

Corporation of the Town of Bradford West Gwillimbury

Special Meeting 2008/03

MINUTES

January 15, 2008

**UNDER THE PLANNING ACT
REVISED STATUTES OF ONTARIO 1990, CHAPTER P.13
TO DISCUSS A PROPOSED AMENDMENT TO THE MUNICIPALITY'S
RESTRICTED AREA ZONING BY-LAW**

**RE: Zoning By-Law Amendment
Applicant/Owner: FNB Developments Inc.
Part of Lots 12 and 13, Concession 8
Planning Department File Z-07-13**

TIME: 7:00 p.m.

**LOCATION: Council Chambers, Court House Building,
57 Holland Street East, Bradford, ON L3Z 2A8**

Members Present: Mayor Doug White
Deputy Mayor Dennis Roughley
Councillor Mark Contois
Councillor Del Crake
Councillor Peter Dykie
Councillor James Leduc
Councillor John McCallum
Councillor Ron Simpson

Members Absent: Councillor Jeanny Salmon with regrets

Staff Present: Mark Bryan, Senior Planner
Jay Currier, Town Manager
Mike Disano, Manager of Economic Development
Tammy Edgerton, Committee Coordinator
Paul Feehely, Superintendent of Public Works
Michelle Francis, Deputy Clerk
Kelly Losak, Human Resources Manager
Gord Miokovic, Water/Wastewater Engineer
Patricia Nash, Municipal Clerk
Jack Tosta, Chief Building Official

Others: Miriam King, Bradford West Gwillimbury Times
Sandy Bolan, The Topic
Karen Gill Milt Calder
Bill Marks Mikki Nanowski
Sue Wood Beth Halpenny
Billy Tung Laura Cochrane
Jean Keffer and others

2008/03-001

Moved: M. Contois

Seconded: D.Crake

"That this special meeting of Council being held under the Planning Act comes to order at 7:00p.m., to consider a proposed amendment to Zoning By-law 2263 of the former Town of Bradford in respect of certain lands located in Part of Lots 12 and 13, Concession 8."

CARRIED.

DECLARATIONS OF PECUNIARY INTEREST- DISCLOSURE OF INTEREST

Mayor White reminded the Members of Council of the Municipal Conflict of Interest legislation and requirements thereunder for disclosure. There were no declarations of Conflict of Interest declared at this time or throughout the meeting.

INTRODUCTION: PURPOSE OF THE MEETING

Mayor White welcomed those present to this Special Meeting of Council and advised that this was the statutory public meeting held pursuant to Section 34 (12) and 36 of the Planning Act, R.S.O. 1990, Chapter P.13, as amended, to discuss a proposed change to Zoning By-law 2263 of the former Town of Bradford.

The lands affected by the proposed Zoning By-Law Amendment are located in Part of Lots 12 and 13, Concession 8. The purpose and effect of the proposed amendment is to rezone the subject lands to permit double car garages on 11 metre lots, specific zoning standards for dwelling units on corner lots with flank yard driveways and garages, and allow for model homes to be constructed prior to the lifting of holding provisions (i.e., once a model home agreement has been executed). The proposed amendments pertaining to model homes will apply on a town-wide basis.

EXPLANATION OF MEETING PROCEDURE

Mayor White explained the procedure for the Public Meeting.

1. The Chairman will outline the purpose, nature and location of the planning application being considered.
2. The Chairman will remind the Members of Council of the Municipal Conflict of Interest legislation and requirements there under for disclosure.
3. The Clerk will outline the method by which notice of the public meeting was given and confirm that proper notice was provided in accordance with the legislation.
4. Planning staff will outline the purpose and nature of the planning application being considered, present the contents of the Planning Report and outline the details of the application. The Planner will present any written responses received on the application from the publication, internal circulation to agencies or public bodies. The Planner will respond to questions from Council.
5. The Applicant or a representative will provide details of the proposed amendment and / or respond to the Planner's presentation and questions from Council.
6. The meeting will be opened to public participation. The Public will be invited to address Council to provide comments and ask questions. If residents have a prepared written submission that you are reading from, please submit it to the Clerk upon completion of your presentation.
7. Written submissions regarding the proposal can be made to the Clerk. If the public wish to be notified of the decision on the proposal, submit a written request to the Clerk or provide your contact information on the roster sheet located at the back of the Council Chambers. Additional information regarding the proposal is available for inspection during regular business hours (Monday to Friday, 8:30 a.m. to 4:30 p.m.) at the Town Administration Centre, located at 3541 Line 11, Bradford.
8. The Applicant will be invited to respond and answer questions from the public.

