



AGENDA
Wasaga Beach Special Council
Meeting

Monday, July 29, 2024, 10:00 a.m.
Council Chambers

For information pertaining to this agenda or to arrange for any additional accessibility needs please contact the Clerk's Division at deputyclerk@wasagabeach.com.

Pages

1. CALL TO ORDER

1.1 Land Acknowledgement

The Town of Wasaga Beach acknowledges it is located upon the traditional territory of the Anishnaabe people of the Three Fires Confederacy. We also acknowledge that the people of the Wyandot Nation also inhabited these lands.

We acknowledge that these nations were sovereign nations existing before the arrival of settlers.

We respect the spiritual interconnection among these nations to the land and to the water.

We also acknowledge that waterways near us have a long history predating European arrival. Since time immemorial, waterways were the lifeblood of the Indigenous people by trade and hunting routes.

We are dedicated to inclusivity of First Nations, Inuit and Metis people in our future stewardship of the land and the longest freshwater beach in the world. In the spirit of reconciliation, we welcome the opportunity of learning to be sustainable caretakers of the land and waterways for all future generations.

2. DISCLOSURE OF PECUNIARY INTEREST

3. APPROVAL OF THE AGENDA

Recommended Motion:

1. **THAT** the contents of the agenda for July 29, 2024, be approved as circulated

4. STATUTORY PUBLIC MEETINGS

4.1 Public Meeting Under the Planning Act - Zoning By-law Amendment Z00724

101 Cedar Grove Parkway
Legally described as Con 3 PT Lot 34

- 4.1.1 Planning Staff Presentation - Zoning By-law Amendment

	Z00724	
4.1.2	Michael Benner, Benner & Company Land Use Planning, Zoning By-law Amendment Application Z00724 Cedar Grove Campground	16
4.1.3	Comments from Members of the Public	
4.2	Public Planning Meeting - Official Plan Amendment OP00324 and Zoning By-law Amendment Z00524 8859 Beachwood Drive Legally described as Con 4 N PT Lot 34	
4.2.1	Planning Staff Presentation - Official Plan Amendment OP00324 and Zoning By-law Amendment Z00524	25
4.2.2	Darren Vella, Innovative Planning Solutions - 8859 Beachwood Road Presentation	38
4.2.3	Comments from Members of the Public	
4.3	Public Planning Meeting - Official Plan Amendment OP00524 and Zoning By-law Amendment Z00824 400 45th Street South Legally described as Con 14 S PT Lots 1 & 2	
4.3.1	Planning Staff Presentation - Official Plan Amendment OP00524 and Zoning By-law Amendment Z00824	55
4.3.2	Brandi Clement, Jones Consulting Group LTD. - Primont (Wasaga 2) Inc. 400 45th Street South Presentation	67
4.3.3	Comments from Members of the Public	
4.4	Public Meeting under the Planning Act - Zoning By-law Amendment Z000924 31 Lyons Court Legally described as Reg Comp Plan 1698, Lot 96	
4.4.1	Planning Staff Presentation - Zoning By-law Amendment Z00924	83
4.4.2	Brandi Clement, Jones Consulting Group Ltd. - 31 Lyons Court Temporary Use By-law - Sales Centre	95
4.4.3	Comments from Members of the Public	
5.	<u>PRESENTATIONS</u> There are no presentations.	
6.	<u>DEPUTATIONS</u> There are no deputations.	
7.	<u>STAFF REPORTS</u>	

Staff Report to follow - 425 River Road West Facility Review and Highest and Best Use Proposal

Staff Report to follow - Beach Drive Reconstruction - Financial Plan

7.1	Sale of Municipal Surplus Land - 20240729-05	103
	Recommended Motion:	
	1. THAT the report titled: Sale of Municipal Surplus Land to the Special Council meeting of July 29 th 2024, be received for information.	
7.2	Application for Zoning By-law Amendment Z00324 River Rd. E and Stonebridge Blvd.- 20240729-06	106
	Recommended Motion:	
	1. THAT the report titled: Application for Zoning By-law Amendment (Z00324) to the Special Council meeting of July 29, 2024, be received; and	
	2. THAT Council enact a Zoning By-law Amendment (Z00324), as recommended by Planning staff in this report.	
7.3	Sign By-law and AMPS By-law Amendment - 20240729-09	140
	Recommended Motion:	
	1. THAT the report titled: Sign By-law and AMPS By-law Amendment, to the Special Council meeting of July 29, 2024, be received;	
	2. THAT Council adopt By-law 2024-59 to amend By-law 2021-68, cited as the "Sign By-law"; and	
	3. THAT Council adopt By-law 2024-60 to amend By-law 2024-40, cited as the "AMPS By-law".	
7.4	Downtown Community Improvement Plan - 20240729-07	146
	Recommended Motion:	
	1. THAT the report titled: Downtown Community Improvement Plan, to the Special Council meeting of July 29, 2024, be received; and	
	2. THAT Council extend the Downtown Community Improvement Plan Incentive Program for another five (5) year term with a further option to renew in 2029, subject to Council approval; and	
	3. THAT the Priority Investment Area outlined in the Community Improvement Plan be enlarged to include Town-Owned properties at 41, 47 and 59 Beach Drive.	
7.5	Canada Community-Building Fund Agreement - 20240729-04	183
	Recommended Motion:	
	1. THAT the report titled: Canada Community-Building Fund Agreement, to the Council meeting of July 29, 2024, be received; and	
	2. THAT Council authorize the Mayor and Clerk to execute the Canada Community-Building Fund Agreement attached to this report.	

8. **MATTERS FOR CONSIDERATION**

9. **CLOSED SESSION**

Recommended Motion:

1. **THAT** pursuant to the *Municipal Act, 2001*, as amended, the next portion of the July 29, 2024, Special Council Meeting, will move into Closed Session to consider the following matters:

9.1 Beachfront Hotel - Letter of Intent

In accordance with Section 239(2)(i) a trade secret or scientific, technical, commercial, financial or labour relations information, supplied in confidence to the municipality or local board, which, if disclosed, could reasonably be expected to prejudice significantly the competitive position or interfere significantly with the contractual or other negotiations of a person, group of persons, or organization.

9.2 Municipal Lease Agreement

In accordance with Section 239(2)(k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board.

9.3 Employment Matters

In accordance with Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees.

MOVE TO CLOSED SESSION

10. **Rise and Report from Closed Session**

11. **BY-LAWS**

209

Recommended Motion:

1. **THAT** the following By-laws be received and be deemed to have been read a first, second and third time, passed and numbered as follows:

- **2024-59** A By-law to amend Sign By-law 2021-68

- **2024-60** A By-law to amend AMPS By-law 2024-40

- **2024-61** A By-law to amend Town of Wasaga Beach Comprehensive Zoning By-law No. 2003-60, as amended

- **2024-62** A By-law to confirm the proceedings of Council of the Corporation of the Town of Wasaga Beach at its Special Council Meeting held Monday July 29, 2024

12. **ADJOURNMENT**

Public Meeting – July 29th, 2024

Applicant: William Barnes and Patricia Jago

Agent: Michael Benner (Benner and Company Inc.)

Proposed Zoning By-law Amendment
(Town File No: Z007/24)



Overview

- Purpose of the Public Meeting
- Planning Application Process
- Introduce the Applications
- Present the Subject Lands and Proposed Development



This document is proprietary and confidential. No part of this document may be disclosed to a third party without the prior written consent of the Town of Wasaga Beach.

Purpose of Public Meeting

- A Public Meeting is required under the *Planning Act* for a Zoning By-Law Amendment application
- Town Planning staff are introducing the applicant's proposal to Council and the general public
- The purpose of the Public Meeting is to provide the public with an opportunity to share written comments and make oral submissions to Council



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Planning Application Process

We are
Here →

- Application Received
- Application Deemed Complete
- Notice of Complete Application and Public Meeting Circulated
- Public Meeting
- Staff and Agency Review
- Staff Recommendation to Council
- Council Decision
- Appeal Period



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Proposal Overview

- The proposed Zoning By-law Amendment application submission is intended to facilitate a Campground Commercial development consisting of:
 - A Trailer and Tent park use (with 40 individual Tent and Trailer sites)
- *Further details to follow in the applicant's presentation
- The applicant has indicated that they are intending to submit an application for Site Plan Control, at a later date



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Site Location and Statistics

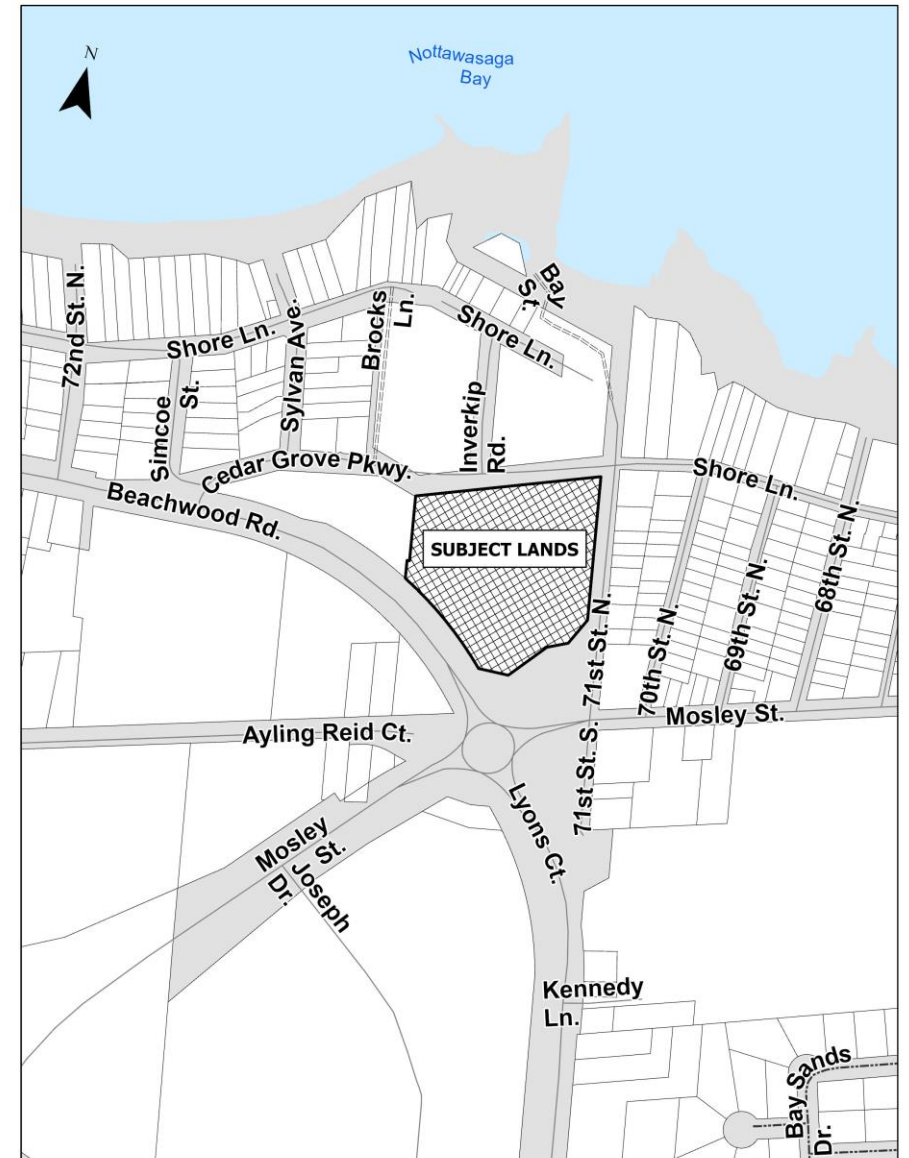
The subject lands are municipally addressed as: **101 Cedar Grove Parkway**

Lot Area: Total lot area of approximately 29,623 square metres

Lot Frontage: Lot frontage of approximately 85 metres along Cedar Grove Parkway

Surrounding Uses:

- To north: Campground Commercial
- To south: District Commercial
- To east: Residential
- To west: Vacant (Abutting Lot) and Residential



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Existing Official Plan Designation

- The lands are designated “Settlement”, as per the County of Simcoe Official Plan
- Existing Town of Wasaga Beach Official Plan Land Use Designation: “Campground Commercial”
- Surrounding Town of Wasaga Beach Official Plan Land Use Designations:
 - “Residential”
 - “Campground Commercial”
 - “District Commercial”
 - “Local Commercial”



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Existing Zoning

Zoning of the subject lands:

- Residential Modular Home (RM) Zone

Permitted Uses, include but are not limited to:

- Modular/Mobile Home Park

Surrounding Zone(s):

- Residential Type One (R1) Zone
- Campground Commercial (CC) Zone
- Development (D) Zone
- District Commercial (CD) Zone
- Local Commercial (CL) Zone



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Proposed Zoning By-law Amendment

- The proposed Zoning By-Law Amendment would rezone the existing Residential Modular Home (RM) Zone to a Campground Commercial Exception XX (CC-XX) Zone
 - The Campground Commercial Exception XX (CC-XX) Zone would establish site-specific zone provisions to facilitate the development of the proposed Trailer and Tent park use
- *Further details to follow in the applicant's presentation



Concluding Remarks

- This Public Meeting is required by the *Planning Act*
- Town Planning Staff are presenting the **applicant's proposal**
- A detailed review of the application is ongoing, but **not yet completed**
- Staff will forward all comments received to Council
- Staff will provide a recommendation report to Council, at a later date



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THANK YOU

To request additional information on this application, please send an email to:

planning@wasagabeach.com

The webpage below contains all supporting materials pertaining to the proposed application(s):

https://wasagabeach-my.sharepoint.com/:f:/p/cameron_watt/Ek3qaFnngPZEnEi6G47z-jcBilbQUkx-CtzNMeY368bIDw?e=3gdnzA



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Zoning By-law Amendment Application Z007/24

Cedar Grove Campground

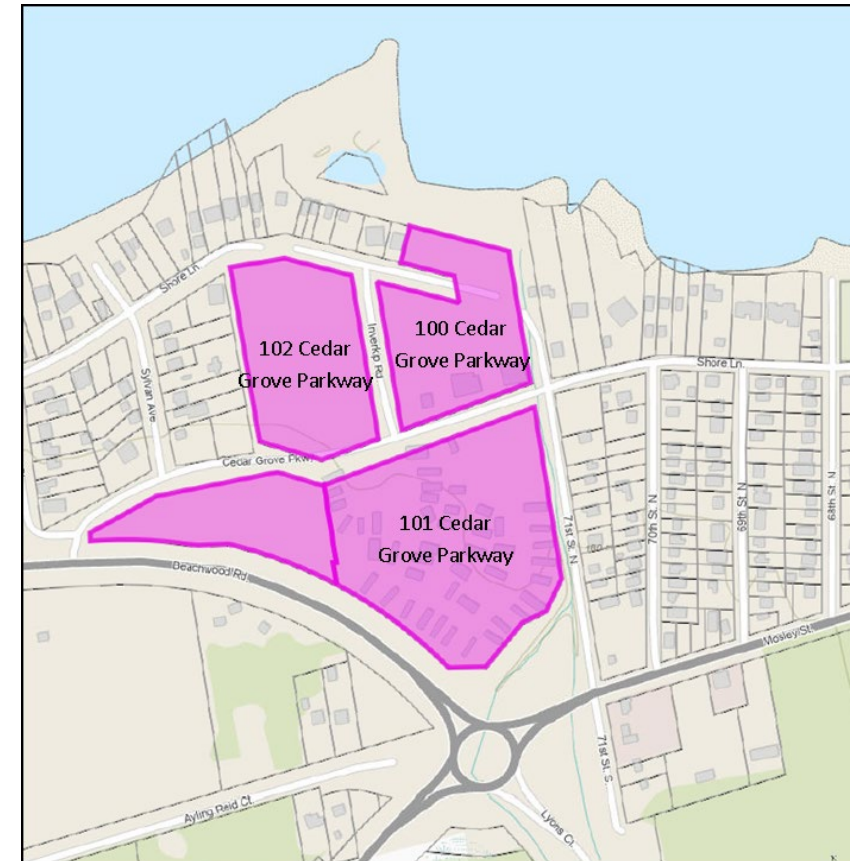


MICHAEL BENNER, MCIP RPP

BENNER & COMPANY LAND USE PLANNING

Background

- 6.5 hectare campground located along Cedar Grove Parkway.
- Owned and operated by the Barnes family since the 1940s.
- Comprises 4 separate parcels
- Provides seasonal camping and modular home sites.
- Fully serviced with municipal sewer, stormwater and water systems.



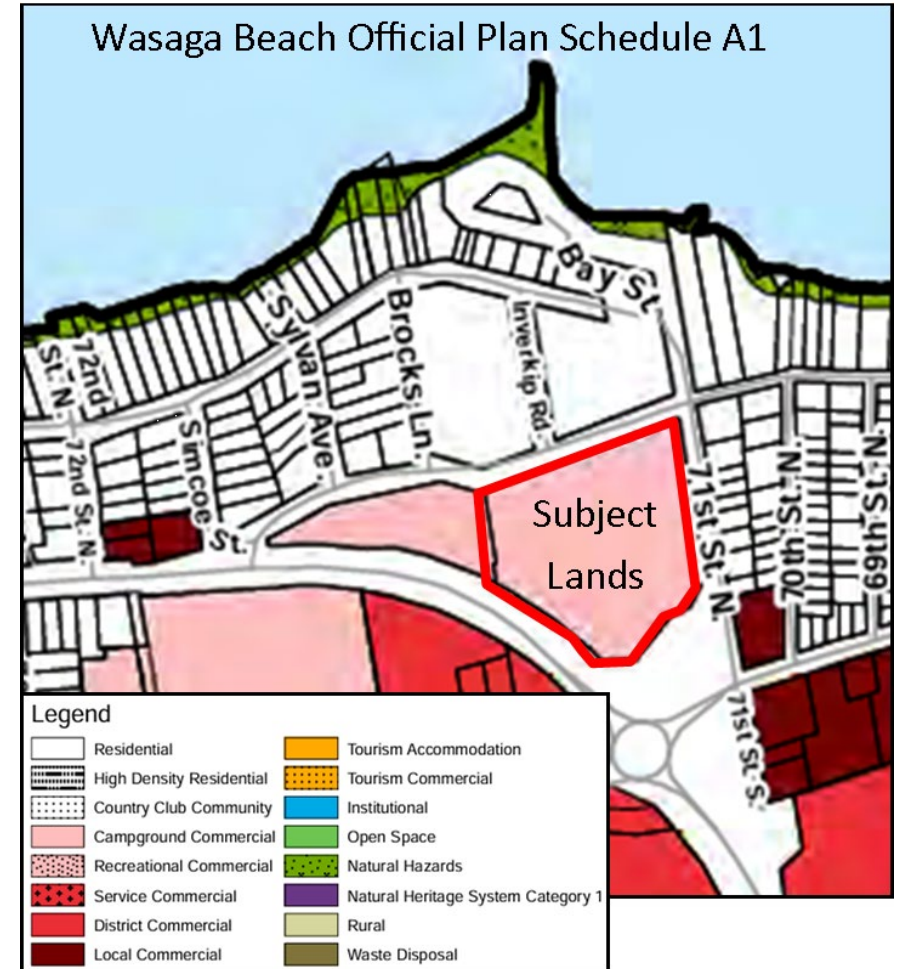
Background

- 101 Cedar Grove Parkway subject to application.
- 2.77 hectares occupied by 47 modular homes on a looped private laneway.
- All sites are fully serviced.
- Some sites are now vacant
- Includes a retail store and a detached residence.



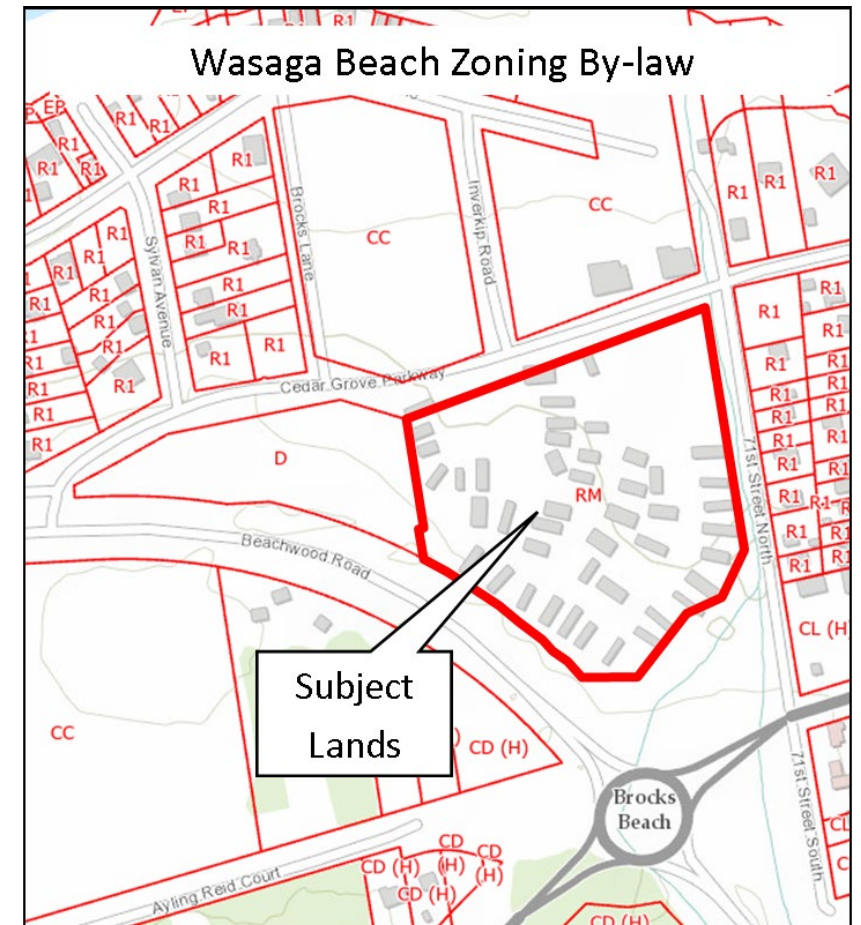
Land Use Policy Framework

- Wasaga Beach Official Plan designates lands as Campground Commercial
- Permitted uses include:
 - Tents and travel trailers
 - Recreational motor homes
 - Park model trailers
 - Other structural accommodations supporting campground use



Land Use Policy Framework

- Wasaga Beach Zoning By-law
- Subject lands are zoned Residential Modular Home (RM)
- Permitted Uses in RM zone include:
 - modular/mobile homes
 - Non-residential uses
 - Administrative uses
 - Commercial and supportive uses



Proposal

Proposed Zoning By-law Amendment and Site Plan Approval for 101 Cedar Grove Parkway.

Purpose and Effect:

- Establish a Campground Commercial (CC) development consisting of Trailer and Tent Park uses including existing detached accessory dwelling unit and a detached accessory retail store use.



Proposal

- Enact an amendment to the Town’s Zoning By-law to:
 - Re-zone existing Residential Modular Home (RM) Zone to a Campground Commercial Exception XX (CC-XX) Zone.
 - Permit the proposed trailer and tent park use and establish site-specific zone provisions:
 - Recognize a reduced lot area
 - To permit a “detached” accessory retail store use.
- Enact Site Plan Control to address matters related to servicing, design and neighbourhood impacts.



Project Timelines

- Pre-consultation meeting was held on May 16, 2023.
- Zoning Amendment Application submitted February 2024.
- Notice of Complete Application provided in May 2024
- Notice of Public Meeting provided on July 4, 2024.
- Public Meeting held on July 29, 2024.

Thank you!

-
- Questions?

Public Meeting

July 29, 2024

Applications by Sunray Living Inc.

Proposed Official Plan Amendment (Town File: OP00324)
and Zoning By-law Amendment (Town File: Z00524)

Related Application: Draft Plan of Subdivision (Town File:
PS00224)



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Overview

- Purpose of Public Meeting
- Planning application process
- Introduce the applications
- Present the subject lands and proposed development



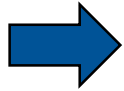
Purpose of Public Meeting

- A Public Meeting is required under the *Planning Act* for Official Plan Amendment and Zoning By-law Amendment Applications (related application: Draft Plan of Subdivision)
- Town staff are introducing the applicant's proposal to Council and the general public
- The purpose of the Public Meeting is to provide an opportunity to the public for sharing written comments and making oral submissions to Council



Planning Application Process

We are
Here



- Application Received
- Application Deemed Complete
- Notice of Complete Application and Public Meeting Circulated
- Public Meeting
- Staff and Agency Review
- Staff Recommendation to Council
- Council Decision
- Appeal Period



Proposal Overview

The proposed Official Plan Amendment, Zoning By-law Amendment and associated Draft Plan of Subdivision applications are to facilitate a residential development consisting of:

- **42 semi-detached dwelling units;**
- **322 townhouse/back-to-back townhouse dwelling units** (consisting of 154 3-storey back-to-back townhouse dwelling units, 78 3-storey standard townhouse dwelling units and 90 2-storey standard townhouse dwelling units);
- **146 apartment dwelling units** (two 6-storey apartment buildings, each consisting of 73 units);
- 1 public park block;
- 1 stormwater management pond block;
- 1 stormwater management channel block;
- 1 common element block (consisting of amenity areas, visitor parking areas and the internal condominium street network);
- 1 maintenance access block; and
- 2 cul-de-sac conveyance blocks (for expansion to the Robert Street South cul-de-sac)



Site Location & Statistics

Lot Area: approx. 122,400 sq. m (12.24 ha)

Lot Frontage: approx. 240 m along Beachwood Road, approx. 465 m along Highway 26 and approx. 52 m along Robert Street South

Surrounding Uses:

- To north: Residential and Vacant lands
- To south: Vacant lands, Highway 26 and lands within Clearview Township (Environmental Protection lands and Agricultural lands)
- To east: Residential, Commercial and Vacant lands
- To west: Residential and Vacant lands

Municipal Address: 8859 Beachwood Road & 65 Robert Street South



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Existing Official Plan Designation

Official Plan Designation: “Residential” and “Natural Heritage Category 1”

Permitted Uses in “Residential” include:

- Low Density Residential:
 - Detached, semi-detached and duplex dwellings to a maximum density of 20 units per net residential hectare.
- Medium Density Residential:
 - Semi-detached, linked semi-detached, duplexes, triplexes, fourplexes, linked and street townhouses and similar multiple dwellings at a density generally not exceeding 37 units per net residential hectare.

Permitted Uses in “Natural Heritage Category 1” include:

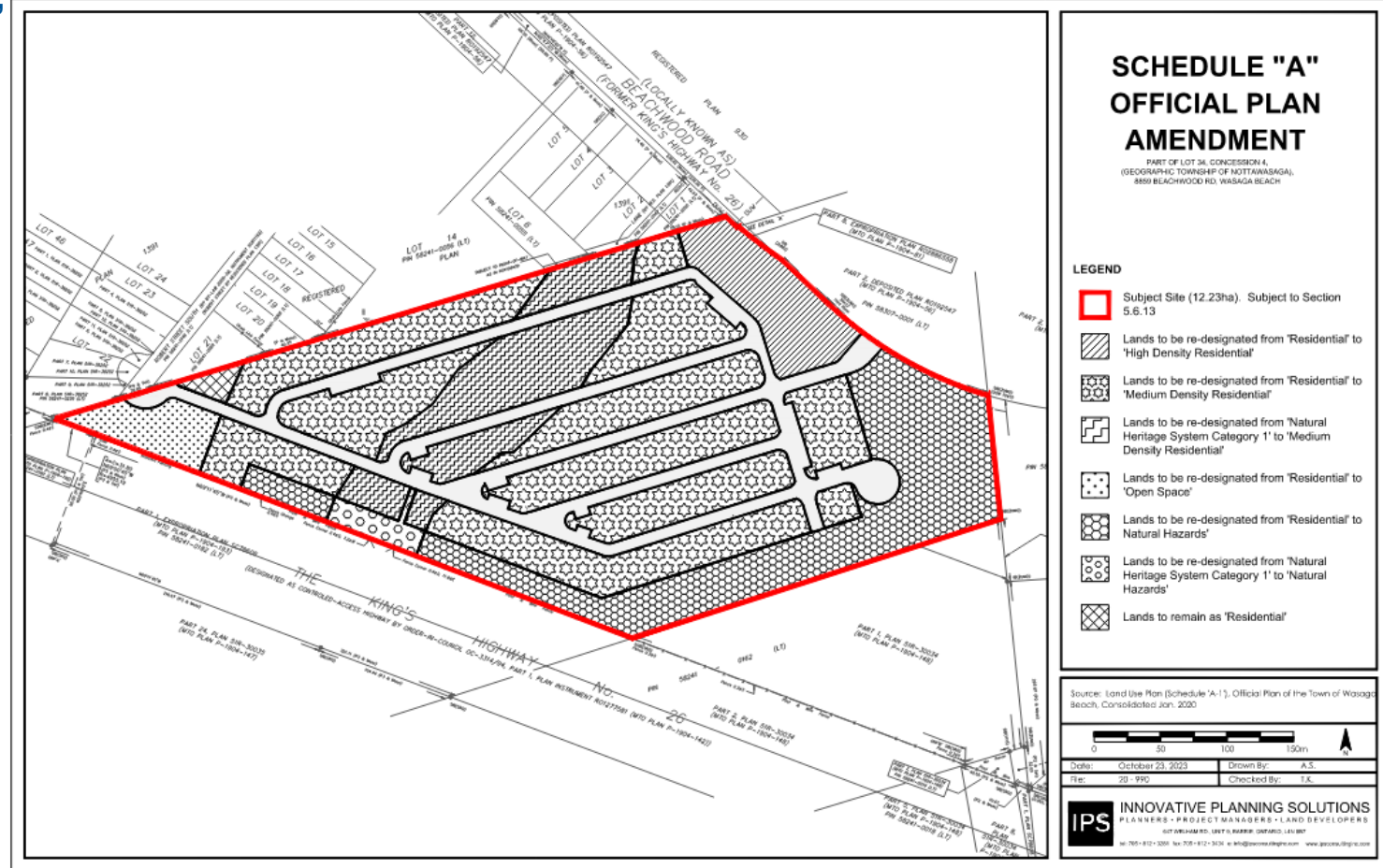
- Existing agricultural uses, forestry, passive outdoor recreation, public works/uses, scientific research and education and wildlife management activities compatible with the conservation and preservation of the natural flora and fauna.



Proposed Official Plan Amendment

The Proposed Official Plan Amendment requested by the Applicant would re-designate the subject lands from “Residential” and “Natural Heritage System Category 1” to “Residential”, “Medium Density Residential”, “High Density Residential”, “Open Space” and “Natural Hazards”.

- Further, the proposed Official Plan Amendment would:
 - Amend Schedule ‘D’ of the Town’s Official Plan to remove the “Natural Heritage System Category 1 and 2 lands” overlay on the subject property.
 - Establish new maximum density permissions within the medium and high density residential designations.
 - Permit medium density development west of 71st Street, where medium density development is generally discouraged as per Section 5.2.5.5 of the Town’s Official Plan.
 - Permit back-to-back townhouses within the Medium Density Residential designation.



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Existing Zoning

Zoning of property:

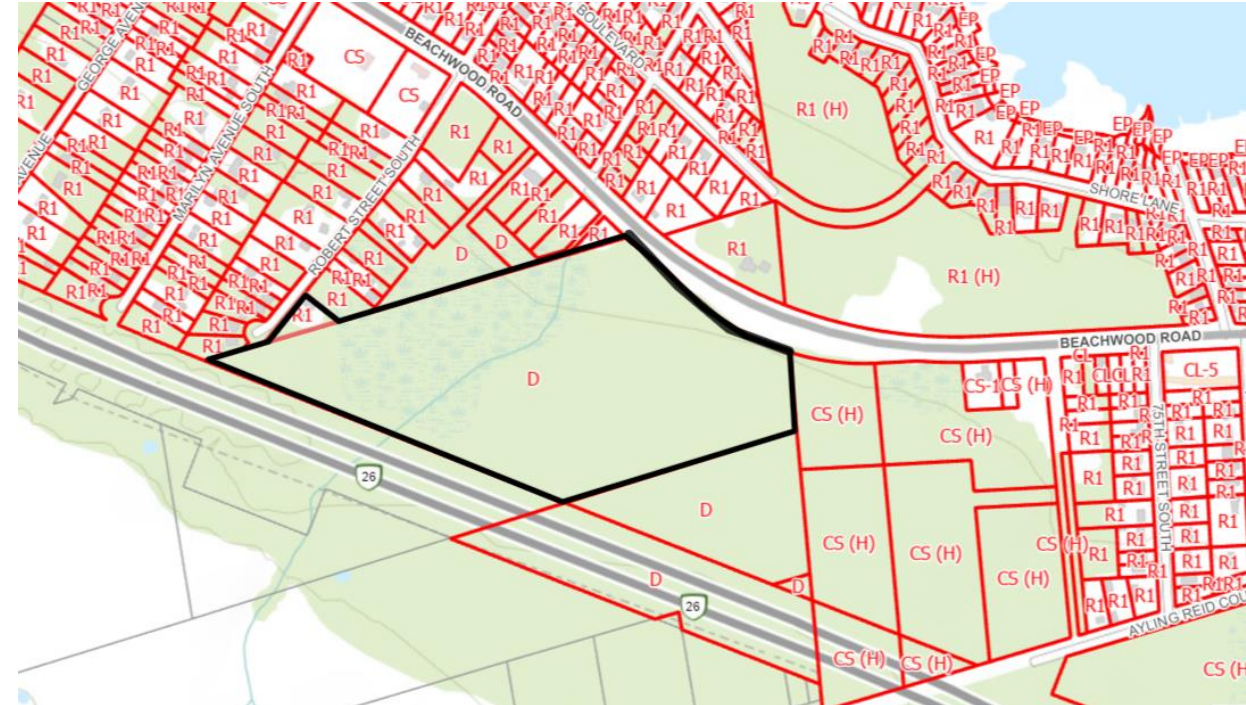
- “Development” (D)

Permitted Uses in the “Development” zone, include but are not limited to:

- Detached accessory dwelling unit, existing single detached dwelling unit, agricultural produce sales outlet, conservation use and wildlife sanctuary including a forestry use

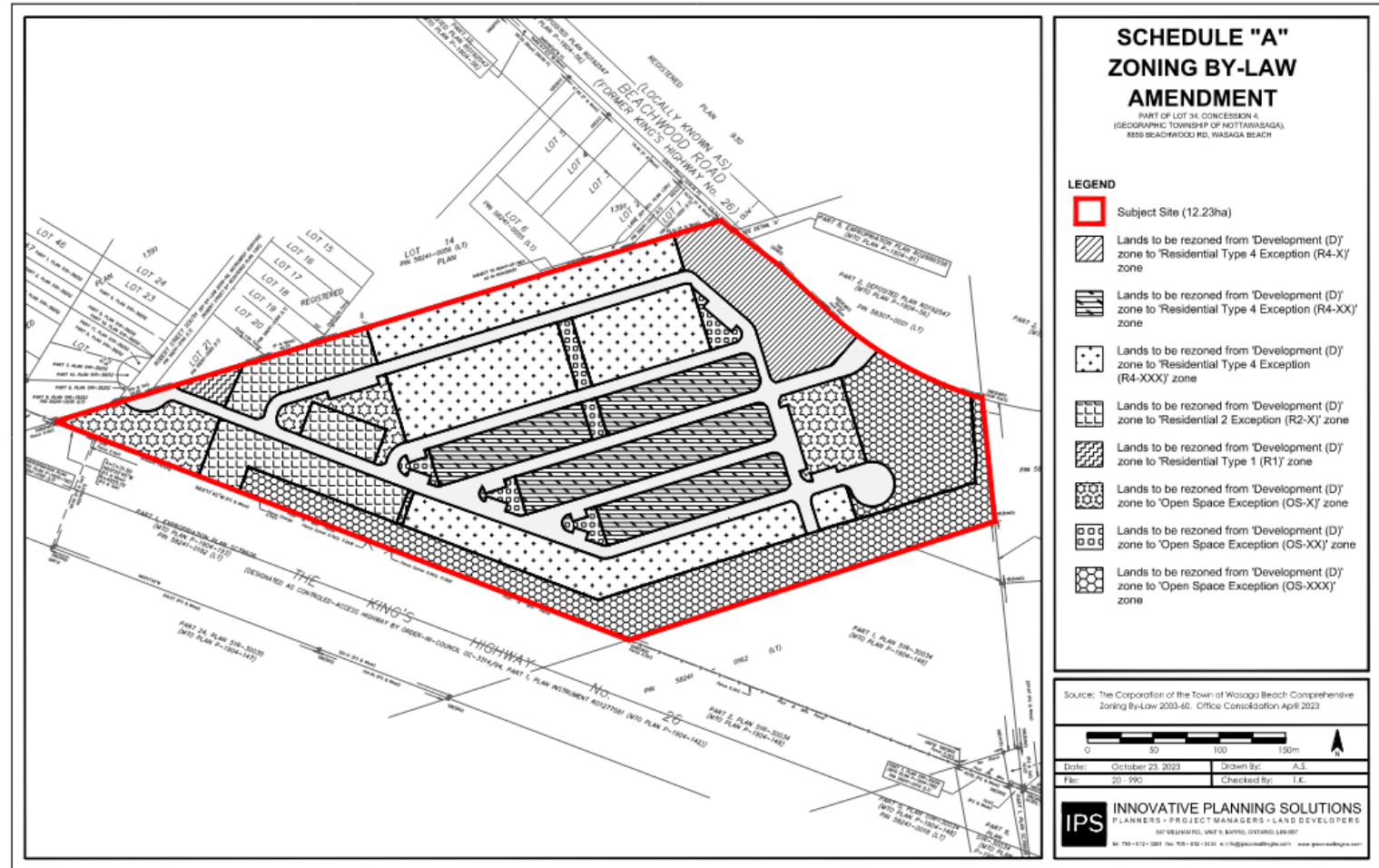
Surrounding Zone(s):

- “Residential Type 1” (R1) and “Residential Type 1 Hold” (R1H)
- “Development” (D)
- “Service Commercial” (CS), “Service Commercial Hold” (CSH) and “Service Commercial Exception 1” (CS-1)
- “Local Commercial” (CL) and “Local Commercial Exception 5” (CL-5)
- Environmental Protection and Agricultural lands in Township of Clearview



Proposed Zoning By-law Amendment

The proposed Zoning By-law Amendment would rezone the subject lands from the “Development” (D) Zone to the “Residential Type 1” (R1) Zone, “Residential Type 2 Exception” (R2-X) Zone, various “Residential Type 4 Exception” (R4-X) Zones reflective of the dwelling types and densities proposed and various “Open Space Exception” (OS-X) Zones. The proposed exception zones include a number of site-specific zoning standards, including but not limited to lot dimensions, setbacks, coverage, encroachments, building height, and parking requirements.

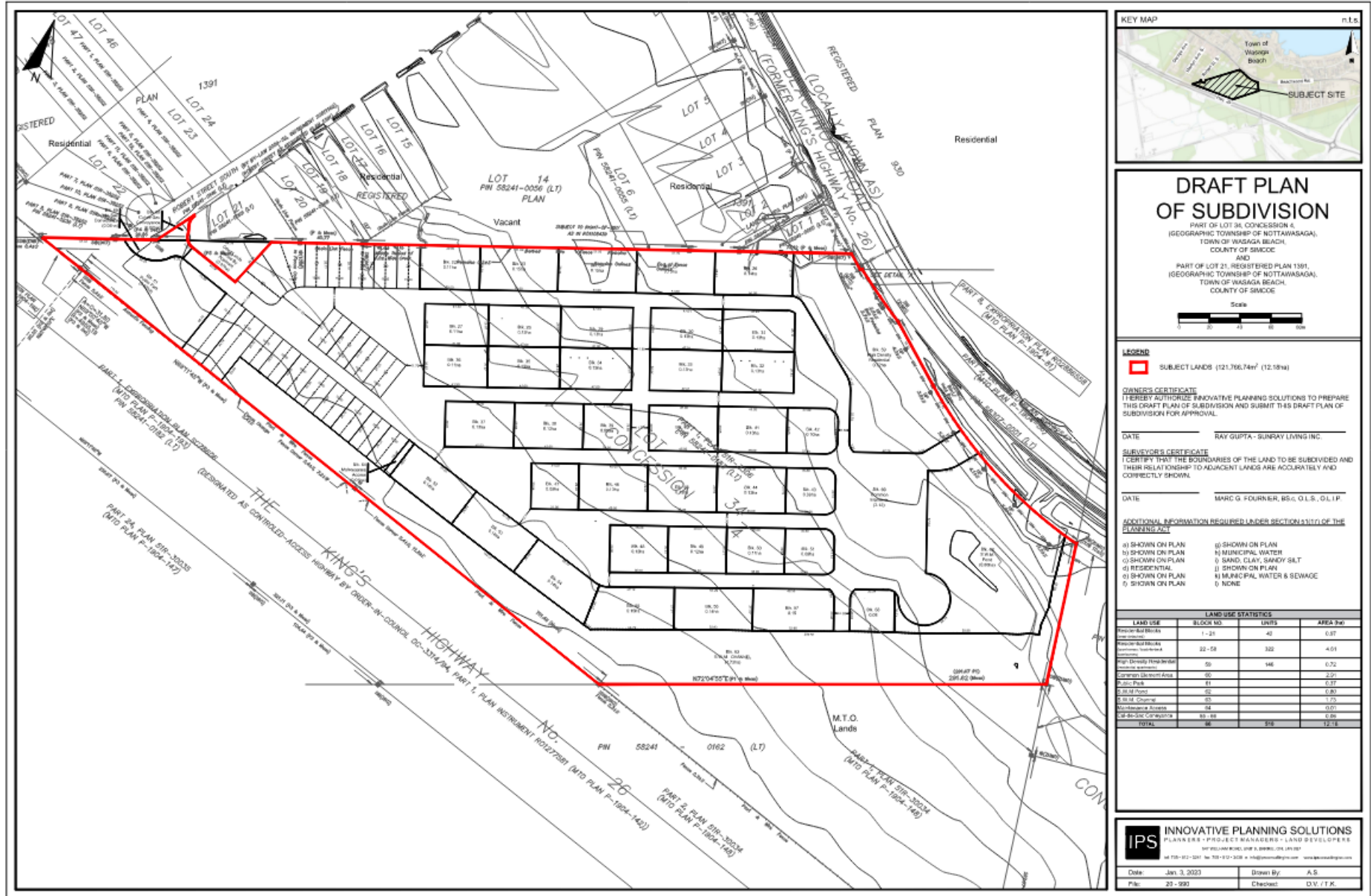


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Other Applications - Overview

Draft Plan of Subdivision Application

File No. PS00224)



DRAFT PLAN OF SUBDIVISION

PART OF LOT 36, CONCESSION 6,
GEOGRAPHIC TOWNSHIP OF NOTTAWASAGA,
TOWN OF WASAGA BEACH,
COUNTY OF SIMCOE
AND
PART OF LOT 21, REGISTERED PLAN 1391,
GEOGRAPHIC TOWNSHIP OF NOTTAWASAGA,
TOWN OF WASAGA BEACH,
COUNTY OF SIMCOE

Scale
0 10 20 30 40

LEGEND

SUBJECT LANDS (121,766.74m² (12.15ha))

OWNER'S CERTIFICATE
I HEREBY AUTHORIZE INNOVATIVE PLANNING SOLUTIONS TO PREPARE THIS DRAFT PLAN OF SUBDIVISION AND SUBMIT THIS DRAFT PLAN OF SUBDIVISION FOR APPROVAL.

