

**THE CORPORATION OF THE TOWNSHIP OF TAY
PUBLIC MEETING OF MUNICIPAL COUNCIL**

**Proposed Zoning By-law Amendment
45 Coldwater Road**

MARCH 11TH, 2009 at 7:00 P.M.

**OAKWOOD COMMUNITY CENTRE
AGENDA**

1. **CALL TO ORDER**
2. **MOMENT OF SILENT REFLECTION**
3. **DECLARATIONS OF PECUNIARY INTEREST**
4. **STATEMENT OF PUBLIC NOTICE**
5. **STATEMENT OF CORRESPONDENCE RECEIVED**
 - 5.1
6. **PRESENTATION OF A REPORT BY TOWNSHIP STAFF**
 - 6.1 Staff Report from the Director of Planning and Development, re: 45 Coldwater Road
7. **QUESTION & CLARIFICATION PERIOD - PUBLIC**
8. **SPEAKERS IN SUPPORT & OPPOSITION**
9. **QUESTION & CLARIFICATION PERIOD - COUNCIL**
10. **FINAL STATEMENT BY THE MAYOR**
11. **ADJOURNMENT**

PLANNING & DEVELOPMENT DEPARTMENT
Planning Services

TO: Mayor Warnock and Member of Council
CHAIR: Deputy Mayor Michael Ladouceur
FROM: Mara Burton, Director Planning & Development
DATE: March 3, 2009
SUBJECT: Application No. 2008ZBA09 to amend Zoning By-law 2000-57 - TimCon Investments Limited – Part of 45 Coldwater Road, Waubaushene

1.0 APPLICATION DETAILS

- 1.1 Application No.: 2008ZBA09
1.2 Owners: TimCon Investments Limited
1.3. Agent: Rodney Renolds, Ontario Land Surveyor
1.4 Location: Part of Lot 10, Concession 11
Part of 45 Coldwater Road, Waubaushene
1.5 Official Plan: Light Industrial/Commercial and Marine
Commercial
Zoning: Prestige Industrial “M2”

1.6 Application Request:

The Zoning By-law Amendment proposes to rezone a portion of the subject property from the Prestige Industrial “M2” Zone to the Marine Commercial “C6” Zone in order to fulfill the condition of severance application Number 2008B04 that severs a portion of property from 45 Coldwater Road for a lot addition to 55 Coldwater Road for the purposes of a marina use that exists on 55 Coldwater Road.

2.0 SITE DESCRIPTION

The subject lands are located on the northeast side of Coldwater Road and are located on Georgian Bay in the community of Waubaushene. The subject land has a frontage along Coldwater Road of approximately 17.11 metres (56.14 feet), a depth of approximately 148.46 metres (487.07 feet) and an area of 2420 square metres (0.598 acres) to merge in title with the neighbouring property located at 55 Coldwater Road owned by TimCon Investments Limited.

Surrounding Land Use:

North - Marine Commercial “C6” Zone

South – Village Commercial “C1” Zone

East - Marine Commercial “C6” Zone

West - Prestige Industrial “M2” Zone

3.0 COMMENTS

This application is still in circulation among the municipal departments; therefore comments will follow the public meeting in the report with recommendations to Council.

4.0 ANALYSIS

4.1 Official Plan

Section 2.1.2, “Goals and Objectives, Economic Development” of the Official Plan states:

“2.1.2.3 To create a positive and proactive response to these changes, the Township needs to diversify and stabilize its economy. The Township also needs to create an environment that supports existing businesses and attracts new businesses. Residents also need access to opportunities for developing the technical and entrepreneurial skills required in the markets of today and the future. The Economic Development goal will be achieved through the implementation of the following objectives;

- (a) Encourage and support small and home-based business and cottage industry development.*
- (b) Foster and promote local entrepreneurship.*
- (c) Maximize use of existing land, human and business resources in the community for economic development.*
- (a) Support the development of business services.*
- (b) encourage the provision of training initiatives in the Township.*
- (c) Expand promotion and marketing of economic opportunities.*
- (d) Tie into regional economic development initiatives.*

2.2.7 *The Township, as part of its Official Plan Review and Consolidation Project, prepared a "Municipal Growth Management Strategy". The Municipal Growth Management Strategy, implemented through this Plan, is intended to encourage cost effective land use patterns and to strengthen the role of Settlement Areas as the focus of concentrated growth. The policies also generally seek to strengthen the role of rural areas for rural, resource, and resource-based recreational activities by reducing the amount of dispersed and scattered development.*

3.1.2 *Settlement Areas, as designated on the schedules to this Plan, and other development areas shall be encouraged to develop in a compact manner in order to ensure the most efficient and economical provision of public services."*

Section 4.2.3.1.2 "Marine Commercial, General Policies" of the Official Plan states:

"It is a policy of this Plan to support and encourage the development of the Township's marine commercial areas and strengthen their role in the local economy by becoming full season facilities while still maintaining the marina as the principle function and use of the lands."

Section 4.2.3.2 "Marine Commercial, Permitted Uses" of the Official Plan states:

"4.2.3.2.1 The primary use of lands designated "Marine Commercial" shall be for boat docking (both long term lease and transient use), boat storage, car parking, fuel and water supply, sewage pump outs and minor repair service.

4.2.3.2.2 Complimentary uses also permitted in accordance with the policies of this Plan include hotel, motel, restaurants, recreation facilities, related retail, servicing and repair of boats and snowmobiles, and similar uses to the needs of water born and other recreational activities.