9. Following the public portion of the meeting, Council members will be invited to ask final questions should they require clarification from the Applicant.
10. Council will not deal with the proposal tonight. Staff have prepared a recommendation report for Council's consideration. Council will refer the matter back to staff for further report.
11. It is very important that the Town receive the correct names and addresses of the individuals having an interest in each planning application. Therefore, prior to leaving the meeting, persons requesting formal notice of Council's decision on the proposal must complete a sign-in Attendance Register indicating their full name, mailing address, and telephone number on the Attendance Register.

Under the Planning Act, the Applicant or the residents have the right to Appeal any decision of Council to the Ontario Municipal Board. The public must verbally express any comments or concerns here tonight or submit their comments in writing to the Clerk prior to Council's decision on whether to approve the proposal. If a person or public body does not make oral submissions at the public meeting, or make written submissions to Council before the proposal is passed, the person or public body is not entitled to appeal the decision to the Ontario Municipal Board.

If a person or public body does not make oral submission at a public meeting, or make written submission to Council before the proposal is passed, the person or public body may not be added as a party to the Hearing of an Appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Comments presented at this public hearing are being recorded by staff. Please provide your name and address. Personal information is being recorded according to the Municipal Act and Municipal Freedom of Information and Protection of Privacy Act, providing your personal information will assist our Clerk in preparing accurate minutes and to create a record that is available to the general public including the Town's website. Questions regarding the collection and use of personal information should be directed to the Clerk, Town of Bradford West Gwillimbury.

12. With the benefit of input received tonight, staff will prepare a Recommendation Report for Council's consideration at a later date.
13. Council will consider the Information Report.
14. The meeting will then be closed.

CONFIRMATION OF NOTICE REQUIREMENTS

Mayor White called upon the Clerk to provide confirmation of notice requirements.

Patricia Nash, Municipal Clerk reported that Notice of the public meeting was published in the BWG Times on December 22, 2007 as prescribed by regulation under the Planning Act, and mailed to property owners and public bodies on December 21, 2007.

In response to the notice, one written submission was received from Humphries Planning Group Inc. on behalf of Bradvit Holdings, dated January 14, 2008.

PLANNING REPORT

Mayor White asked Mark Bryan, Senior Planner, to confirm and explain to the public the Planning Act notice requirements and explain the application.

Mr. Bryan reported:

■ Introduction

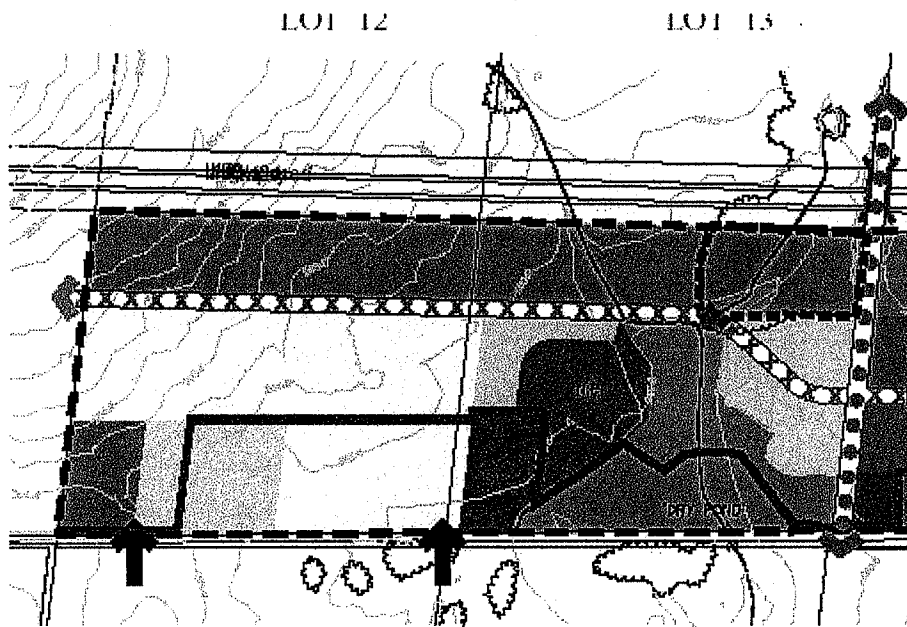
- Agenda package contents
- Purpose and Statutory Requirement
- Attendance roster circulation
- No decision will be made tonight
- Next steps