DATE: RAY GUPTA - SUNRAY LIVING INC.

SURVEYOR'S CERTIFICATE
I CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN.

DATE: MARC G. FOURNIER, B.S.G., O.L.S., O.L.P.

ADDITIONAL INFORMATION REQUIRED UNDER SECTION 5(1) OF THE PLANNING ACT

- (a) SHOWN ON PLAN
- (b) SHOWN ON PLAN
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LAND USE STATISTICS			
LAND USE	BLOCK NO.	UNITS	AREA (ha)
Residential	1 - 25	40	0.87
Residential	22 - 24	320	4.01
Residential	26	146	0.72
Residential	27	22	0.29
Residential	28	11	0.17
Residential	29	11	0.17
Residential	30	11	0.17
Residential	31	11	0.17
Residential	32	11	0.17
Residential	33	11	0.17
Residential	34	11	0.17
Residential	35	11	0.17
Residential	36	11	0.17
Residential	37	11	0.17
Residential	38	11	0.17
Residential	39	11	0.17
Residential	40	11	0.17
TOTAL	66	316	12.15

IPS INNOVATIVE PLANNING SOLUTIONS
PLANNERS • PROJECT MANAGERS • LAND DEVELOPERS

Date: Jan. 3, 2023
Plan: 23-990
Drawn By: A.S.
Checked: D.V./T.K.

Concluding Remarks

- This Public Meeting is required by the *Planning Act*
- Town Staff are presenting the **applicant's proposal**
- A detailed review of the application(s) is ongoing, but **not yet completed**
- Staff will forward received comments to Council
- Staff will provide a recommendation report to Council at a later date



THANK YOU

To request additional information on this application, please send an email to:

Email: planning@wasagabeach.com

The webpage below contains all supporting materials pertaining to the proposed application

<https://bit.ly/456BzHn>



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PUBLIC MEETING

8859 Beachwood Road

Town of Wasaga Beach

OFFICIAL PLAN AMENDMENT, ZONING BY-LAW AMENDMENT
& DRAFT PLAN OF SUBDIVISION

JULY 29, 2024

PRESENTATION BY:



INNOVATIVE PLANNING SOLUTIONS

PLANNERS • PROJECT MANAGERS • LAND DEVELOPERS

SUBJECT LANDS



Subject Lands

- Municipally known as 8859 Beachwood Road & 65 Robert Street South.
- Lands are located between Highway 26 and Beachwood Road.
- Total landholdings of 12.24 ha
- Frontage of 240 m along Beachwood Road, 465 m along Highway 26, and 52 m along Robert Street South.
- The property is currently vacant.



Subject Lands

North:

Beachwood Road, a provincial highway still under MTO jurisdiction and functioning as a collector road.

East:

Vacant lands identified for future residential development known as ‘Beachwood Terrace’, and vacant lands identified as the future site of the Town’s new public works depot.

South:

A vacant future development parcel currently owned by the MTO, and Highway 26, under MTO jurisdiction.

West:

Single-detached residential lots fronting both Robert Street South and Beachwood Road, and an unbuilt irregularly shaped parcel with narrow frontages on both Robert Street South and Beachwood Road.

https://opengis.simcoe.ca/?MY_MAPS_ID=d1e33eb4-fe81-11ee-88e9-2f00f7991683

DEVELOPMENT CONCEPT



510-unit residential condominium including:

- A public park
- 2 - 6-storey apartment buildings each with 73 units
- 154 - 3-storey back-to-back townhouse units
- 78 - 3-storey standards townhouse units
- 90 - 2-storey standard townhouse units
- 42 - 2-storey semi-detached dwelling units
- A stormwater bypass channel and stormwater management pond
- A series of private parks and recreational areas including pickleball courts

All units are intended to be part of a common element condominium, and oriented to face a private internal street network

ARCHITECTURAL ELEVATION PLANS



ARCHITECTURAL ELEVATION PLANS



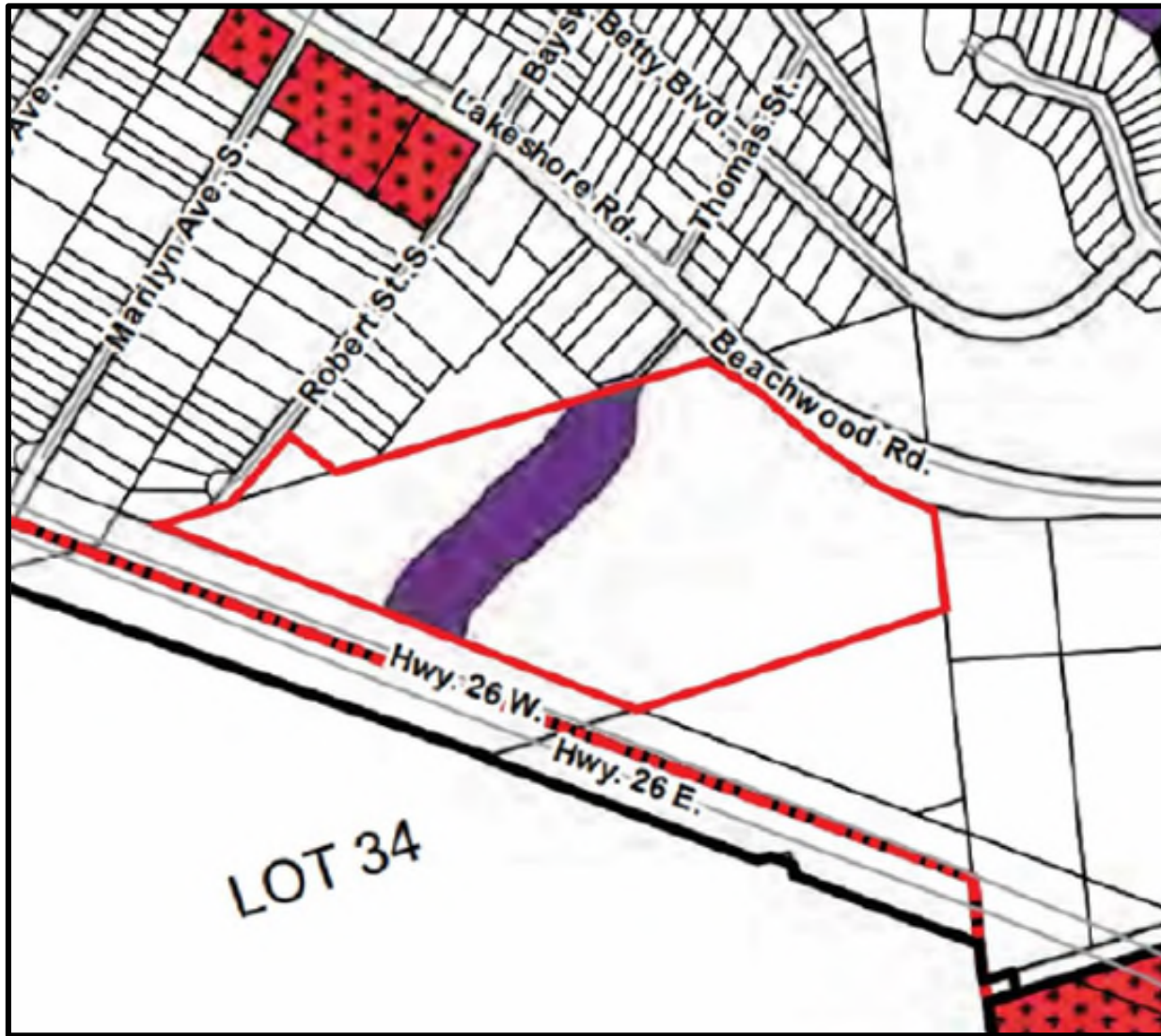
ARCHITECTURAL ELEVATION PLANS



ARCHITECTURAL ELEVATION PLANS



OFFICIAL PLAN MAP I



LEGEND



Subject Lands



Residential



Natural Heritage
System Category 1



Source: Town of Wasaga Official Plan Schedule A-1 Land Use Plan



LEGEND



Subject Lands

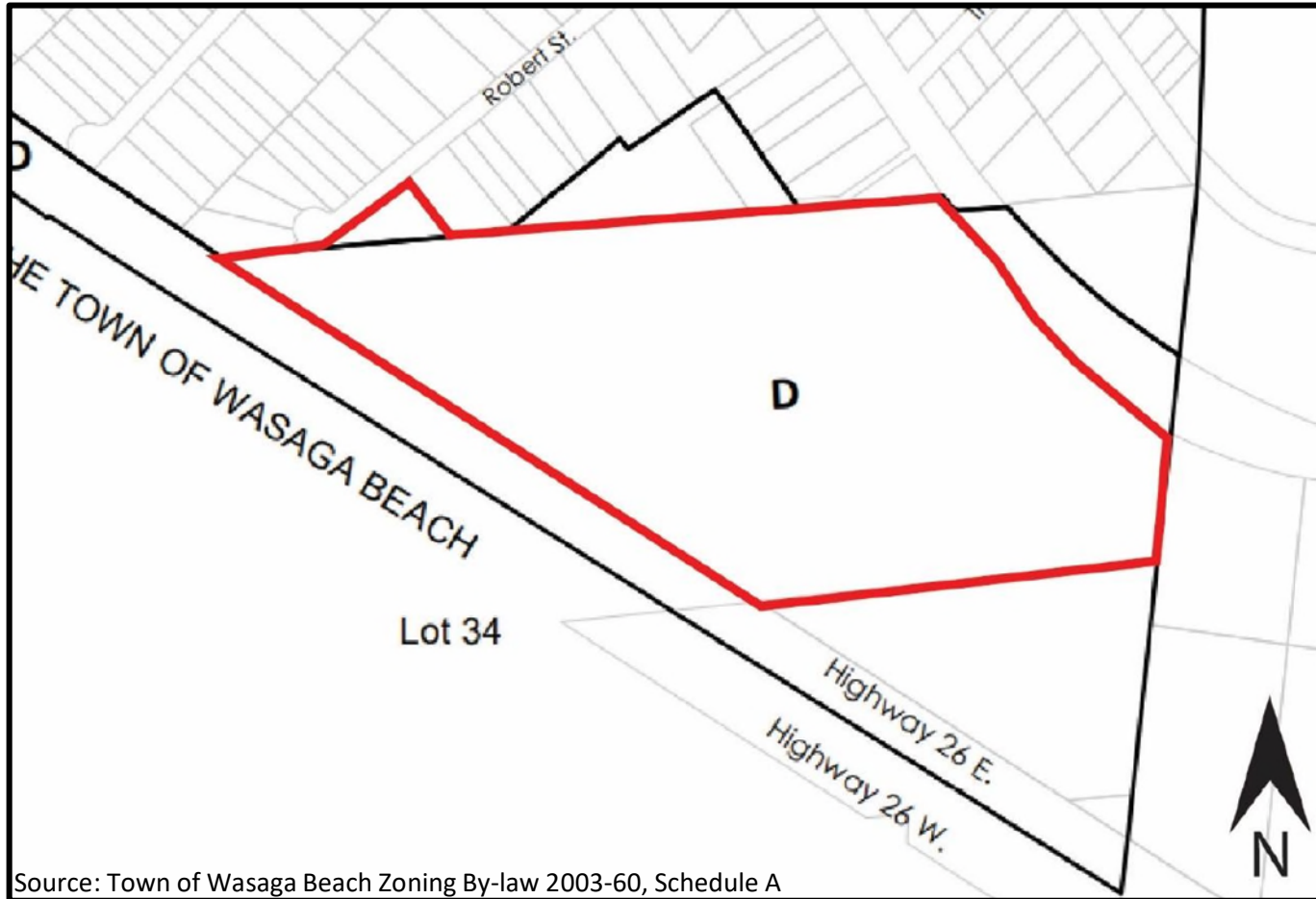


Natural Heritage System
Category 1 & 2 Lands



Source: Town of Wasaga Official Plan Schedule D Natural Heritage System

ZONING BY-LAW MAP



Source: Town of Wasaga Beach Zoning By-law 2003-60, Schedule A

LEGEND



Subject Lands, zoned 'Development' (D)
and 'Residential Type 1' (R1)

DRAFT PLAN OF SUBDIVISION

- Draft Plan of Subdivision is required to place the lands into separate common element blocks and residential blocks.
- A total of 66 blocks are proposed:

LAND USE STATISTICS			
LAND USE	BLOCK NO.	UNITS	AREA (ha)
Residential Blocks (semidetached)	1 - 21	42	0.97
Residential Blocks (townhomes/back-to-back townhomes)	22 - 58	322	4.61
High Density Residential (residential apartments)	59	146	0.72
Common Element Area	60		2.91
Public Park	61		0.37
S.W.M. Pond	62		0.80
S.W.M. Channel	63		1.73
Maintenance access	64		0.01
Cul-de-Sac Conveyance	65 - 66		0.06
Total	66	510	12.18

- The Draft Plan of Subdivision applies largely to the lands known as 8859 Beachwood Road, excluding a small portion of lands adjacent to 65 Robert Street South and a small portion of 65 Robert Street South required to expand the existing cul-de-sac.
- The lands not included in the Draft Plan of Subdivision fronting Robert Street are anticipated to move forward under separate Committee of Adjustment applications.

- **Site Plan** – IPS
- **Planning Justification Report** – IPS
- **Functional Servicing Report & Stormwater Management Plan** – R.J. Burnside & Associates Ltd.
- **Traffic Impact Study** – R.J. Burnside & Associates Ltd.
- **Environmental Noise Feasibility Assessment** – R.J. Burnside & Associates Ltd.
- **Grading Plan** – R.J. Burnside & Associates Ltd.
- **Architectural Drawings & Conceptual Renderings** – Urbanscape Architects and Rahshahr Canada
- **Stage 1 and 2 Archeological Assessments** – Irvin Heritage
- **Tree Preservation & Protection Plan** – Cotyledon Environmental Consulting
- **Geotechnical Investigation Report** – Alston Geotechnical Consultants Inc.
- **Hydrogeological Report** – Palmer
- **Scoped Environmental Impact Study** – Cotyledon Environmental Consulting
- **Floodplain Hydraulic Report** – R.J. Burnside & Associates Ltd.
- **Property Survey** – Bowers Jones Fournier Surveying Ltd.

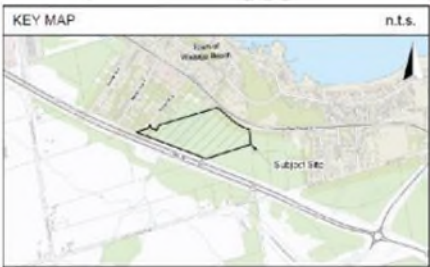
- The purpose of the **Official Plan Amendment, Zoning By-law Amendment**, and **Draft Plan Subdivision** applications is to facilitate a new 510-unit residential condominium development.
- The proposed development offers a compact urban form that is directed to support intensification and efficiently utilize land, infrastructure, and services in an economical manner.
- The development offers a permanent solution to alleviate flooding concerns within the community.
- The development provides a variety of unit types and provides more attainable housing options to accommodate the needs of all residents.
- The proposal conforms to and does not conflict with Provincial, County, and Municipal land use planning policies.

THANK YOU

Questions & Comments Welcome

Email: info@ipsconsultinginc.com

APPENDIX I: SITE PLAN



CONCEPTUAL SITE PLAN

PART OF LOT 34, CONCESSION 4
(GEOGRAPHIC TOWNSHIP OF NOTTAWASAGA,
TOWN OF WASAGA BEACH,
COUNTY OF SIMCOE
AND
PART OF LOT 21, REGISTERED PLAN 1391,
GEOGRAPHIC TOWNSHIP OF NOTTAWASAGA,
TOWN OF WASAGA BEACH,
COUNTY OF SIMCOE

- | | | |
|--|--|--|
| <ul style="list-style-type: none"> Subject Land <ul style="list-style-type: none"> Area: 121,766.74m² (12.18ha) Condo Area <ul style="list-style-type: none"> Area: 92,124.25m² (9.21ha) 2 Storey Semi - Detached Dwelling Units - Type 'A' (8 D/Us) <ul style="list-style-type: none"> Bldg. Area: 100.50m² Bldg. G.F.A.: 183.00m² (excl. garage) 2 Storey Semi - Detached Dwelling Units - Type 'B' (34 D/Us) <ul style="list-style-type: none"> Bldg. Area: 88.50m² Bldg. G.F.A.: 159.00m² (excl. garage) 2 Storey Townhouse Dwelling Units - Type 'A' (80 D/Us) <ul style="list-style-type: none"> Bldg. Area: 88.49m² Bldg. G.F.A.: 158.98m² (excl. garage) | <ul style="list-style-type: none"> 3 Storey Townhouse Dwelling Units - Type 'B' (78 D/Us) <ul style="list-style-type: none"> Bldg. Area: 80.75m² Bldg. G.F.A.: 224.25m² (excl. garage) 3 Storey Back-To-Back Dwelling Units (154 D/Us) <ul style="list-style-type: none"> Bldg. Area: 86.88m² Bldg. G.F.A.: 182.64m² (excl. garage) 6 Storey Apartment Building (146 D/Us) <ul style="list-style-type: none"> Size: 20.00m x 51.92m Bldg. Area: 1,038.40m² / bldg. Amenity Area Area: 8,675.29m² (0.86ha) | <ul style="list-style-type: none"> Public Park Area <ul style="list-style-type: none"> Area: 3,680.14m² / 0.37ha Storm Water Management Pond <ul style="list-style-type: none"> Area: 7,995.85m² / 0.80ha Storm Water Management Channel <ul style="list-style-type: none"> Area: 17,343.57m² / 1.73ha 3.0m Easement (utility, fire protection, snow storage) <p>Provided Parking: 973 (incl. 17 B.F. spaces)</p> |
|--|--|--|

Public Meeting – July 29, 2024

Applicant: Primont Homes (Wasaga 2 Inc.)

Proposed Official Plan Amendment and
Zoning By-law Amendment

(Town File No's.: OP00524 and Z00824)

Associated File includes Draft Plan of
Subdivision (Town File No.: PS00424)



This document is proprietary and confidential. No part of this document may be disclosed to a third party without the prior written consent of the Town of Wasaga Beach.

Overview

- Purpose of Public Meeting
- Planning Application Process
- Introduce the applications
- Present the subject lands and proposed development



This document is proprietary and confidential. No part of this document may be disclosed to a third party without the prior written consent of the Town of Wasaga Beach.

Purpose of Public Meeting

- A Public Meeting is required under the *Planning Act* for Official Plan Amendment and Zoning By-law Amendment Applications (related applications: Draft Plan of Subdivision)
- Town staff are introducing the applicant's proposal to Council and the general public
- The purpose of the Public Meeting is to provide an opportunity to the public for sharing written comments and making oral submissions to Council



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Planning Application Process

We are
Here →

- Application Received
- Application Deemed Complete
- Notice of Complete Application and Public Meeting Circulated
- Public Meeting
- Staff and Agency Review
- Staff Recommendation to Council
- Council Decision
- Appeal Period



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Proposal Overview & Site Statistics

Municipal Address: 400 45th Street South

Lot Area: 298,000 sq. m (29.8 ha)

Lot Frontage: 582 m along 45th Street South; 713 m along Morgan Road

The requested Official Plan Amendment and Zoning By-law Amendment applications are in support of a residential development (proposed plan of subdivision) generally consisting of:

- 365 single detached dwellings with 8-11 metre lot frontages;
- 148 street townhomes with 6 metre frontages;
- 98 back-to-back townhomes with 6.5 metre frontages;
- 1 stormwater management block;
- 1 environmental protection block;
- 2 park blocks and 2 open space blocks; and
- 12 internal public streets



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Existing Official Plan Designation

Town of Wasaga Beach Official Plan Designation:

“Rural” and “Natural Hazards”

Permitted Uses in “Rural” include, but are not limited to:

- Agricultural uses, including uses that are ancillary to agricultural production, and which serve the needs of the local rural population. Other uses permitted in the rural category include forestry, institutional uses, limited country recreational facilities, golf courses, and residences accessory to permitted uses.

Permitted Uses in “Natural Hazards” include, but are not limited to:

- Passive and active recreation including, golf courses, play fields, forest and wildlife management, flood and erosion control and conservation projects

Town of Wasaga Beach Official Plan designations surrounding the subject property include:

- “Residential” , “Natural Hazards” and “Open Space”

It is also noted that the Clearview Official Plan designations surrounding the subject property include “Rural” and “Agriculture”



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Proposed Official Plan Amendment

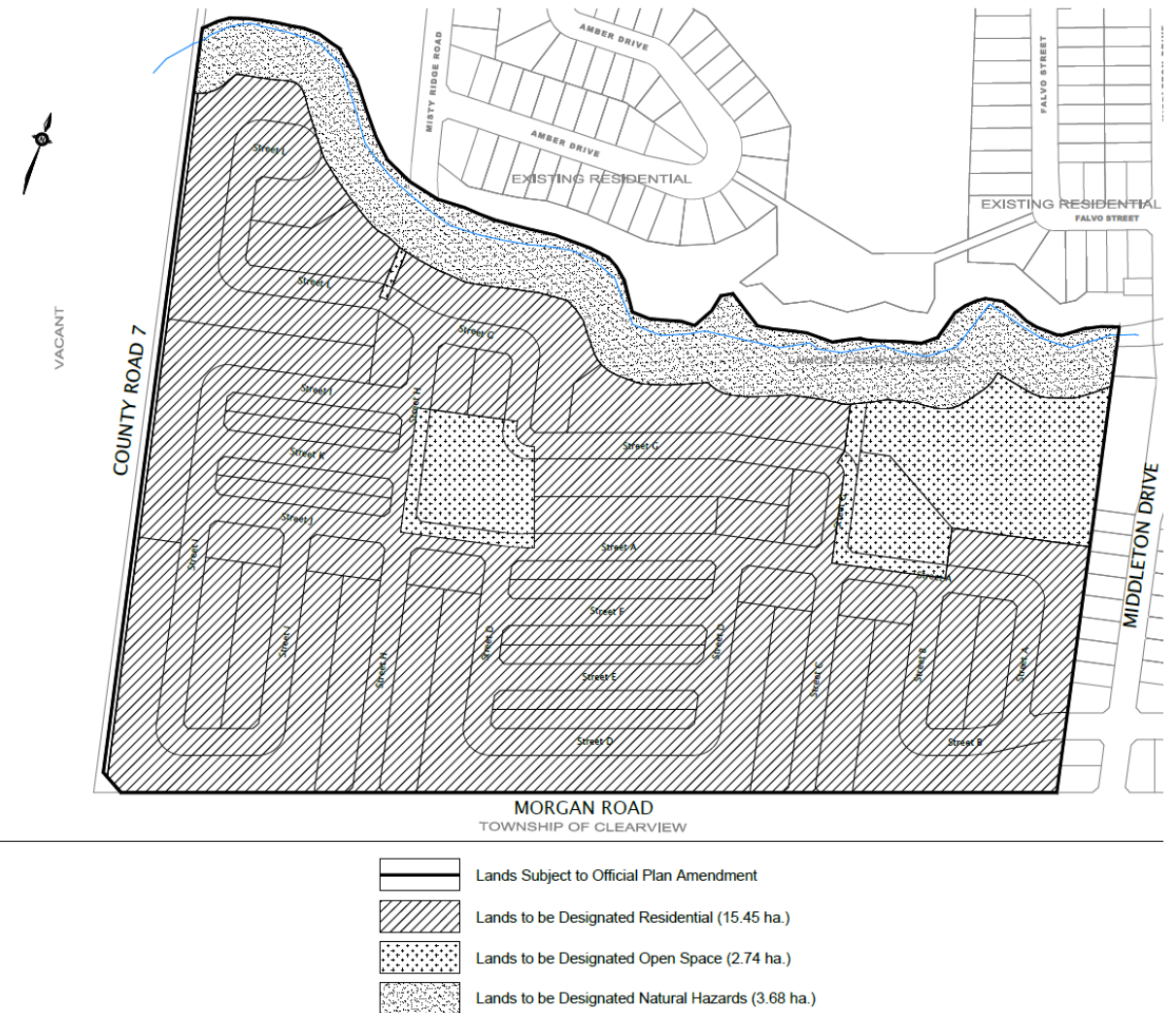
THE PROPOSED OFFICIAL PLAN AMENDMENT requested would re-designate the subject lands from “Rural” and “Natural Hazards”

to

“Residential”, “Open Space”, and “Natural Hazards” as appropriate, for the proposed development of single detached, townhouse, and back to back townhouse residential dwelling units within an overall medium density range.



This document



- Lands Subject to Official Plan Amendment
- Lands to be Designated Residential (15.45 ha.)
- Lands to be Designated Open Space (2.74 ha.)
- Lands to be Designated Natural Hazards (3.68 ha.)

Existing Zoning

Zoning:

“Rural” (RU) & “Environmental Protection” (EP) Zones

Permitted Uses in the “Rural” zone, include but are not limited to:

- Agricultural or Agricultural Cannabis Cultivation Site or forestry use but does not include an intensive agricultural use, agricultural produce sales outlet, bed and breakfast, conservation use and wildlife sanctuary, equestrian facility, fishing establishment, kennel, nursery and garden center, veterinary clinic, public use, accessory uses.

Permitted Uses in the “Environmental Protection” zone, include but are not limited to:

- Conservation uses and public park uses

Surrounding Zone(s):

- “Residential Type 1” (R1) and “Residential Type 3” (R3)
- “Open Space” (OS) & “Open Space Floodplain Holding Provision” (OSFH)
- “Environmental Protection”(EP)
- “Agriculture” (AG) – Clearview Zoning By-law



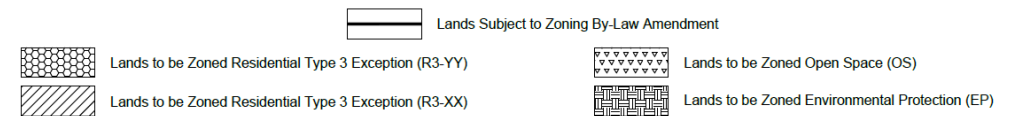
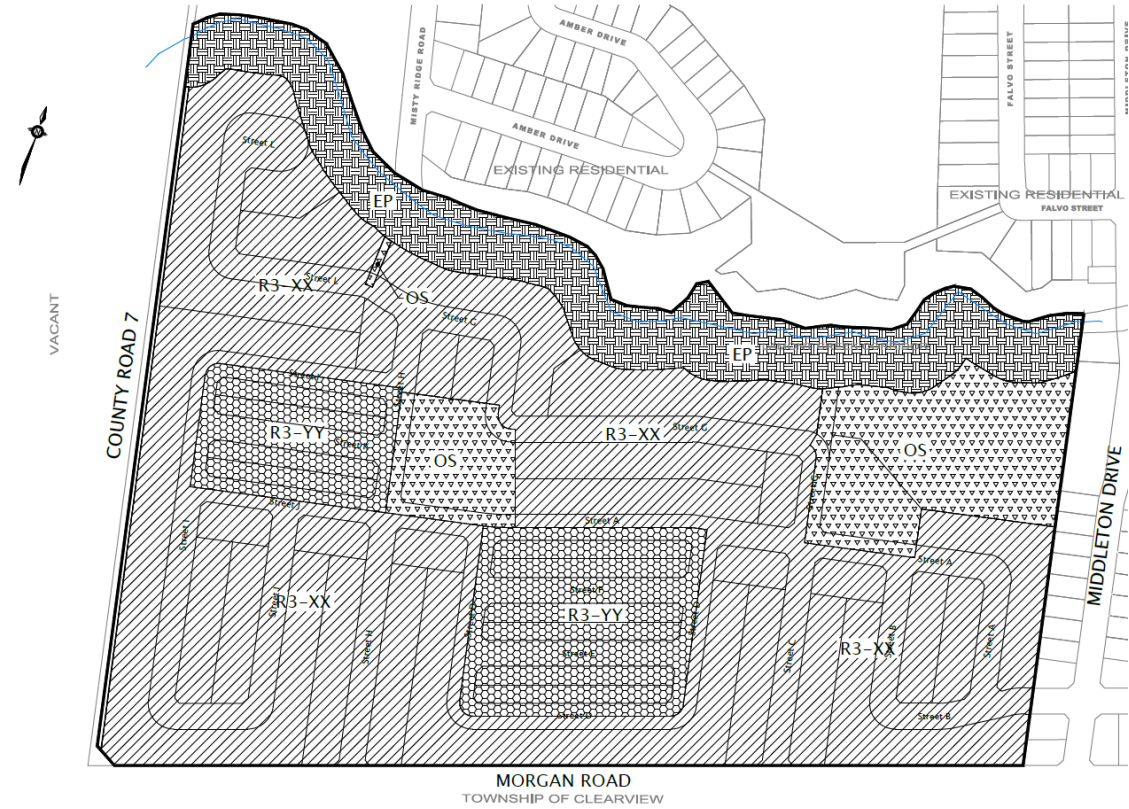
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Proposed Zoning By-law Amendment

THE PROPOSED ZONING BYLAW AMENDMENT requested would rezone the lands from “Rural” (RU) Zone and “Environmental Protection” (EP) Zone to a number of site-specific zones.

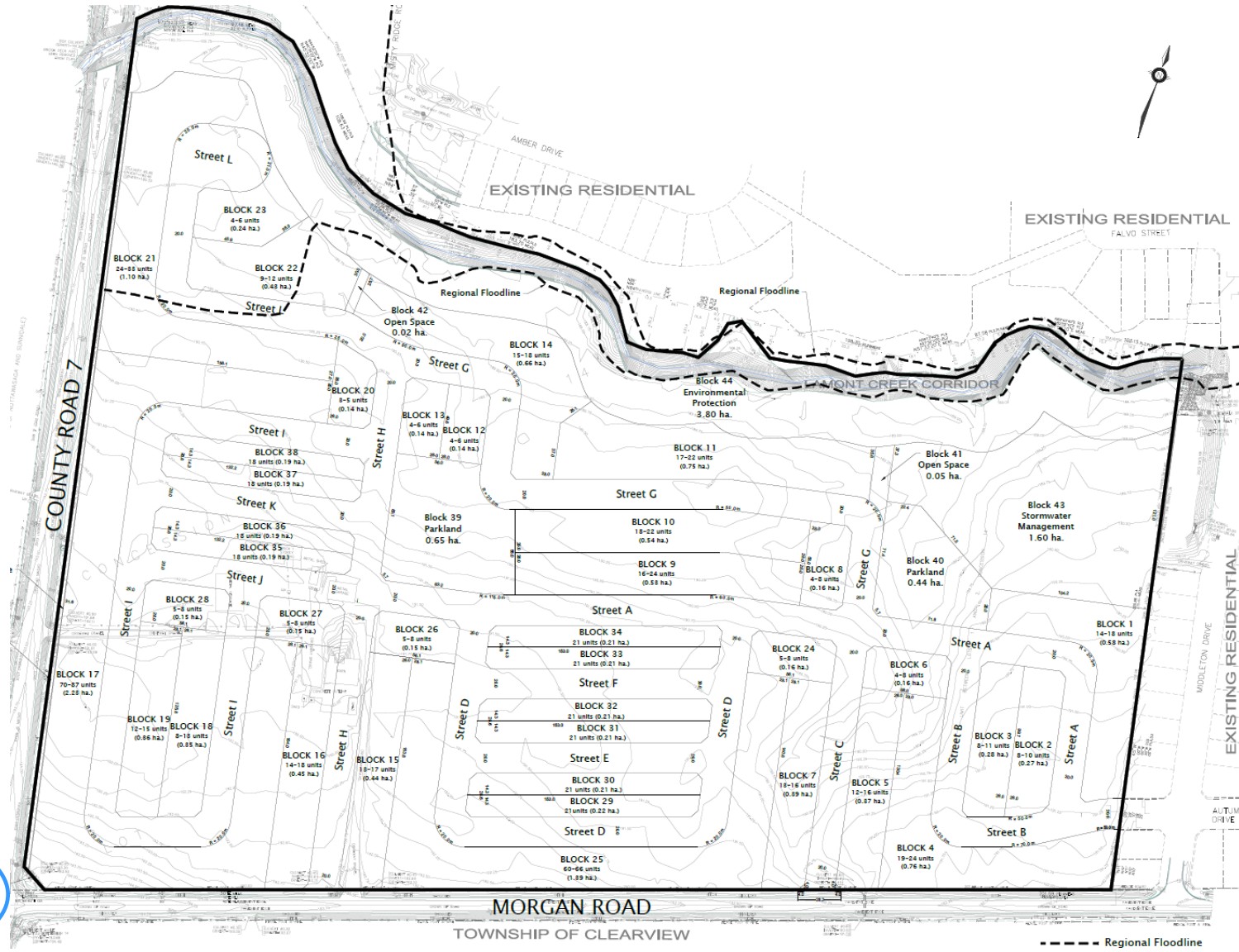
Specifically, the proposal intends to:

- Rezone a portion of the subject lands to the “Residential Type 3 Exception XX (R3-XX) Zone”; including site specific zone provisions for single detached dwellings as an additional permitted dwelling type;
- Rezone a portion of the subject lands to the “Residential Type 3 Exception YY (R3-YY) Zone”; including site specific zone provisions for street and back to back townhouse dwellings;
- Rezone a portion of the subject lands to an “Open Space” (OS) Zone
- Rezone a portion of the subject lands to an “Environmental Protection (EP) Zone”
- Additional modifications are proposed to the “General Provisions” and “Definitions” Sections of the Zoning By-law.



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Draft Plan of Subdivision



Concluding Remarks

- This Public Meeting is required by the *Planning Act*
- Town Staff are presenting the **applicant's proposal**
- A detailed review of the application(s) is ongoing, but **not yet completed**
- Staff will forward received comments to Council
- Staff will provide a recommendation report to Council at a later date



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THANK YOU

To request additional information on this application, please send an email to:

Email: planning@wasagabeach.com

The webpage below contains all supporting materials pertaining to the proposed application

<https://bit.ly/40045th>



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Statutory Public Meeting



Official Plan Amendment Zoning By-law Amendment Draft Plan of Subdivision

**Primont (Wasaga 2) Inc.
400 45th Street South**

Site Location and Surrounding Land Uses

- Total Area: 29.8 ha.
- Frontage: 582 metres on 45th Street South; 713 metres on Morgan Road
- Lands are previously cleared of trees
- Single detached dwelling and accessory buildings located on lands

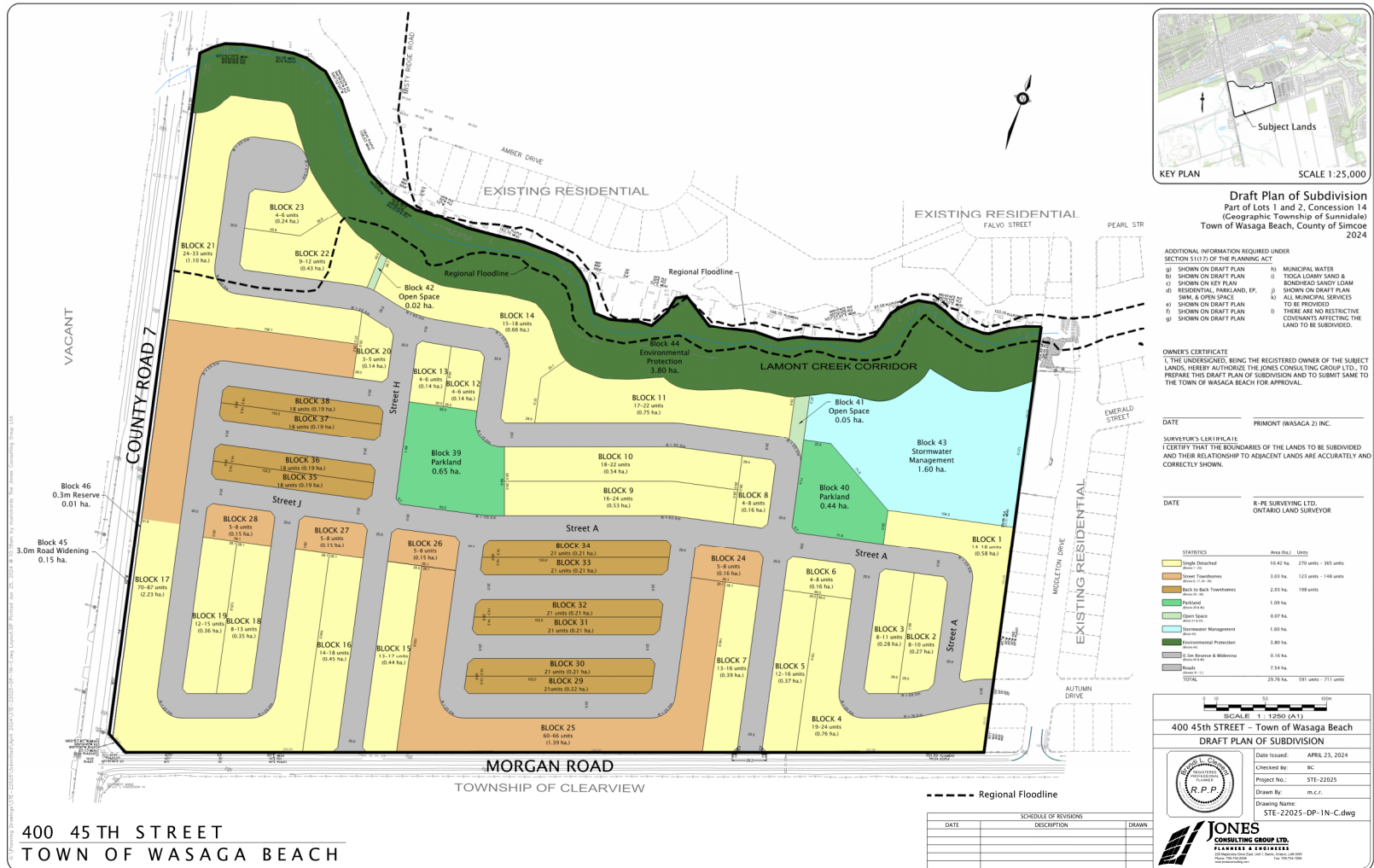


Proposed Development – Concept Plan



BLOCK PLAN v7

Proposed Development -Draft Plan of Subdivision



- 270-365 Single Detached Dwellings
- 123-148 Street Townhomes
- 198 Back-to-Back Townhomes
- Total Units: 591-711

