regarding potential commercial uses, citing existing boat traffic and increased density in the channel.

Ms. Reimer clarified that the proposed docking around the boathouse was permitted as-of-right within the Conservation zone; that an existing boathouse was proposed to be removed; and that the proposed boathouse would be used as a private residential boathouse by a neighbouring backlot owner.

Graeme Huizinga, representing the neighbouring backlot owner, stated that all parties were satisfied with the proposed zoning amendment.

Jill Perry, representing the Mary Lake Association, questioned the reason behind the Conservation zoning and whether a fish habitat assessment had been completed in support of the application.

Ms. Reimer clarified that sensitive fish habitat had not been identified along the shoreline so an assessment was not required, and that there did not appear to be any ecological reason for the Conservation zoning, which had been implemented in 2011 through a site-specific zoning amendment.

Chair FitzGerald asked if there were any questions or comments from Committee Members.

A discussion occurred regarding whether the Conservation zone should be changed rather than adding an exception.

Ms. Reimer noted that changing the zone could permit additional camp uses at the waterfront. Kirstin Maxwell further explained that Conservation zoning had been imposed in the past as a way to restrict development, rather than to protect environmental features.

Moved by Karin Terziano

IT IS RECOMMENDED THAT: Council APPROVE Zoning By-law Amendment Z/48/2019/HTE, changing the zoning from a Conservation (C-0104) Zone with exception 0104, to a Conservation (C-0104) Zone with an amended exception 0104 to add a boathouse as a permitted use. 

Carried.

Committee recessed at 2:19 p.m. and reconvened at 2:25 p.m.

6.6 Report Number DEV-2020-09 - Z/43/2019/HTE - Secondary Residential Dwelling Unit Housekeeping Amendment

Elizabeth Reimer outlined the report.
Chair FitzGerald asked if there was anyone present that wished to provide comments or ask questions regarding the application.

John P. Gallagher, Huntsville, questioned whether the proposed size restriction was appropriate and how it would be determined that the character of the dwelling was being maintained.

Ms. Reimer noted that the provisions mirrored existing provisions in the zoning by-law with respect to character, and that the size restriction was consistent with the Town of Bracebridge and was consistent with District policy requiring secondary dwelling units to be ancillary and compact in nature.

Chair FitzGerald asked if there were any questions or comments from Committee Members.

Committee discussed the proposed size restrictions.

Moved by Karin Terziano

**IT IS RECOMMENDED THAT:** Council APPROVE Zoning By-law Amendment Z/43/2019/HTE, amending Zoning By-law 2008-66P with respect to secondary residential dwelling unit regulations for the rural area.

Carried.

6.7 Report Number DEV-2020-10 - Z/41/2019/HTE - Short Term Rentals

Kirstin Maxwell outlined the report.

Chair FitzGerald asked if there was anyone present that wished to provide comments or ask questions regarding the application.

Nil

Chair FitzGerald asked if there were any questions or comments from Committee Members.

A discussion occurred regarding public consultation.

Moved by Dan Armour

**IT IS RECOMMENDED THAT:** Council APPROVE Zoning By-law Amendment Z/41/2019/HTE, adding short term rental accommodations as a permitted temporary accessory use.

Carried.
7. **OTHER BUSINESS / UNFINISHED BUSINESS**


Curtis Syvret outlined the report.

7.1.1 Deputation – John P. Gallagher & Doug Howell

Mr. Gallagher and Mr. Howell requested that the zoning amendment be approved.

Motion to Amend

Moved by Karin Terziano

IT IS RECOMMENDED THAT: The following word be hereby deleted: DENY

AND FURTHER THAT: The following word be inserted in its place: APPROVE

AND FURTHER THAT: The following lines be inserted: changing the zoning from a Rural Two (RU2) Zone to a Conservation Zone and a Rural Residential (RR-xxx) Zone with the following exception:

- The minimum setback for a sewage system from a waterbody shall be 300m;
- The lots shall be subject to site plan control to address the retention of vegetation on the ridgeline and outside of the building envelope;
- No site alteration shall occur until site plan approval is granted by the Town.

Carried.

Main Motion as Amended

Moved by Karin Terziano

IT IS RECOMMENDED THAT: Council APPROVE Zoning Amendment Application Z/36/2019/HTE, changing the zoning from a Rural Two (RU2) Zone to a Conservation Zone and a Rural Residential (RR-xxx) Zone with the following exception:

- The minimum setback for a sewage system from a waterbody shall be 300m;
- The lots shall be subject to site plan control to address the retention of vegetation on the ridgeline and outside of the building envelope;
- No site alteration shall occur until site plan approval is granted by the Town.

Carried.

Motion to Postpone

Moved by Jonathan Wiebe

IT IS RECOMMENDED THAT: The matter of the Secondary Plan for the Northeast Urban Area be postponed until the March, 2020 Committee meeting.

Carried.

8. REPORTS FROM MUNICIPAL OFFICERS

8.1 Planning Matters

8.1.1 Report Number DEV-2020-11 - 2019 Planning Overview

Kirstin Maxwell outlined the report that was presented for information only.

9. NEW BUSINESS

Nil

10. GENERAL INFORMATION

10.1 Staff Delegated Approvals - December 7, 2019 to January 10, 2020:
    • Waterfront/Residential Development: 4 Site Plan Agreements
    • Consent Applications: 1 Decision

11. ADJOURNMENT

Moved by Dan Armour

IT IS RECOMMENDED THAT: We do hereby adjourn at 3:05 p.m.

Carried.

______________________
Chair, Councillor Jason FitzGerald