■ Application

- Existing Draft Approved Plan of Subdivision
- Proposed Zoning By-law Amendment

■ Official Plan

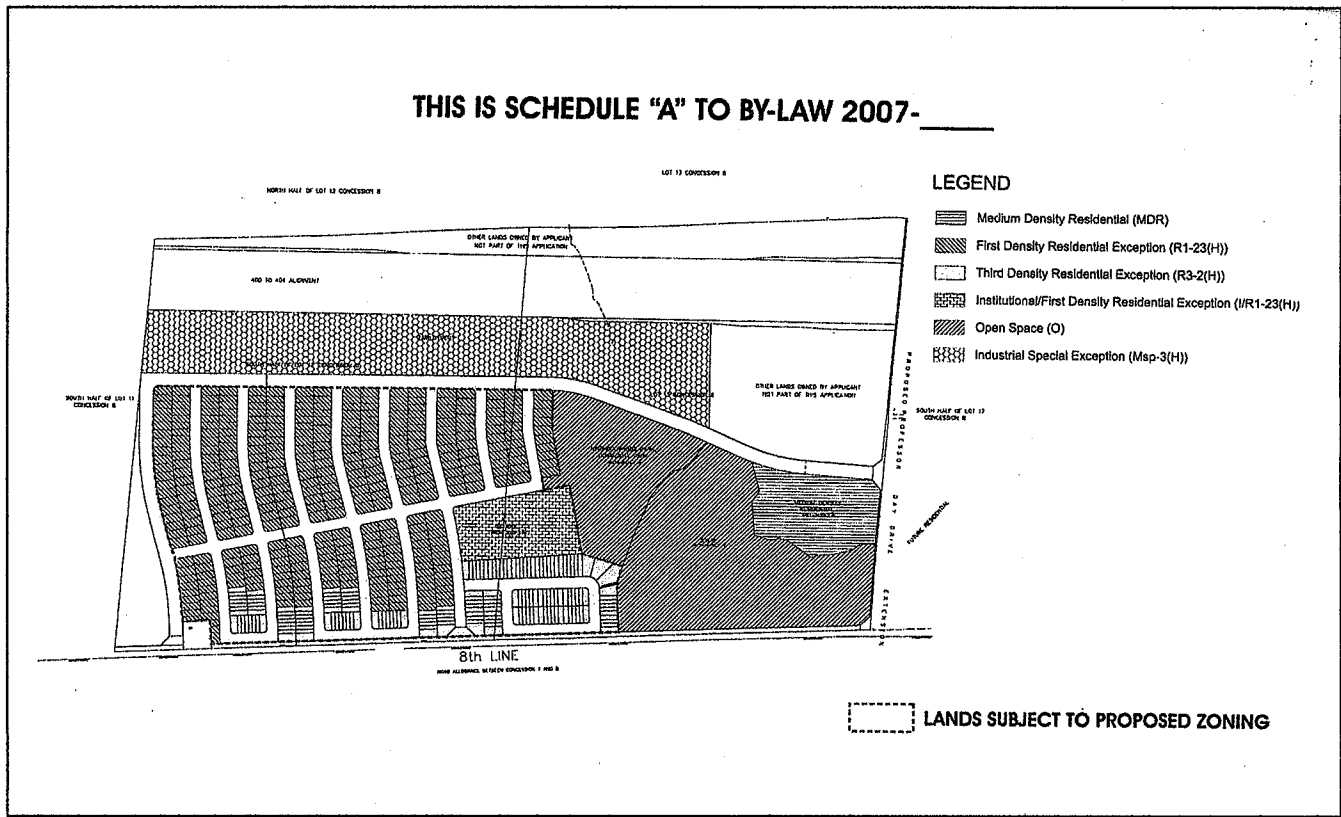
- Bradford Urban Area
- Community Plan Area 4



■ Existing Zoning

- Zoning By-law 2263 (Town of Bradford)
- Originally General Agricultural (A) Zone
- Amended by By-law 2006-096 to reflect Zoning for Plan of Subdivision (First Density Residential Exception (R1-23) Zone and Third Density Residential Exception (R3-2) Zone)
- Holding Symbol Applicable

■ Proposed Zoning Amendment



■ **R1-23 Zone**

- Minimum Rear Yard for Corner Lots 0.9 metres (where garage and driveway front onto exterior side lot line)
- Outdoor Amenity Area for Corner Lots – 45 m² (where garage and driveway front onto exterior side lot line)
- Minimum Interior Side Yard for lots 12.0 to 13.8 metres in frontage 1.2 metres/0.6 metres respectively
- Garage door 3.5 metre width restriction removed
- Exterior Yard permission for garages and driveways (on corner lots except where exterior yard abuts an arterial road)

■ **R3-2 Zone and R1-23**

- Lot Coverage formally stated as being not applicable

■ **Town wide Residential Zone Holding Provisions (Town expanded)**

Notwithstanding provisions to the contrary Model Homes permitted subject to Model Home Agreement

■ **Public and Agency Consultation**

- Notice and circulation
- Comments received

■ **Public and Agency Consultation: Key Issues**

- Driveway/Garage Widths and Urban Design Guidelines
- Model Home Agreement and Securities
- Corner Lot Standards
- Reduced Side Yards