Conceptual Architectural Designs



Conceptual Architectural Designs

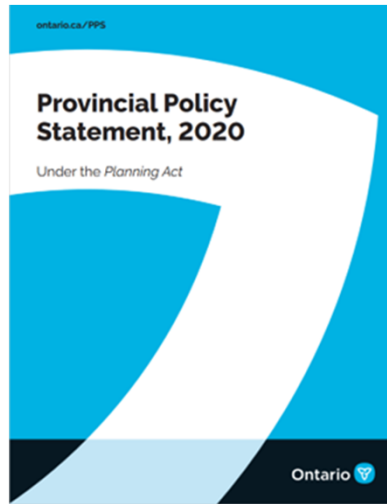


Street Townhouses



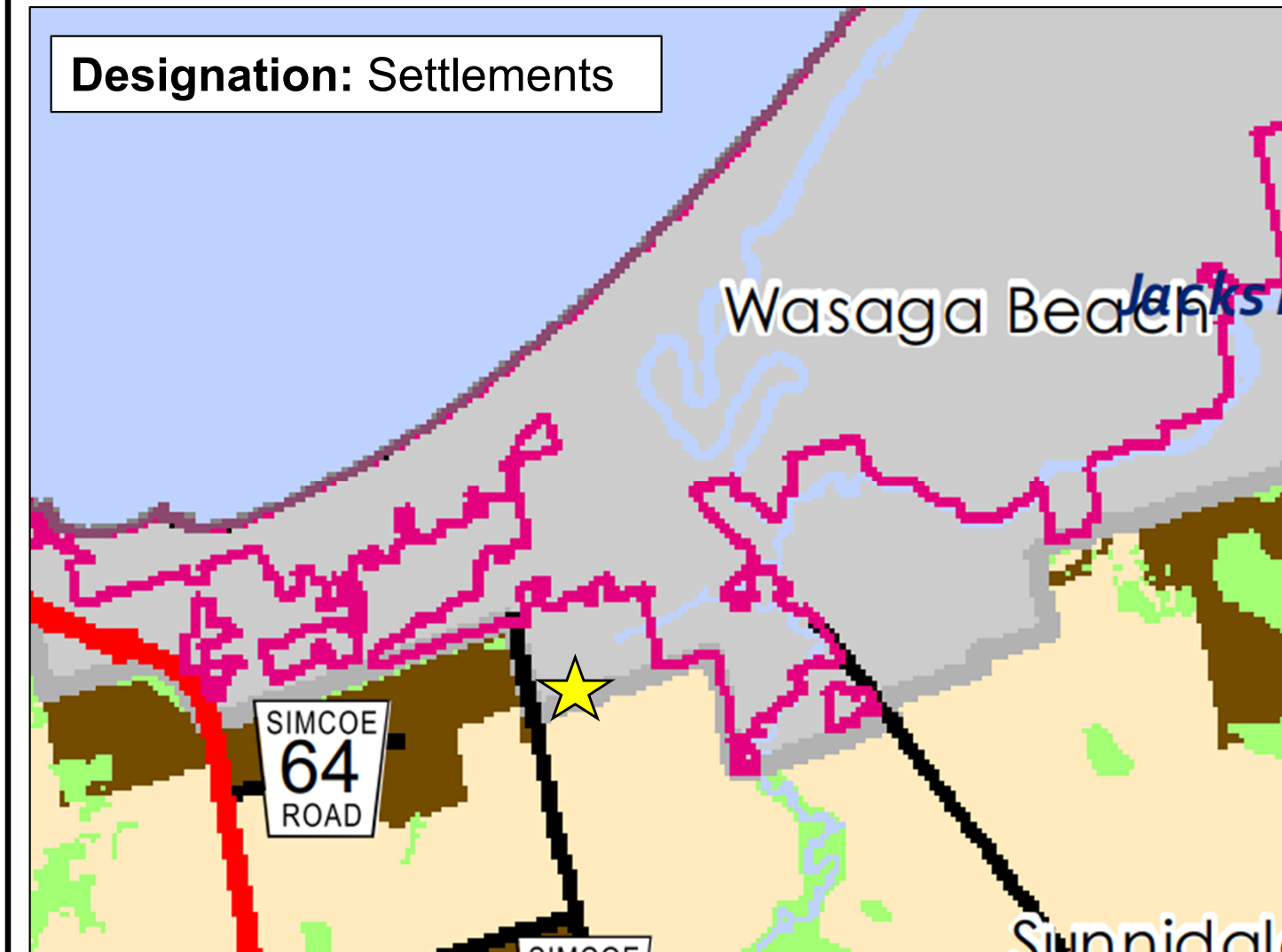
Back-to-Back Townhouses

A Place to Grow: Growth Plan Provincial Policy Statement

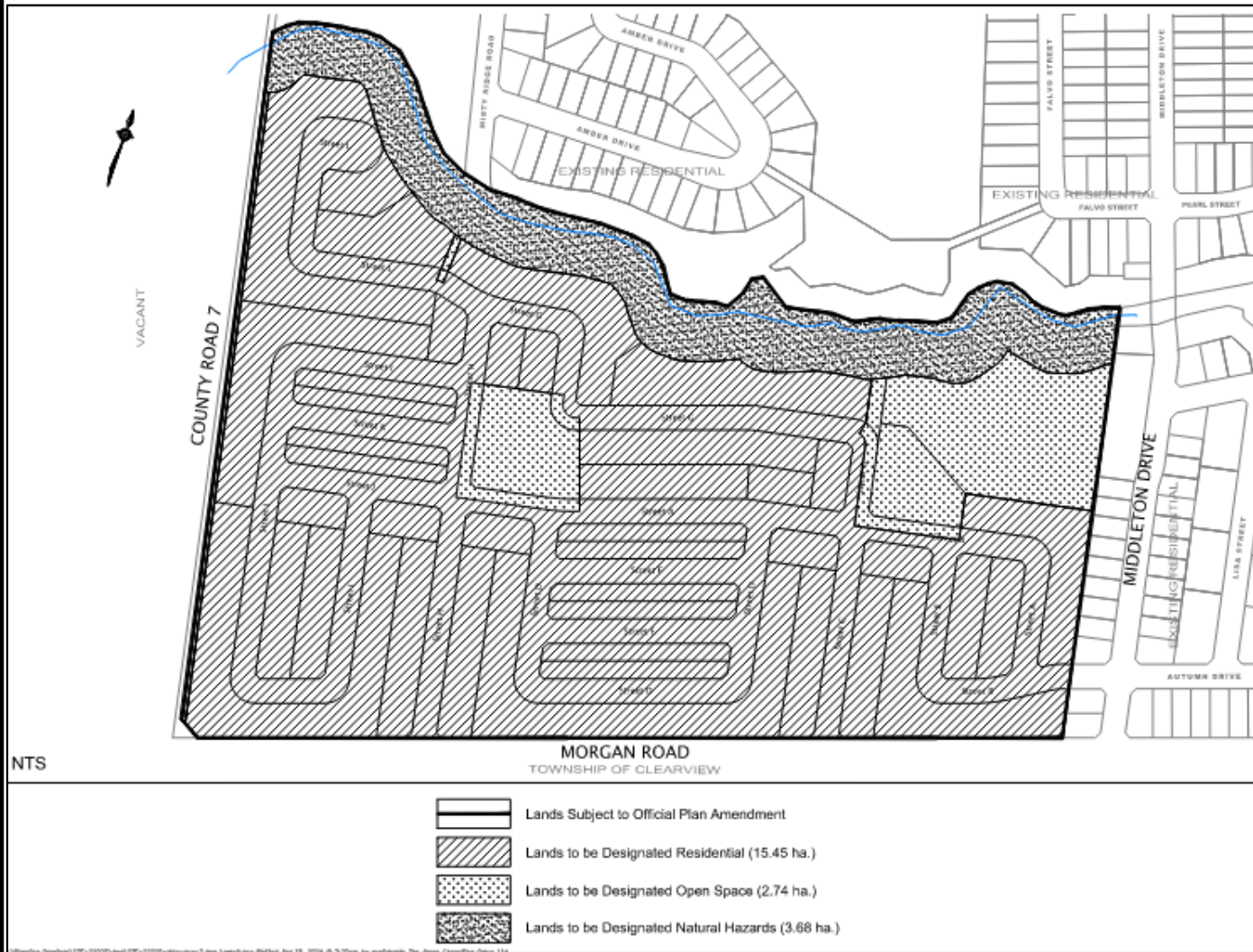


- Lands are located within a Settlement Boundary; adjacent to the built boundary (APTG 2.2.1.2, PPS 1.1.3)
- The development will provide an additional housing typology in the area, and will assist the Town with maintaining a three year supply of residential units (APTG 2.2.6.4)
- The lands will be serviced by municipal water and wastewater services (APTG 3.2.6.2, PPS 1.6.6.2).
- The smaller unit sizes will allow for appropriate intensification on the property which allows for a price point that is more affordable (PPS 1.4.3).
- The proposed roadways will include sidewalks that will encourage active transportation and community connectivity to Morgan Road (PPS 1.5.1).
- The residential units will be serviced by the County of Simcoe Waste Management which has the ability to accommodate present/future requirements (PPS 1.6.10.1)
- The proposed mitigation measures as identified in the Environmental Impact Study will ensure no negative impacts to natural heritage features or their ecological function (AGTG 5.1.3, PPS 2.1.2).
- No cultural heritage artifacts were identified on the lands within the Stage 1-2 Archaeological Assessment. (PPS 2.6.2 & 2.6.3)

County of Simcoe Official Plan



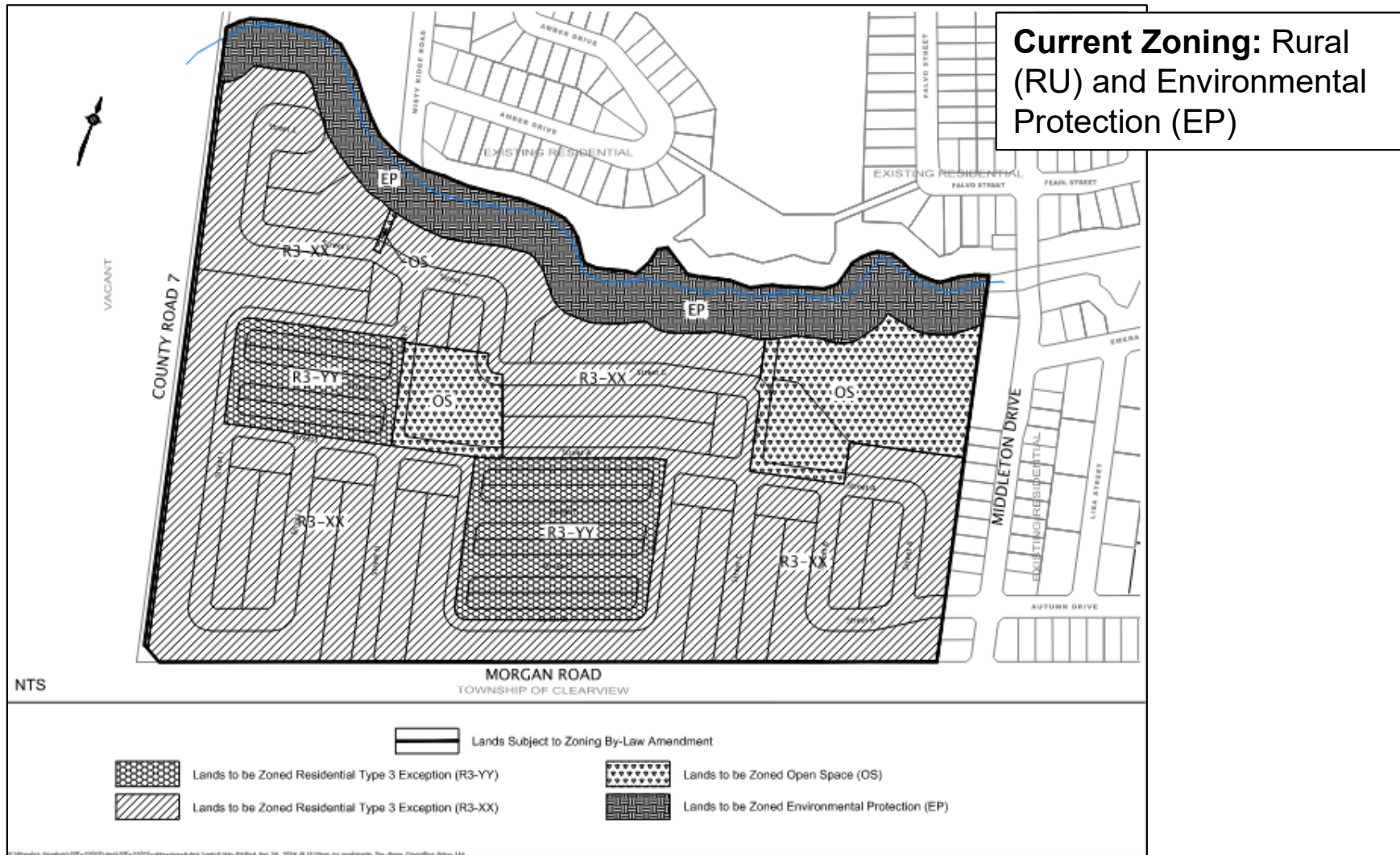
Proposed Official Plan Amendment



Current Designation: Rural and Natural Hazards

Proposed Designation: Residential, Open Space and Natural Hazards

Proposed Zoning By-law Amendment



Proposed Zoning Exceptions

Residential Type 3 Exception (R3-XX) Zone			
Single Detached Dwellings			
Development Standards	Required	Proposed	Variation
Lot Area (minimum)	370 square metre	230 square metres	140 square metres
Lot Frontage (minimum)	12 metres	8.20 metres	3.80 metres
Front Yard Depth (minimum)	6 metres	4 metres to the face of the building and 6 metres to the face of the garage	2 metres
Exterior Side Yard Width (minimum)	4.5 metres	3 metres	1.5 metres
Interior Side Yard Width (minimum)	1.5 metres	1.2 metres on one side and 0.6 metres on the garage on the garage side	0.3 metres and 0.9 metres
Rear Yard Depth (minimum)	7.6 metres	6 metres	1.6 metres
Landscaped Open Space (minimum)	30%	35%	5%
Lot Coverage (maximum)	40%	50%	10%

Proposed Zoning Exceptions

Residential Type 3 Exception (R3-XX) Zone

Street Townhouses

Development Standards	Required	Proposed	Variation
Lot Area (minimum)	210 square metres	170 square metres	40 square metres
Lot Frontage (minimum)	7 metres	6 metres	1 metre
Front Yard Depth (minimum)	6 metres	4 metres to the face of the building and 6 metres to the face of the garage	2 metres
Exterior Side Yard Width (minimum)	5 metres	3 metres	2 metres
Interior Side Yard Width (minimum)	3 metres and 6 metres	1.2 metres on one side	1.8 metres and 4.8 metres
Rear Yard Depth (minimum)	7.6 metres	6 metres	1.6 metres
Dwelling Unit Area (minimum)	65 square metres	85 square metres	20 metres
Landscaped Open Space (minimum)	30%	20%	10%
Lot Coverage (maximum)	45%	65%	20%
Height of Building (maximum)	12 metres	15 metres	3 metres
Width of Street Townhouse (minimum)	7 metres	6 metres	1 metre

Proposed Zoning Exceptions

Residential Type 3 Exception (R3-YY) Zone	
Back-to-Back Townhouses	
Development Standards	Proposed
Lot Area (minimum)	86 square metres
Lot Frontage (minimum)	6.4 metres
Front Yard Depth (minimum)	4 metres to the face of the building and 6 metres to the face of the garage
Exterior Side Yard Width (minimum)	3 metres
Interior Side Yard Width (minimum)	1.2 metres on one side and 0.6 metres on the garage on the garage side
Rear Yard Depth (minimum)	0 metres
Dwelling Unit Area (minimum)	50 square metres
Landscaped Open Space (minimum)	5%
Lot Coverage (maximum)	70%
Height of Building (maximum)	15 metres
Width of Townhouse (minimum)	6.4 metres
Play Area (minimum)	0%
Number of back-to-back townhouse dwelling units in a single structure	16

Proposed Servicing Summary

- The development will be serviced with an internal storm sewer network, proposed stormwater management facility and lot-level best management practices.
- Internal water servicing will connect to the existing municipal system at Autumn Drive and Misty Ridge Road in adjacent subdivision to east.
- Internal sanitary servicing will connect to the existing sanitary stub located at Middleton Drive and be directed to the Middleton Drive sanitary pumping station (SPS#20) to east.
- Fire hydrants have been proposed within the development on the lot lines, spaced at a maximum distance of 150m.
- A 25mm diameter (Copper) domestic water service will be provided to each of the proposed lots.
- There is 1 proposed stormwater management pond provided for both quality and quantity control.

Proposed Traffic Summary

- The proposed development is expected to generate 372 total two-way auto trips (91 inbound and 281 outbound) and 505 total two-way auto trips (318 inbound and 187 outbound) during the AM and PM peak hours.
- The analysis indicates the road network has capacity to accommodate the site generated traffic, with noted recommendations and future monitoring.
- A left-turn lane may be required on Morgan Road with the extension of the 50 km/h posted speed limit across the site frontage, depending on the final unit count.

Conclusion

- The proposed applications conform to the applicable policies of the A Place to Grow: Growth Plan for the Greater Golden Horseshoe and are consistent with the applicable policies of the Provincial Policy Statement.
- Applications conform to the applicable policies of the County of Simcoe Official Plan and the Town of Wasaga Beach Official Plan.
- The proposed densities are appropriate for the location of the lands and introduces additional housing typologies to the Town.
- The proposed applications will facilitate residential units on a site that is within the settlement boundary of the Town of Wasaga Beach and adjacent to built boundary.
- The development will be compatible with the surrounding land uses and will utilize existing municipal services efficiently.
- Lands are last piece of property to be developed with in settlement boundary in this area of Town.
- The proposed development avoids any negative impacts on natural heritage features.
- The proposed Official Plan Amendment, Zoning By-law Amendment, and Draft Plan of Subdivision Applications represent good and desirable planning for the Town of Wasaga Beach.

Public Meeting

July 29, 2024

Application by Wasaga (Lyons Court) Ventures Inc.

Proposed Zoning By-law Amendment (Temporary Use By-law) (Town File: Z00924)

Related Application: Site Plan (File No. SP00324)

Associated Applications in Process: Draft Plan of Subdivision (PS0122), Official Plan Amendment (OP0122) and Zoning By-law Amendment (Z0122)



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Overview

- Purpose of Public Meeting
- Planning application process
- Introduce the application
- Present the subject lands and proposed development



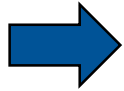
Purpose of Public Meeting

- A Public Meeting is required under the *Planning Act* for a Zoning By-law Amendment Application (related application: Site Plan)
- Town staff are introducing the applicant's proposal to Council and the general public
- The purpose of the Public Meeting is to provide an opportunity to the public for sharing written comments and making oral submissions to Council



Planning Application Process

We are
Here



- Application Received
- Application Deemed Complete
- Notice of Complete Application and Public Meeting Circulated
- Public Meeting
- Staff and Agency Review
- Staff Recommendation to Council
- Council Decision
- Appeal Period



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Proposal Overview

- An application for Zoning By-law Amendment (Temporary Use By-law) was submitted by Wasaga (Lyons Court) Ventures Inc. to authorize the temporary use of a portion of the subject lands for a Sales Centre



Site Location & Statistics

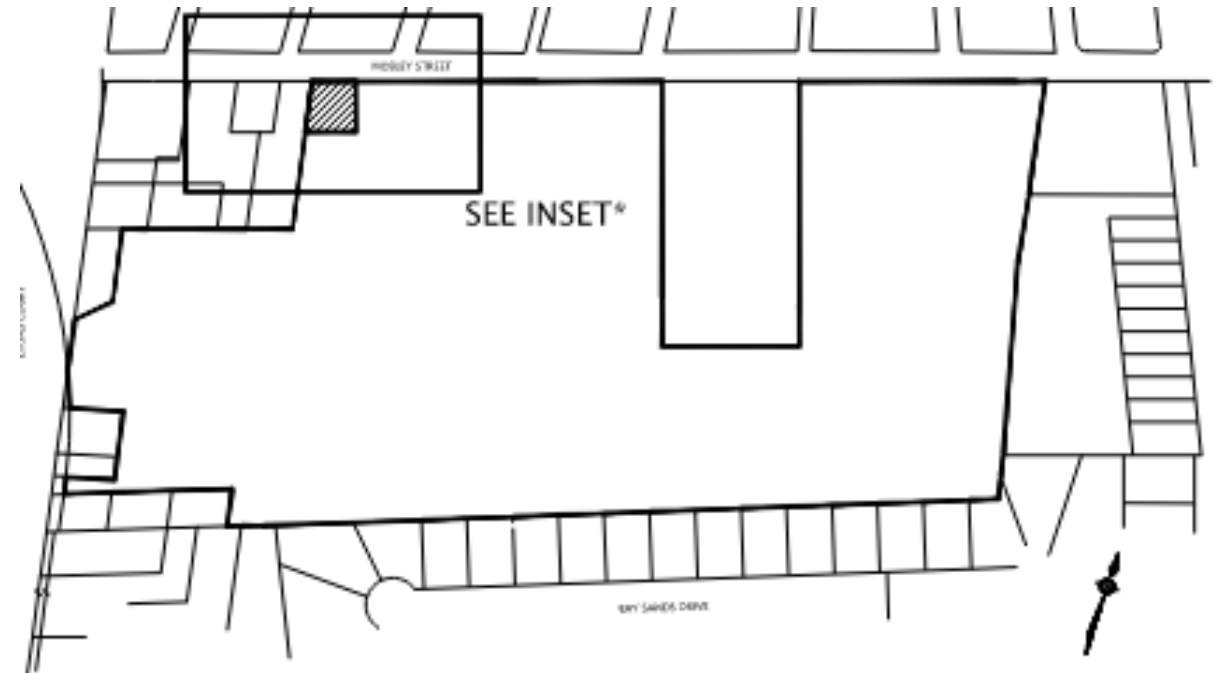
Site Plan Area: approx. 1,058.84 sq. m (0.11 ha)

Lot Frontage: approx. 29.09 metres along Mosley Street

Surrounding Uses:

- To north: Residential
- To south: Residential, Commercial and Vacant lands
- To east: Residential, Institutional and Vacant lands
- To west: Residential and Commercial

Municipal Address: 31 Lyons Court



Existing Official Plan Designation

Official Plan Designation: “Residential”

Permitted Uses in “Residential” include:

- Low Density Residential:
 - Detached, semi-detached and duplex dwellings to a maximum density of 20 units per net residential hectare.
- Medium Density Residential:
 - Semi-detached, linked semi-detached, duplexes, triplexes, fourplexes, linked and street townhouses and similar multiple dwellings at a density generally not exceeding 37 units per net residential hectare.
- Such uses that are compatible with and serve the basic residential use generally termed public and institutional uses may be also permitted in residential areas subject to the zoning by-law.



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Existing Zoning

Zoning of property:

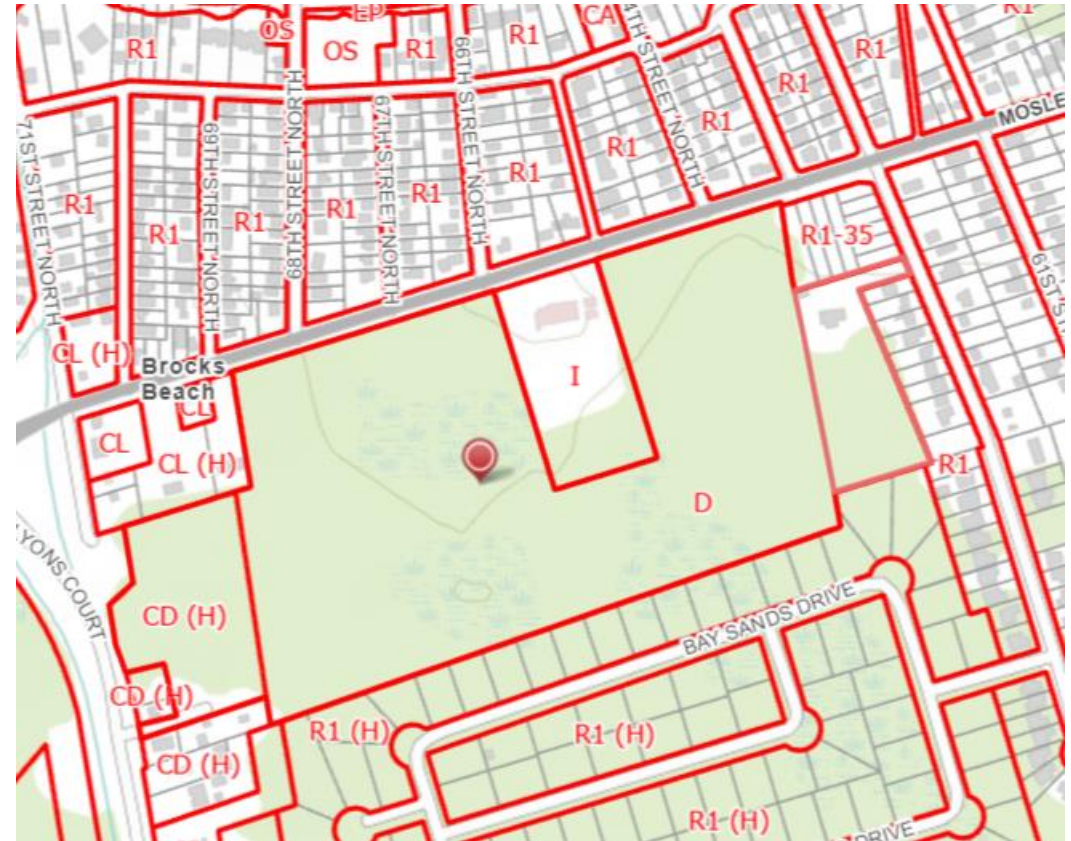
- “Development” (D)

Permitted Uses in the “Development” zone, include but are not limited to:

- Detached accessory dwelling unit, existing single detached dwelling unit, agricultural produce sales outlet, conservation use and wildlife sanctuary including a forestry use

Surrounding Zone(s):

- “Residential Type 1” (R1), “Residential Type 1 Exception 35” (R1-35) and “Residential Type 1 Hold” (R1H)
- “Local Commercial” (CL) and “Local Commercial Hold” (CLH)
- “District Commercial” (CD) and “District Commercial Hold” (CDH)
- “Development” (D)



Proposed Zoning By-law Amendment (Temporary Use By-law)

The proposed Zoning By-law Amendment would authorize the temporary use of a portion of the subject lands for a Sales Centre with site-specific provisions related to front yard and interior side yard setbacks, parking, and deck height and projections within the front yard.



Scale 1:1000 (8.5x11)
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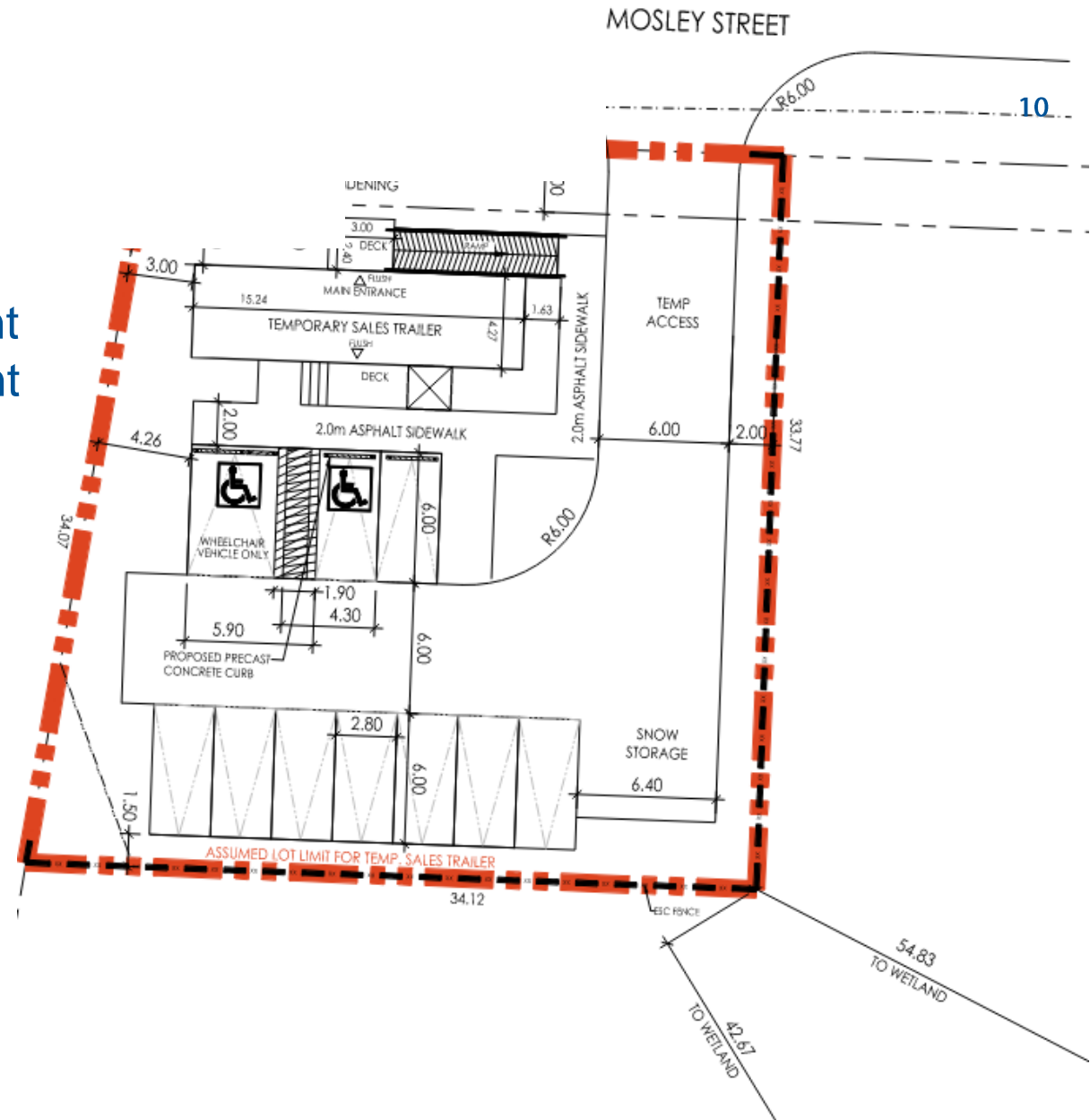
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Other Applications - Overview

- Site Plan Application (File No. SP00324)
- The subject lands are also subject to applications for Zoning By-law Amendment (File No. Z0122), Official Plan Amendment (File No. OP0122) and Draft Plan of Subdivision (File No. PS0122)



Concluding Remarks

- This Public Meeting is required by the *Planning Act*
- Town Staff are presenting the **applicant's proposal**
- A detailed review of the application is ongoing, but **not yet completed**
- Staff will forward received comments to Council
- Staff will provide a recommendation report to Council at a later date



THANK YOU

To request additional information on this application, please send an email to:

Email: planning@wasagabeach.com

The webpage below contains all supporting materials pertaining to the proposed application

<https://bit.ly/4egvkox>



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Statutory Public Meeting

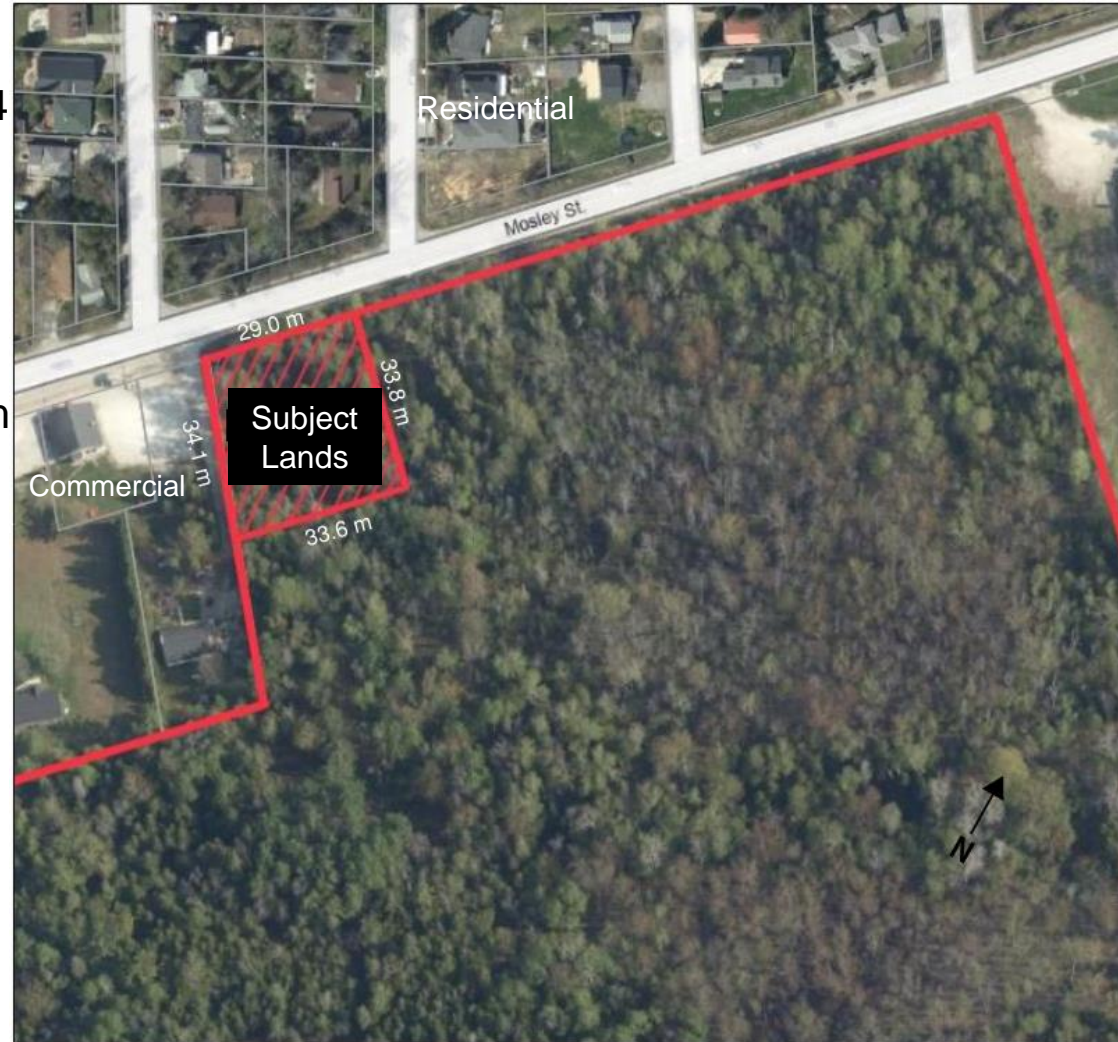


FOR DEMONSTRATION PURPOSES ONLY

**31 Lyons Court
Temporary Use By-law – Sales Centre**

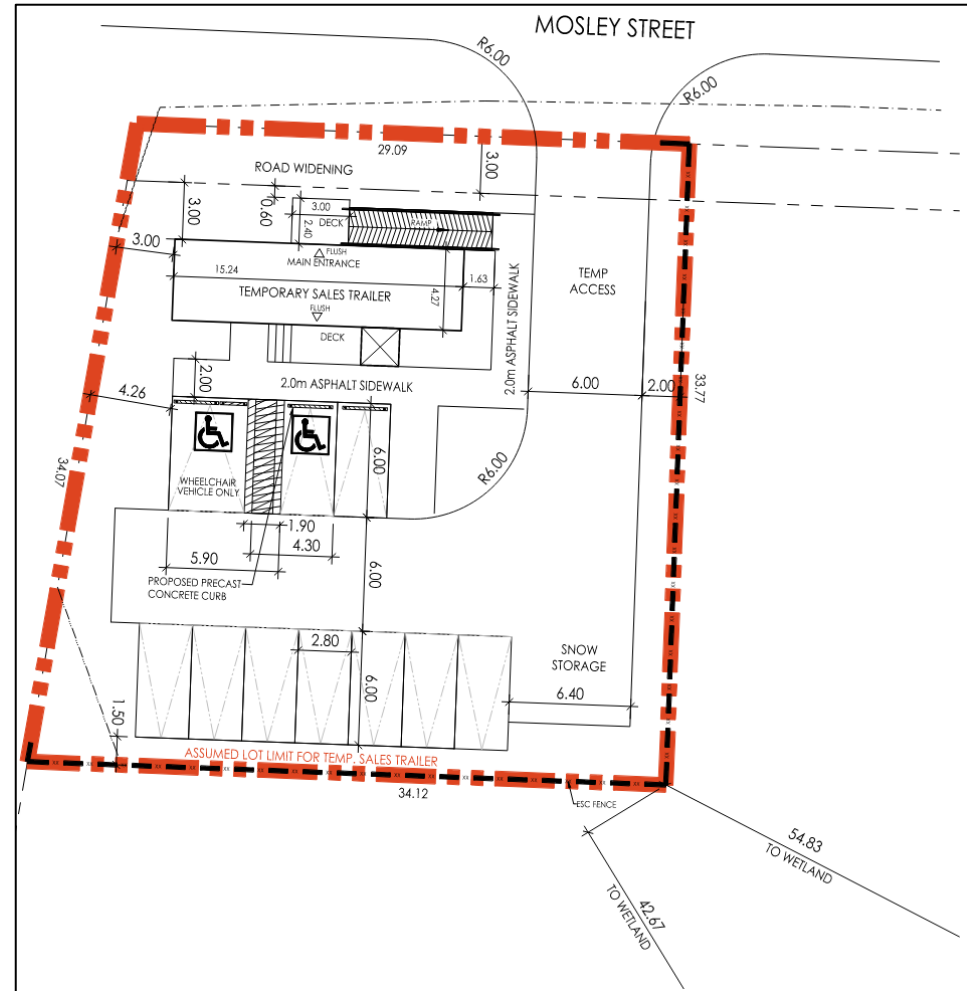
Site Location & Surrounding Land Uses

- Site Plan Area: 1,058.84 sq. m (0.11 ha)
- Frontage: 29 m on Mosley Street
- Average Depth: 32.95 m
- The lands have been cleared of trees and are vacant.



Proposed Sales Centre (Temporary Use)

- Building Footprint: 65.07 sq. m
- Proposed building covers 0.045% of the total land holdings
- Proposed building covers 6.15% of the Site Plan area.
- 1 storey building
- 10 asphalted parking spaces provided, including 2 accessible spaces.
- Access to Sales Centre from Mosley Street.
- 2 decks leading to the front and rear entrances of the trailer.
- An accessibility ramp leading to the front entrance
- Landscape buffers provided along the north and west sides

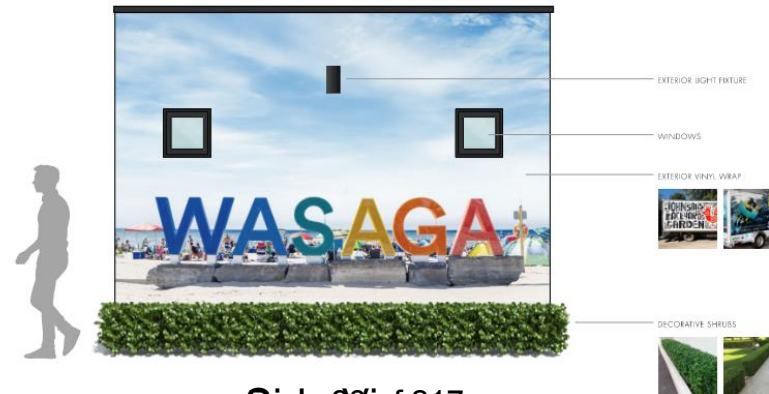


Sales Centre Elevations



Front View

Side View

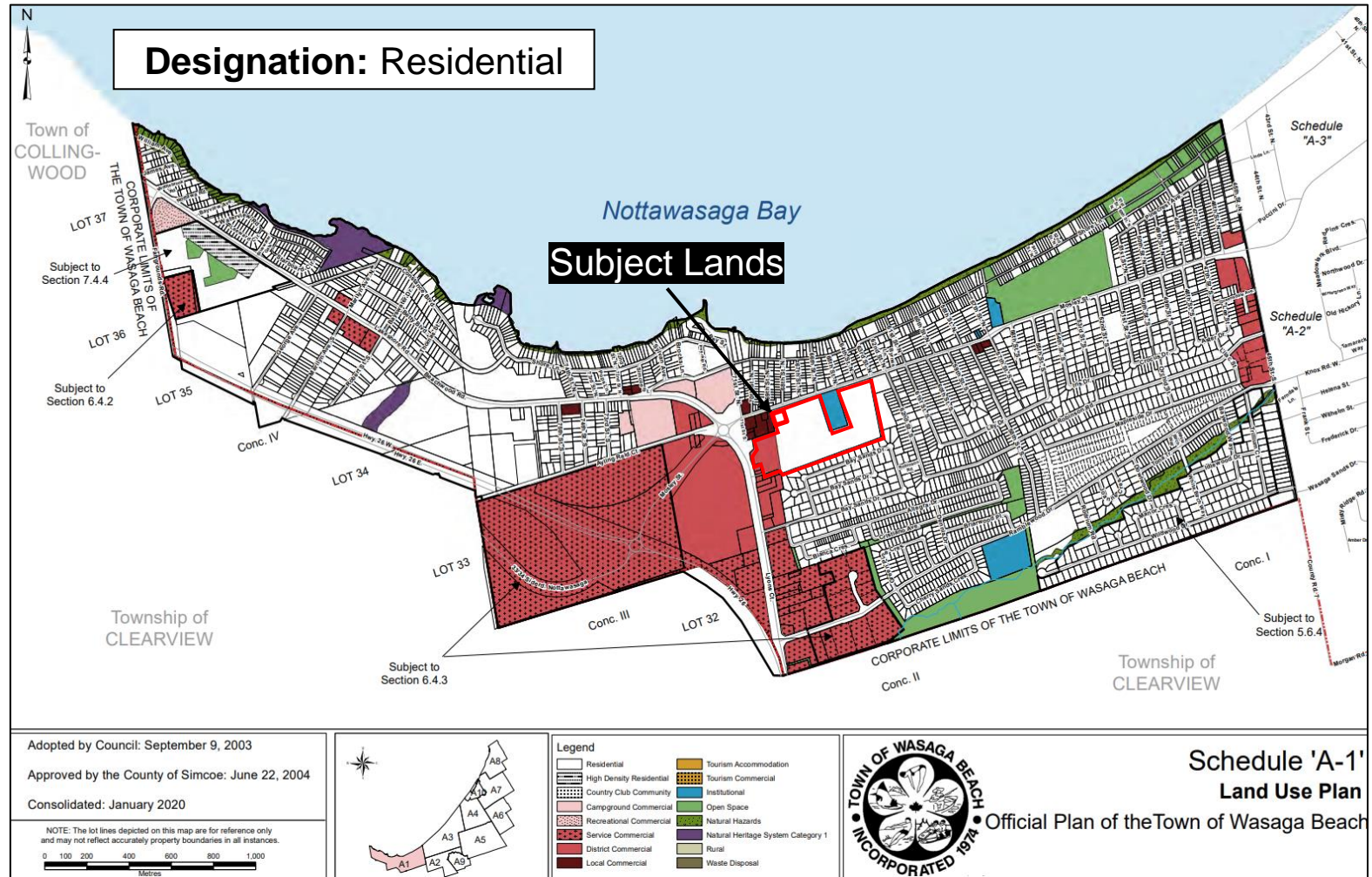


Side View

Submitted Planning Applications

- **Temporary Use By-law:** To permit a Temporary Sales Centre on the Subject Lands for 3 years. This will help facilitate sales for the proposed residential subdivision.
- **Site Plan Control:** This was submitted concurrently with the Temporary Use By-law Application.
- Previously submitted an Official Plan Amendment, Zoning By-law Amendment and Draft Plan of Subdivision Applications on entire land holdings.