■ Public Meeting

Applicant's Presentation

Public Input

Next Steps

- referral back to staff to address comments and outstanding issues
- preparation of a staff recommendation for Council's consideration

■ Communication

To receive notification of when applications are scheduled for consideration by Council:

1. Check the Town's Website for Postings of Agendas in advance of meetings, and/or,
2. Email the Planning Department with request for notice at: planninginfo@townofbwg.com

No comment or objection has been registered. A letter was received from the Humphries Planning Group Inc., 216 Chrislea Rd., Unit #103, Woodbridge, ON L4L 8S5. This letter stated that the owner of the lands located immediately to the west (Bradvit Holdings Inc.) was interested in the application and had concerns since they didn't have the detailed information they wanted. The Town's Senior Planner advised that he provided the additional information and no other correspondence was received from the Humphries Planning Group Inc. They did however ask to continue to be informed of all meetings on this file.

Applicant: Billy Tung, KLM Planning, Agent for applicant

Mr. Tung provided details of the amendments. Mr. Tung reported:

- He presented visual aids for cap-end units to show design. Specifically he addressed cap end single detached lots.
- He gave a brief overview of the urban design approach.
- He spoke to wrapping the entire block without fence treatment. The amenity space will be moved to the side yard. This allows for a more pedestrian friendly streetscape and by shifting the garage further into the rear yard the appearance is better.
- Mr. Tung showed the visual aid to the public, including an example picture from the Town of Markham.
- Councillor Contois asked Mr. Tung to provide Council and members of the public with an explanation of wraparound. Mr. Tung explained this and then he then asked if there were any questions or comments from the members of Council.

PUBLIC PARTICIPATION

Mayor White indicated that the meeting was open for input from the public. He then asked if there were any persons present who wished to speak in support or in opposition to the proposed matter.

Beth Halpenny, Great Gulf Homes

Ms. Halpenny:

- That as a representative of the Great Gulf Group she generally supports the development design.
- That the issue of 2-car garages and the history of how the industry has generally evolved to prevent 2-car garages on 40 foot (and less lots) However, she wants to make sure that any concessions granted here would also be granted to the other two developers in the area – Great Gulf and Brookfield.
- She would like to see Council ensure an equal playing field for all and stated that their should be consistency across the board for all Bradford developers.

Mr. Tung responded:

- providing explanation of the interior sideyard setbacks outlining that the original by-law required 1.2 m. applied for and is asking for the cap end units to be reduced because it was never originally contemplated.
- the needed reduction is also due because some specific lots have servicing deficiencies and they needed to be able to fit in easements.

Mayor White called for anyone else wishing to address Council on this matter.

Councillor Leduc asked Mr. Bryan to explain the overall benefit of the changes requested to the community relating to the reduce from 1.6m to 1.3.m.

Mr. M. Bryan advised:

- That the application is still in circulation; and the Planning and Development Services Department needs to consider whether or not this is appropriate. Planning does view it as inappropriate as a Town standard; and they require more information from the applicant to substantiate why this is needed in this particular case.

Councillor Contois;

- Is the standard 1.2 setback on either side of the building?

Mr. Bryan responded:

- On smaller 1.2 on one side .6 on the other side is the standard.

Councillor Simpson:

- Is this on 11 metre lots?

Mr. Bryan responded:

- On lots less than 12 metres in size. The applicant wants .6 and 1.2 on up to 13 metre lots. As it stands right now, over 12m we require 1.2m on both sides.

Councillor McCallum:

- Brought up the issue of Urban Design Guidelines

Mr. Bryan responded:

- That he secondary plan was approved by the OMB.

Mayor White asked a second time if there were any persons present who wished to speak in support or in opposition to the proposal. There was no response.

Mayor White asked a third time if there were any persons present who wished to speak in support or in opposition to the proposal. There was no response.

Mayor White thanked those present for attending the meeting and showing an interest in the matter.

2008/03-002

Moved: D. Crake

Seconded: M. Contois

"That the Report of Planning & Development Services entitled "Public Information Meeting – FNB Developments Inc. Zoning By-law Amendment", dated January 15, 2008, be received."

CARRIED.

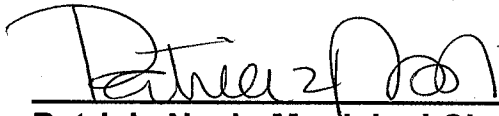
2008/03-003

Moved by: M. Contois

Seconded by: D. Crake

That this special meeting of Council being held pursuant to the Planning Act close at 7:49 p.m.
CARRIED.

CONFIRMED IN OPEN SESSION THIS 1st DAY OF APRIL, 2008.



Patricia Nash, Municipal Clerk



Doug White, Mayor