Current Town of Wasaga Beach Official Plan



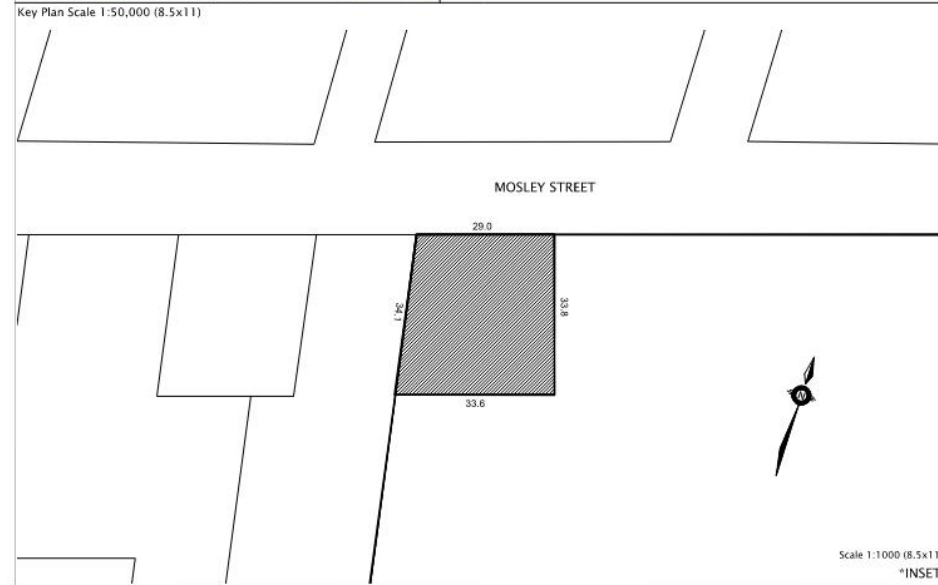
Proposed Temporary Use By-law


Existing Zoning: Development (D)

Proposed Exceptions:

- A 6 metre setback from the current right-of-way limits of Mosley Street.
- An interior side yard of 3 metres.
- A total of 10 parking stalls.
- The front deck may project a maximum distance of 2.4 metres into any required front yard provided it is not more than 1 metre above finished grade

Schedule 'A'
Proposed Temporary Use By-Law
31 Lyons Court
Town of Wasaga Beach
County of Simcoe
2024



 Lands Subject to Temporary Use By-Law

Conclusion

- The proposed application conforms to the applicable policies of the A Place to Grow: Growth Plan for the Greater Golden Horseshoe and are consistent with the applicable policies of the Provincial Policy Statement.
- Application conforms to the applicable policies of the Town of Wasaga Beach Official Plan and meets the intent of the Town of Wasaga Beach Zoning By-law.
- The proposed use is temporary in nature as it will exist for approximately 3 years, the structure is easy to remove when needed as it is not erected on a permanent base.
- The proposed use will be compatible with and have a minimal impact on the surrounding land uses.
- The proposed temporary Sales Centre does not require services as a portable washroom facility will be provided and temporary hydro.
- The Sales Centre does not encroach upon the wetland feature on the Subject lands, it is located over 40 metres away from the closest point of the wetland.
- In our professional planning opinion, the proposed temporary use is appropriate and represents good planning.



DATE: 7/15/2024
SUBJECT: Sale of Municipal Surplus Land
CONTACT: Kaitlyn Monsma, Economic Development Officer
REPORT NUMBER: 2024/07/29-05

RECOMMENDATION:

1. **THAT** the report titled: Sale of Municipal Surplus Land to the Special Council meeting of July 29th 2024, be received for information.

EXECUTIVE SUMMARY:

- In 2023, the Office of the CAO launched a project to identify surplus municipal land assets, leading to the classification of 14 properties for sale under Council Priority #58. This strategic initiative aims to enhance immediate cash flow and maximize asset value through proactive property management.
- Economic Development staff have identified and are prepared to sell nine surplus properties (Table A), while also assessing and providing estimated values for properties not yet classified as surplus (Table C), including those at Lyons and Ramblewood and 425 River Road West.
- The projected revenue from these property sales is expected to contribute significantly to the municipality's financial reserves, earmarked for Council priorities.

BACKGROUND:

In 2023, the Office of the CAO initiated a municipal land inventory project aimed at identifying potential surplus land assets. Led by the Economic Development staff as part of Council Priority #58, the project focused on assessing Town-owned properties to identify those suitable for surplus classification. At the Council meeting on October 26th, 2023, Council approved the surplus classification for 14 properties, marking a pivotal step toward facilitating their sale. The table below represents a selection of land now deemed surplus and ready for sale. This strategic move is expected to enhance immediate cash flow and realize increased value from these assets. Currently, staff is prepared to sell nine properties listed in Table A. Additionally, this report includes Table C, providing estimated values for municipal properties (#15) at Lyons and Ramblewood in the Business Park Area and (#14) 425 River Road West, which are not yet deemed surplus. Staff will continue exploring opportunities for these properties. Table B has a list of Surplus Land Not

Yet Ready for Sale due to the need for further action from staff such as severance and re-zoning. Staff plan to have these ready for sale as soon as possible.

As an update for the initiative, staff aims to provide approximate opinions of value prior to listing these properties for sale.

DISCUSSION:

Staff have been collaborating with a group comprised of staff and primary contacts from all major brokerages in Wasaga Beach to discuss our sales approach and gather feedback. This group includes:

- RE/MAX By The Bay Brokerage
- Royal LePage Locations North Brokerage
- Century 21 Millennium Inc. Brokerage

With the help of these brokerages, we have developed a sales approach that ensures an even distribution of property values, thereby spreading the revenue from the sales among representatives from all three brokerages. The brokerages have also worked together to assign approximate opinions of value prior to listing. Now that staff has these opinions of value, staff will hire the services of an accredited appraiser to ensure that the municipality lists the properties at the highest and most accurate value. Following this step, we will be listing the properties for sale in accordance with our Sale of Surplus Land Policy.

	Address	Roll Number	Zoning	Estimated # of Lots	Estimated Value
1	1067 Shore Lane	436401000122000	R1	4	
2	70 35th St N	436401000142800	R1	1	
3	78 35th St. N	436401000142900	R2	1	
4	101 Sunnidale Rd N	436401000140500	R1	1	
5	Dunkerron Ave.	436401000604300	R1	1	
6	Dunkeron Ave	436401000604100	R1	1	
7	Long dale Rd.	436401001147701	R1	2	
8	36th St. N	436401000139000	R0	1	
9	36th St. N	436401000138900	R1	1	
10	122 24 th Street North	43640100510300	R1	1	
Total					\$ 5,425,000.00

	Address	Roll Number	Zoning	Estimated # of Lots	Estimated Value
11	396 Mosley St.	436401000650800	CA	1	
12	Oak Dell Rd. Allowance	N/A	N/A R1	1	
13	246 Mosley Street	436401000657800	OS	1	
Total					\$ 325,000.00

	Address	Roll Number	Zoning	Estimated # of Lots	Estimated Value
14*	425 River Road West	436401001143900	I	N/A	
15	N/A - Lyons & Ramblewood	436401001507302	CS	N/A	
16	950 VETERANS WAY	436401001218000	OS & EP	N/A	
17	16 Dunkerron Avenue	436401000608600	CT	1-5	
Total					\$14,700,000.00

***Pending Council Decision on the old area at 425 River Road West**

The sale of these lands from both Table A, B and C is projected to generate an estimated total revenue of \$20,450,000.00.

CORPORATE IMPLICATIONS:

Financial Implications:

If approved, the proceeds generated from the sale of surplus properties will be allocated to the Land Reserve and Corporate Initiatives Reserve accounts. These funds will be utilized for future Council Priorities as directed by Council.

Term of Council Priorities:

The review of potential surplus land supports Council Priorities #58 and #35:

- Priority #58: Undertake a Review of Town Surplus Lands

CONCLUSION:

The sale of these land parcels are critical for efficient land management and revenue generation for the municipality. Staff will proceed with the sale of the surplus properties listed in Table A, pending the opinion of an accredited appraiser.

Authored by:

Kaitlyn Monsma,
Economic Development Officer

DATE: 7/29/2024

SUBJECT: Application for Zoning By-law Amendment (Z00324)
Owner/Applicant: Hamount Investments Ltd.
Municipal Address: 265 & 271 River Road East (no municipal address assigned to Block 29)
Legal Description: PLAN 51M923 BLK 26 & 29

CONTACT: Samantha Hannah, Planner I

REPORT NUMBER: 2024/07/29-06

RECOMMENDATION:

1. **THAT** the report titled: Application for Zoning By-law Amendment (Z00324) to the Special Council meeting of July 29, 2024, be received; and
2. **THAT** Council enact a Zoning By-law Amendment (Z00324), as recommended by Planning staff in this report.

EXECUTIVE SUMMARY:

- The application for Zoning By-law Amendment Z00324 was deemed complete on March 11, 2024. The application proposes a residential townhouse development consisting of 35 units with vehicular access from a common element condominium road.
- The subject lands are also subject to an application for Site Plan Control (SP0124), which was granted Conditional Approval on April 23, 2024, subject to a number conditions, including Zoning By-law Amendment application Z00324 being approved and in full force and effect.
- A statutory Public Meeting was held by the Town on April 11, 2024.
- Planning staff respectfully submits that the application is generally consistent with; or conforms to; applicable land use planning policies. The application would facilitate an infill/intensification development that represents good urban design. Planning Staff recommend approval of the Amendments.

BACKGROUND:

Subject Lands

The subject lands are legally described as PLAN 51M923 BLK 26 & 29, and are municipally addressed as 265 and 271 River Road East, no municipal address has been assigned to Block 29. The subject lands are currently vacant and have a total area of approximately 9,941 square metres

(0.99 ha), with a frontage of approximately 66.4 metres (217.85 feet) along Stonebridge Boulevard and approximately 140 metres (459.32 feet) along River Road East.

Surrounding land uses consist of:

- East: residential, modular homes and the Stonebridge Trail Loop
- North: residential and the Nottawasaga River
- South: residential and the Stonebridge Trail Loop
- West: residential, vacant lands and a stormwater management pond

A map illustrating the location of the subject lands is shown in **Figure 1 – Location Map**.

The subject lands are designated as “Neighbourhood” in the Town’s Official Plan, and are zoned “Residential Type 3 Exception 13 Hold” (R3-13H) in the Town’s Zoning By-law.

Proposal

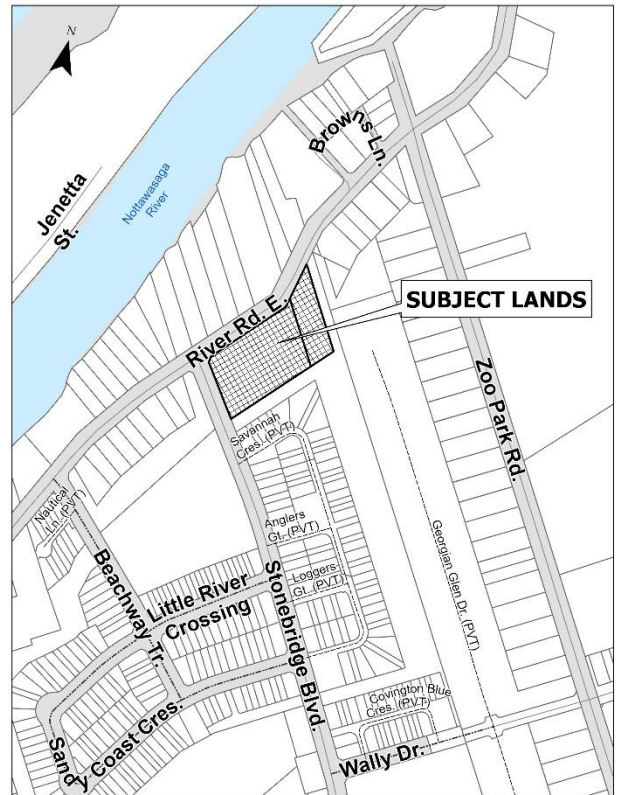
Zoning By-law Amendment application Z00324 was submitted by Hamount Investments Ltd. on February 23, 2024. For reference, a copy of the proposed Zoning By-law Amendment is appended to this report as ‘**Appendix 1**’. The proposed Zoning By-law Amendment is to facilitate the development of 35 townhouse dwellings, with vehicular access from a common element condominium road interior to the site.

The Zoning By-law Amendment as proposed seeks the following:

- For the purpose of this by-law, a private street shall be deemed a public street and for Unit 15 the side lot line abutting the private right-of-way shall be considered an interior side yard.
- Lot Area (minimum) shall be 160 sq. m
- Lot Frontage (minimum) shall be 5.45 metres
- Landscape Open Space (minimum) shall be 20%
- Lot Coverage (maximum) shall be 62%
- No play area shall be required
- Steps and/or accessibility ramps may encroach into any required front yard a maximum distance of 3.8 metres provided that such uses are not below grade or not more than 1.2 metres above grade within the required yard
- Non-abutting driveways may be established with a 0 metre setback along an interior lot line
- Abutting driveways may be established along an interior side lot line provided the abutting driveways do not exceed a combined width of 11 metres

The proposed Zoning By-law Amendment request has been amended following the Public Meeting specifically as it relates to the proposed step height within the required front yard, as well as the driveway setbacks and widths. As per Section 34(17) of the *Planning Act*:

Figure 1: Location Map



“Where a change is made in a proposed by-law after the holding of the public meeting mentioned in subclause (12) (a) (ii), the council shall determine whether any further notice is to be given in respect of the proposed by-law and the determination of the council as to the giving of further notice is final and not subject to review in any court irrespective of the extent of the change made in the proposed by-law.”

It is Planning staff’s opinion that the revised Zoning By-law Amendment requests do not require a further Public Meeting.

The subject lands are also subject to an application for Site Plan Control (File No. SP0124). On April 23, 2024 the Site Plan Application was granted Conditional Approval, subject to a number of conditions including Zoning By-law Amendment application Z00324 being approved and in full force and effect. For reference, please see ‘**Appendix 2**’ which contains the most recent associated Site Plan drawing. Please also see ‘**Appendix 3**’ for examples of the proposed building elevations.

The subject lands currently contain a Holding “H” provision, as a Site Plan Agreement is required for development of the lands. Planning Staff recommend that the Holding “H” provision be removed from the lands as part of this Zoning By-law Amendment, in order to permit development on the lands.

CONSULTATION:

The application was deemed complete on March 11, 2024, and Notice of Complete Application and Public Meeting was provided to external agencies, Town departments and the public on March 21, 2024. In addition to the above, on March 18, 2024 Planning staff circulated the 1st submission comment request memo to external agencies and Town departments. On April 11, 2024 a Town Public Meeting was held. Hamount Investments Ltd. (the Applicant) as well as Planning Staff provided presentations and further details with respect to the proposed Zoning By-law Amendment. On June 17, 2024 Planning staff circulated the 2nd submission comment request memo to applicable external agencies and Town departments.

A summary of oral and written comments/themes with responses is provided appended to this report as ‘**Appendix 4**’.

DISCUSSION:

LEGISLATION AND POLICY REVIEW

The Planning Act, R.S.O. 1990, c. P.13

The Ontario Planning Act (the “*Planning Act*”) establishes the authority for the province to issue policy statements that articulate matters of provincial interest for use in guiding municipal land use planning decisions. It also outlines the framework through which municipalities may develop Official Plans and Zoning By-laws (e.g. in conformity with provincial policies and applicable upper-tier policies), and articulates the processes through which a proponent can propose the development of lands (e.g. conforming to applicable policies, consulting with the public).

Under the *Planning Act*, the application for a Zoning By-law Amendment is required to be consistent with policy statements issued under Section 3 of the *Planning Act* and is required to conform with applicable provincial plans currently in effect (in this case the Growth Plan), or not conflict with them, as the case may be.

Matters of Provincial Interest

Section 2 of the *Planning Act* requires that regard must be had for matters of provincial interest. These matters include the protection of ecological systems, the efficient use of energy and water, orderly development of safe and healthy communities, adequate provision of a full range of housing, and the appropriate location of growth and development, among other matters.

In terms of the above, Planning staff specifically note that the subject lands are not located within or abutting Natural Heritage System Category 1 or 2 lands, and there are no known natural heritage features present on the property. An Environmental Impact Study (EIS) was prepared by Insight Environmental Solutions Inc. on February 8, 2024, which concludes that the property contains Non-Significant Woodland and part of a Headwater Drainage Feature (HDF).

As indicated within Figure 5: Existing Conditions of the EIS completed by Insight Environmental Solutions Inc. there are three Headwater Drainage Features (HDF) on, or within proximity to the subject lands. As indicated within the EIS prepared by Insight Environmental Inc. the management recommendation for Reach 1 is to “Maintain/Replicate Terrestrial Linkage”. Specifically, Insight Environmental Solutions Inc. note:

“The WOMM3 community containing most of Reach 1 (approximately 70m), outside of the Subject Properties, will remain intact. However, a small portion of Reach 1 (approximately 35m) that encroaches the southeast corner of the Subject Properties will be removed to accommodate the proposed development (Figure 6). Importantly, the removal of this small section of the HDF is not anticipated to have an adverse impact on drainage or connectivity, as the remaining swale will continue to move water through the remaining WOMM3 community.” (Page 49)

Further to the above, Insight Environmental Solutions Inc.’s management recommendation for Reach 2 is “No Management Required”, and the management recommendation for Reach 3 is “Conservation”. Specifically, with regard to Reach 3 Insight Environmental Solutions Inc. has noted the following:

“Reach 3, is situated outside the Subject Properties, and functions as an active drainage ditch for the surrounding communities and outlets to the Nottawasaga River through a series of storm sewers. As such, Reach 3 will be maintained in its current state, ensuring an open connection, with riparian vegetation until it enters the storm sewer system at River Road East (Figure 6). Additionally post-development drainage from Catchment Area 203 entering Reach 3 will be clean, passing through a grassed swale before reaching the culvert in the southeast corner of the property and ultimately draining into Reach 3. Therefore, the proposed development aligns with the management recommendation of “Conservation” and the tributary of Sturgeon Creek 4 (Reach 3) will continue to function as it currently exists.” (Page 50)

Within the EIS, Insight Environmental Solutions Inc. provides recommended mitigation measures to avoid impacts to natural heritage features, including woodland and Headwater Drainage Features. Further, Insight Environmental Solutions Inc., concludes that:

“An HDF Assessment was conducted on and adjacent to the Subject Properties which identified the appropriate management recommendations as per the TRCA/CVC Guidelines (2014)” (Page 57)

Insight Environmental Solutions Inc. further concludes that:

“Based upon the current assessment of the natural system on the Subject Property, together with a review of municipal and provincial policies; it is reasonable to conclude that some unavoidable impacts will occur. However, if the proposed mitigation measures are followed, the impacts will be minimized and acceptable. Therefore, the proposed development should be approved.” (Page 57-58)

A Flood Hazard Study was completed by Tatham Engineering on September 7, 2023 to delineate the flood hazard limit. Tatham Engineering noted that the Regulatory floodplain encroaches slightly into the southeast corner of Block 29, however Block 26 is out of the floodplain. The applicants advise within the Planning Justification Report that the proposed buildings, laneway, site accesses and new lot lines are fully outside the Regulatory floodplain. Planning Staff note that the NVCA provided comments on the first submission of Zoning By-law Amendment (Z00324) and Site Plan Application (SP0124) noting questions/concerns related to the flood study, stormwater management, water balance, groundwater, erosion and sediment control and fill management. At the time of writing this Staff report second submission comments have not been received from the NVCA although they are anticipated shortly. Planning staff note that these concerns can be addressed through the Town’s site plan approval process and the NVCA’s development permit process.

The subject lands are located within an identified Settlement Area with municipal water and sewer services readily available, and the lands are already designated “Neighbourhood” in the Town’s Official Plan. The development will increase the overall supply and range of residential units within the Town’s delineated built boundary.

Planning Staff have no concerns with respect to provincial interests outlined under Section 2 of the *Act*.

Provincial Policy Statement, 2020

The Provincial Policy Statement, 2020 ("PPS") provides policy direction on land use planning and development throughout Ontario. The policies set out how land and resources should be managed over time to promote building strong communities that contribute to a more effective and efficient land use planning system. The *Planning Act* requires that municipal decisions on land use planning matters in Ontario be consistent with the policies of the PPS.

Section 1.1.1 of the PPS states that *“Healthy, liveable and safe communities are sustained by:*

- a) promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;*
- b) accommodating an appropriate affordable and market-based range and mix of residential types (including single-detached, additional residential units, multi-unit housing, affordable housing and housing for older persons), employment (including industrial and commercial), institutional (including places of worship, cemeteries and*

- long-term care homes), recreation, park and open space, and other uses to meet long-term needs;*
- c) avoiding development and land use patterns which may cause environmental or public health and safety concerns;*
 - d) avoiding development and land use patterns that would prevent the efficient expansion of settlement areas in those areas which are adjacent or close to settlement areas;*
 - e) promoting the integration of land use planning, growth management, transit-supportive development, intensification and infrastructure planning to achieve cost-effective development patterns, optimization of transit investments, and standards to minimize land consumption and servicing costs;*
 - f) improving accessibility for persons with disabilities and older persons by addressing land use barriers which restrict their full participation in society;*
 - g) ensuring that necessary infrastructure and public service facilities are or will be available to meet current and projected needs;*
 - h) promoting development and land use patterns that conserve biodiversity; and*
 - i) preparing for the regional and local impacts of a changing climate.*

The development is consistent with Section 1.1.1 of the PPS as the lands are located within a Settlement Area and would develop an underutilized and vacant site with residential dwelling units. The development would further contribute to a range and mix of residential unit types found now within the surrounding area.

The development is consistent with Section 1.1.3 of the PPS, which sets out that Settlement Areas shall be the focus of growth and development in the Province. Land use patterns within settlement areas shall efficiently use land and resources as well as infrastructure and public service facilities. Further, land use patterns shall support active transportation and be transit-supportive. The subject lands will utilize existing municipal infrastructure (i.e. water and sanitary sewer) and allow for efficient use of land and municipal services. The development includes a land use that is efficient and complementary to the existing surrounding uses, and could support active transportation due to the proximity to the Stonebridge Trail Loop.

The development is also consistent with Section 1.4 of the PPS, which encourages a range and mix of housing options and densities, including residential intensification and redevelopment which efficiently use land, infrastructure and public services that are or will be available in the area.

Section 1.6.6.2 of the PPS directs that growth be accommodated by municipal sewage services and municipal water services to promote the optimization of existing services. This project will be fully serviced with municipal sewer and water.

Section 1.6.7 of the PPS states that transportation systems should be provided which are safe, energy efficient, facilitate the movement of people and goods, and are appropriate to address projected needs. A condominium road is proposed for the development with access from Stonebridge Boulevard and River Road East. A Traffic Impact Brief was prepared by Tatham Engineering on December 13, 2023, and summarized the following:

“Results of the operational analysis indicate that the study area intersection currently provides excellent operations (LOS B or better) and is expected to continue to provide excellent operations (LOS B or better) through the 2028 horizon. No improvements are required to accommodate the proposed development.” (Page 13)

Section 2.1 of the PPS states that natural heritage features and areas shall be protected for the long term. The subject lands are not identified as being within or abutting Natural Heritage System Category 1 or 2 lands and there are no known natural heritage features present on the property. As noted above, the EIS completed by Insight Environmental Solutions Inc. concludes that the property contains a Non-Significant woodland, and part of an HDF feature. With regard to fish habitat, Insight Environmental Solutions Inc., notes that fish habitat (Nottawasaga River) is located approximately 110 metres to the north of the subject lands. However, Insight Environmental Solutions Inc. further notes:

“As Reach 1 and 2 of the HDF found on the Subject Properties was mostly dry during the spring and summer site visits, and Reach 3 is connected downstream via storm sewers, it is highly unlikely that this feature can support a fish community at any point in the year.” (Page 48)

Further to the above Insight Environmental Solutions Inc. have noted that the MNRF – make a map: natural heritage areas internet application indicates that the subject lands do not contain any Natural Heritage Features. Further to the above, Insight Environmental Solutions Inc. have noted that the Eastern Hog-nosed snake has not been observed in the 1 km square surrounding the subject properties for over 13 years, and it is unlikely that this species would be utilizing the subject property.

Section 2.2 of the PPS requires the protection of water quality and quantity. The lands are located within an Area of High Aquifer Vulnerability and within Well Head Protection Area-B: 2 Year Capture Zone and Well Head Protection Area-C: 2-10 Year Capture Zone. However, as noted in the Pre-Consultation Meeting Comments from the Town’s Public Works Department, as the proposed use is residential a Notice to Proceed will be issued by the Town’s Risk Management Official (RMO).

Section 3.0 of the PPS requires that development be directed away from areas of natural or human-made hazards, where there is unacceptable risk. As noted above, a Flood Hazard Study has been completed by Tatham Engineering for the proposed development. The Planning Justification Report prepared by Hamount Investments Ltd., notes that the proposed buildings, site accesses, laneway and lot lines are outside of the natural hazard land. Planning Staff recognize that the subject lands are partially regulated by the Nottawasaga Valley Conservation Authority (NVCA) and will require an NVCA permit for any development on the lands. At the time of writing this Staff report second submission comments have not been received from the NVCA although they are anticipated shortly. Planning staff note that these concerns can be addressed through the Town’s site plan approval process and the NVCA’s development permit process.

The development is consistent with Section 3.2 as there are no known human-made hazards identified on the subject lands.

Planning Staff are satisfied that the proposal is consistent with the policies of the Provincial Policy Statement and note that appropriate implementation measures can be included through needed future agreements.

A Place to Grow: Growth Plan for the Greater Golden Horseshoe, 2020

The Growth Plan for the Greater Golden Horseshoe, 2020 ("Growth Plan") builds upon the policy foundation established under the Provincial Policy Statement and provides a framework for

implementing the Province’s vision for building stronger, prosperous communities by better managing growth in the region. The *Growth Plan* directs growth to settlement areas and prioritizes intensification to ensure land and existing infrastructure is used efficiently. Concentrating development in settlement areas creates a focus for investment, transit and public service facilities to support a more diverse range and mix of housing options. All land use planning decisions within the Greater Golden Horseshoe plan area shall conform to the policies of the *Growth Plan*. Within the framework of the *Growth Plan*, the Town of Wasaga Beach is considered a Settlement Area and is located within the Outer Ring.

Section 2.2.1 of the Growth Plan provides policy direction related to managing growth. Under this section, growth is directed to Settlement Areas which:

“...have a delineated built boundary; have existing or planned municipal water and wastewater systems; and can support the achievement of complete communities;” (S. 2.2.1.2 (a)).

Complete communities are intended to provide a range and mix of housing options and compact built form, while expanding access to transportation options, public service facilities, and other basic needs. The development will contribute towards the achievement of a complete community as it is located within the built boundary of a Settlement Area, it will be serviced by municipal water and sewer, and is located in proximity to a variety of services.

Section 2.2.2 of the Growth Plan directs that the County of Simcoe shall:

“...establish the minimum percentage of all residential development occurring annually that will be within the delineated built-up area, based on maintaining or improving upon the minimum intensification target contained in the applicable upper- or single-tier official plan.” (S.2.2.2 (b)).

The development is located within the built boundary of a Settlement Area. The development will increase the supply of residential units within the Town’s built boundary, and assist in meeting intensification targets for the County.

Section 2.2.6 of the Growth Plan includes policies with regard to housing. Specifically, Section 2.2.6.1 a) i. states that municipalities will:

“support housing choice through the achievement of the minimum intensification and density targets in this Plan, as well as the other policies of this Plan by identifying a diverse range and mix of housing options and densities...” (S. 2.2.6.1 a) i.).

The development will assist in the Town’s achievement of set intensification targets by adding to the range and mix of housing options.

Planning Services staff are satisfied that the proposed development conforms to the policies of the *Growth Plan*.

Simcoe County Official Plan (2023)

The Simcoe County Official Plan ("SCOP") represents the vision for land use and development patterns across the County and further implements the direction of the *Growth Plan* with respect to establishing minimum intensification targets for lower-tier municipalities. The SCOP provides a

policy framework with which development applications under the *Planning Act* must conform. In the framework of the SCOP, the subject lands are located within the built-boundary of an identified Settlement Area, as per Schedule 5.1 of the SCOP.

Section 3.2.4 states:

“The majority of population and employment growth will be directed to settlement areas with full municipal water services and municipal sewage services...” (S.3.2.4)

The subject lands are located within a Settlement Area where municipal water and sewer services are available.

Section 3.3.4 of the SCOP notes:

“Lots may be created only where they have access to and frontage on a public highway and where an access permit to that highway can be obtained in accordance with the policies of this Plan and the County of Simcoe, the Province of Ontario, or local municipalities. Exceptions may occur in plans of condominium where the condominium development has access to a public highway...” (S.3.3.4).

The subject lands have frontage along a Collector Road (Stonebridge Boulevard) and an Arterial Road (River Road East) as per Schedule ‘B’ Transportation Systems of the Town’s Official Plan. The future condominium development would have a private laneway from Stonebridge Boulevard and River Road East which would provide access to the proposed townhouse dwellings.

Section 3.3.15 of the SCOP provides policies regarding Natural Heritage. Specifically, policy 3.3.15 vi. a. states:

“Despite anything else in this Plan, except Section 4.4 as it applies to mineral aggregate operations only, development and site alteration shall not be permitted: On adjacent lands to the natural heritage features and areas listed above, unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. Adjacent lands shall generally be considered to be: within 120 metres of habitat of endangered species and threatened species, significant wetlands, significant coastal wetlands, wetlands 2.0 hectares or larger determined to be locally significant by an approved EIS, significant woodlands, significant wildlife habitat, significant areas of natural and scientific interest – life science, significant valleylands, and fish habitat” (S.3.3.15 vi.a.)

As noted above an EIS was completed by Insight Environmental Solutions which concluded that the property contains a Non-Significant woodland, and part of an HDF feature. Insight Environmental Solutions Inc. notes that the Nottawasaga River which contains fish habitat, is located approximately 110 metres to the north of the subject lands. However, it was found that the HDF is unlikely to support a fish community at any point in the year. The EIS, further notes that a 10 metre natural buffer exists from Reach 3 of the HDF to the eastern edge of the subject properties, which will continue to adequately protect the remaining HDF feature.

Per Section 3.5 “Settlements”, Settlement Areas are the focus of population and employment growth in the County. Objectives include developing a compact urban form that efficiently uses land and existing services, promote development forms that minimize land consumption and

servicing costs, and promote communities that are in proximity to amenities, services and transit. Section 3.5.25 identifies that 20% of all new residential units occurring annually are to be within the built boundaries of the settlement area. Further Section 3.5.31 notes, that in the development of Settlements that a range of types of housing should be provided, including townhouses.

Within Section 4.1 the SCOP provides policies regarding the development of healthy and complete communities. Specifically Section 4.1.6 requires that a range of housing types and densities are provided, and Section 4.1.7 requires that housing development is within suitable locations which offer a range of services and proximity to jobs, key services and infrastructure. The proposed development is located within the Downtown Wasaga Community Improvement Project Area, with access to a range of services and amenities. The development would contribute towards providing a further range of housing types within this area of Town, which currently contains single-detached dwellings, townhouses and residential modular homes. The proposed development would also connect to municipal water and sewer.

Section 4.5 of the SCOP provides policies on resource conservation, specifically, Section 4.5.6 notes the following:

“Aquifers, headwater areas, and recharge and discharge areas shall be identified and protected in the policies and maps of local municipal official plans and/or through the development and subdivision approval process. Development should generally be directed away from areas with a high water table and/or highly permeable soils. In settlement areas or other development centres where this is not possible, potential environmental impacts shall be mitigated using all reasonable methods.” (S.4.5.6)

Further to the above, Section 4.5.9 b) of the SCOP notes:

“Development shall generally be directed to areas outside of: hazardous lands adjacent to river, stream and small inland lake systems which are impacted by flooding hazards and/or erosion hazards.” (S.4.5.9 b))

As noted above, an EIS and Flood Hazard Study have been completed in support of the applicants Zoning By-law Amendment and Site Plan applications. The EIS has provided recommended mitigation measures for the HDF feature. The EIS found that while some unavoidable impacts will occur, if the proposed mitigation measures are followed, the impacts will be minimized and acceptable. At the time of writing this Staff report second submission comments have not been received from the NVCA although they are anticipated shortly. Planning staff note that these concerns can be addressed through the Town’s site plan approval process and the NVCA’s development permit process.

Planning Staff are satisfied that the proposed development conforms to the policies of the Simcoe County Official Plan.

Town of Wasaga Beach Official Plan (2004)

The Town’s Official Plan (“WB OP”) represents the local vision for land use and development patterns within the Town. The *WB OP* provides a policy framework with which development applications under the *Planning Act* must conform. The subject lands are located within the Town’s delineated built-boundary and are designated “Neighbourhood” per Schedule ‘A-10’ of the *WB OP*.

Section 13.4.10.8 g) provides specific policies regarding Headwater Areas. Planning Staff note that the HDF features on and adjacent to the subject properties were evaluated within the EIS prepared by Insight Environmental Solutions Inc., and specific mitigation measures for HDF features have been included in the EIS.

Downtown Wasaga Beach – Neighbourhood Designation

Section 22.3.1.4 of the Town's Official Plan recognizes that the area defined as the "River Road East Corridor" where the subject lands are located, will transition to residential use over time. It is further noted, that new buildings within the River Road East Corridor are expected to be located close to the River Road East street line, with rear accessed parking. Further to the above, Section 22.3.1.5 identifies two categories of "Neighbourhood" within the downtown being "interior" and "exterior" neighbourhoods. The subject lands are considered to be located within the "exterior" category of the Neighbourhood designation, where new medium density residential development including townhouse dwellings are intended to be located.

Under Section 22.4.4.1 of the Town's Official Plan, Medium Density Residential uses shall be permitted within the "Neighbourhood" designation including triplex dwellings, fourplex dwellings, row or block or stacked or back-to-back townhouse dwellings, converted dwellings containing more than two dwelling units, and low-rise apartments among other residential, commercial and community uses. The application proposes 35 townhouse dwelling units and a common element condominium road.

Under Section 22.4.4.2 (q) of the Town's Official Plan, Medium density residential uses shall be compatible with adjacent uses (e.g. density, height and character) and have frontage on an Arterial or Collector road among other requirements. The proposed development has frontage along River Road East an Arterial roadway and Stonebridge Boulevard a Collector roadway. Surrounding land uses include townhouse dwellings, single-detached dwellings, residential modular homes and open space lands containing the Stonebridge Trail Loop. The development has a proposed density of 36 units per net residential hectare, which would be considered medium density as per Section 5.2.5 (b) of the Town's Official Plan. No relief is requested to increase the height of the proposed townhouse buildings, from what is permitted within the parent Residential Type 3 (R3) Zone.

Planning Staff are satisfied that the proposed development generally conforms to the policies of the Town's Official Plan.

Town of Wasaga Beach Zoning By-law 2003-60

The subject lands are currently zoned "Residential Type 3 Exception 13 Hold" (R3-13H) within the Town of Wasaga Beach Comprehensive Zoning By-law 2003-60, as amended. Street Townhouse dwellings are a permitted use within the R3-13 Zone.

To facilitate the proposed development, the submitted Zoning By-law Amendment proposes to amend Section 6.4.13 of the Zoning By-law by adding and/or replacing identified site-specific provisions, and including the following zoning provisions:

Street Townhouse Dwelling Unit

- For the purpose of this by-law, a private street shall be deemed a public street and for Unit 15 the side lot line abutting the private right-of-way shall be considered an interior side yard.
- Lot Area (minimum) shall be 160 sq. m

- Lot Frontage (minimum) shall be 5.45 metres
- Landscape Open Space (minimum) shall be 20%
- Lot Coverage (maximum) shall be 62%
- No play area shall be required
- Steps and/or accessibility ramps may encroach into any required front yard a maximum distance of 3.8 metres provided that such uses are not below grade or not more than 1.2 metres above grade within the required yard
- Non-abutting driveways may be established with a 0 metre setback along an interior lot line
- Abutting driveways may be established along an interior side lot line provided the abutting driveways do not exceed a combined width of 11 metres

The subject lands currently contain a Holding “H” provision. Planning Staff recommend that the Holding “H” provision be deleted as part of the Zoning By-law Amendment, in order to permit future development on the lands. This is in recognition that Conditional Site Plan approval has been granted for the lands, subject to conditions.

Lot Area

Within the current Residential Type 3 Exception 13 (R3-13) Zone, a minimum lot area of 164 square metres is required for street townhouse dwellings. The intent of the minimum lot area provisions is to set standards of development for adequate area to accommodate the requested form of development.

The applicants are requesting a minimum lot area of 160 square metres for street townhouse dwelling units.

160 square metres is a minor deviation from the lot areas currently permitted within the R3-13 Zone. Based on the site plan provided the proposed townhouse lots can maintain a sufficient building envelope and space for the form of development proposed. Further, lands to the south of the subject lands across the Stonebridge Trail Loop are zoned Residential Type 3 Exception 20 (R3-20), where a minimum lot area of 145 square metres is permitted for street townhouse dwellings.

Lot Frontage

Within the Residential Type 3 (R3) Zone a minimum lot frontage of 7 metres is required for street townhouse dwellings. The intent of the minimum lot frontage is to ensure that the proposed built form can be reasonably expected to be developed and accommodated on the site of the lot proposed.

The Applicant is proposing a minimum lot frontage of 5.45 metres for the proposed street townhouse dwellings.

The R3-13 Zone currently permits a minimum width per unit of 5.45 metres for street townhouse dwellings, however in order to realize the minimum width per unit, the lot frontage measurement must also reflect this reduction. Further, lands to the south of the subject lands zoned R3-20, permit a minimum lot frontage of 4 metres for townhouse and street townhouse dwellings.

Private Roadway and Unit 15 Side Yard Setback

The applicants have requested relief from Section 3.18 of the Zoning By-law in order to deem the proposed private street to be a ‘Street’ as defined in the Zoning By-law, in order to permit street

townhouses to be developed. Further, the applicants have requested relief to recognize the side lot line abutting the private right-of-way for Unit 15 to be considered an interior side yard, whereas lot lines immediately adjoining a street are considered an exterior side yard.

Based on the site plan provided, Unit 15 has a proposed minimum side yard setback of 2.11 metres to the exterior lot line (proposed interior lot line), whereas within the R3-13 Zone a minimum exterior side yard setback of 3.5 metres is required for street townhouse dwellings. The intent of the minimum exterior side yard setback is to ensure sufficient setback from the travelled roadway for safety purposes, allow for general property maintenance, provide a standard of development and support an appropriate streetscape.

It is not anticipated that that the recognition of the lot line abutting the proposed roadway for Unit 15 as an interior lot line would negatively impact the standard of development in the area or the ability for a future owner to maintain the property. Further to the above, in addition to the minimum 2.11 metre setback indicated on the site plan, the lot is further separated from the proposed private roadway by a sidewalk and visitor parking.

Landscaped Open Space and Lot Coverage

Within the parent R3 Zone for street townhouses a maximum lot coverage of 45% is permitted, and a minimum landscaped open space of 30% is required. The intent of the maximum lot coverage provisions is to set a standard of development, ensure drainage is maintained on the subject property, limit over-development on properties and to provide space for general landscaping features and amenities.

The Applicant's are proposing a maximum lot coverage of 62%, and a minimum landscaped open space of 20% for the proposed street townhouse dwellings. Street townhouse dwellings within the R3-20 zone to the south of the subject lands are permitted a maximum lot coverage of 60%. The proposed townhouse dwelling units contained within buildings 4-6 all contain private rear yard amenity areas. While, the parking is located at the rear for the townhouse units proposed within buildings 1-3, landscaped open space is proposed at the front of the dwellings facing River Road East. Further to the above, the overall building coverage proposed for the development is 39.46% and the overall landscaped area proposed for the development is 35.29%.

The Town's Public Works Department has noted that recognizing that the design of the stormwater management (SWM) facility is sufficient to control the runoff for the proposed amount of hard surface coverage, Engineering Staff are not opposed to the lot coverage request. Planning Staff advise that Stormwater Management, drainage and landscaping design/details will be addressed through the ongoing site plan process.

Front Yard Encroachments and Height for Stairs

As per Section 3.3.6 of the Zoning By-law, steps and/or accessibility ramps to an entrance may project into any required front yard a maximum distance of 1.2 metres provided that such uses are not below grade or not more than 0.6 metres above grade within the required yard.

The purpose of maximum front yard encroachments and step height is to provide enough space for parking, maintain an acceptable distance from the roadway, and allow for property maintenance and to set a standard of development.

The Applicant's have requested relief to permit steps and/or accessibility ramps to encroach into any required front yard a maximum distance of 3.8 metres provided that such uses are not below grade or not more than 1.2 metres above grade within the required yard. The proposed front yard encroachment would not interfere with the functionality of the proposed driveway, and is not anticipated to negatively impact property maintenance or the standard of development within the area.

Driveways

Section 3.38.2.10 of the Town's Zoning By-law requires that driveways maintain a minimum 1.0 metre setback to a side lot line, however abutting driveways may be permitted along a common lot line if their combined width does not exceed 9 metres.

The Applicant's have requested that non-abutting driveways be established with a 0 metre setback along an interior lot line. Further, the Applicant's have requested that abutting driveways be established along an interior side lot line provided the abutting driveways do not exceed a combined width of 11 metres.

Planning Staff are of the opinion that the 0.0 metre driveway setback to interior side yards for non-abutting driveways is appropriate for these proposed townhouses. Further, Planning Staff do not have concerns regarding the 2 metre increased driveway width for abutting driveways.

Play Area

As each of the proposed units is proposed to include an outdoor amenity area, and each lot is to be a freehold townhouse, a shared "play area" is not required. Further, the subject land are located within an existing Plan of Subdivision. The Plan of Subdivision agreement (2008) outlined parkland and parkland improvement requirements, which the Applicant's note have been satisfied. The Applicant's have further identified that the subject lands are in proximity to a temporary ball hockey court located at Wally Drive/Stonebridge Boulevard, the Stonebridge Trail network, the Wasaga Beach Provincial Park – Beach Area 1, Mills Park and the Stonebridge community amenities (i.e. pool, community centre, etc.).

Urban Design Guidelines for Townhouse and Apartment Built Form, 2017

The Town recognizes that the predominant form of housing in Wasaga Beach has primarily been single-detached dwellings. The development pattern has shifted towards a more complete range of housing types including townhouse dwellings. There are urban design guidelines dedicated to best practices in implementing townhouse and apartment dwellings (the "Townhouse and Apartment Guidelines") in the Town. The Townhouse and Apartment Guidelines are applied to new and infill townhouse and low-rise apartment buildings in the Town and provide direction for the streetscape, site, and building design that maintains compatibility with and respects existing neighbourhoods.

Building Orientation

Section 2.1.1 of the Urban Design Guidelines states:

"Orient buildings towards the public realm to contribute to an active pedestrian environment and healthy streetscape. Garages and parking areas are encouraged to be located in the rear of a townhouse dwelling, where possible, to maintain a safe and attractive public realm."

Further, Section 2.1.2 notes:

*“Front yard paths should provide direct access to each unit or common entrance from the sidewalk.”
(S.2.1.2)*

Additionally, Section 2.1.5 notes:

“Position buildings to face one another with a front-to-front and back-to-back relationship. Avoid back-to-front facing relationships and rear yards fronting a public street, where possible.”

The proposed site plan layout for the design will orient buildings towards the public realm being River Road East, and will locate garages/parking to the rear of the proposed buildings fronting on River Road East, with access from a private condominium road. Moreover, as shown on the Applicant’s concept Site Plan, walkways are proposed at the front of the townhouse dwelling units along River Road East. While the proposed townhouses face back-to-front, the main accesses for all of the townhouses is proposed to be from the condominium road, and the ‘rear yard’ of buildings 1-3 will function as a front yard.

Setbacks and Separation Distances

Section 2.3.1 of the Urban Design Guidelines states:

“ Front yard setbacks for townhouse units should be a minimum of 4.5 metres or context. Where front integral garage parking is provided, the garage portion of the building should be setback 6.0 metres...”

Within the R3-13 Zone a minimum front yard setback of 4.5 metres to the main building face and 6 metres to the garage is permitted for street townhouse dwellings. The proposed townhouse dwelling units within buildings 4-5 that include parking within the front of the property will comply with guideline 2.3.1 of the Urban Design Guidelines.

Landscaping

Section 2.6.2 of the Urban Design Guidelines states:

“A minimum of 50% of the front yard should consist of soft landscaping. Landscaping plans for front yards should include tree-planting with one tree planted per unit, ensuring a minimum soil volume of 30 cubic metres to maintain the long-term health of new trees”

Based on the site plan provided, approximately half the proposed lots will have front yards exceeding 50% landscaped open space, with the minimum front yard landscaped area being 27.01% for Unit 32. Based on the landscape plan provided 22 lots are proposed to include a tree within the front yard. The landscape plan indicates that 59 trees are proposed in total for the proposed development.

Vehicle Access

Section 3.2.3 of the Urban Design Guidelines encourages a single point of access onto arterial or collector roads for townhouse units. Moreover, Section 3.3.1 identifies that front driveways and garages should be avoided for street-related townhouses, and parking should be located at the rear of the units and accessed from a laneway/driveway. As identified throughout the Staff report, a single point of access in the form of a private laneway is proposed for the townhouse units. Section 3.3.7 encourages sufficient visitor parking that is centrally located with access to

sidewalks/pathways. Within the site plan, 9 visitor parking spaces have been indicated, with access to the proposed sidewalk within the development.

The proposed townhouse development achieves good urban design and is supported with the requested zone provisions.

Downtown Wasaga Beach Urban Design Guidelines

The purpose of the Downtown Urban Design Guidelines is to provide urban design direction and guidance for proposed developments in the Downtown at the Planning Application Stage. The intent is to provide high standards of urban design for both the private and public realm development and spaces.

3.1.1 Massing, Height and Setback

The above noted guideline section, requires that buildings be oriented to address the street and provide entrances connecting to sidewalks. Further, buildings located on corner lots should be designed to address both street frontages.

3.3 Townhouses & Stacked Townhouses

The above noted guideline section, requires that the main front entry shall be oriented to the front lot line or higher order street, and where a unit flanks a laneway, the main entrance shall face the public street. Further to the above, townhouse units with rear lane accessed garages are preferred.

The proposed townhouse development represents good urban design, and is supported with the requested zone provisions.

CORPORATE IMPLICATIONS:

A review of the Term of Council Priorities (TOCP's) was undertaken, it is the opinion of Planning Services staff that the TOCP's are not applicable to the proposed development.

CONCLUSION:

In consideration of the public, agency and department comments received and the policy analysis provided above, it is the opinion of the author of this report that the application for Zoning By-law Amendment (Z00324):

- Satisfies the Provincial interests outlined under Section 2 of the *Planning Act*.
- Is consistent with or does not conflict (as applicable) to policies of the Provincial Policy Statement
- Conforms to the policies of the:
 - Growth Plan for the Greater Golden Horseshoe, 2020, as amended;
 - Simcoe County Official Plan, 2023, as amended; and,
 - Town of Wasaga Beach Official Plan (2004), as amended.

Accordingly, Town staff recommend that Council approve the requested Zoning By-law Amendment (Z00324).

Authored by:

Samantha Hannah, BES
Planner I

Appendices:

Appendix 1: Draft Zoning By-law Amendment

Appendix 2: Site Plan

Appendix 3: Proposed Building Elevations

Appendix 4: Comment / Response Summary

THE CORPORATION OF THE TOWN OF WASAGA BEACH

BY-LAW 2024-61

A By-law to amend Town of Wasaga Beach Comprehensive Zoning By-law No. 2003-60, as amended

WHEREAS pursuant to Section 34 of the *Planning Act*, R.S.O., 1990, c. P.13, as amended, the Council of the Town of Wasaga Beach has passed a comprehensive Zoning By-law No. 2003-60 for the Town of Wasaga Beach;

AND WHEREAS an application to amend By-Law No. 2003-60 has been received with respect to lands described as PLAN 51M923 BLK 26 & BLK 29, and municipally addressed as 265 and 271 River Road East (no municipal address assigned to Block 29) in the Town of Wasaga Beach, County of Simcoe;

AND WHEREAS Section 34 of the *Planning Act*, R.S.O., 1990, c. P.13, as amended, permits a Council to pass a by-law that prohibits the use of lands, buildings or structures within a defined area or areas;

AND WHEREAS pursuant to Section 34(17) of the *Planning Act*, R.S.O., 1990, c. P.13, as amended, Council determines that no further notice is required in respect of the proposed by-law;

AND WHEREAS Council deems it advisable and expedient to amend Zoning By-Law No. 2003-60;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF WASAGA BEACH HEREBY ENACTS AS FOLLOWS:

1. That Schedule 'N' to By-law 2003-60 as amended is hereby further amended by modifying the Residential Type 3 Exception 13 Holding (R3-13H) Zone to the Residential Type 3 Exception 13 (R3-13) Zone as modified, as shown on Schedule 'A' attached hereto.
2. That Section 6.4 of Zoning By-law 2003-60 is further amended by adding to and/or replacing identified site-specific provisions with the following Section to create a modified exception zone, as follows:

"6.4.13 R3-13 Zone, Schedule 'N'

For the purpose of this by-law, a private street shall be deemed a public street and for Unit 15 the side lot line abutting the private right-of-way shall be considered an interior side yard.

Notwithstanding Sections 6.3.1 a), 6.3.2 a), 6.3.8, 6.3.9 a), and 6.3.13 of the Residential Type 3 (R3) Zone, and Sections 3.3.6, and 3.38.2.10 of the General Provisions, the following provisions apply:

Street Townhouse Dwelling Unit

Lot Area (minimum) shall be 160 sq. m; Lot Frontage (minimum) shall be 5.45 metres;

Landscape Open Space (minimum) shall be 20%; Lot Coverage (maximum) shall be 62%; and no play area shall be required.

Steps and/or accessibility ramps may encroach into any required front yard a maximum distance of 3.8 metres provided that such uses are not below grade or not more than 1.2 metres above grade within the required yard; non-abutting driveways may be established with a 0 metre setback along an interior lot line; and abutting driveways may be established along an interior side lot line provided the abutting driveways do not exceed a combined width of 11 metres.

3. That Schedule 'A' shall form part of this By-law.
4. That all other respective provisions of Zoning By-law 2003-60, as amended, shall apply.
5. That this By-law shall come into force and effect in accordance with the provisions of the *Planning Act*, R.S.O., 1990, c. P.13.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 29th DAY OF JULY, 2024.

THE CORPORATION OF THE TOWN OF WASAGA BEACH

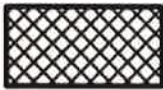
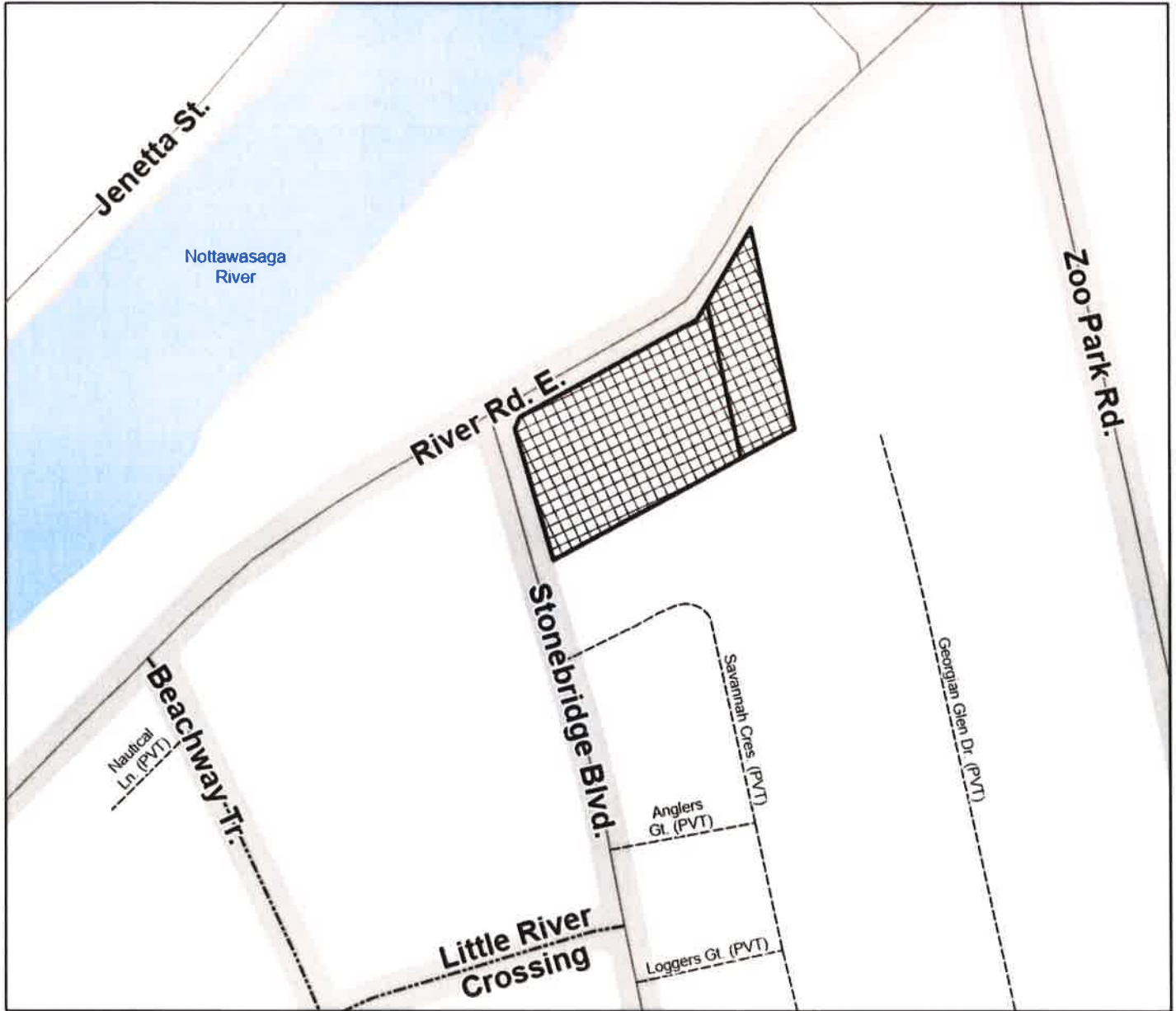
Brian Smith, Mayor

Nicole Rubli, Director, Legislative Services & Clerk



Town of Wasaga Beach

Schedule 'A'

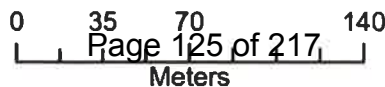


Lands Rezoned from Residential Type 3 Exception 13 Hold (R3-13H) to Residential Type 3 Exception 13 (R3-13)

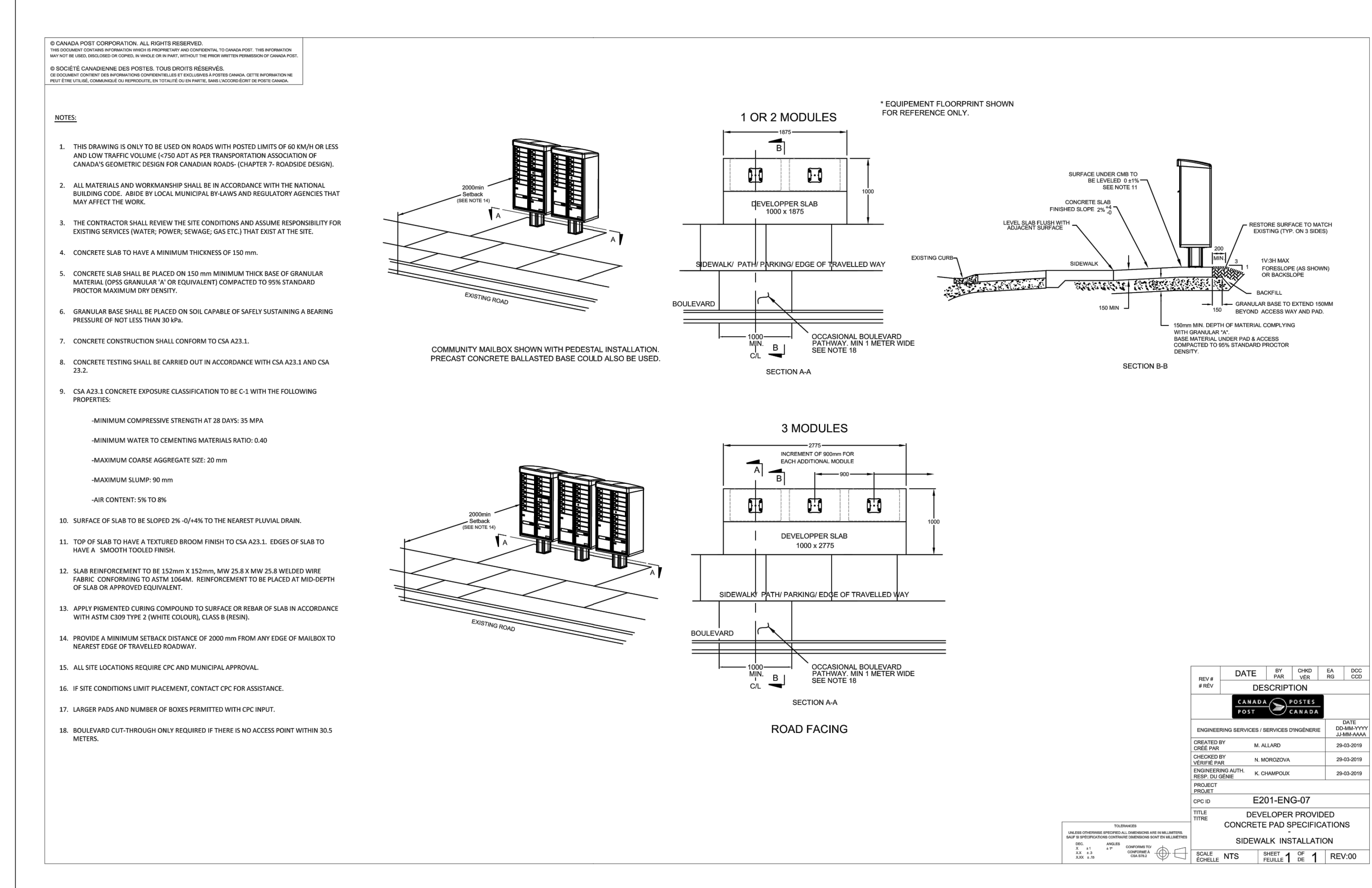
This is Schedule 'A' to By-Law _____
 Passed the ___ day of _____,
 Signatures of Signing Officers

Member _____

Member _____



SITE STATS																				
LOT NO.	LOT AREA (M ²)	FRONTAGE (M)	MODEL NAME	ELEV.	MODEL WIDTH (M)	MODEL GFA (M ²)	PROPOSED BLDG. HT. (M)	BUILDING AREA (M ²)	LANDSCAPE COVERAGE (%)	OVERALL LANDSCAPE AREA (%)	FRONT YARD AREA (M ²)	PORCH DEPTH (M)	FRONT YARD WALKWAY AREA (M ²)	PORCH AREA (M ²)	FRONT YARD LANDSCAPE (M ²)	DRIVEWAY AREA (M ²)	DRIVEWAY PER LOT AREA			
BUILDING 1																				
1	403.81	11.64	DF-2C	A	6.86	182.40	9.50	128.00	31.70	216.69	53.66	56.73	1.47	7.06	3.97	45.70	80.56	37.27	9.23	
2	211.77	6.86	DF-1	A3	6.86	170.70	9.65	124.90	58.98	42.73	20.18	49.10	1.78	8.68	4.85	34.57	70.41	32.53	15.36	
3	211.98	6.86	DF-1	A2	6.86	170.70	9.50	124.90	58.92	43.90	20.24	49.41	1.78	9.76	4.85	34.80	70.42	32.53	15.35	
4	212.20	6.86	DF-1	A1	6.86	170.70	9.50	124.90	58.86	43.04	20.28	49.63	1.78	9.86	4.85	34.95	70.42	32.53	15.33	
5	275.62	8.90	DF-2E	A	6.55	174.10	9.50	124.20	45.06	92.53	33.57	52.19	1.47	7.53	3.67	40.99	78.54	37.74	13.68	
SUB-TOTAL	1315.38								457.89	332.29								172.60	13.12	
BUILDING 2																				
6	275.97	8.90	DF-2E	B	6.55	172.70	9.50	123.40	44.72	93.35	33.83	53.15	1.47	7.23	4.34	41.58	78.23	38.17	13.83	
7	212.96	6.86	DF-1	B2	6.86	170.70	9.12	124.90	58.65	43.42	20.39	49.92	1.78	9.87	4.85	35.20	70.51	32.88	15.44	
8	213.96	6.86	DF-1	B1	6.86	170.70	9.35	124.90	58.38	43.55	20.35	50.13	1.78	9.95	4.85	35.33	70.48	33.15	15.49	
9	213.89	6.86	DF-1	B1	6.86	170.70	9.35	124.90	58.45	43.60	20.40	50.37	1.78	9.98	4.85	35.54	70.56	33.27	15.58	
10	277.16	8.90	DF-2E	B	6.55	172.70	9.56	123.60	44.52	94.37	34.05	54.44	1.47	7.43	4.34	42.67	78.38	38.14	13.78	
SUB-TOTAL	1193.74								621.50	318.29	26.66							146.68	12.69	
BUILDING 3																				
11	277.51	8.90	DF-2E	A	6.55	174.10	9.53	124.20	44.76	95.77	34.51	57.54	1.47	8.48	3.87	40.30	78.88	35.48	12.79	
12	214.15	6.86	DF-1	A1	6.86	170.70	9.33	124.90	58.32	45.98	21.46	54.26	1.78	6.15	4.85	43.28	79.73	30.56	14.27	
13	214.36	6.86	DF-1	A2	6.86	170.70	9.33	124.90	58.27	46.20	21.55	54.46	1.78	10.90	4.85	38.71	71.08	30.56	14.28	
14	222.82	6.86	DF-1	A3	6.86	170.70	9.49	124.90	56.05	51.01	22.89	62.93	1.78	14.34	4.85	43.74	69.51	30.56	13.72	
15	352.93	10.07	DF-2C	A	6.86	182.40	9.33	128.00	36.27	162.48	46.04	127.81	1.47	14.62	3.97	109.22	85.45	35.48	10.99	
SUB-TOTAL	1281.77								626.90	401.42	31.32							162.64	12.69	
BUILDING 4																				
16	299.88	11.82	TH-2E	A	5.84	145.40	7.84	91.50	30.51	181.80	60.62	78.19	1.52	2.75	4.24	52.27	66.85	18.93	6.31	
17	163.69	5.74	TH-1	A	5.74	130.90	8.55	85.50	52.23	58.17	30.65	41.33	2.46	2.70	6.59	11.53	27.91	20.49	12.82	
18	163.69	5.74	TH-3	A	5.74	132.50	8.55	85.60	52.29	49.75	30.39	38.68	1.52	3.56	4.18	11.11	28.72	20.83	12.73	
19	163.69	5.74	TH-3	AMSD	5.74	131.60	8.44	85.60	52.29	49.72	30.37	38.66	1.52	2.37	4.18	11.11	28.74	21.00	12.83	
20	163.69	5.74	TH-2	A	5.74	141.90	8.44	89.10	54.43	48.16	29.42	35.18	1.52	2.52	4.24	9.52	27.98	18.90	11.58	
21	163.69	5.74	TH-1	AMSD	5.74	130.90	8.43	85.50	52.23	50.16	30.64	41.43	2.46	2.92	6.59	11.53	27.85	20.49	12.52	
22	212.25	7.44	TH-2E	A	5.84	145.40	7.84	91.50	31.11	84.47	39.80	45.49	1.52	2.73	4.24	19.62	43.13	18.90	8.90	
SUB-TOTAL	1330.58								614.30	314.23	38.65							130.54	10.49	
BUILDING 5																				
23	212.26	7.44	TH-2E	B	5.84	145.40	8.02	91.50	43.11	94.74	44.63	45.49	1.52	2.73	4.24	19.62	43.13	18.90	8.90	
24	163.69	5.74	TH-1	B	5.74	130.90	8.17	85.50	52.23	58.63	30.84	41.33	2.46	2.70	6.59	11.53	27.91	20.49	12.52	
25	163.69	5.74	TH-2	B	5.74	145.40	8.36	91.50	55.90	48.63	29.71	35.18	1.52	2.55	4.24	9.49	28.98	18.90	11.55	
26	163.69	5.74	TH-2	B	5.74	145.40	8.36	91.50	55.90	47.63	29.10	35.18	1.52	2.52	4.24	9.52	27.98	18.90	11.55	
27	163.69	5.74	TH-1	B	5.74	130.90	8.36	85.50	52.23	58.64	30.84	41.38	2.46	2.77	6.59	11.53	27.86	20.49	12.52	
28	163.69	5.74	TH-3	AMSD	5.74	133.40	8.36	85.60	52.29	50.22	30.68	38.69	1.52	2.40	4.18	11.11	28.72	21.00	12.83	
29	212.25	7.44	TH-2E	B	5.84	145.40	8.13	91.50	43.11	91.69	43.20	45.49	1.52	2.73	4.24	19.62	43.13	18.90	8.90	
SUB-TOTAL	1242.96								622.60	434.20	54.93							137.58	11.07	
BUILDING 6																				
30	212.25	7.44	TH-2E	A	5.84	145.40	8.12	91.50	43.11	94.69	44.61	45.80	1.62	1.48	5.57	19.65	43.09	18.90	8.90	
31	163.69	5.74	TH-1	AMSD	5.74	133.10	8.49	85.60	52.29	50.21	30.67	38.66	1.52	1.61	4.94	9.52	27.01	18.90	11.55	
32	163.69	5.74	TH-2	A	5.74	141.90	8.49	89.10	54.43	48.62	29.70	35.25	1.52	1.89	4.94	9.52	27.01	18.90	11.55	
33	163.69	5.74	TH-2	A	5.74	141.90	8.49	89.10	54.43	48.62	29.70	35.19	1.52	1.84	4.94	9.51	27.02	18.90	11.55	
34	163.69	5.74	TH-1	A	5.74	130.90	8.49	85.50	52.23	51.32	31.35	42.45	1.52	4.33	4.94	11.74	27.88	21.44	13.10	
35	428.41	12.01	TH-2 COR	A	6.15	143.90	8.02	96.30	22.48	303.92	70.94	89.75	2.16	2.24	8.11	58.53	66.21	20.87	4.87	
SUB-TOTAL	1295.42								537.10	597.38	46.11							120.01	9.28	
GRAND TOTALS																				
AREA NAME	LOT AREA (M ²)							BUILDING AREA (M ²)	LANDSCAPE COVERAGE (M ²)	LANDSCAPE AREA (M ²)							DRIVEWAY AREA (M ²)			
TOTAL	7659.85							3022.40	39.46	2703.41	35.29							907.58	11.85	
OVERALL SITE STATS																				
ROAD SIDEWALK	1946.30																		1946.30	
OPEN LANDSCAPE	325.36									325.36										
TOTAL LANDS	9936.48									3028.77	30.48								2853.88	28.72
LANDS CONVEYED TO TOWN 4.66 S.M.																				
NUMBER OF VISITOR PARKING PROVIDED 354x25 = 9																				
NUMBER OF VISITOR PARKING PROVIDED 9 INCLUDING 1 ACCESSIBLE SPACE																				
OVERALL DEVELOPED LANDS 9.9414 S.M (2.46 AC/ 0.99 HA) DENSITY = 1423 AC / 35.35 HA																				
TOTAL PAVED AREA (ROAD/SIDEWALK/ PARKING/ DRIVEWAY) = 2853.88 S.M.																				
SNOW STORAGE PROVIDED = 157.88 S.M (157.88/2853.88) [5.5%]																				





6 DF-2 END
ELEV. 'B' REV.

RIGHT SIDE ELEVATION



6 DF-2 END
ELEV. 'B' REV.

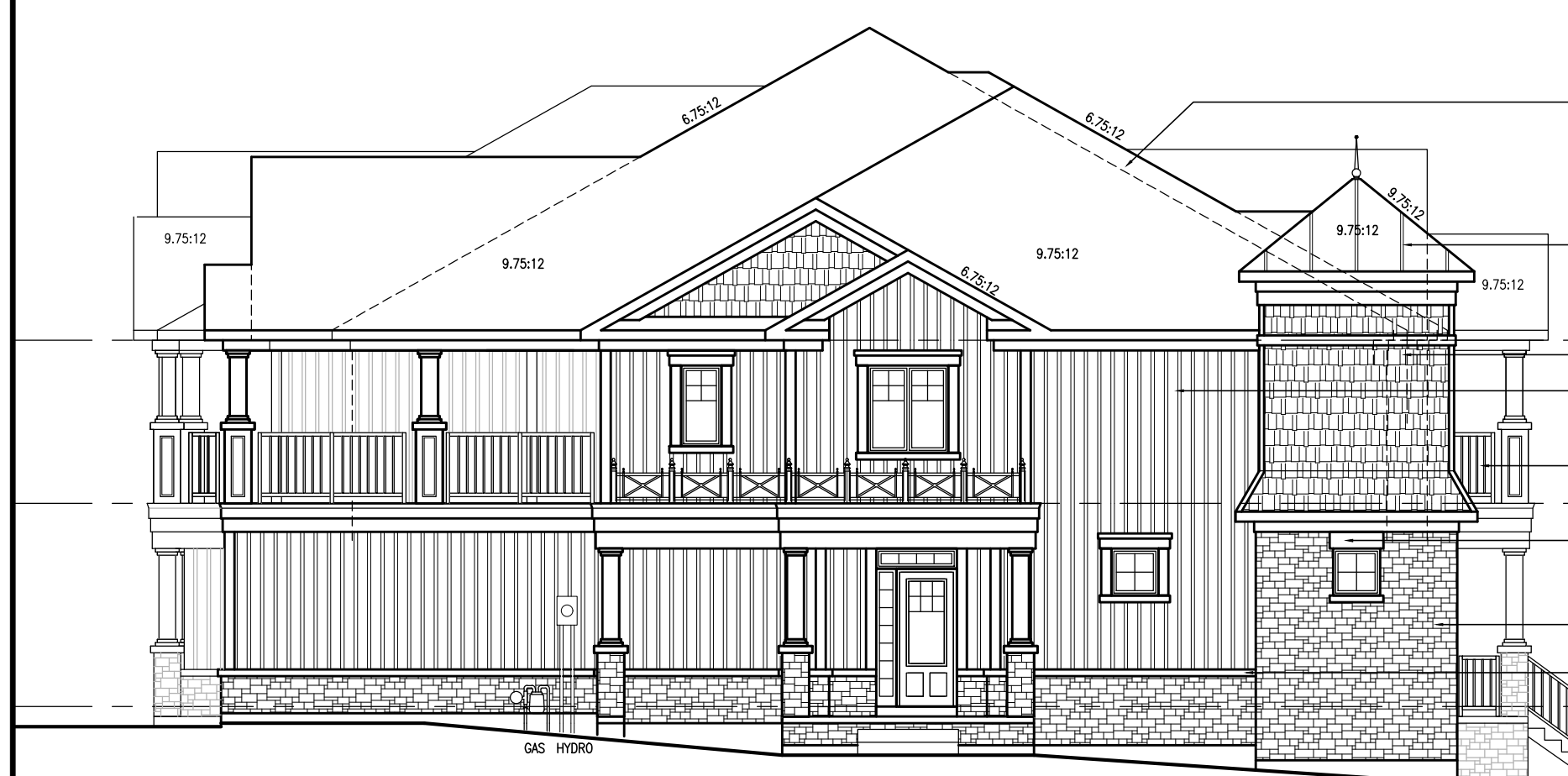
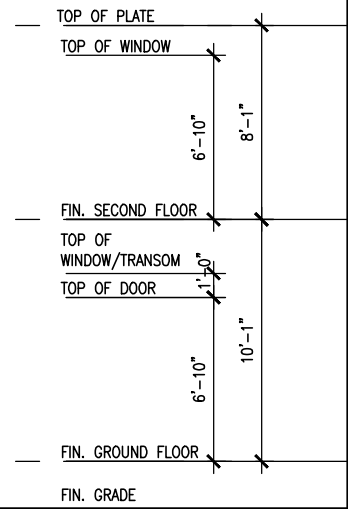
7 DF-1
ELEV. 'B2' REV.

8 DF-1
ELEV. 'B1'

9 DF-1
ELEV. 'B1' MOD REV.

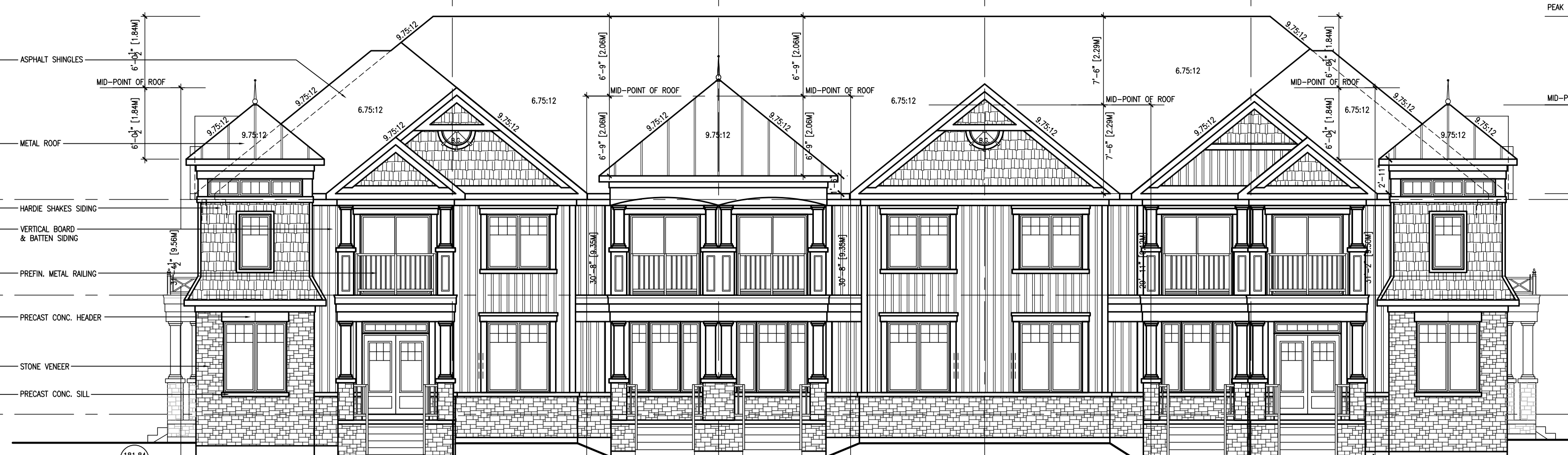
10 DF-2 END
ELEV. 'B'

REAR ELEVATION



10 DF-2 END
ELEV. 'B'

LEFT SIDE ELEVATION



10 DF-2 END
ELEV. 'B'

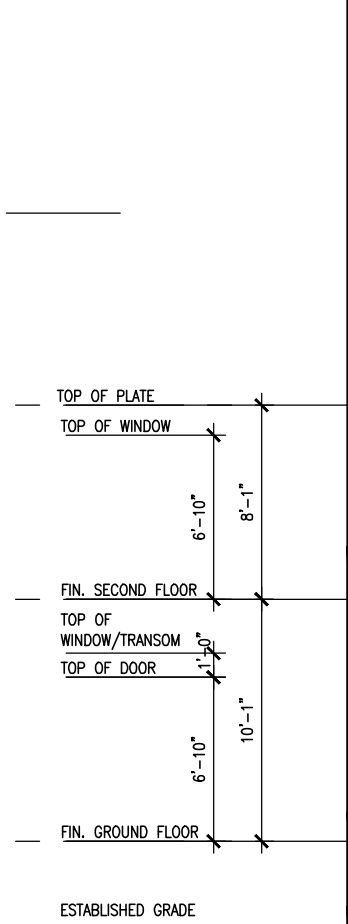
9 DF-1
ELEV. 'B1' MOD REV.

8 DF-1
ELEV. 'B1'

7 DF-1
ELEV. 'B2' REV.

6 DF-2 END
ELEV. 'B' REV.

FRONT ELEVATION



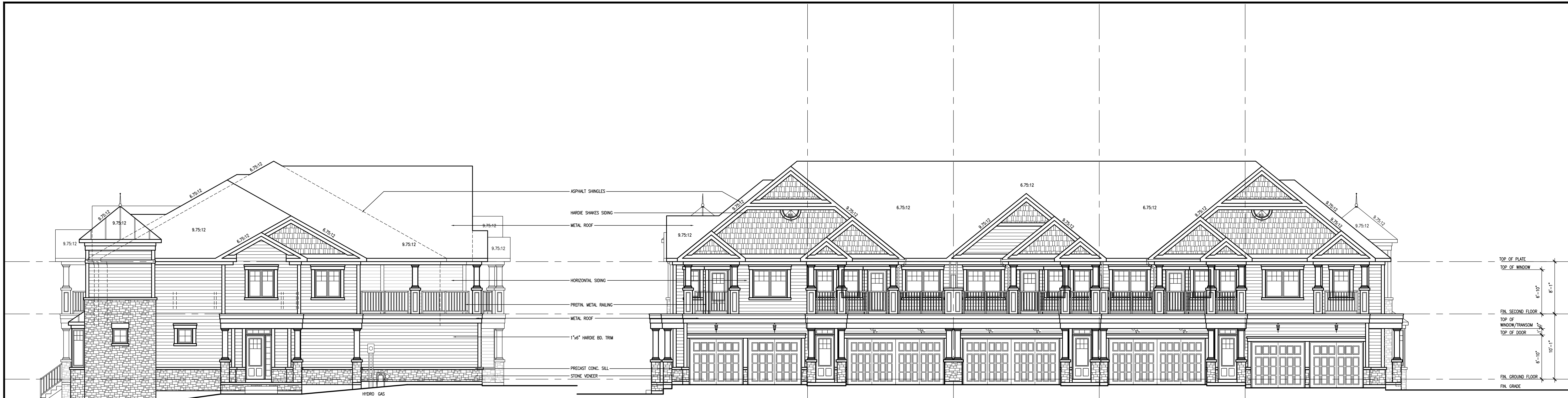
NO.	DESCRIPTION	DATE	BY
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2	ISSUED FOR 2ND SPA	24-05-07	WAS
3	ISSUED FOR SPA	24-02-20	WAS
4	ISSUED FOR SPA	24-02-20	WAS
5	ISSUED FOR SPA	24-02-20	WAS
6	ISSUED FOR SPA	24-02-20	WAS
7	ISSUED FOR SPA	24-02-20	WAS
8	ISSUED FOR SPA	24-02-20	WAS
9	ISSUED FOR SPA	24-02-20	WAS
10	ISSUED FOR SPA	24-02-20	WAS

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 vadesign.com

Richard Vuk
 24488
 43568

HAMOUNT INVESTMENTS	
PROJECT NAME	PROJECT NO.
WASAGA, ONTARIO	16041
DUAL FRONTING TOWNHOUSES	BUILDING 2
DATE	BLOCK ELEVATIONS
DECEMBER 2023	1/8" = 1'-0"
DRAWN BY	DATE
S. BATTANI	16041-DF SPA BLOCKS
	B2.2

BUILDING 2



11 DF-2 END
ELEV. 'A' REV.

RIGHT SIDE ELEVATION

11 DF-2 END
ELEV. 'A' REV.

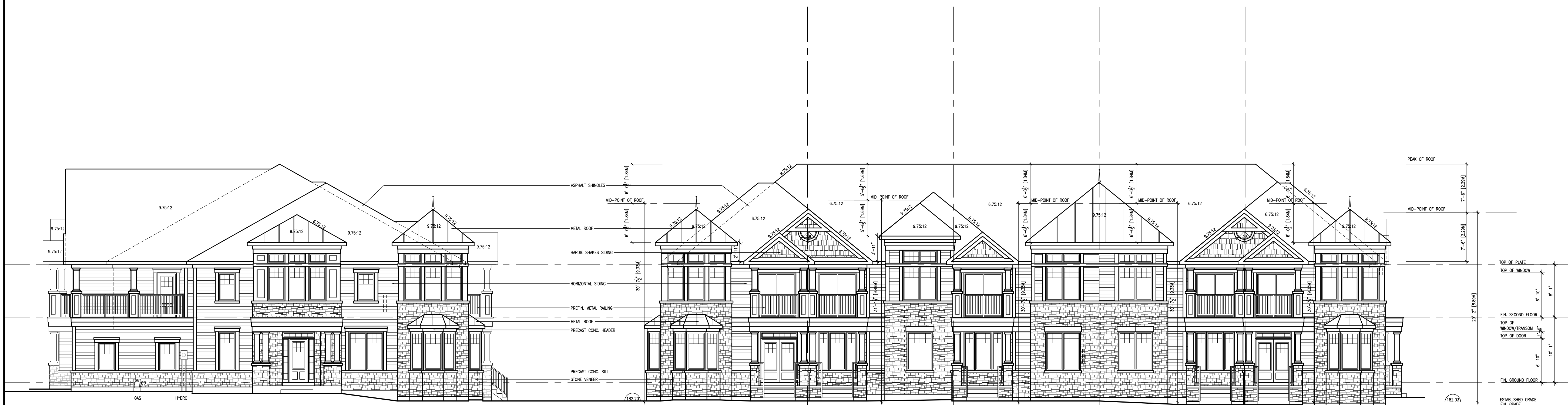
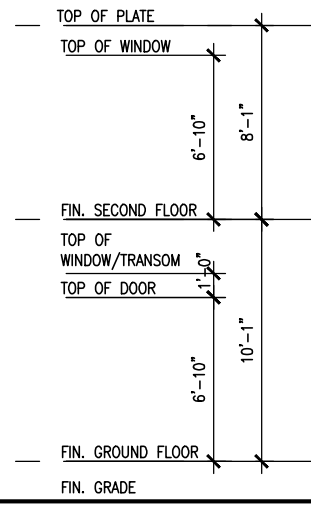
REAR ELEVATION

12 DF-1
ELEV. 'A1' REV.

13 DF-1
ELEV. 'A2'

14 DF-1
ELEV. 'A3'

15 DF-2C
ELEV. 'A'



15 DF-2C
ELEV. 'A'

LEFT SIDE ELEVATION

15 DF-2C
ELEV. 'A'

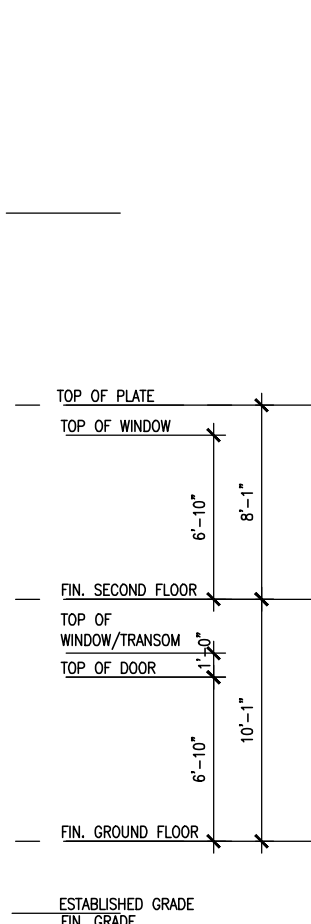
FRONT ELEVATION

14 DF-1
ELEV. 'A3'

13 DF-1
ELEV. 'A2'

12 DF-1
ELEV. 'A1' REV.

11 DF-2 END
ELEV. 'A' REV.



NO.	DESCRIPTION	DATE	BY
1	ISSUED FOR SPA	24-02-20	WAS
2	ISSUED FOR SPA	24-02-20	WAS
3			
4			
5			
6			
7			
8			
9			
10			


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Richard Volk 24488
 VAD Design Inc. 42658

HAMOUNT INVESTMENTS

project name: _____
 location: WASAGA, ONTARIO 16041
 DUAL FRONTING TOWNHOUSES **BUILDING 3**
 BLOCK ELEVATIONS
 DECEMBER 2023 1/8" = 1'-0"
 drawn by: S. BATHANSI checked by: _____
 16041-DF SPA BLOCKS **B3.2**

BUILDING 3



22 TH-2E
ELEV. 'A' REV.

22 TH-2E
ELEV. 'A' REV.

21 TH-1
ELEV. 'A' MOD.

20 TH-2 MOD.
ELEV. 'A'

19 TH-3
ELEV. 'A' MOD REV.

18 TH-3
ELEV. 'A'

17 TH-1
ELEV. 'A' REV.

16 TH-2E
ELEV. 'A'

TOP OF PLATE
TOP OF WINDOW
FIN. SECOND FLOOR
TOP OF WINDOW/TRANSOM
TOP OF DOOR
FIN. GROUND FLOOR
TOP OF SLAB
FIN. GRADE

RIGHT SIDE ELEVATION

REAR ELEVATION



16 TH-2E
ELEV. 'A'

16 TH-2E
ELEV. 'A'

17 TH-1
ELEV. 'A' REV.

18 TH-3
ELEV. 'A'

19 TH-3
ELEV. 'A' MOD REV.

20 TH-2
ELEV. 'A'

21 TH-1
ELEV. 'A' MOD.

22 TH-2E
ELEV. 'A' REV.

TOP OF PLATE
TOP OF WINDOW
FIN. SECOND FLOOR
TOP OF WINDOW/TRANSOM
TOP OF DOOR
FIN. GROUND FLOOR
ESTABLISHED GRADE
TOP OF SLAB

LEFT SIDE ELEVATION

FRONT ELEVATION

1	ISSUED FOR SPA	24-06-07	WAS
2	ISSUED FOR SPA	24-02-20	WAS
3	DESCRIPTION	DATE	BY


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Richard Vuk
 24488
 42588

HAMOUNT INVESTMENTS

project name: _____
 location: WASAGA, ONTARIO
 STANDARD TOWNHOUSES

project no: 16041
BUILDING 4
 BLOCK ELEVATIONS
 DECEMBER 2023 1/8" = 1'-0"
 drawn by: S. BATTAGLINI
 checked by: _____
 16041-TH SPA BLOCKS

B4.3

BUILDING 4



29 TH-2 END
ELEV. 'B' REV.

29 TH-2 END
ELEV. 'B' REV.

28 TH-3
ELEV. 'B' MOD.

27 TH-1
ELEV. 'B'

26 TH-2
ELEV. 'B' REV.

25 TH-2
ELEV. 'B'

24 TH-1
ELEV. 'B' REV.

23 TH-2 END
ELEV. 'B'

TOP OF PLATE
TOP OF WINDOW
6'-10"
8'-1"
FIN. SECOND FLOOR
TOP OF WINDOW/TRANSOM
TOP OF DOOR
6'-10"
10'-1"
FIN. GROUND FLOOR
FIN. GRADE
TOP OF SLAB
4'-11"

RIGHT SIDE ELEVATION

REAR ELEVATION



23 TH-2 END
ELEV. 'B'

23 TH-2 END
ELEV. 'B'

24 TH-1
ELEV. 'B' REV.

25 TH-2
ELEV. 'B'

26 TH-2
ELEV. 'B' REV.

27 TH-1
ELEV. 'B'

28 TH-3
ELEV. 'B' MOD.

29 TH-2 END
ELEV. 'B' REV.

PEAK OF ROOF
5'-0" (1.524)
TOP OF WINDOW
6'-10"
8'-1"
FIN. SECOND FLOOR
TOP OF WINDOW/TRANSOM
TOP OF DOOR
6'-10"
10'-1"
FIN. GROUND FLOOR
FIN. GRADE (182.85)
ESTABLISHED GRADE
TOP OF SLAB
4'-11"

LEFT SIDE ELEVATION

FRONT ELEVATION

10			
9			
8			
7			
6			
5			
4			
3			
2			
1			

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DATE: 24-02-20
BY: [Signature]

HAMOUNT INVESTMENTS

PROJECT NAME: WASAGA, ONTARIO
PROJECT NO: 16041

STANDARD TOWNHOUSES
BUILDING 5

BLOCK ELEVATIONS
DECEMBER 2023
1/8" = 1'-0"

DATE: 24-02-20
BY: [Signature]

B5.3

BUILDING 5



35 TH-2C
ELEV. 'A' REV.

35 TH-2C
ELEV. 'A' REV.

34 TH-1
ELEV. 'A'

33 TH-2 MOD.
ELEV. 'A' REV.

32 TH-2
ELEV. 'A'

31 TH-3
ELEV. 'A' MOD. REV.

30 TH-2 END
ELEV. 'A'

RIGHT SIDE ELEVATION

REAR ELEVATION



30 TH-2 END
ELEV. 'A'

30 TH-2 END
ELEV. 'A'

31 TH-3
ELEV. 'A' MOD. REV.

32 TH-2
ELEV. 'A'

33 TH-2
ELEV. 'A' REV.

34 TH-1
ELEV. 'A'

35 TH-2C
ELEV. 'A' REV.

LEFT SIDE ELEVATION

FRONT ELEVATION

1	ISSUED FOR SPA	24-06-07	WAS
2	ISSUED FOR SPA	24-02-20	WAS
3	DATE		

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 vadesign.com

Richard Vuk
 24488
 43658

HAMOUNT INVESTMENTS

project name: _____
 municipality: WASAGA, ONTARIO
 standard townhouses: _____
 building: **BUILDING 6**

block elevations: _____
 date: DECEMBER 2023
 scale: 1/8" = 1'-0"

BUILDING 6

Appendix 4 – Comment / Response Summary

Public Comments

The public provided both written comments and oral comments at the Public Meeting.

Planning Staff provide a summary of the comments and themes below with responses:

Traffic and Safety

Concerns with increased traffic on River Road East, and safety due to the curves in the road.

Response: A Traffic Impact Brief was prepared by Tatham Engineering in support of the proposed development, which found that the site is expected to generate 17 trips during the weekday AM peak hour and 20 trips during the weekday PM peak hour. As part of the Traffic Impact Brief Tatham Engineering analyzed the operations of the River Road East and Stonebridge Boulevard intersection under existing and future conditions. The results of Tatham Engineering's analysis indicate that the study area intersection currently provides excellent operations and is expected to continue to provide excellent operations through the 2028 horizon. Further, Tatham Engineering has noted that no improvements are required to accommodate the proposed development. In addition to the above, Tatham Engineering has reviewed the available sight lines along River Road East and Stonebridge Boulevard at the access points in the context of the TAC requirements for minimum stopping and intersection sight distances, and found that the available sight lines at each access are acceptable.

Land Value

Concerns regarding impact on land values.

Response: Hamount Investments Ltd. has provided the following response to concerns regarding impact on land values,

“While land values are not a primary factor in assessing the quality of a development’s planning, it is commonly observed that new developments can indeed contribute to an increase in surrounding land values. However, good planning encompasses a broader spectrum of considerations, such as sustainability and community needs”

Environment

Concerns with the impact on the natural environment, and tree clearing on the subject lands.

Response: An Environmental Impact Study (EIS) was prepared by Insight Environmental Solutions Inc. which found that the subject properties contain a Non-Significant Woodland and part of a Headwater Drainage Feature (HDF). Within the EIS Insight Environmental Solutions Inc. provides recommended mitigation measures to avoid impacts to natural heritage features, including woodland and Headwater Drainage

Features. The EIS concludes, that some unavoidable impacts will occur, however, if the proposed mitigation measures are followed, the impacts will be minimized and acceptable.

Stormwater Management

Concerns regarding drainage and potential leeching into a nearby drainage feature from the proposed stormwater management system.

Response: Following the April 11, 2024 Public Meeting Tatham Engineering provided the following response to the concerns raised regarding the Cultec system and the creek,

“Stormwater quality treatment provided consists of more than the Cultec system and includes catch basins with sumps, an Oil and Grit Separator designed to remove oils and most of the suspended solids and an isolation row in the Cultec system.

The bottom of the Cultec system is 1m above the groundwater. Infiltrated water will be filtered by the underlying sand.

The groundwater gradient is toward the Nottawasaga River and not the creek.

The Cultec system discharges to the creek 29m from the Town storm sewer inlet.

The quality of the water directed to the creek from the proposed site will far exceed the quality of the untreated municipal and private roadside drainage directed to the creek upstream of the site.”

Planning Staff advise that stormwater management will be addressed through the Site Plan and detailed design process.

Noise and Privacy

Concerns regarding noise, dust and dirt associated with the proposed development and loss of privacy. Would like to see a fence and greenery incorporated with the proposed development. Further to the above, Council Members sought clarification regarding the installation of privacy fencing.

Response: Any future development on the subject lands will be required to comply with the Town's Noise By-law. As part of the applicant's submission, civil engineering plans were provided including an Erosion and Sediment Control Plan and details. The applicant's advised at the Public Meeting that dust would be addressed within the Erosion and Control plans. Planning Staff note that the subject lands are separated from the existing townhouses to the south along Savannah Crescent by open space lands with a width of approximately 13 metres, which contains the Stonebridge Trail Loop and trees. The Town does not require the installation of wood board fencing, as our standards only require black chain link fencing at those locations not directly abutting

existing residential lands. It is important that a sufficient level of visibility, light and openness is maintained for the existing trail in order to ensure natural surveillance as well as support active transportation. Based on the above, Planning staff are of the opinion that a black chain link fence would be preferable. Details regarding fencing will be addressed through the Site Plan and detailed design process.

Accessory Dwelling Units and Short Term Rental

Questions were received at the April 11, 2024 Public Meeting regarding accessory dwelling units, and whether they would be permitted within the proposed development. Additionally, questions were asked on whether short-term rental would be permitted.

Response: As per recent legislative changes to the Ontario Planning Act a maximum of three residential units are permitted within a rowhouse on a parcel of urban residential land, if no building or structure ancillary to the rowhouse contains any residential units. As the subject lands are designated 'Neighbourhood' and will be serviced with municipal water and sewer, accessory dwelling units would be permitted on the subject lands, subject to compliance with other applicable provisions (ex. parking). Planning Staff advise that short-term rental is not a permitted use within the R3-13 Zone.

Play Area

Members of Council sought clarification related to the lack of play space for the proposed development, at the April 11, 2024 Public Meeting.

Response: As each of the proposed units is proposed to include an outdoor amenity area, and each lot is to be a freehold townhouse, a shared "play area" is not required. Further, the subject land are located within an existing Plan of Subdivision. The Plan of Subdivision agreement (2008) outlined parkland and parkland improvement requirements, which the Applicant's note have been satisfied. The Applicant's have further identified that the subject lands are in proximity to a temporary ball hockey court located at Wally Drive/Stonebridge Boulevard, the Stonebridge Trail network, the Wasaga Beach Provincial Park – Beach Area 1, Mills Park and the Stonebridge community amenities (i.e. pool, community centre, etc.).

Lot Coverage and Setbacks

Members of Council sought clarification related to the proposed setbacks and increased lot coverages during the April 11, 2024 Public Meeting.

Response: Planning Staff have reviewed each of requested reliefs for Zoning By-law Amendment Z00324, and note that the proposed lot coverage, lot frontage and lot area provisions requested are similar to what is permitted for the townhouses to the south which are zoned R3-20. Please see the zoning analysis section of the Staff Report for further details regarding the applicants proposed zoning request(s).

Department and Agency Comments

Town departments and external agencies provided comments for the proposed development:

Wasaga Distribution Inc. (WDI)

The proposal will have to be run through WDI's distribution model, to confirm the capacity to support the development based on proposed and future loading requirements.

Enbridge Gas Inc.

Does not object to the proposed applications.

Simcoe County District School Board (SCDSB)

Provided comments noting concerns on the impact of the development proposal on the board's ability to provide elementary pupil accommodation in the Town of Wasaga Beach. SCDSB notes the need for a new public elementary school(s) in the east area of Wasaga Beach to alleviate accommodation pressures created by new development in the area. SCDSB requests that the proposed development be subject to a secondary plan process. SCDSB requests that the applicant consider how students requiring busing will be accommodated as the current configuration does not include an appropriate pick up/drop off location. SCDSB notes that they may not be able to support future planning applications proposing new residential development unless additional lands are designated and prepared for future school sites. Further to the above, SCDSB has provided standard conditions to be included within an agreement.

Response: Notwithstanding the above, the Town is currently engaged in a process with the Simcoe Muskoka Catholic District School Board, a developer and the Province to secure a K-12 school in the east end of Town.

Canada Post

Provided standard comments with regard to service type and location; municipal requirements; developer timeline and installation, etc.

County of Simcoe

The County has provided comments on solid waste management, and note the following:

"The County of Simcoe is not obligated to provide curbside waste collection services to residential dwelling lots or units accessed by private condominium roads. However, the County may be able to provide waste collection services where the private condominium road has been designed and constructed in accordance with the requirements of the County of Simcoe Multi-Residential & Private Road Waste Collection Policy and waste collection design standards, to the satisfaction of the County of Simcoe..."

“It appears from the submitted site plan that the roads can be constructed as per County engineering standards in order to offer waste collection services. However, there are several areas of concern where revised planning would be required in order to provide adequate accessibility and turn around for collection vehicles...”

Further, the County has provided an advisory clause to be included within the Subdivision Agreement if the private road cannot be designed to meet the County’s standards.

Response: Within the Planning Justification Report, Hamount Investments Ltd. notes that radii have been added to the Site Plan for the County to confirm if they can service the proposed development. However, if the proposal does not meet the County requirements, waste will be privately collected. The Applicant has advised in their most recent comment response matrix that based on Tatham Engineering’s Truck Turning Plan and County of Simcoe’s cart collection requirements, that it appears that the proposed development could be adequately serviced by the County’s waste collection vehicles. Further discussion will be required during the Site Plan and detailed design process between the applicant, County and the Town with regard to waste management.

Town GIS

Comments regarding the street naming process and required materials was provided.

Response: The Applicants have provided a proposed street name and alternate street names, which have been shared with the Town’s GIS coordinator.

Bell Canada

Standard comments and conditions provided.

Ministry of Environment, Conservation and Parks (MECP)

The MECP had questions regarding the date that leaf-off surveys were completed, and if an assessment for the presence of leaf clusters suitable for SAR bats was completed.

Response: Hamount Investments Ltd. confirmed within the Comment Response Matrix dated June 7, 2024 that leaf off surveys were completed during a site visit on April 12, 2023 and that during the site visits on June 1 and October 5, 2023 suitable leaf clusters were searched for, but none were observed.

Nottawasaga Valley Conservation Authority (NVCA)

The NVCA has advised that comments remain outstanding. The NVCA mapping for the property illustrates a flood and meander erosion hazard features associated with two reaches of Sturgeon Creek, which runs along the east side and rear property lines, extending into the majority of the lot area. As such the property is largely regulated pursuant to Ontario Regulation 41/24 the Authority’s Prohibited Activities, Exemptions

and Permits Regulation. A permit will be required from the NVCA prior to construction or grading on the subject lands.

The NVCA has provided a number of Natural Hazard related engineering comments, which they note must be addressed in order for them to support the Zoning By-law Amendment or Site Plan Control applications.

The NVCA has concerns with the Flood Study prepared by Tatham Engineering, specifically the NVCA notes:

“1...The catchment presented in the Flood Study is much smaller than the NVCA’s regulatory model for the same tributary and results in much smaller flow generation; NVCA’s Regulatory model includes a larger area to the south and west (total catchment of 74 hectares). Please demonstrate how a smaller catchment size was determined for this study. Existing NVCA model files for the tributary can be made available through a data request.

2. Please provide the hydrologic and hydraulic modelling files prepared in support of this Flood Study in the next submission. Additionally, please confirm what IDF parameters were used to generate flows.

3. Please add the flood hazard limit and 6-meter access allowance to applicable site plans.”

Further to the above, the NVCA has concerns regarding stormwater management. Specifically, the NVCA recommends:

“4... that a comprehensive stormwater management review for the property is deferred to the Town, as the outlet for the proposed stormwater management design ties in to existing Town infrastructure.”

Moreover, the NVCA requires confirmation on how much fill is required to prepare the lot grading for the proposed site plan, and whether any fill placement is proposed within the limits of the floodplain.

In addition to the above, the NVCA has provided additional comments related to stormwater management, water balance, groundwater, erosion and sediment control and fill management that the NVCA notes are to be addressed prior to site plan approval.

Response: The Applicant’s have provided a response to the NVCA comments within the submitted Comment Response Matrix dated June 7, 2024. At the time of writing this Staff report, second submission comments have not been received from the NVCA although they are anticipated shortly. Planning staff note that these concerns can be addressed through the Town’s site plan approval process and the NVCA’s development permit process.

Town of Wasaga Beach Public Works Department

Draft Public Works comments have been reviewed by Planning staff. Planning staff are looking for confirmation that comments have been finalized, which appears to be the case.



DATE: 7/25/2024

SUBJECT: Sign By-law and AMPS By-law Amendment

CONTACT: Danny Rodgers, General Manager Development Services Business Unit,
Chief Building Official

REPORT NUMBER: 2024/07/29-09

RECOMMENDATION:

1. **THAT** the report titled: Sign By-law and AMPS By-law Amendment, to the Special Council meeting of July 29, 2024, be received;
2. **THAT** Council adopt By-law 2024-59 to amend By-law 2021-68, cited as the “Sign By-law”; and
3. **THAT** Council adopt By-law 2024-60 to amend By-law 2024-40, cited as the “AMPS By-law”.

EXECUTIVE SUMMARY:

Sign By-law

- It has become evident that **Sign By-law 2021-68** requires amending.
- Staff recommend the prohibition of flag signs and the reduction to the maximum coverage percentage for window signs.
- The **Sign By-law** is being further amended to specify that POA penalties will apply to business operators who are tenants of the building where the business operates and to which the sign is associated.
- A separate **AMPS** penalty section is being established specifically for business operators who own the building where their business operates and to which the sign is associated.
- Minor housekeeping amendments have been completed to include a definition for the word “Person”, clean up section numbers, and correct capitalization of defined terms.

AMPS By-law

- The **AMPS** By-law requires amending to add sections 3 – 15 of the **Sign By-law** as a designated By-law and to include penalties where the business operators own the building where their business operates and to which the sign is associated.

BACKGROUND:

Staff have been focusing on beautification of our main corridors. Through this work, it has become evident that the Sign By-law needed amending by removing flag signs as permitted signs and to have sections of the By-law incorporated into the Town's AMPS program.

DISCUSSION:

Staff believe that the recommendations contained in this report, once implemented, align well with Council priorities and contribute to the beautification of the Town.

Central to our thinking is that the removal of flag signs as permitted signs will remove sign "noise" and contribute to the establishment of a more tranquil streetscape.

Beautification and the safety of businesses and inhabitants is to be increased by reducing the allowable signage space in windows from 100% to 25% to allow visibility into businesses.

Incorporating the AMPS system for business operators who own the building where their business operates and to which the sign is associated will streamline the enforcement process and encourage compliance. Charges under the Provincial Offences Act will remain for those businesses who are tenants and for which proceeds from AMPS penalties are more difficult to collect.

CORPORATE IMPLICATIONS:Financial Implications:

Staff anticipate minimal financial implications associated with the recommendations in this report. The Town may realize additional proceeds from the collection of AMPS penalties.

Term of Council Priorities:

Improve the Public Realm.

CONCLUSION:

Staff recommend that Council adopt the proposed amendments to the Sign and AMPS By-laws as presented.

Authored by:

Danny Rodgers,
General Manager Development Services Business Unit,
Chief Building Official.

Appendices – Appendix 1 – A By-law to amend Sign By-law 2021-68
Appendix 2 – A by-law to amend AMPS By-law 2024-40

THE CORPORATION OF THE TOWN OF WASAGA BEACH

BY-LAW NO. 2024-60

A By-law to amend AMPS By-law 2024-40

WHEREAS the *Municipal Act*, S.O. 2001, c.25, Section 8, provides that the Act shall be interpreted broadly so as to confer board authority on municipalities to enable municipalities to govern their affairs as they consider appropriate and enhance their ability to respond to municipal issues;

AND WHEREAS Sections 102.1 and 434.1 of the *Municipal Act*, 2001, S.O. 2001, c. 25 and O. Reg. 333/07 authorize municipalities to establish an administrative monetary penalty system;

AND WHEREAS the Council of the Town of Wasaga Beach deems it necessary and expedient to pass a by-law to amend By-law 2024-40 cited as the “AMPS By-law”.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF WASAGA BEACH HEREBY ENACTS AS FOLLOWS:

1. **THAT** By-law 2024-40 is amended as follows:
 - **THAT** Schedule “A” is amended by adding Sign By-law, Sections 3 - 15;
 - **THAT** Schedule “B” is amended by adding:

Sign By-law

Item	Provision	Short Form Wording	Early Penalty Amount	Set Penalty Amount
1	3-15	Contravention – 1	\$100	\$150
2	3-15	Contravention – 2	\$200	\$250
3	3-15	Contravention – 3	\$250	\$300

2. **THAT** staff is directed to incorporate these changes into the AMPS By-law and adjust formatting as required;
3. **THAT** this By-law shall come into force and take effect on the date of passing.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 29TH DAY OF JULY 2024.

THE CORPORATION OF THE TOWN OF WASAGA BEACH

Brian Smith, Mayor

Nicole Rubli, Director, Legislative Services & Clerk

THE CORPORATION OF THE TOWN OF WASAGA BEACH

BY-LAW NO. 2024-59

A By-law to amend Sign By-law 2021-68

WHEREAS the *Municipal Act, S.O. 2001, c.25*, Section 8, provides that the Act shall be interpreted broadly so as to confer board authority on municipalities to enable municipalities to govern their affairs as they consider appropriate and enhance their ability to respond to municipal issues;

AND WHEREAS the *Municipal Act, S.O. 2001, c.25*, Section 11, provides that a lower- tier municipality may pass by-laws respecting matters of jurisdiction set out therein, *inter alia*; structures including signs;

AND WHEREAS the Council of the Town of Wasaga Beach deems it necessary and expedient to pass a by-law to amend By-law 2021-68 cited as the “Sign By-law”.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF WASAGA BEACH HEREBY ENACTS AS FOLLOWS:

1. **THAT** By-law 2021-68 is amended as follows:

- **THAT** Section 2 is amended by the addition of a definition:

PERSON – shall mean an individual, sole proprietorship, partnership, limited partnership, trust or corporation, or an individual in his or her capacity as a trustee, executor, administrator or other authorized agent;

- **THAT** the word “person” within the By-law be replaced with the capitalized word “Person”.

- **THAT** Section 3.3 is amended by the deletion of: a) flag signs;

- **THAT** Section 6 Prohibited Signs is amended by adding the following Subsection:

6.15 Flag Signs as defined in this By-law

- **THAT** Section 9.3.1 Window Signs is amended by deleting 100% and inserting 25%

- **THAT** Section 12.1.4 is amended by deleting the words: flag signs

- **THAT** Section 12.3 be removed and repealed;

- **THAT** Section 14 be renamed “Variance Process”;

- **THAT** the word “minor” be removed from sections 14.1 & 14.3;

- **THAT** Section 14.2 be removed and repealed;
- **THAT** Section 15.3.3 is amended to remove the word “flag” and replace it with “Flag Signs”;
- **THAT** Sections 19.1 – 19.5 be amended by adding “, while not the owner of the lands,” after the word “Person”.
- **THAT** the following new Section 20 be added:

Section 20: AMPS

20.1 Any person, while as the owner of the land, contravenes any provision within Sections 3 - 15 of this By-law, will be subject to the Town AMPS By-law;

20.2 A director or officer of a corporation who, while as the owner of the land, knowingly concurs in the violation or contravention of any provision of this By-law will be subject to the Town AMPS By-law.

2. **THAT** staff is directed to incorporate these changes and adjust formatting as required;
3. **THAT** this By-law shall come into force and take effect on the date of passing.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 29TH DAY OF JULY 2024.

THE CORPORATION OF THE TOWN OF WASAGA BEACH

Brian Smith, Mayor

Nicole Rubli, Director, Legislative Services & Clerk



DATE: 7/24/2024
SUBJECT: Downtown Community Improvement Plan
CONTACT: Andrew McNeill, CAO
REPORT NUMBER: 2024/07/29-07

RECOMMENDATION:

1. **THAT** the report titled: Downtown Community Improvement Plan, to the Special Council meeting of July 29, 2024, be received; and
2. **THAT** Council extend the Downtown Community Improvement Plan Incentive Program for another five (5) year term with a further option to renew in 2029, subject to Council approval; and
3. **THAT** the Priority Investment Area outlined in the Community Improvement Plan be enlarged to include Town-Owned properties at 41, 47 and 59 Beach Drive.

EXECUTIVE SUMMARY:

- Following completion of the Downtown Master Plan (DDMP) in 2017, Council approved a Downtown Community Improvement Plan (CIP).
- The primary rationale for the financial incentive programs contained in this CIP is to implement the recommendations and vision of the DDMP. The financial incentives will aid in creating a vibrant, healthy, and pedestrian-friendly Downtown area while aiding to establish a market for new residential and commercial uses that does not currently exist without them. They are also intended to support the creation of affordable and rental housing units within the Downtown.
- The CIP Incentive Program was in place for a five (5) year period with the option for renewal.
- Staff recommend extending the CIP Incentive Program for another five (5) year term with the option for further renewal and/or modification.

BACKGROUND:

A Statutory Public Meeting was held on June 27, 2017 to consider the Community Improvement Plan. The CIP was approved by Council on December 19, 2017.

DISCUSSION:

The overall approach to this CIP is to link public sector investment proposed in the CIP related to public space and road network enhancements with private sector financial inducements. The programs offered in the CIP are designed to work hand in hand with the other actions recommended in the DDMP to help offset some of the market shortfalls by using financial mechanisms, in the form of grants and loans, to reduce the cost of development and redevelopment in the Downtown area and attract new investment. These financial tools can be used to catalyze new development and investment in early years until a market has been established.

The financial incentive programs provided in this CIP include:

- Residential / Mixed-Use Development Incentive Program;
- Tax Increment Equivalency Grant Program;
- Municipal Application Fee Rebate Program; and,
- Parking Ratio Exemption.

The four financial incentive programs were chosen with the intention of reducing costs associated with new development to catalyze new investment in the Downtown area. These financial incentive programs are expected to offer the greatest impact for future investment in the Downtown. One of the goals of the CIP is to create a broad mix of housing forms in the Downtown that meets the needs of a wide range of residents. This includes not only market ownership units, but also affordable rental, affordable homeownership, and purpose-built rental units. Details pertaining to each respective incentive are outlined in Appendix A.

Applications for CIP financial incentives are required to be submitted to the Town for consideration. The Application Process is outlined in Appendix A.

CORPORATE IMPLICATIONS:

Financial Implications:

To be determined following applications and subject to the Town's financial ability when assessing applications for approval.

Term of Council Priorities:

This report supports Actions A – Beachfront Redevelopment and B – Main Street Redevelopment of the TOCP's.

CONCLUSION:

The Downtown CIP is still a prudent planning tool to use and it is recommended to extend the CIP Incentive Program for another five (5) year term.

Authored by:

Andrew McNeill,
CAO

Appendices:

Appendix A: Downtown Community Improvement Plan (2017)

Town of Wasaga Beach

Downtown Community Improvement Plan

Wasaga Beach, Ontario

October 2017



N. BARRY LYON CONSULTANTS LIMITED

Town of Wasaga Beach

Downtown Community Improvement Plan

Wasaga Beach, Ontario

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1.0 Background and Overview

1.1 Introduction

Downtowns allow for the efficient use of land and municipal resources for the social and economic benefit of the community. They include an interesting mix of residential, commercial, and public uses and spaces. Well-designed, they can become a source of community pride and identity. Downtowns can offer a “sense of place” that yields benefits in terms of improving the quality of life for residents, creating a strong investment environment, and supporting growth.

The Town of Wasaga Beach (“the Town”) has had a significant amount of growth over the past 20 years, however, much of that growth has been focused on the edge of the community. The planning direction for the historic core of the community has been focused on tourism based activities. As a result, investment in the core areas has been minimal, leaving the Town without a community focus.

In 2015, Council for the Town approved boundaries for the new Downtown (see page 3). They identified that as the Town transitions from a seasonal destination to a more complete community, the development of a new Downtown core would serve several functions. A healthy Downtown will enhance the economic competitiveness of the Town, will aid in rebranding the Town with a more sophisticated and inclusive image, and will help attract new residents, businesses, and jobs, diversifying the local economy.

While the Town will always have a significant component of tourism, its increasing attractiveness as a destination for permanent residents has underpinned the need for a Downtown that builds on the growing sense of community.

In June 2016, Council awarded Forrec Limited and their associated sub-consultants (N. Barry Lyon Consultants Ltd, J.C. Williams Group, CBRE, Toole Design Group) the contract to lead the development of the Downtown Development Master Plan (“DDMP”), initiating the planning process for the creation of a new Downtown. Over the months that followed an intensive evaluation of the social, physical, cultural, and economic influences at play were analyzed. The key barriers and impediments blocking the development of a legitimate Downtown were identified.

The path forward is to stimulate reinvestment with a balance of public and private investment. The public investment component features two important public spaces. The first being a town square in the future Downtown that will form an important civic space to help organize and frame future Downtown development while offering a central town venue for public events and celebrations. The second public space is Festival Square which will be an integral part of future development on Beach One. This space will be designed for both passive and active programming

but primarily for seasonal tourist based activities. Similar to the Downtown square, Festival Square will provide an organizing element for future development.



Artist's impression of the Downtown public square designed to accommodate public events and celebrations with private sector investment flanking its perimeter

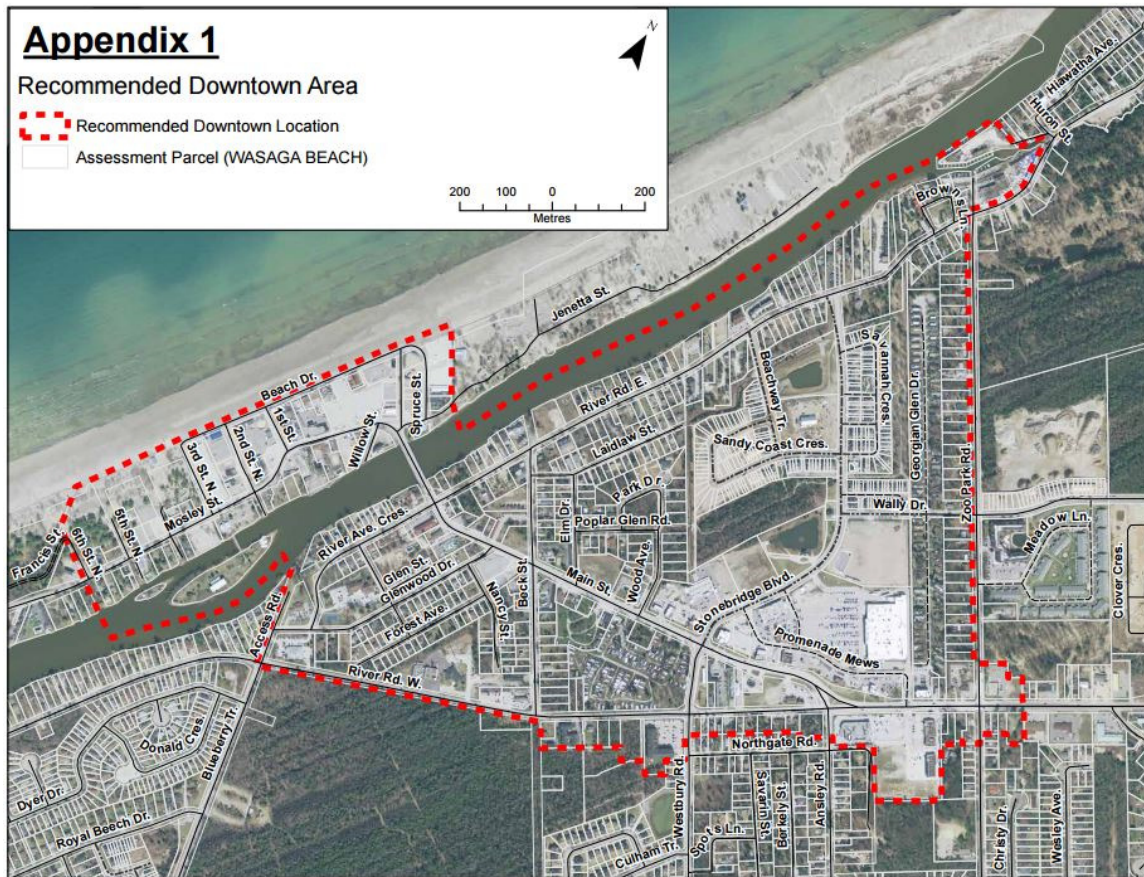


Artist's impression of the Festival Square that will be designed primarily to accommodate seasonal activities but will also help encourage and organize new investment. The CIP polices will work hand in hand with these, and other physical investments.

These public investments are seen not only as amenities for the community but also as strategic investments that will improve the marketability and value of the adjacent real estate.

The Downtown Development Master Plan (“DDMP”) recommended that financial incentives be offered concurrently with these physical investments to help market and stimulate interest in the community. In order to provide these incentives, a Community Improvement Plan would be needed.

On March 28, 2017, Council adopted the DDMP, along with several recommendations from staff. This Community Improvement Plan responds to the direction of Council with respect to the associated recommendations contained in the staff report submitted to the Committee of the Whole on March 21, 2017.



Downtown area, as approved by Council in December 2015

1.2 Community Consultation

The DDMP process featured a comprehensive public engagement program that helped guide and shape its recommendations. Over the course of several months, the consultation process included

a number of public presentations, workshops, drop-in sessions, and stakeholder meetings. The findings from this public engagement and the DDMP process will aid in informing the Community Improvement Plan.

As part of the Community Improvement Plan process, a statutory public meeting was held on June 27, 2017.

2.0 Legislative and Policy Framework

The following legislative framework provides the authority for a Community Improvement Plan.

2.1 Planning Act

The Planning Act, R.S.O. 1990, c. P. 13, as amended (“Planning Act”) provides the statutory framework for the creation of Community Improvement Plans in the Province of Ontario.

Where there is an official plan in place that contains provisions related to community improvement, Section 28 of the Planning Act provides authority for municipalities to designate by by-law a Community Improvement Project Area (“CIPA”). The Planning Act further authorizes Council to prepare a plan suitable for adoption as a Community Improvement Plan (“CIP”) for the CIPA.

Subsection 28(7) of the Planning Act states that:

“for the purpose of carrying out a municipality’s community improvement plan that has come into effect, the municipality may make grants or loans, in conformity with the community improvement plan, to registered owners, assessed owners and tenants of lands and buildings within the community improvement project area, and to any person to whom such an owner or tenant has assigned the right to receive a grant or loan, to pay for the whole or any part of the eligible costs of the community improvement plan.”

Subsection 28(7.1) of the Planning Act continues by stating *“the eligible costs of a community improvement plan may include costs related to environmental site assessment, environmental remediation, development, redevelopment, construction and reconstruction of lands and buildings for rehabilitation purposes or for the provision of energy efficient uses, buildings, structures, works, improvements, or facilities.”*

2.2 Municipal Act, 2001

Subsections 106(1) and 106(2) of the Municipal Act, 2001, S.O. 2001, c. 25 (“Municipal Act”) prohibits municipalities from directly or indirectly assisting any manufacturing business or other industrial or commercial enterprise through the granting of bonuses. However, subsection 106(3) provides an exception to this bonusing rule for municipalities exercising powers under the provisions of Section 28 of the Planning Act.

Additionally, subsection 365.1(2) states that:

“a local municipality may pass by-laws providing for the cancellation of all or a portion of the taxes for municipal and school purposes levied on one or more specified eligible properties, on such conditions as the municipality may determine, and a by-law may apply in respect of the

rehabilitation period for a specified property, the development period for a specified property, or both.”

2.3 Official Plan of the Town of Wasaga Beach

Subsection 19.19 of the Official Plan of the Town of Wasaga Beach (“Official Plan”) contains policies to support the establishment of a Community Improvement Project Area (CIPA) and a corresponding Community Improvement Plan. This subsection contains goals and objectives for areas designated as a CIPA (subsection 19.19.2), as well as considerations to be addressed through the preparation of Community Improvement Plans (subsection 19.19.3).

Council adopted Official Plan Amendment (“OPA”) 42 in May 2016 which outlined the CIP boundaries of the Downtown in Schedule ‘H’ of the Official Plan. OPA 42 was approved by the County of Simcoe in September 2016.

3.0 The Downtown Community Improvement Plan

3.1 Community Improvement Project Area (CIPA)

The area under study for the DDMP is characterized by a mix of land uses ranging from new retail and medium density residential uses located at Stonebridge at the southeast of the Downtown, to weak tourism based uses and vacant or underutilized land in the traditional core areas of the Town, including along Main Street and in the Beach area.

The Stonebridge development offers important amenities to the community but, by design, is oriented to car use and offers only a supportive role in the establishment of a new Downtown. The challenge resides in the balance of Main Street westward to Beach One. Along this strip, land uses are either underperforming or serve only a very focused summer market and contribute little to the community form and function. Several sites are vacant or unoccupied, and in the Beach Area, a fire destroyed much of the buildings fronting onto the Main Street pedestrian mall. The Town wisely acquired a good portion of the remaining Beach lands in anticipation of a strategic municipal response – the DDMP.

During the course of the development of the DDMP a great deal of discussion was centred on which parts of the Downtown should be the primary focus. There was an agreement that the core area should be compact, at least at first, to ensure that efforts are focused. A compact CIPA within the broader area designated as the “Downtown Area” in the Official Plan recognizes that the Town’s resources are finite and projects should not be too spread out, allowing for the maximum benefit to be captured.

It was also agreed during the analysis phase of the DDMP and consultations with the public that the Downtown should be primarily for permanent residents but not ignore the tourism based activities centred around Beach One. The peak summer activity, from an economic perspective, was viewed as an opportunity to support businesses located in the Downtown. These factors underpinned the basic logic for the establishment of two distinct areas, within a walkable distance but with unique functions, that together make up the CIPA. The idea of a town square, to help frame and organize a future Downtown, while at the same time creating a community amenity for special events and celebrations helps further rationalize the boundaries of the CIPA.

The Community Improvement Plan Area is shown in Appendix A. These boundaries were adopted by Council in May 2016.

3.2 Overall Approach of the CIP

While the Town has exhibited strong growth, virtually all of this growth is occurring outside of the boundaries of the Downtown. Barriers to investment therefore lie largely on the area’s

appearance, fragmented pattern of land use and ownership, land uses that are inconsistent with new investment, and outdated planning policies.

The overall approach to this CIP is to link the public sector investment proposed in the CIP related to public space and road network enhancements with private sector financial inducements. The programs offered in the CIP are designed to work hand in hand with the other actions recommended in the DDMP to help offset some of the market shortfalls by using financial mechanisms, in the form of grants and loans, to reduce the cost of development and redevelopment in the Downtown area and attract new investment. These financial tools can be used to catalyze new development and investment in early years until a market has been established.

The financial incentives that are offered in the CIP will be performance-based and focused on properties that are located primarily along Main Street between Elm Drive and Beach Drive. This includes all properties fronting on both proposed town squares. This area is highlighted as the Priority Investment Area in Appendix A, and is illustrated in detail below.

The performance-based criteria used to evaluate the applications will include factors such as location adjacent to one of the two public squares, the inclusion of ground floor commercial / community space, four-storey building heights, high-quality design, demonstrated financial need, and how well the application meets the goals and objectives of the Official Plan and the DDMP.



Location of Priority Investment Area for Community Improvement Plan programs

The purpose of this focused approach is to ensure that the limited funds available for these incentives are used efficiently, and to promote priority investment in line with the objectives of the DDMP.

3.3 Prioritization of Affordable and Rental Housing

One of the goals of the CIP is to create a broad mix of housing forms in the Downtown that meets the needs of a wide range of residents. This includes not only market ownership units, but also affordable rental, affordable homeownership, and purpose-built rental units. Within the Priority Investment Area, eligible projects may be awarded bonus points in the evaluation scoring if they create affordable housing units.

While the incentive programs in this CIP are to be primarily used in the Priority Investment Area, they should also be provided for new affordable housing rental units and new purpose-built rental units throughout the rest of the Downtown boundaries. Incentives are not available for market-rate ownership housing outside the Priority Investment Area. However, affordable and market rental housing projects are encouraged outside of the Priority Investment Area and would be evaluated on a case by case basis in consultation with the County of Simcoe.

Outside of the Priority Investment Area, projects are only eligible for CIP incentives if they create affordable rental or market rental housing units and meet specific eligibility criteria including demonstrating the need for Downtown CIP financial incentives in order to make the project financially viable through submission of a proposed development pro forma.

Locating affordable housing in the Downtown will improve the lives of a broad range of residents including aging populations who need to live in convenient, walkable locations where they can access amenities and services to meet their daily needs without the use of a car. Providing incentives for affordable housing units in the Downtown that align with the provincial growth forecast and provincial priorities could attract additional funding from senior levels of government to make affordable housing development in the Town more feasible.

As per Section 6.0 of the Provincial Policy Statement, 2014, “affordable housing” is defined as:

- *In the case of ownership housing, the least expensive of:*
 - *Housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or*
 - *Housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area;*
- *In the case of rental housing, the least expensive of:*

- *A unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or*
- *A unit for which the rent is at or below the average market rent of a unit in the regional market area.*

3.4 Objectives of the Community Improvement Plan

The overall objectives of the community improvement plan are to:

- Help shift the Town from a seasonal tourism-based destination to a more complete four-season community;
- Encourage existing property owners to reinvest in terms of more intensified developments consistent with the directions of the DDMP;
- Facilitate future growth by encouraging private sector investment in a broader range of housing forms for a greater number of smaller households (as forecasted in Hemson Consulting Ltd.'s Development Charges Background Study, 2015), growing the number of senior households, and assisting in the creation of affordable housing;
- By strategically investing with the private sector, promote the Town for additional downstream investment;
- Enhance the quality of the public realm in a walkable, pedestrian-friendly environment as an amenity to permanent residents of the Town;
- Create a focus for community activities and a symbolic heart of the Town to build a sense of community identity and pride;
- Encourage the renewal and upgrading of tourism-based accommodation;
- Encourage new tourism activity that attracts broader benefits to the Town in terms of shared amenities, as well as economic spin-offs;
- Maximize the use and efficiency of in place municipal infrastructure; and,
- Grow the property tax base.

3.5 Rationale for the Incentive Programs

The primary rationale for the financial incentive programs contained in this CIP is to implement the recommendations and vision of the DDMP. The financial incentives will aid in creating a

vibrant, healthy, and pedestrian-friendly Downtown area while aiding to establish a market for new residential and commercial uses that does not currently exist without them. They are also intended to support the creation of affordable and rental housing units within the Downtown.

The financial incentive programs provided in this CIP include:

- Residential / Mixed-Use Development Incentive Program;
- Tax Increment Equivalency Grant Program;
- Municipal Application Fee Rebate Program; and,
- Parking Ratio Exemption.

The four financial incentive programs were chosen with the intention of reducing costs associated with new development to catalyze new investment in the Downtown area. These financial incentive programs are expected to offer the greatest impact for future investment in the Downtown.

3.6 General Requirements for the Incentive Programs

All financial incentive programs described herein are subject to the following general requirements. These requirements are not intended to be exhaustive. The Town reserves the right to include other reasonable requirements and conditions on a project-specific basis.

- Approval for annual funding under the financial incentive programs will not be issued on a first come, first served basis, but rather will be based on which application(s) best meet the goals of the Official Plan and the DDMP.
- The performance-based criteria used to evaluate applications for financial incentive programs within the Priority Investment Area are identified in Appendix B. The criteria may be adjusted from time to time as required. The development of these criteria and their use in evaluation of applications will be at the discretion of Council and the CIP program administration team.
- Outside of the Priority Investment Area, projects are only eligible for CIP incentives if they create affordable rental or market rental housing units, and meet the following eligibility criteria:

Affordable or Market Rental Housing Eligibility Criteria (Outside Priority Investment Area only)

1. The proposed development conforms to the Official Plan and Downtown Urban Design Guidelines.

2. The proposed development implements the Downtown Development Master Plan.
3. The applicant must submit a proposed development pro forma that demonstrates the need for Downtown CIP financial incentives in order to make the project financially viable.

Evaluation of new affordable or market rental housing shall be done on a case by case basis on the merits of the application and the demonstrated need to make the project viable.

- Generally speaking the Town is seeking to encourage significant investments that will have a positive impact on the shaping of the Downtown in terms of its function and appearance. These uses will ideally be three to four storeys in height;
- The incentives contained herein are for new construction only. Conversions and additions to existing buildings are not eligible for the financial incentive programs in the CIP;
- Priority shall be given to mixed-use residential developments that include ground-floor retail, office, commercial, or community space. Highest priority will be provided to the properties fronting on the two planned town squares;
- Outside the Priority Investment Area, the incentive programs herein are only available for affordable housing units and purpose-built rental units that meet the goals of the Official Plan and the DDMP. Applicants must enter into an agreement with the Town to guarantee that any new affordable housing units meet the definition of affordable housing, as defined by the Provincial Policy Statement, in order to secure incentives;
- A property meeting the eligibility criteria of the financial incentive programs may apply and be approved for multiple incentive programs if it is able to demonstrate the need for funding from multiple programs;
- Approval of one or more of the financial incentive programs included in this CIP does not preclude the applicant from needing to obtain any other required municipal, provincial, or federal approvals associated with the project;
- If an applicant is not chosen for financial incentives in any given year, they are still eligible to apply for incentives in subsequent years;
- All approved projects shall conform to all relevant provincial legislation and municipal by-laws, standards, policies, and procedures;
- The financial incentives described in this CIP may be used in combination with any other program offered by the Town and/or any other level of government;

- At its discretion, Council may sell municipal property at below fair market value to achieve the goals of the Official Plan and the DDMP. An appraisal of fair market value shall be completed to determine the net benefit to a project for the purposes of compliance with subsection 28(7.3) of the Planning Act;
- At Council's discretion, a maximum annual CIP incentive program amount may be established for total incentives granted to projects.
- The Town may receive applications that exceed the maximum program amount outlined in this CIP. Council may provide incentives that exceed the defined program funding at its discretion so long as the application meets all other criteria and achieves the goals of the Official Plan and the DDMP;
- The Town reserves the right to peer review / audit any studies and/or projects approved under a financial incentive program, at the expense of the applicant;
- The Town is not responsible for any costs incurred by an applicant for any of the financial incentive programs contained herein;
- The applicant must remain in good standing with the Town throughout the entire duration of the CIP incentive program commitment or the project becomes ineligible for CIP incentives and any incentives received to date shall be returned to the Town. Being in good standing means a property is not in a position of tax arrears, any municipal fees and levies liable on the property or any other property owned by the applicant have been paid, no liens or legal proceedings against the property, not being in litigation of any kind opposite the Town, no outstanding By-law Enforcement, Property Standards, Building, or Fire work orders, etc. For example, any property in a position of tax arrears will be ineligible for any financial incentive program;
- As per subsection 28(7) of the Planning Act, eligible applicants must be either a registered property owner, assessed property owner, or a tenant of a property to whom the owner has assigned consent to receive assistance under the CIP;
- The eligible costs of this community improvement plan are those identified in subsection 28(7.1) of the Planning Act, which includes costs related to environmental site assessment, environmental remediation, development, redevelopment, construction and reconstruction of lands and buildings for rehabilitation purposes or for the provision of energy efficient uses, buildings, structures, works, improvements, or facilities;
- As per subsection 28(7.3) of the Planning Act, the total of the grants and loans and the tax assistance that is provided shall not exceed the eligible cost of the community improvement plan with respect to those lands and buildings;

- Works that commenced prior to submitting an application for one of the financial incentive programs are ineligible;
- The Downtown CIP incentive programs are available for a period of five years from the adoption of the CIP. Applications for CIP incentives shall not be submitted any later than 5 years from adoption of the CIP, unless otherwise determined by Council. After 5 years Council may elect to extend the CIP incentive program; and
- The Town may discontinue any financial incentive program at any time. Approved properties will continue to receive agreed upon incentives after the cancellation of any program so long as the applicant remains in compliance with the requirements set out in the individual agreement;

4.0 Summary of Incentive Programs

4.1 Residential / Mixed-Use Development Incentive Program

4.1.1 Purpose

The purpose of this program is to attract more intensive residential and mixed-use development, as well as affordable and market rental housing units in the Downtown area. The grant is meant to catalyze the market for this type of residential / mixed-use development.

4.1.2 Description

Under this program, the Town will provide a grant in the form of a rebate to an applicant equivalent to or a portion of the Town's residential development charge rate. The total amount of incentive provided annually under this program will be at the discretion of Council approval.

In addition to the grant for residential uses, a grant in the form of a rebate equivalent to or a portion of the Town's non-residential development charge will also be provided for developments that include commercial / retail space along the ground floor of a mixed-use building in the primary incentive area.

In order to ensure completion of any project that is approved under this incentive program, 50% of the total rebate will be provided to the applicant upon the issuance of occupancy permits for half of the residential/commercial units in the project, with the remaining 50% rebate provided upon substantial completion of construction of the project being accepted by the Town.

All applications will be considered subject to the availability of funding. If no applications are approved in a given year, consideration should be given to adding unused funding from that year to a reserve for future years in order to respond to any increased future demand for the program.

When a market for these uses is deemed to have been established, this program may be discontinued at the discretion of Council.

4.2 Tax-Increment Equivalency Grant (TIEG) Program

4.2.1 Purpose

To encourage the redevelopment of eligible properties by providing grants equivalent to the incremental increase in municipal property tax assessment and revenue resulting from the property improvements associated with the redevelopment.

A TIEG aids in putting lands which otherwise may not be redeveloped, back into productive use.

4.2.2 Description

Council may provide grants for an eligible property to an applicant who is the property owner, assessed property owner, or a tenant of a property to whom the owner has assigned consent equal to the full amount, or a portion of the amount of the estimated incremental property tax increase after the property is redeveloped. This assumes that the improvements result in an increase in assessment and taxation.

The grant is provided after the improvements to the property have been completed and the property has been reassessed by the Municipal Property Assessment Corporation to ensure that the value of the property has increased. Taxes will be paid in full prior to the grant being issued.

The difference in tax values from the pre and post-improvement assessments will be used to calculate the incremental increase in municipal property tax revenue and the total value of the grant. The applicant will pay the full cost of their municipal property tax bill after the increase in assessment. The incremental tax increase will then be refunded by the Town over an established pre-improvement base assessment (based on the time of approval of the application). If a project is phased over multiple years, the grant for later phases will be based on a property re-assessment prior to construction of each phase.

The grant will be provided to applicants for five years after the property improvement is complete. Within the Priority Investment Area, the grant will be equal to 100% of the tax increment in years one to three. In years four and five, the grant will decrease to 50% of the tax increment, ceasing thereafter.

TIEG applications must be accompanied by:

- Photos depicting the current condition of the eligible property;
- Plans, reports, estimates, contracts, and other information necessary to understand the proposed development concept for the property; and,
- Information on how the development meets the goals of the Official Plan, CIP, and DDMP.

TIEG applications shall be approved by Council, by by-law, and the applicant will be required to enter into an agreement with the Town. If the applicant of the approved property defaults on any condition set out in the agreement, it will become void and the grants will become immediately payable to the Town, in full.

In the case of a condominium apartment development, the tax savings from the TIEG should be passed to the purchasers of the units as opposed to the applicant/developer. This will incent buyers to consider purchasing a unit and investing in the Downtown, and the applicant/developer will be able to use the property tax breaks associated with the TIEG as a marketing tool,

potentially improving sales absorption rates. By doing this, both the applicant/developer and the purchaser benefit from the incentive program.

4.3 Municipal Application Fee Rebate Program

4.3.1 Purpose

To encourage the development and redevelopment of eligible properties by providing grants associated with applications under the Planning Act and Building Code Act, 1992, S.O. 1992, c. 23.

4.3.2 Description

The Town may provide grants in the form of a rebate for applications associated with the development or redevelopment of eligible properties. These grants may include the cost of a portion of or all of the following application fees/charges/dedications:

- Zoning by-law and Official Plan amendments;
- Minor variances;
- Site Plan Control;
- Plan of subdivision / condominium;
- Building permits;
- Occupancy permits;
- Parkland dedication;
- Demolition Permits; and,
- Engineering Review Fees (per the Engineering Review Fee Policy).

This program includes a grant in the form of a rebate to offset the costs of the aforementioned fees. Applicants are expected to pay these fees at the required times, with planning fees to be reimbursed via a rebate when the project has been approved and a building permit has been issued. Rebates related to building permit fees should be provided upon substantial completion of construction. This ensures that the incentive leads to the actual implementation of the project.

This program is only applicable to fees levied by the Town. Fees associated with any outside agency or upper-level of government will be required to be paid by the applicant and are not subject to a grant unless an agreement has been made with one or more of these outside agencies / governments by the applicant.

At the discretion of the Town, an annual cap on the total value of municipal application fee grants may be implemented.

4.4 Parking Ratio Exemption

4.4.1 Purpose

To aid in reducing the costs of development by exempting new residential / mixed-use development in the Downtown from the pre-determined parking ratio.

4.4.2 Description

Parking, particularly in an underground garage, can be one of the most significant costs for a applicant/developer of a new residential building. Relaxing parking standards would have relatively little financial cost to the Town and a significant savings for many projects.

A parking ratio exemption would allow applicants/developers in the Downtown to be exempt from the required parking ratio in the Town of Wasaga Beach Zoning By-law, through a zoning by-law amendment or a minor variance. This exemption places the onus on the applicant/developer to build only the parking necessary to accommodate the development from a market perspective, subject to approval from the Town.

The parking ratio for a new development on an eligible property shall be negotiated with the Town's Planning Department, and the applicant shall provide supporting documentation and market evidence, at the cost of the applicant, for the proposed ratio.

4.5 Other Initiatives

4.5.1 Public Realm Improvements

In addition to utilizing financial tools to attract new investment in the Downtown, the Town will need to take several measures to signal its commitment to the revitalization process. This includes public realm and streetscape improvements in the Downtown, particularly along Main Street, beginning with the construction of the traffic circle at Main Street and Beck Street recommended in the DDMP.

This also includes funding, in part or in whole, the design and construction of the two recommended town squares – one at Main Street and Beck Street, and the other in Beach One – in order to create community focal points on both the town and beach sides of the Nottawasaga River. These town squares should have consistent programming to attract people and drive positive awareness of the area and the wider Town for residents and tourists.

The public realm improvements would make the Downtown a more attractive place, which could shorten the length of time that the financial incentive programs are needed.

4.5.2 Property Acquisition and Disposition

The Town may acquire and prepare property, including land and/or buildings, for the purpose of redevelopment within any portion of the CIPA. The Town may also dispose of, including through sale, lease or otherwise, municipal land and/or buildings within any portion of the CIPA for the purpose of achieving the goals and objectives of this CIP. In the event of a disposition of Town land, such disposition shall be carried out in accordance with the Town's By-law governing the disposition of property.

Strategies for further land acquisition should be considered in order to aid in the revitalization process. The more land in the Downtown that the Town owns, the more it will be able to participate in shaping the uses and built forms that will be constructed in the Downtown. Land ownership will allow the Town to be a partner with private sector investors on the redevelopment of the Downtown.

The Town was forward-thinking when it acquired a significant amount of land in the beach area, and consideration should be given to whether or not further acquisition along Main Street would be worthwhile for the revitalization process.

5.0 Implementation

5.1 Application Process

1. **Submission of Pre-Consultation Application Form:** Applicant completes and submits the [Pre-Consultation application form](#) signaling intent to apply for one or more CIP programs.
 - a. Information from the applicant should include a description of the project and expected time to completion; conceptual site plan and elevation drawings including proposed uses; incentive programs of interest and estimated CIP incentive funding request; and, information on how the project will improve the property and contribute to the goals and objectives of the CIP and DDMP.
2. **Pre-Consultation Meeting:** Meeting between the applicant, municipal staff, and local commenting agencies to review and provide comments on the development concept, outline the application requirements, cost and timing expectations, and determine eligibility for CIP incentive programs.
3. **Pre-Application Screening:** To ensure compliance with eligibility requirements and that the applicant is in good standing with the Town. The applicant must remain in good standing throughout the entire duration of the program commitment or the project becomes ineligible for CIP incentives and any incentives received to date shall be returned to the Town.

If a proposed project is determined to meet eligibility criteria, the applicant will be provided a Downtown CIP Incentive Application.

4. **CIP Incentive Application Submission:** Completed CIP Incentive application submitted to the CIP program administration team with all supporting materials required by the Town.
5. **CIP Incentive Application Evaluation:** The CIP program administration team will evaluate applications based on the criteria outlined in Appendix B. Applicants must demonstrate the need for CIP financial incentives through application submission. The Town reserves the right to request the assistance of consultants for application review.
6. **CIP Incentive Application Recommendation:** CIP program administration team makes a funding recommendation to Committee of the Whole of Council through a staff report, who then shall make a recommendation to Council.
7. **Council Decision:** Council vote on providing funding through CIP programs to recommended applicant(s). Council will require a successful applicant to enter into a

legal agreement which outlines all terms and conditions of assistance, including any limitations of the assistance.

8. **Notification:** Applicant is notified of the decision. If the applicant is satisfied with the decision, the project funding will commence upon the complete execution of an agreement between the Town and the applicant, as may be required by the Town, or at another date as specified by the Town.

5.2 Intake and Evaluation of CIP Incentive Applications

CIP Incentive Application intake will occur on a rolling basis to help facilitate development proposals on the part of applicants/developers in a timely fashion. Potential applicants for CIP financial incentives must first apply for and attend a Pre-Consultation meeting with staff to review the conceptual development proposal.

An applicant seeking incentives from the Town through the Downtown CIP shall attend a pre-consultation meeting with staff in order to determine whether a project is eligible for potential incentives through the Downtown CIP (see Appendix B). A pre-consultation application form can be found [here](#). In advance of the pre-consultation meeting, an applicant must submit a conceptual site plan, elevations, streetscape drawings, and the proposed uses within the building.

If a proposed project is determined to meet eligibility criteria, the applicant will be provided a Downtown CIP Incentive Application. Applications for CIP incentive programs will be evaluated by the CIP program administration team. The composition of the CIP program administration team will be as follows, and is subject to change at the direction of Council;

- Chair of the Downtown Development Master Plan Steering Committee or designate;
- Director or designate from Economic Development and Tourism Department;
- Manager or designate from Planning Department;
- Chief Building Official or designate from Building Department;
- Director or designate from Public Works Department; and,
- Director or designate from Treasury Department.

Additional Town staff with relevant expertise may be requested to attend evaluation meetings as required. The CIP program administration team will meet in a timely fashion to review and evaluate applications and forward funding recommendations to Council through a staff report.

5.3 Monitoring and Review Timeline

The CIP should be monitored on an ongoing basis to track progress towards the stated objectives. The monitoring program will be structured around a number of indicators, as outlined on the following page, and can be undertaken by Town staff.

An annual staff report, presented to Council, shall be written with information pertaining to the performance of each of the available incentive programs and the response that they have received. Where possible, these reports should also address the social effectiveness of these incentive programs, particularly as they pertain to the provision of a diverse mix of new housing, including affordable housing units.

These annual reports to Council should also be used to inform any future changes to this CIP, or adjustments to any budgeting decisions related to any of the financial incentive programs.

CIP Program	Program-Specific Indicators
Residential / Mixed-Use Development Incentive Program	Number of applications received / approved
	Number of new residential units constructed
	Amount of new non-residential space constructed (sq. ft.)
	Value of total grants
	Value of private sector investment
Tax Increment Equivalency Grant Program	Number of applications received / approved
	Amount of land redeveloped under program (acres / hectares)
	Number of new residential units constructed
	Amount of new non-residential space constructed (sq. ft.)
	Estimate / actual increase in assessment value of approved properties
	Estimate / actual amount of municipal tax assistance provided to approved properties
	Value of private sector investment
Planning and Building Permit Fee Rebate Program	Number, type, and value of planning and building permit fees rebated
	Number of new residential units constructed
	Amount of new non-residential space constructed (sq. ft.)
	Value of private sector investment
Parking Ratio Exemption	Number of applications proposing a lower parking ratio than Zoning By-law requirement
	Number of new residential units constructed
	Amount of new non-residential space constructed (sq. ft.)
	Parking ratio of new developments in the Downtown
	Value of private sector investment

In addition to the annual reports, there should be a detailed review of the CIP policies and performance every five years. This five-year review should be tied to the statutory five-year Official Plan Review. At this time, decisions can be made as to whether new incentives are

needed, existing incentives should be retired, or if the CIP itself has served its purpose and can be discontinued.

Any amendments made outside of the five-year review timeframe should be approved by Council. These amendments may include adding or removing a new financial incentive program, amending the amount of financial assistance available under the programs, or a change to the CIPA boundaries. These amendments shall be undertaken in accordance with Section 28 of the Planning Act.

Appendix A – Mapping



Downtown Community Improvement Plan Area

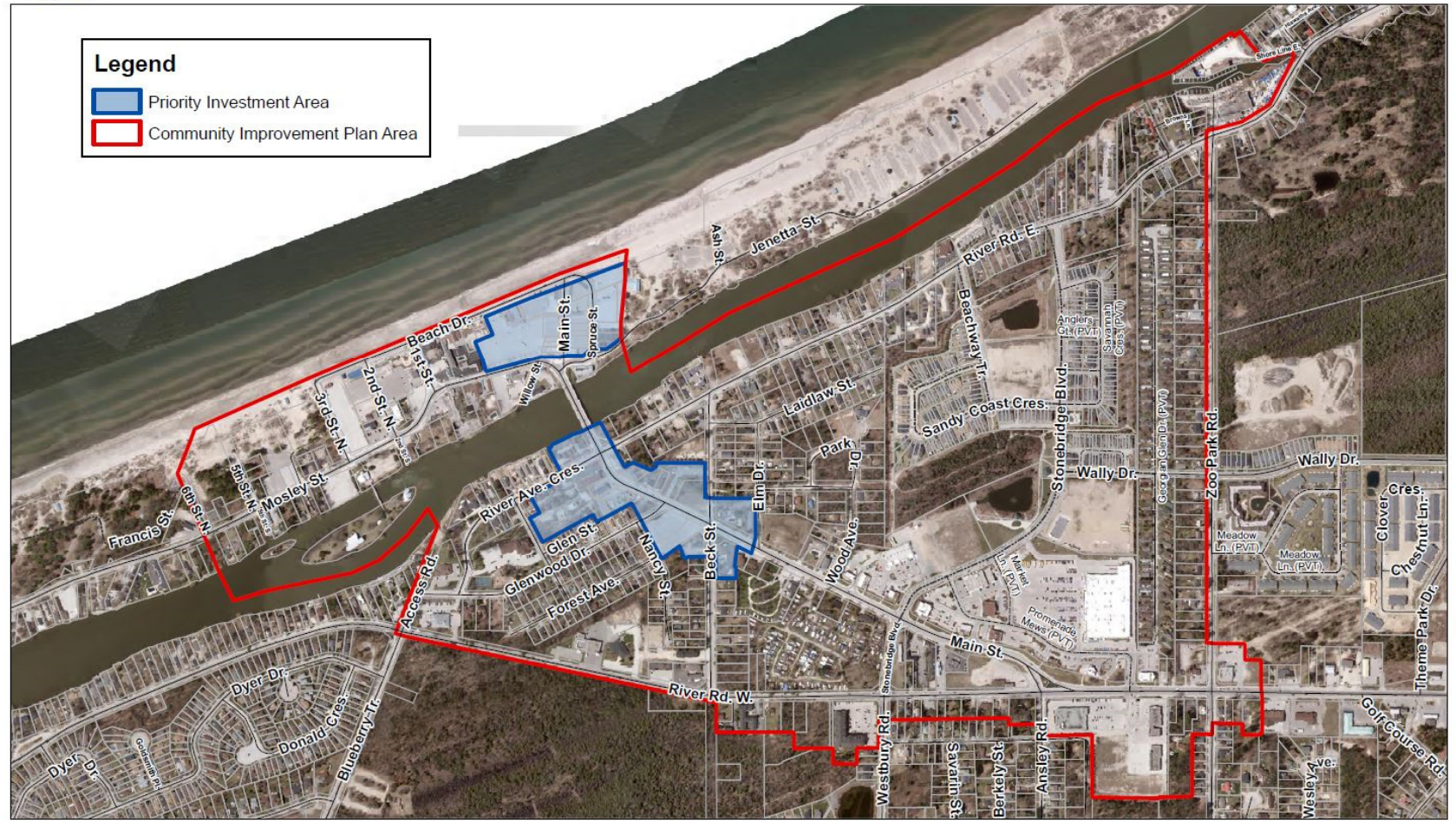
Town of Wasaga Beach



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Legend

- Priority Investment Area
- Community Improvement Plan Area





Priority Investment Area

Town of Wasaga Beach



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Appendix B – Evaluation Criteria

An applicant seeking incentives from the Town through the Downtown CIP shall attend a pre-consultation meeting with staff in order to determine whether a project is eligible for potential incentives through the Downtown CIP. A pre-consultation application form can be found [here](#). In advance of the pre-consultation meeting, an applicant must submit a conceptual site plan, elevations, streetscape drawings, and the proposed uses within the building.

The following criteria must be met in order to be eligible for Downtown CIP incentives within the Priority Investment Area:

Eligibility Criteria within the Priority Investment Area

1. The proposed development conforms to the Official Plan, Zoning By-law, and Downtown Urban Design Guidelines.
2. The proposed development implements the Downtown Development Master Plan.
3. The property on which the development is proposed has frontage on Main Street, Spruce Street and/or one of the two public squares, as identified within the priority investment area in the CIP.
4. The proposed development consists of a mixed-use building with a minimum three-storey height, containing commercial uses at grade.
5. The applicant must submit a proposed development pro forma that demonstrates the need for Downtown CIP financial incentives in order to make the project financially viable.

Affordable housing and market rental projects outside the Priority Investment Area are subject to separate eligibility and evaluation criteria identified in Section 3.6 of this CIP.

Through the pre-consultation process, Town staff will determine whether a project may be eligible for the various financial incentive programs in the Downtown CIP. The Town reserves the right to use consultants to review applications for eligibility and evaluation of proposals. If a proposed project is determined to meet eligibility criteria, the applicant will be provided a Downtown CIP Incentive Application.

CIP Evaluation Criteria

Applications for Downtown CIP incentive programs will be reviewed by the CIP program administration team. The CIP program administration team will evaluate development proposals and applications using a point system based on the following evaluation matrix. A minimum threshold of 70 points must be achieved in order for Council to provide CIP incentives for a project.

CIP Application Evaluation Scoring Matrix		Score
Quality of Architecture and Site Design Excellence	<p>The following architectural and site design features will be assigned higher scores:</p> <ul style="list-style-type: none"> • High quality architecture reflective of the character/identity established in Design Guidelines • Incorporation of Public Art • LEED Silver or higher (or equivalent) • Low impact design 	/20
Scale and Massing of the Building	<p>The scale and massing of the building(s) should:</p> <ul style="list-style-type: none"> • Be appropriate to the context • Be pedestrian-scale • Create a continuous and uninterrupted street wall 	/10
Positive Contribution to the Public Realm	<p>The proposed building(s) should contribute positively to the vitality of the public street. Proposals containing the following design criteria will be assigned higher scores:</p> <ul style="list-style-type: none"> • High quality streetscaping • Provision of pedestrian, cycling, and transit infrastructure, and street furniture • Public Art • Provision of weather protection for pedestrians • High quality signage 	/15
Type of Commercial Uses	<p>The following preferred uses will be assigned higher scores:</p> <ul style="list-style-type: none"> • Active and engaging ground floor uses such as restaurants and cafes with patios, and retail with outdoor display areas • Independent businesses are preferable over national/international chains • Second-floor office uses • Hotel and accommodation uses • Affordability of commercial lease rates 	/15
Financial Viability	<p>The proposal must demonstrate the need for Downtown CIP financial incentives through the submission of a development pro forma, including a list of costs, revenues, building statistics, etc. (see Appendix C).</p>	/40
Affordable Housing Bonus	<p>A bonus score of up to 10 points is available for projects that include new affordable housing units as part of mixed use projects.</p>	/10
		/100

The evaluation criteria may be adjusted from time to time as required. The development of these criteria and their use in evaluation of applications will be at the discretion of Council and the CIP program administration team.

Appendix C – Pro Forma

The following is an example of the information that would typically be required for a fulsome pro forma examination when applying for financial incentives through the Downtown Community Improvement Plan.

Site and Building Statistics:

- Site area;
- Number of units;
- Number of storeys;
- Residential gross floor area (“GFA”):
 - Total GFA;
 - Average net unit size;
 - Net saleable area;
 - Net to gross efficiency ratio.
- Suite mix;
- Number of parking spaces;
 - Number of resident parking spaces;
 - Number of visitor parking spaces;
 - Number of commercial / retail parking spaces;
 - Number of bicycle parking spaces.
- Total parking area;
 - Above grade parking area;
 - Below grade parking area;
 - Storeys of above/below grade parking.
- Number of storage lockers.

Revenues

- Estimated average residential index price (per square foot);
- Estimated average unit end-price;
- Parking revenue (per stall);
- Storage locker revenue (per locker)
- Revenue inflator (per year);
- Average Attained Price over Marketing Period (per square foot);
- Estimated revenue (per square foot) of commercial / retail space (if applicable);
- Total revenues;
 - Revenue from sale of residential units;
 - Revenue from sale of parking and storage lockers;
 - Interim occupancy charges;
 - Recoveries (Tarion, HST rebate, etc).
 - Value of any grants, loans, incentives, payments, or rebates from other sources of government or non-profit funding.

Costs

- Hard costs;
 - Residential construction cost (per square foot);
 - Below grade construction cost (per square foot);
 - Surface parking construction cost (per square foot);
 - Other hard costs (contingency, demolition, remediation, servicing connection, landscaping, etc).
- Soft costs;
 - Regional and Town residential development charges;
 - Education development charges;
 - Building permit fee;

- Property tax rate;
 - Land transfer tax;
 - Planning and engineering application fees;
 - Estimated consultant fees, project and construction management fees, legal fees, etc;
 - Insurance;
 - Estimated marketing costs;
 - Sales commissions;
 - Construction loan interest rate;
 - Other soft costs (Tarion, HST, Section 37, etc).
- Land cost (to be determined through appraisal of fair market value);
- Total costs;
 - Total hard costs;
 - Total soft costs;
 - Total development cost (including land);
 - Per unit;
 - Per square foot buildable.

Development Rates and Timing

- Expected margin of profit;
- Discount rate (applicant will need to provide assumptions and rationale for discount rate);
- Total development time (pre-marketing, pre-construction, under construction, occupancy);
- Estimated sales absorption rate (per month).

Profit

- Total profit;
 - Per unit;
 - Per square foot buildable.

DATE: 7/8/2024
SUBJECT: Canada Community-Building Fund Agreement
CONTACT: Jocelyn Lee, Chief Financial Officer and Treasurer
REPORT NUMBER: 2024/07/29-04

RECOMMENDATION:

1. **THAT** the report titled: Canada Community-Building Fund Agreement, to the Council meeting of July 29, 2024, be received; and
2. **THAT** Council authorize the Mayor and Clerk to execute the Canada Community-Building Fund Agreement attached to this report.

EXECUTIVE SUMMARY:

- **The Canada Community-Building Fund (CCBF) agreement is up for renewal for the period of April 1, 2024 to March 31, 2034;**
- **The Agreement has very minor differences from the last ten year term.**

BACKGROUND:

The Town receives annual payments from the federal government for CCBF program. In 2024, the annual amount is \$684,220. The grant funding is spent on various capital projects that are eligible for this funding, most commonly roads and bridge projects. The 2023 annual reporting shows that for the period of 2005 to 2023, \$6.7M was spent on roads and bridges, and \$50k on Recreation.

The total received from the program for that same period is \$9.9M with interest earned to date of \$576k. This leaves a balance at the end of 2023 of \$3.8M which is budgeted/forecasted to be used on the River Road West project currently in process and the future work planned for Beach Drive.

The funding program supports the capital program and asset management plan.

DISCUSSION:

The agreement term is for a ten-year period, with a new term beginning April 1, 2024. The agreement was received on June 14th.

The funding program requires that the grant funds be spent within a five-year window. All funds must be spent by December 31, 2038.

An annual report is required to be filed each year by the Treasurer.

There is very little difference between the old agreement and the new agreement. However, one new requirement was added, that while it doesn't affect the Town for this term, it may in a future term. For municipalities that had a population of 30,000 or more on the 2021 Census, the Recipient must complete a Housing Needs Assessment.

CORPORATE IMPLICATIONS:

Financial Implications:

The financial implications of this agreement is to provide the Town with approximately \$685K of grant funding annually each year for spending on eligible projects.

Term of Council Priorities:

This report aligns with TOCP "Well-Run" pillar – Financial Sustainability – item 74 build the Town reserves back up; and item 76 explore grants to reduce residential financial burden.

CONCLUSION:

The Town participates in the federal Canada Community-Building Fund program which has an agreement term of ten years. The agreement is up for renewal and authorization to have the agreement signed by the Mayor and Clerk is being requested. The grant funding program supports the capital program and the asset management plan.

Authored by:

Jocelyn Lee,
Chief Financial Officer and Treasurer

Appendices:

Appendix A: Municipal Funding Agreement on the Canada Community-Building Fund

MUNICIPAL FUNDING AGREEMENT ON THE CANADA COMMUNITY-BUILDING FUND

BETWEEN:

THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO

(referred to herein as “**AMO**”)

AND:

THE TOWN OF WASAGA BEACH

(a municipal corporation pursuant to the *Municipal Act, 2001*, referred to herein as the “**Recipient**”)

WHEREAS the Government of Canada, the Government of Ontario, AMO, and the City of Toronto are signatories to the Administrative Agreement on the Canada Community-Building Fund effective April 1, 2024 (the “**Administrative Agreement**”), which governs the transfer and use of the Canada Community-Building Fund (“**CCBF**”) in Ontario;

AND WHEREAS AMO is responsible for the administration of CCBF funding made available to all Municipalities in Ontario – except the City of Toronto – under the Administrative Agreement, and will therefore undertake (and require the Recipient to undertake) certain activities as set out in this Agreement;

AND WHEREAS the Recipient wishes to enter into this Agreement to access CCBF funding;

NOW THEREFORE the Parties agree as follows:

1. DEFINITIONS AND INTERPRETATIONS

1.1 **Definitions.** For the purposes of this Agreement, the following terms shall have the meanings ascribed to them below:

“Annual Report” means the duly completed report to be prepared and delivered to AMO as described in Section 6.1.

“Asset Management” is a principle/practice that includes planning processes, approaches, plans, or related documents that support an integrated lifecycle approach to the effective stewardship of infrastructure assets to maximize benefits and effectively manage risk.

“Canada” means the Government of Canada, as represented by the Minister of Housing, Infrastructure and Communities.

“Canada Community-Building Fund” or “CCBF” means the program established under section 161 of the *Keeping Canada’s Economy and Jobs Growing Act*, S.C. 2011, c. 24 as amended by section 233 of the *Economic Action Plan 2013 Act, No. 1*, S.C. 2013, c. 33, as the Gas Tax Fund and renamed the Canada Community-Building Fund in section 199 of *Budget Implementation Act, 2021, No. 1*.

“Contract” means an agreement between the Recipient and a Third Party whereby the latter agrees to supply a product or service to an Eligible Project in return for financial consideration.

“Eligible Expenditure” means an expenditure described as eligible in Schedule B or deemed eligible by Canada in accordance with Section 4.2.

“Eligible Investment Category” means an investment category listed in Schedule A or deemed eligible by Canada in accordance with Section 3.2.

“Eligible Project” means a project that fits within an Eligible Investment Category.

“Event of Default” has the meaning given to it in Section 13.1 of this Agreement.

“Funds” mean the funds made available to the Recipient through the CCBF or any other source of funding as determined by Canada. Funds are made available pursuant to this Agreement and includes any interest earned on the said Funds. Funds transferred to another Municipality in accordance with Section 5.3 of this Agreement are to be treated as Funds by the Municipality to which the Funds are transferred; and Funds transferred to a non-municipal entity in accordance with Section 5.4 of this Agreement shall remain as Funds under this Agreement for all purposes and the Recipient shall continue to be bound by all provisions of this Agreement with respect to such transferred Funds.

“Housing Needs Assessment” or **“HNA”** means a report informed by data and research describing the current and future housing needs of a Municipality or community according to guidance provided by Canada.

“Ineligible Expenditures” means those expenditures described as ineligible in Schedule C or deemed ineligible by Canada in accordance with Section 4.2.

“Infrastructure” means tangible capital assets that are primarily for public use or benefit in Ontario – whether municipal or regional, and whether publicly or privately owned.

“Lower-Tier Municipality” means a Municipality that forms part of an Upper-Tier Municipality for municipal purposes, as defined under the *Municipal Act, 2001*, S.O. 2001, c. 25.

“Municipal Fiscal Year” means the period beginning January 1st of a year and ending December 31st of the same year.

“Municipality” and **“Municipalities”** means every municipality as defined under the *Municipal Act, 2001*, S.O. 2001, c. 25.

“Non-Municipal Transfer By-law” means a by-law passed by Council of the Recipient pursuant to Section 5.4 of this Agreement.

“Parties” means AMO and the Recipient.

“Prior Agreement” means the municipal funding agreement for the transfer of federal gas tax funds entered into by AMO and the Recipient, effective April 2014 and with an expiry date of March 31, 2024.

“Single-Tier Municipality” means a Municipality, other than an Upper-Tier Municipality, that does not form part of an Upper-Tier Municipality for municipal purposes, as defined under the *Municipal Act, 2001*, S.O. 2001 c. 25.

“Third Party” means any person or legal entity, other than the Parties to this Agreement, who participates in the implementation of an Eligible Project by means of a Contract.

“Transfer By-law” means a by-law passed by Council of the Recipient pursuant to Section 5.3 of this Agreement.

“Unspent Funds” means the amount reported as unspent by the Recipient as of December 31, 2023 in the Recipient’s 2023 Annual Report (as defined under the Prior Agreement).

“Upper-Tier Municipality” means a Municipality of which two or more Lower-Tier Municipalities form part for municipal purposes, as defined under the *Municipal Act, 2001*, S.O. 2001 c. 25.

1.2 Interpretations

- a) **“Agreement”** refers to this agreement as a whole, including the cover and execution pages and all of the schedules hereto, and all amendments made hereto in accordance with the provisions hereof.
- b) The words **“herein”**, **“hereof”** and **“hereunder”** and other words of similar import refer to this Agreement as a whole and not any particular schedule, article, section, paragraph or other subdivision of this Agreement.
- c) The term **“including”** or **“includes”** means including or includes (as applicable) without limitation or restriction.
- d) Any reference to a federal or provincial statute is to such statute and to the regulations made pursuant to such statute as such statute and regulations may at any time be amended or modified and in effect and to any statute or regulations that may be passed that have the effect of supplementing or superseding such statute or regulations.

2. TERM OF THE AGREEMENT

- 2.1 **Term.** Subject to any extension or termination of this Agreement or the survival of any of the provisions of this Agreement pursuant to the provisions contained herein, this Agreement shall come into effect as of April 1, 2024 up to and including March 31, 2034.
- 2.2 **Review.** This Agreement will be reviewed by AMO by June 30, 2027.
- 2.3 **Amendment.** This Agreement may be amended at any time in writing as agreed to by AMO and the Recipient.
- 2.4 **Notice.** Any of the Parties may terminate this Agreement on two (2) years written notice.
- 2.5 **Prior Agreement.** The Parties agree that the Prior Agreement, including Section 15.5 thereof, is hereby terminated. Notwithstanding the termination of the Prior Agreement, including Section 15.5, the reporting and indemnity obligations of the Recipient thereunder with respect to expended Funds governed by the Prior Agreement as set forth in Sections 5, 7, 10.3, 10.4 and 10.5 of the Prior Agreement shall survive the said termination.

3. ELIGIBLE PROJECTS

- 3.1 **Eligible Projects.** Eligible Projects are those that fit within an Eligible Investment Category. Eligible Investment Categories are listed in Schedule A.
- 3.2 **Discretion of Canada.** The eligibility of any investment category not listed in Schedule A is solely at the discretion of Canada.
- 3.3 **Recipient Fully Responsible.** The Recipient is fully responsible for the completion of each Eligible Project in accordance with Schedule A and Schedule B.

4. ELIGIBLE EXPENDITURES

- 4.1 **Eligible Expenditures and Ineligible Expenditures.** Eligible Expenditures are described in Schedule B. Ineligible Expenditures are described in Schedule C.
- 4.2 **Discretion of Canada.** The eligibility of any item not listed in Schedule B or Schedule C to this Agreement is solely at the discretion of Canada.
- 4.3 **Reasonable Access.** The Recipient shall allow AMO and Canada reasonable and timely access to all documentation, records and accounts and those of their respective agents or Third Parties related to the receipt, deposit and use of Funds and Unspent Funds, and any interest earned thereon, and all other relevant information and documentation requested by AMO or Canada or their respective designated representatives for the purposes of audit, evaluation, and ensuring compliance with this Agreement.
- 4.4 **Retention of Receipts.** The Recipient will keep proper and accurate accounts and records of all Eligible Projects including invoices and receipts for Eligible Expenditures for at least six (6) years after the completion of the project.
- 4.5 **Contracts.** The Recipient will award and manage all Contracts in accordance with its relevant policies and procedures and, if applicable, in accordance with any domestic or international trade agreements, and all other applicable laws. The Recipient will ensure any of its Contracts for the supply of services or materials to implement its responsibilities under this Agreement will be awarded in a way that is transparent, competitive, consistent with value for money principles and pursuant to its adopted procurement policy.

5. FUNDS

- 5.1 **Use of Funds.** The Recipient acknowledges and agrees the Funds are intended for and shall be used only for Eligible Expenditures in respect of Eligible Projects.

- 5.2 **Unspent Funds.** Any Unspent Funds, and any interest earned thereon, will be subject to the terms and conditions of this Agreement, and will no longer be governed by the terms and conditions of the Prior Agreement.
- 5.3 **Transfer of Funds to a Municipality.** Where a Recipient decides to allocate and transfer Funds to another Municipality (the “Transferee Municipality”):
- a) The allocation and transfer shall be authorized by a Transfer By-law. The Transfer By-law shall be passed by the Recipient’s council and submitted to AMO as soon thereafter as practicable. The Transfer By-law shall identify the Transferee Municipality and the amount of Funds the Transferee Municipality is to receive for the Municipal Fiscal Year(s) specified in the Transfer By-law.
 - b) The Recipient is still required to submit an Annual Report in accordance with Section 6.1 hereof with respect to the Funds transferred.
 - c) No transfer of Funds pursuant to this Section 5.3 shall be effected unless and until the Transferee Municipality has either (i) entered into an agreement with AMO on substantially the same terms as this Agreement, or (ii) has executed and delivered to AMO a written undertaking to assume all of the Recipient’s obligations under this Agreement with respect to the Funds transferred, such as undertaking in a form satisfactory to AMO.
- 5.4 **Transfer of Funds to a Non-Municipal Entity.** Where a Recipient decides to support an Eligible Project undertaken by a non-municipal entity (whether a for profit, non-governmental, or not-for profit organization):
- a) The provision of such support shall be authorized by a Transfer By-law (a “Non-Municipal Transfer By-law”). The Non-Municipal Transfer By-law shall be passed by the Recipient’s council and submitted to AMO as soon as practicable thereafter. The Non-Municipal Transfer By-law shall identify the non-municipal entity, and the amount of Funds the non-municipal entity is to receive for that Eligible Project.
 - b) The Recipient shall continue to be bound by all the provisions of this Agreement notwithstanding any such transfer.
 - c) No transfer of Funds pursuant to this Section 5.4 shall be effected unless and until the non-municipal entity receiving the Funds has executed and delivered to AMO a written undertaking to assume all of the Recipient’s obligations under this Agreement with respect to the Funds transferred, in a form exclusively satisfactory to AMO.
- 5.5 **Payout of Funds.** Subject to Sections 5.14 and 5.15, AMO will transfer Funds twice yearly, on or before the dates agreed upon by Canada and AMO.

- 5.6 **Deposit of Funds.** The Recipient will deposit the Funds in:
- a) An interest-bearing bank account; or
 - b) An investment permitted under:
 - i. The Recipient's investment policy; and
 - ii. Provincial legislation and regulation.
- 5.7 **Interest Earnings and Investment Gains.** Interest earnings and investment gains will be:
- Proportionately allocated to the CCBF when applicable; and
 - Applied to Eligible Expenditures for Eligible Projects.
- 5.8 **Funds Advanced.** Funds shall be spent (in accordance with Sections 3 and 4) or transferred (in accordance with Sections 5.3 or 5.4) within five (5) years after the end of the year in which Funds were received. Unexpended Funds shall not be retained beyond such five (5) year period without the documented consent of AMO. AMO reserves the right to declare that unexpended Funds after five (5) years become a debt to Canada which the Recipient will reimburse forthwith on demand to AMO for transmission to Canada.
- 5.9 **Expenditure of Funds.** The Recipient shall expend all Funds by December 31, 2038.
- 5.10 **HST.** The use of Funds is based on the net amount of harmonized sales tax to be paid by the Recipient net of any applicable tax rebates.
- 5.11 **Limit on Canada's Financial Commitments.** The Recipient may use Funds to pay up to one hundred percent (100%) of Eligible Expenditures of an Eligible Project.
- 5.12 **Federal Funds.** The Recipient agrees that any Funds received will be treated as "federal funds" for the purpose of other federal infrastructure programs.
- 5.13 **Stacking.** If the Recipient is receiving federal funds under other federal infrastructure programs in respect of an Eligible Project to which the Recipient wishes to apply Funds, the maximum federal contribution limitation set out in any other federal infrastructure program agreement made in respect of that Eligible Project shall continue to apply.
- 5.14 **Withholding Payment.** AMO may, in its exclusive discretion, withhold Funds where the Recipient is in default of compliance with any provisions of this Agreement.
- 5.15 **Insufficient Funds Provided by Canada.** Notwithstanding the provisions of Section 2, if Canada does not provide sufficient funds to continue the Funds for any Municipal

Fiscal Year during which this Agreement is in effect, AMO may immediately terminate this Agreement on written notice to the Recipient.

6. REPORTING REQUIREMENTS

- 6.1 **Annual Report.** The Recipient shall submit a report to AMO by April 30th each year, or as otherwise notified by AMO. The report shall be submitted in an electronic format deemed acceptable by AMO and shall contain the information described in Schedule D.
- 6.2 **Project List.** The Recipient shall ensure that projects are reported in advance of construction. Information required is as noted in Section 2.3 of Schedule E.

7. ASSET MANAGEMENT

- 7.1 **Implementation of Asset Management.** The Recipient will develop and implement an Asset Management plan, culture, and methodology in accordance with legislation and regulation established by the Government of Ontario (e.g., O. Reg. 588/17).
- 7.2 **Asset Data.** The Recipient will continue to improve data describing the condition of, long-term cost of, levels of service provided by, and risks associated with infrastructure assets.

8. HOUSING NEEDS ASSESSMENT

- 8.1 **Requirement.** While an HNA is encouraged for all Municipalities, the Recipient must complete a HNA if it had a population of 30,000 or more on the 2021 Census of Canada and is a Single-Tier Municipality or a Lower-Tier Municipality.
- 8.2 **Content of the HNA.** The Recipient will prepare the HNA in accordance with the guidance provided from time to time by Canada.
- 8.3 **Use of HNA.** The Recipient is expected to prioritize projects that support the growth of the housing supply. The HNA is to be used by Municipalities to prioritize, where possible, Infrastructure or capacity building projects that support increased housing supply where it makes sense to do so.
- 8.4 **Publication of the HNA.** The Recipient will publish the HNA on its website.
- 8.5 **HNA reporting requirements.** The Recipient will send to AMO by March 31, 2025, unless otherwise agreed upon:
- a) A copy of any HNA it is required to complete in accordance with Section 8.1; and

- b) The URL to the published HNA on the Recipient's website.

9. COMMUNICATIONS REQUIREMENTS

- 9.1 The Recipient will comply with all communication requirements outlined in Schedule E.

10. RECORDS AND AUDIT

- 10.1 **Accounting Principles.** All accounting terms not otherwise defined herein have the meanings assigned to them; all calculations will be made and all financial data to be submitted will be prepared in accordance with generally accepted accounting principles ("GAAP") in effect in Ontario. GAAP will include, without limitation, those principles approved or recommended for local governments from time to time by the Public Sector Accounting Board or the Chartered Professional Accountants of Canada or any successor institute, applied on a consistent basis.
- 10.2 **Separate Records.** The Recipient shall maintain separate records and documentation for the Funds and keep all records including invoices, statements, receipts, and vouchers in respect of Funds expended on Eligible Projects in accordance with the Recipient's municipal records retention by-law. Upon reasonable notice by AMO or Canada, the Recipient shall submit all records and documentation relating to the Funds for inspection or audit.
- 10.3 **External Auditor.** AMO or Canada may request, upon written notice to Recipient, an audit of Eligible Project(s) or Annual Report(s). AMO shall retain an external auditor to carry out an audit and ensure that any auditor who conducts an audit pursuant to this Agreement or otherwise, provides a copy of the audit report to the Recipient.

11. INSURANCE AND INDEMNITY

- 11.1 **Insurance.** The Recipient shall put in effect and maintain in full force and effect or cause to be put into effect and maintained for the term of this Agreement all the necessary insurance with respect to each Eligible Project, including any Eligible Projects with respect to which the Recipient has transferred Funds pursuant to Section 5 of this Agreement, that would be considered appropriate for a prudent Municipality undertaking similar Eligible Projects, including, where appropriate and without limitation, property, construction, and liability insurance, which insurance coverage shall identify Canada and AMO as additional insureds for the purposes of the Eligible Projects.
- 11.2 **Certificates of Insurance.** Throughout the term of this Agreement, the Recipient shall have a valid certificate of insurance that confirms compliance with the requirements

of Section 11.1. The Recipient shall produce such certificate of insurance on request, including as part of any AMO or Canada audit.

11.3 **AMO Not Liable.** In no event shall Canada or AMO be liable for:

- Any bodily injury, death or property damages to the Recipient, its employees, agents, or consultants or for any claim, demand or action by any Third Party against the Recipient, its employees, agents, or consultants, arising out of or in any way related to this Agreement; or
- Any incidental, indirect, special, or consequential damages, or any loss of use, revenue or profit to the Recipient, its employees, agents, or consultants arising out of any or in any way related to this Agreement.

11.4 **Recipient to Compensate Canada.** The Recipient will ensure that it will not, at any time, hold the Government of Canada, its officers, servants, employees or agents responsible for any claims or losses of any kind that the Recipient, Third Parties or any other person or entity may suffer in relation to any matter related to the Funds or an Eligible Project and that the Recipient will, at all times, compensate Canada, its officers, servants, employees and agents for any claims or losses of any kind that any of them may suffer in relation to any matter related to CCBF funding or an Eligible Project.

11.5 **Recipient to Indemnify AMO.** The Recipient hereby agrees to indemnify and hold harmless AMO, its officers, servants, employees or agents (each of which is called an “**Indemnitee**”), from and against all claims, losses, damages, liabilities and related expenses including the fees, charges and disbursements of any counsel for any Indemnitee incurred by any Indemnitee or asserted against any Indemnitee by whomsoever brought or prosecuted in any manner based upon, or occasioned by, any injury to persons, damage to or loss or destruction of property, economic loss or infringement of rights caused by or arising directly or indirectly from:

- The Funds;
- The Recipient’s Eligible Projects, including the design, construction, operation, maintenance, and repair of any part or all of the Eligible Projects;
- The performance of this Agreement or the breach of any term or condition of this Agreement by the Recipient, its officers, servants, employees, and agents, or by a Third Party, its officers, servants, employees, or agents; and
- Any omission or other wilful or negligent act of the Recipient or Third Party and their respective officers, servants, employees, or agents.

12. TRANSFER AND OPERATION OF MUNICIPAL INFRASTRUCTURE

- 12.1 **Reinvestment.** The Recipient will invest into Eligible Projects, any revenue that is generated from the sale, lease, encumbrance, or other disposal of an asset resulting from an Eligible Project where such disposal takes place within five (5) years of the date of completion of the Eligible Project.
- 12.2 **Notice.** The Recipient shall notify AMO in writing 120 days in advance and at any time during the five (5) years following the date of completion of an Eligible Project if it is sold, leased, encumbered, or otherwise disposed of.
- 12.3 **Public Use.** The Recipient will ensure that Infrastructure resulting from any Eligible Project that is not sold, leased, encumbered, or otherwise disposed of, remains primarily for public use or benefit.

13. DEFAULT AND TERMINATION

- 13.1 **Event of Default.** AMO may declare in writing that an Event of Default has occurred when the Recipient has not complied with any condition, undertaking or term in this Agreement. AMO will not declare in writing that an Event of Default has occurred unless it has first consulted with the Recipient. For the purposes of this Agreement, each of the following events shall constitute an “Event of Default”:
- Failure by the Recipient to deliver in a timely manner an Annual Report or respond to questionnaires or reports as required;
 - Delivery of an Annual Report that discloses non-compliance with any condition, undertaking or material term in this Agreement;
 - Failure by the Recipient to co-operate in an external audit undertaken by Canada, AMO or their agents;
 - Delivery of an external audit report that discloses non-compliance with any condition, undertaking or term in this Agreement; and
 - Failure by the Recipient to expend Funds in accordance with the terms of this Agreement, including Section 5.8.
- 13.2 **Waiver.** AMO may withdraw its notice of an Event of Default if the Recipient, within thirty (30) calendar days of receipt of the notice, either corrects the default or demonstrates, to the satisfaction of AMO in its sole discretion that it has taken such steps as are necessary to correct the default.
- 13.3 **Remedies on Default.** If AMO declares that an Event of Default has occurred under Section 13.1, after thirty (30) calendar days from the Recipient’s receipt of the notice

of an Event of Default, it may immediately terminate this Agreement or suspend its obligation to pay the Funds. If AMO suspends payment, it may pay suspended Funds if AMO is satisfied that the default has been cured.

- 13.4 **Repayment of Funds.** If AMO declares that an Event of Default has not been cured to its exclusive satisfaction, AMO reserves the right to declare that prior payments of Funds become a debt to Canada which the Recipient will reimburse forthwith on demand to AMO for transmission to Canada.

14. CONFLICT OF INTEREST

- 14.1 **No Conflict of Interest.** The Recipient will ensure that no current member of the AMO Board of Directors and no current or former public servant or office holder to whom any post-employment, ethics and conflict of interest legislation, guidelines, codes or policies of Canada applies will derive direct benefit from the Funds, the Unspent Funds, and any interest earned thereon, unless the provision of receipt of such benefits is in compliance with such legislation, guidelines, policies or codes.

15. NOTICE

- 15.1 **Notice.** Any notice, information or document provided for under this Agreement will be effectively given if in writing and if delivered by hand, or overnight courier, mailed, postage or other charges prepaid, or sent by email to the addresses in Section 15.3. Any notice that is sent by hand or overnight courier service shall be deemed to have been given when received; any notice mailed shall be deemed to have been received on the eighth (8) calendar day following the day on which it was mailed; any notice sent by email shall be deemed to have been received on the sender's receipt of an acknowledgment from the intended recipient (such as by the "return receipt requested" function, as available, return email or other written acknowledgment), provided that in the case of a notice sent by email, if it is not given on a business day before 4:30 p.m. Eastern Standard Time, it shall be deemed to have been given at 8:30 a.m. on the next business day for the recipient.
- 15.2 **Representatives.** The individuals identified in Section 15.3 of this Agreement, in the first instance, act as AMO's or the Recipient's, as the case may be, representative for the purpose of implementing this Agreement.
- 15.3 **Addresses for Notice.** Further to Section 15.1 of this Agreement, notice can be given at the following addresses:

- If to AMO:

Executive Director
Canada Community-Building Fund Agreement
Association of Municipalities of Ontario
155 University Avenue, Suite 800
Toronto, ON M5H 3B7

Telephone: 416-971-9856
Email: ccbf@amo.on.ca

- If to the Recipient:

Treasurer
The Town of Wasaga Beach
30 Lewis St.
Wasaga Beach, ON L9Z 1A1

16. MISCELLANEOUS

- 16.1 **Counterpart Signature.** This Agreement may be signed (including by electronic signature) and delivered (including by facsimile transmission, by email in PDF or similar format or using an online contracting service designated by AMO) in counterparts, and each signed and delivered counterpart will be deemed an original and both counterparts will together constitute one and the same document.
- 16.2 **Severability.** If for any reason a provision of this Agreement that is not a fundamental term is found to be or becomes invalid or unenforceable, in whole or in part, it will be deemed to be severable and will be deleted from this Agreement, but all the other terms and conditions of this Agreement will continue to be valid and enforceable.
- 16.3 **Waiver.** AMO may waive any right in this Agreement only in writing, and any tolerance or indulgence demonstrated by AMO will not constitute waiver of rights in this Agreement. Unless a waiver is executed in writing, AMO will be entitled to seek any remedy that it may have under this Agreement or under the law.
- 16.4 **Governing Law.** This Agreement shall be governed by and construed in accordance with the laws of the Province of Ontario and the laws of Canada applicable in Ontario.
- 16.5 **Survival.** The Recipient agrees that the following sections and provisions of this Agreement shall extend for seven (7) years beyond the expiration or termination of this Agreement: Sections 4, 5.8, 5.9, 6.1, 11.4, 11.5, 12, 13.4 and 16.8.
- 16.6 **AMO, Canada and Recipient Independent.** The Recipient will ensure its actions do not establish or will not be deemed to establish a partnership, joint venture, principal-

agent relationship, or employer-employee relationship in any way or for any purpose whatsoever between Canada and the Recipient, between AMO and the Recipient, between Canada and a Third Party or between AMO and a Third Party.

- 16.7 **No Authority to Represent.** The Recipient will ensure that it does not represent itself, including in any agreement with a Third Party, as a partner, employee, or agent of Canada or AMO.
- 16.8 **Debts Due to AMO.** Any amount owed under this Agreement will constitute a debt due to AMO, which the Recipient will reimburse forthwith, on demand, to AMO.
- 16.9 **Priority.** In the event of a conflict, the part of this Agreement that precedes the signature of the Parties will take precedence over the Schedules.
- 16.10 **Complementarity.** The Recipient is to use the CCBF to complement, without replacing or displacing, other sources of funding for municipal infrastructure.
- 16.11 **Equity.** The Recipient is to consider Gender Based Analysis Plus (“**GBA+**”) lenses when undertaking a project.

17. SCHEDULES

- 17.1 This Agreement, including:

Schedule A	Eligible Investment Categories
Schedule B	Eligible Expenditures
Schedule C	Ineligible Expenditures
Schedule D	The Annual Report
Schedule E	Communications Requirements

constitute the entire agreement between the Parties with respect to the subject matter contained in this Agreement and supersedes all prior oral or written representations and agreements.

18. SIGNATURES

IN WITNESS WHEREOF, AMO and the Recipient have respectively executed, and delivered this Agreement, effective April 1, 2024.

THE TOWN OF WASAGA BEACH

By:

Name: Brian Smith
Title: Mayor

Date

Name: Nicole Rubli
Title: Director of Legislative Services
and Clerk

Date

THE ASSOCIATION OF MUNICIPALITIES OF ONTARIO

By:

Name:
Title: Executive Director

Date

Witness:
Title:

Date

SCHEDULE A: ELIGIBLE INVESTMENT CATEGORIES

1. **Broadband connectivity** – investments in the construction, material enhancement, or renewal of infrastructure that provides internet access to residents, businesses, and/or institutions in Canadian communities.
2. **Brownfield redevelopment** – investments in the remediation or decontamination of a brownfield site within municipal boundaries – provided that the site is being redeveloped to construct a public park for municipal use, publicly owned social housing, or Infrastructure eligible under another investment category listed in this schedule.
3. **Capacity-building** – investments that strengthen the Recipient’s ability to develop long-term planning practices as described in Schedule B, item 2.
4. **Community energy systems** – investments in the construction, material enhancement, or renewal of infrastructure that generates energy or increases energy efficiency.
5. **Cultural infrastructure** – investments in the construction, material enhancement, or renewal of infrastructure that supports the arts, humanities, or heritage.
6. **Drinking water** – investments in the construction, material enhancement, or renewal of infrastructure that supports drinking water conservation, collection, treatment, and distribution systems.
7. **Fire halls** – investments in the construction, material enhancement, or renewal of fire halls and fire station infrastructure.
8. **Local roads and bridges** – investments in the construction, material enhancement, or renewal of roads, bridges, tunnels, highways, and active transportation infrastructure.
9. **Public transit** – investments in the construction, material enhancement, or renewal of infrastructure that supports a shared passenger transport system that is available for public use.
10. **Recreational infrastructure** – investments in the construction, material enhancement, or renewal of recreational facilities or networks.
11. **Regional and local airports** – investments in the construction, material enhancement, or renewal of airport-related infrastructure (excluding infrastructure in the National Airports System).
12. **Resilience** – investments in the construction, material enhancement, or renewal of built and natural infrastructure assets and systems that protect and strengthen the resilience

of communities and withstand and sustain service in the face of climate change, natural disasters, and extreme weather events.

13. **Short-line rail** – investments in the construction, material enhancement, or renewal of railway-related infrastructure for carriage of passengers or freight.
14. **Short-sea shipping** – investments in the construction, material enhancement, or renewal of infrastructure related to the movement of cargo and passengers around the coast and on inland waterways, without directly crossing an ocean.
15. **Solid waste** – investments in the construction, material enhancement, or renewal of infrastructure that supports solid waste management systems (including the collection, diversion, and disposal of recyclables, compostable materials, and garbage).
16. **Sport infrastructure** – investments in the construction, material enhancement, or renewal of amateur sport infrastructure (facilities housing professional or semi-professional sports teams are ineligible).
17. **Tourism infrastructure** – investments in the construction, material enhancement, or renewal of infrastructure that attracts travelers for recreation, leisure, business, or other purposes.
18. **Wastewater** – investments in the construction, material enhancement, or renewal of infrastructure that supports wastewater and storm water collection, treatment, and management systems.

Note: Investments in health infrastructure (e.g., hospitals, long-term care facilities, convalescent centres, and senior centres) are not eligible.

SCHEDULE B: ELIGIBLE EXPENDITURES

Eligible Expenditures will be limited to the following:

1. **Infrastructure investments** – expenditures associated with acquiring, planning, designing, constructing, or renovating a tangible capital asset and any related debt financing charges specifically identified with that asset.
2. **Capacity-building costs** – for projects eligible under the capacity-building category only, expenditures associated with the development and implementation of:
 - Capital investment plans, integrated community sustainability plans, integrated regional plans, housing needs assessments, or asset management plans;
 - Studies, strategies, systems, software, third-party assessments, plans, or training related to asset management;
 - Studies, strategies, systems, or plans related to housing or land use;
 - Studies, strategies, or plans related to the long-term management of infrastructure; and
 - Other initiatives that strengthen the Recipient's ability to improve local and regional planning.
3. **Joint communications and signage costs** – expenditures directly associated with joint federal communication activities and with federal project signage.
4. **Employee costs** – the costs of the Recipient's employees for projects eligible under the capacity-building category only – provided that the costs, on an annual basis, do not exceed the lesser of:
 - 40% of the Recipient's annual allocation (i.e., the amount of CCBF funding made available to the Recipient by AMO under Section 5.5 of this Agreement); or
 - \$80,000.

SCHEDULE C: INELIGIBLE EXPENDITURES

The following are deemed Ineligible Expenditures:

1. **Costs incurred before the Fund was established** – project expenditures incurred before April 1, 2005.
2. **Costs incurred before categories were eligible** – project expenditures incurred:
 - Before April 1, 2014 – under the broadband connectivity, brownfield redevelopment, cultural infrastructure, disaster mitigation (now resilience), recreational infrastructure, regional and local airports, short-line rail, short-sea shipping, sport infrastructure, and tourism infrastructure categories; and.
 - Before April 1, 2021 – under the fire halls category.
3. **Internal costs** – the Recipient's overhead costs (including salaries and other employment benefits), operating or administrative costs (related to planning, engineering, architecture, supervision, management, and other activities normally carried out by the Recipient's staff), and equipment leasing costs – except in accordance with Eligible Expenditures described in Schedule B.
4. **Rebated costs** – taxes for which the Recipient is eligible for a tax rebate and all other costs eligible for rebates.
5. **Land costs** – the purchase of land or any interest therein and related costs.
6. **Legal fees.**
7. **Routine repair or maintenance costs** – costs that do not result in the construction, material enhancement, or renewal of a tangible capital asset.
8. **Investments in health infrastructure** – costs associated with health infrastructure or assets (e.g., hospitals, long-term care facilities, convalescent centres, and senior centres).
9. **Investments in professional or semi-professional sports facilities** – costs associated with facilities used by professional or semi-professional sports teams.

SCHEDULE D: ANNUAL REPORT

The Annual Report may include – but is not necessarily limited to – the following information pertaining to the previous fiscal year:

1. **Financial information** – and particularly:
 - Interest earnings and investment gains – in accordance with Section 5.7;
 - Proceeds from the disposal of assets – in accordance with Section 12.1;
 - Outgoing transfers – in accordance with Sections 5.3 and 5.4;
 - Incoming transfers – in accordance with Section 5.3; and
 - Amounts paid – in aggregate for Eligible Expenditures on each Eligible Project.
2. **Project information** – describing each Eligible Project that started, ended, or was ongoing in the reporting year.
3. **Results** – and particularly:
 - Expected outputs and outcomes for each ongoing Eligible Project;
 - Outputs generated and outcomes achieved for each Eligible Project that ended construction in the reporting year; and
 - Housing outcomes resulting from each Eligible Project that ended construction in the reporting year, and specifically:
 - i. The number of housing units enabled, supported, or preserved; and
 - ii. The number of affordable housing units enabled, supported, or preserved.
4. **Other information** – such as:
 - Progress made in the development and implementation of asset management plans and systems; and
 - The impact of the CCBF on housing pressures tied to infrastructure gaps, the housing supply, and housing affordability.

SCHEDULE E: COMMUNICATIONS REQUIREMENTS

1. COMMUNICATIONS ACTIVITIES

- 1.1 **Scope.** The provisions of this Schedule apply to all communications activities related to any Funds and Eligible Projects.
- 1.2 **Definition.** Communications activities may include (but are not limited to) public or media events, news releases, reports, web articles, blogs, project signs, digital signs, publications, success stories and vignettes, photo compilations, videos, advertising campaigns, awareness campaigns, editorials, award programs, and multi-media products.

2. INFORMATION SHARING REQUIREMENTS

- 2.1 **Notification requirements.** The Recipient must report all active Eligible Projects to AMO in advance of construction each year. Reports must be submitted in an electronic format deemed acceptable by AMO.
- 2.2 **Active Eligible Projects.** Active Eligible Projects are those Eligible Projects that either begin in the current calendar year or are ongoing in the current calendar year.
- 2.3 **Information required.** The report must include, at a minimum, the name, category, description, expected outcomes, anticipated CCBF contribution, anticipated start date, and anticipated end date of each active Eligible Project.

3. PROJECT SIGNAGE REQUIREMENTS

- 3.1 **Installation requirements.** Unless otherwise approved by Canada, the Recipient must install a federal sign to recognize federal funding for each Eligible Project in accordance with design, content, and installation guidelines provided by Canada.
- 3.2 **Permanent signs, plaques, and markers.** Permanent signage, plaques, and markers recognizing municipal or provincial contributions to an Eligible Project must also recognize the federal contribution and must be approved by Canada.
- 3.3 **Responsibilities.** The Recipient is responsible for the production and installation of Eligible Project signage in accordance with Section 3 of this Schedule E, except as otherwise agreed upon.
- 3.4 **Reporting requirements.** The Recipient must inform AMO of signage installations in a manner determined by AMO.

4. DIGITAL COMMUNICATIONS REQUIREMENTS

- 4.1 **Social media.** AMO maintains accounts dedicated to the CCBF on several social media networks. The Recipient must @mention the relevant account when producing content that promotes or communicates progress on one or more Eligible Projects. AMO's CCBF-dedicated social media accounts are identified on www.buildingcommunities.ca.
- 4.2 **Websites and webpages.** Websites and webpages created to promote or communicate progress on one or more Eligible Projects must recognize federal funding using either:
- a) A digital sign; or
 - b) The Canada wordmark and the following wording (as applicable):
 - i. "This project is funded in part by the Government of Canada"; or
 - ii. "This project is funded by the Government of Canada".

The Canada wordmark or digital sign must link to www.infrastructure.gc.ca. Guidelines describing how this recognition is to appear and language requirements are posted at <http://www.infrastructure.gc.ca/pub/signage-panneaux/intro-eng.html>.

5. REQUIREMENTS FOR MEDIA EVENTS AND ANNOUNCEMENTS

- 5.1 **Definitions.** Media events and announcements include, but are not limited to, news conferences, public announcements, and the issuing of news releases to communicate the funding of Eligible Projects or achievement of key milestones (such as groundbreaking ceremonies, grand openings, and completions).
- 5.2 **Authority.** Canada, AMO, or the Recipient may request a media event or announcement.
- 5.3 **Notification requirements.** Media events and announcements must not proceed without the prior knowledge and agreement of AMO, Canada, and the Recipient.
- 5.4 **Notice.** The requester of a media event or announcement must provide at least fifteen (15) business days' notice to other parties of their intention to undertake such an event or announcement. If communications are proposed through a news release with no supporting event, Canada additionally requires five (5) business days with the draft news release to secure approvals and confirm the federal representative's quote.
- 5.5 **Date and location.** Media events and announcements must take place at a date and location that is mutually agreed to by the Recipient, AMO and Canada.

- 5.6 **Representatives.** The Recipient, AMO, and Canada will have the opportunity to participate in media events and announcements through a designated representative. Each Party will choose its own designated representative.
- 5.7 **Responsibilities.** AMO and the Recipient are responsible for coordinating all onsite logistics for media events and announcements unless otherwise agreed on.
- 5.8 **No unreasonable delay.** The Recipient must not unreasonably delay media events and announcements.
- 5.9 **Precedence.** The conduct of all joint media events, announcements, and supporting communications materials (e.g., news releases, media advisories) will follow the [Table of Precedence for Canada](#).
- 5.10 **Federal approval.** All joint communications material related to media events and announcements must be approved by Canada and recognize the funding of all contributors.
- 5.11 **Federal policies.** All joint communications material must reflect Canada's Policy on Official Languages and the Policy on Communications and Federal Identity.
- 5.12 **Equal visibility.** The Recipient, Canada, and AMO will have equal visibility in all communications activities.

6. PROGRAM COMMUNICATIONS

- 6.1 **Own communications activities.** The Recipient may include messaging in its own communications products and activities with regards to the use of Funds.
- 6.2 **Funding acknowledgements.** The Recipient must recognize the funding of all contributors when undertaking such activities.

7. OPERATIONAL COMMUNICATIONS

- 7.1 **Responsibilities.** The Recipient is solely responsible for operational communications with respect to the Eligible Projects, including but not limited to, calls for tender, construction, and public safety notices. Operational communications as described above are not subject to the federal official languages policy.
- 7.2 **Federal funding acknowledgement.** Operational communications should include, where appropriate, the following statement (as appropriate):
- a) "This project is funded in part by the Government of Canada"; or
 - b) "This project is funded by the Government of Canada".

- 7.3 **Notification requirements.** The Recipient must share information promptly with AMO should significant emerging media or stakeholder issues relating to an Eligible Project arise. AMO will advise the Recipient, when appropriate, about media inquiries received concerning an Eligible Project.

8. COMMUNICATING SUCCESS STORIES

- 8.1 **Participation requirements.** The Recipient must work with Canada and AMO when asked to collaborate on communications activities – including, but not limited to, Eligible Project success stories (including positive impacts on housing), Eligible Project vignettes, and Eligible Project start-to-finish features.

9. ADVERTISING CAMPAIGNS

- 9.1 **Responsibilities.** The Recipient may, at its own cost, organize an advertising or public information campaign related to the use of the Funds or Eligible Projects, provided that the campaign respects the provisions of this Agreement.
- 9.2 **Notice.** The Recipient must inform Canada and AMO of its intention to organize a campaign no less than twenty-one (21) working days prior to the launch of the campaign.

THE CORPORATION OF THE TOWN OF WASAGA BEACH

BY-LAW NO. 2024-59

A By-law to amend Sign By-law 2021-68

WHEREAS the *Municipal Act, S.O. 2001, c.25*, Section 8, provides that the Act shall be interpreted broadly so as to confer board authority on municipalities to enable municipalities to govern their affairs as they consider appropriate and enhance their ability to respond to municipal issues;

AND WHEREAS the *Municipal Act, S.O. 2001, c.25*, Section 11, provides that a lower- tier municipality may pass by-laws respecting matters of jurisdiction set out therein, *inter alia*; structures including signs;

AND WHEREAS the Council of the Town of Wasaga Beach deems it necessary and expedient to pass a by-law to amend By-law 2021-68 cited as the “Sign By-law”.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF WASAGA BEACH HEREBY ENACTS AS FOLLOWS:

1. **THAT** By-law 2021-68 is amended as follows:

- **THAT** Section 2 is amended by the addition of a definition:

PERSON – shall mean an individual, sole proprietorship, partnership, limited partnership, trust or corporation, or an individual in his or her capacity as a trustee, executor, administrator or other authorized agent;

- **THAT** the word “person” within the By-law be replaced with the capitalized word “Person”.
- **THAT** Section 3.3 is amended by the deletion of: a) flag signs;
- **THAT** Section 6 Prohibited Signs is amended by adding the following Subsection:
6.15 Flag Signs as defined in this By-law
- **THAT** Section 9.3.1 Window Signs is amended by deleting 100% and inserting 25%
- **THAT** Section 12.1.4 is amended by deleting the words: flag signs
- **THAT** Section 12.3 be removed and repealed;

- **THAT** Section 14 be renamed “Variance Process”;
- **THAT** the word “minor” be removed from sections 14.1 & 14.3;
- **THAT** Section 14.2 be removed and repealed;
- **THAT** Section 15.3.3 is amended to remove the word “flag” and replace it with “Flag Signs”;
- **THAT** Sections 19.1 – 19.5 be amended by adding “, while not the owner of the lands,” after the word “Person”.
- **THAT** the following new Section 20 be added:

Section 20: AMPS

20.1 Any person, while as the owner of the land, contravenes any provision within Sections 3 - 15 of this By-law, will be subject to the Town AMPS By-law;

20.2 A director or officer of a corporation who, while as the owner of the land, knowingly concurs in the violation or contravention of any provision of this By-law will be subject to the Town AMPS By-law.

2. **THAT** staff is directed to incorporate these changes and adjust formatting as required;
3. **THAT** this By-law shall come into force and take effect on the date of passing.

BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 29TH DAY OF JULY 2024.

THE CORPORATION OF THE TOWN OF WASAGA BEACH

Brian Smith, Mayor

Nicole Rubli, Director, Legislative Services & Clerk

THE CORPORATION OF THE TOWN OF WASAGA BEACH

BY-LAW NO. 2024-60

A By-law to amend AMPS By-law 2024-40

WHEREAS the *Municipal Act, S.O. 2001, c.25*, Section 8, provides that the Act shall be interpreted broadly so as to confer board authority on municipalities to enable municipalities to govern their affairs as they consider appropriate and enhance their ability to respond to municipal issues;

AND WHEREAS Sections 102.1 and 434.1 of the *Municipal Act, 2001, S.O. 2001, c. 25* and O. Reg. 333/07 authorize municipalities to establish an administrative monetary penalty system;

AND WHEREAS the Council of the Town of Wasaga Beach deems it necessary and expedient to pass a by-law to amend By-law 2024-40 cited as the “AMPS By-law”.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF WASAGA BEACH HEREBY ENACTS AS FOLLOWS:

1. **THAT** By-law 2024-40 is amended as follows:
 - **THAT** Schedule “A” is amended by adding Sign By-law, Sections 3 - 15;
 - **THAT** Schedule “B” is amended by adding:

Sign By-law

Item	Provision	Short Form Wording	Early Penalty Amount	Set Penalty Amount
1	3-15	Contravention – 1	\$100	\$150
2	3-15	Contravention – 2	\$200	\$250
3	3-15	Contravention – 3	\$250	\$300

2. **THAT** staff is directed to incorporate these changes into the AMPS By-law and adjust formatting as required;
3. **THAT** this By-law shall come into force and take effect on the date of passing.

**BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED
THIS 29TH DAY OF JULY 2024.**

THE CORPORATION OF THE TOWN OF WASAGA BEACH

Brian Smith, Mayor

Nicole Rubli, Director, Legislative Services & Clerk

THE CORPORATION OF THE TOWN OF WASAGA BEACH

BY-LAW 2024-61

A By-law to amend Town of Wasaga Beach Comprehensive Zoning By-law No. 2003-60, as amended

WHEREAS pursuant to Section 34 of the *Planning Act*, R.S.O., 1990, c. P.13, as amended, the Council of the Town of Wasaga Beach has passed a comprehensive Zoning By-law No. 2003-60 for the Town of Wasaga Beach;

AND WHEREAS an application to amend By-Law No. 2003-60 has been received with respect to lands described as PLAN 51M923 BLK 26 & BLK 29, and municipally addressed as 265 and 271 River Road East (no municipal address assigned to Block 29) in the Town of Wasaga Beach, County of Simcoe;

AND WHEREAS Section 34 of the *Planning Act*, R.S.O., 1990, c. P.13, as amended, permits a Council to pass a by-law that prohibits the use of lands, buildings or structures within a defined area or areas;

AND WHEREAS pursuant to Section 34(17) of the *Planning Act*, R.S.O., 1990, c. P.13, as amended, Council determines that no further notice is required in respect of the proposed by-law;

AND WHEREAS Council deems it advisable and expedient to amend Zoning By-Law No. 2003-60;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF WASAGA BEACH HEREBY ENACTS AS FOLLOWS:

1. That Schedule 'N' to By-law 2003-60 as amended is hereby further amended by modifying the Residential Type 3 Exception 13 Holding (R3-13H) Zone to the Residential Type 3 Exception 13 (R3-13) Zone as modified, as shown on Schedule 'A' attached hereto.
2. That Section 6.4 of Zoning By-law 2003-60 is further amended by adding to and/or replacing identified site-specific provisions with the following Section to create a modified exception zone, as follows:

"6.4.13 R3-13 Zone, Schedule 'N'

For the purpose of this by-law, a private street shall be deemed a public street and for Unit 15 the side lot line abutting the private right-of-way shall be considered an interior side yard.

Notwithstanding Sections 6.3.1 a), 6.3.2 a), 6.3.8, 6.3.9 a), and 6.3.13 of the Residential Type 3 (R3) Zone, and Sections 3.3.6, and 3.38.2.10 of the General Provisions, the following provisions apply:

Street Townhouse Dwelling Unit

Lot Area (minimum) shall be 160 sq. m; Lot Frontage (minimum) shall be 5.45 metres;

Landscape Open Space (minimum) shall be 20%; Lot Coverage (maximum) shall be 62%; and no play area shall be required.

Steps and/or accessibility ramps may encroach into any required front yard a maximum distance of 3.8 metres provided that such uses are not below grade or not more than 1.2 metres above grade within the required yard; non-abutting driveways may be established with a 0 metre setback along an interior lot line; and abutting driveways may be established along an interior side lot line provided the abutting driveways do not exceed a combined width of 11 metres.

3. That Schedule 'A' shall form part of this By-law.
4. That all other respective provisions of Zoning By-law 2003-60, as amended, shall apply.
5. That this By-law shall come into force and effect in accordance with the provisions of the *Planning Act*, R.S.O., 1990, c. P.13.

READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED THIS 29th DAY OF JULY, 2024.

THE CORPORATION OF THE TOWN OF WASAGA BEACH

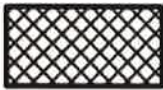
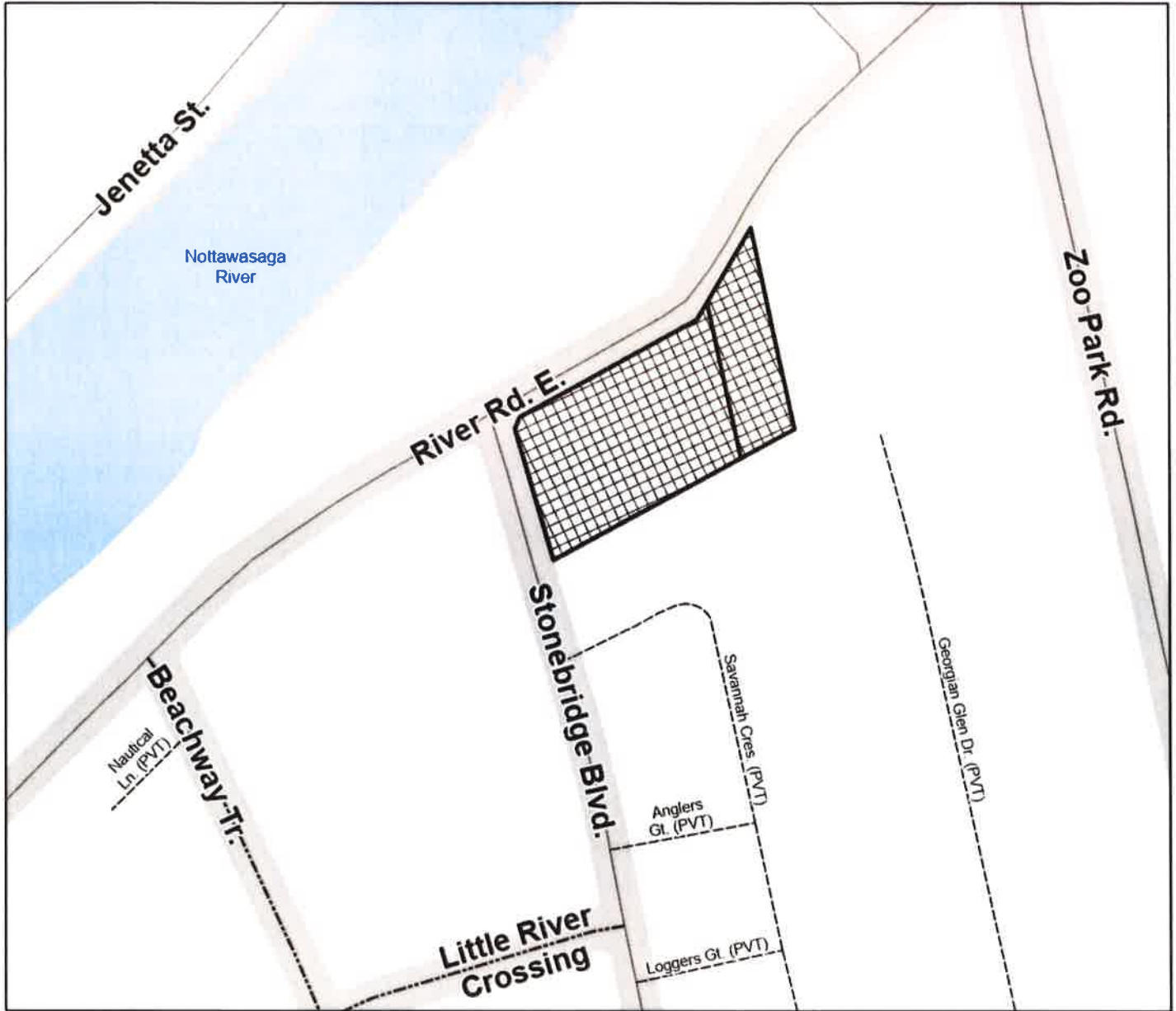
Brian Smith, Mayor

Nicole Rubli, Director, Legislative Services & Clerk



Town of Wasaga Beach

Schedule 'A'

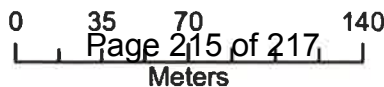


Lands Rezoned from Residential Type 3 Exception 13 Hold (R3-13H) to Residential Type 3 Exception 13 (R3-13)

This is Schedule 'A' to By-Law _____
 Passed the ___ day of _____,
 Signatures of Signing Officers

Member _____

Member _____



THE CORPORATION OF THE TOWN OF WASAGA BEACH

BY-LAW 2024-62

A By-law to confirm the proceedings of the Council of the Corporation of the Town of Wasaga Beach at its Special Council meeting held
Monday July 29, 2024

WHEREAS Section 5(1) of the *Municipal Act*, 2001, provides that the powers of a municipality shall be exercised by its council;

AND WHEREAS Section 5(3) of the *Municipal Act*, 2001, provides that municipal power, including a municipality's capacity, rights, powers and privileges under Section 9 of the *Municipal Act*, 2001, shall be exercised by by-law unless the municipality is specifically authorized to do otherwise;

AND WHEREAS in many cases, action which is taken or authorized to be taken by the council does not lend itself to the passage of an individual by-law;

AND WHEREAS the Council of The Corporation of the Town of Wasaga Beach adopted By-Law 2023-119, as amended, establishing rules of order and procedures for the Council;

AND WHEREAS provision was made in By-law 2023-119, as amended, for enactment of- a Confirmatory By-Law at the end of each Regular or Special Council Meeting to confirm recommendations and actions approved at that meeting;

AND WHEREAS the Council of the Town of Wasaga Beach deems it advisable and expedient that the proceedings of these meetings be confirmed and adopted by by-law;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE TOWN OF WASAGA BEACH HEREBY ENACTS AS FOLLOWS:

1. That the actions of the Council of the Corporation of the Town of Wasaga Beach, at its meetings held on the dates listed above in respect of every report, motion, resolution, declaration or other action passed, taken or adopted by Council at these meetings, including the exercise of natural person powers, except where approval of another authority is required by law or where implementation is subject to other legislation, are hereby adopted, ratified, and confirmed as if each report, motion, resolution or other action was adopted, ratified, and confirmed by a separate by-law.

2. That where no individual by-law has been or is passed with respect to the taking of any action authorized in or by the above-mentioned minutes or with respect to the exercise of any powers by the Town of Wasaga Beach in the above- mentioned minutes, then this By-Law shall be deemed for all purposes to be the by-law required for approving and authorizing and taking of any action authorized therein and thereby or required for the exercise of any powers therein by the Town of Wasaga Beach.
3. That any a member of Council who dissented from any action or proceeding or has abstained from discussion and voting thereon shall be deemed to have dissented or abstained, as the case may be, in respect to this By-Law as it applies to such action or proceeding.
4. That the Mayor or designate and the proper officials of the Town of Wasaga Beach are hereby authorized and directed to do all things necessary to give effect to the said actions or to obtain approvals where required and are to execute all documents as may be necessary in that behalf, and the Clerk or designate is hereby authorized and directed to affix the Corporate Seal to all such documents.
5. That this By-Law shall come into force and effect on the final passage thereof.

**BY-LAW READ A FIRST, SECOND AND THIRD TIME AND FINALLY PASSED
THIS 29th DAY OF JULY, 2024.**

THE CORPORATION OF THE TOWN OF WASAGA BEACH

Brian Smith, Mayor

Nicole Rubli, Director, Legislative Services & Clerk