4.2.3.2.3 A dwelling may be permitted as an accessory use for a caretaker or owner of the marina."

4.2 Zoning

The application proposes to change the zoning from the Prestige Industrial “M2” Zone to the Marine Commercial Zone “C6”. This application facilitates severance application 2008B04 that severs the subject property from 45 Coldwater Road to be merged in title with the existing marina operation at 55 Coldwater Road. The zoning by-law amendment is a condition of the approval of the severance.

The subject severed property is currently vacant. A review of the survey of the retained lands indicate that the building on the property will maintain the required interior side yard to the proposed severed lands, therefore no adjustment to the zoning needs to be made to these retained lands.

5.0 CONCLUSIONS AND RECOMMENDATIONS

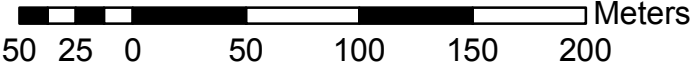
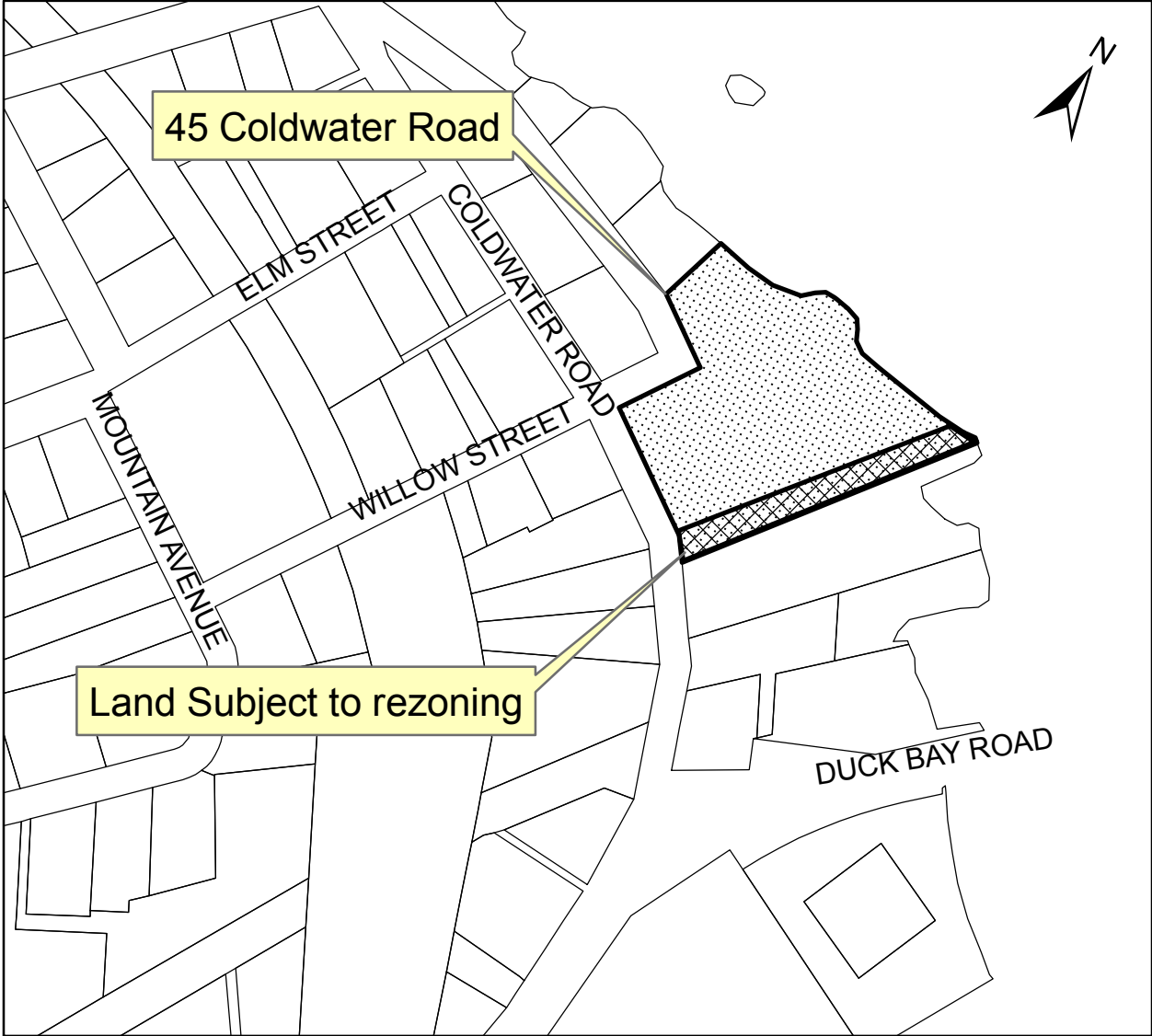
Your Director will reserve a recommendation until after we hear from the public on this matter. A recommendation will then be forwarded to the next available meeting of Council.

Respectfully submitted,

Mara Burton, BAA, MCIP, RPP
Director of Planning & Development

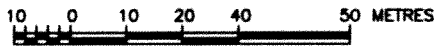
Attachment 1. Key Map
 2. Draft By-law

Key Map
Zoning By-law Amendment - Application 2008ZBA09
Township of Tay



SKETCH TO ILLUSTRATE BOUNDARY
LINE ADJUSTMENT OF PART OF
LOT 10, CONCESSION 11
TOWNSHIP OF TAY
COUNTY OF SIMCOE

SCALE 1 : 1000



NOTE

THIS SKETCH WAS PREPARED FROM FIELD MEASUREMENTS
TAKEN ON OCTOBER 1, 2008.
THE AREA TO BE RETAINED IS 7849.0 sq.m
THE AREA TO BE SEVERED IS 2420.0 sq.m

CAUTION

THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE
USED FOR TRANSACTION OR MORTGAGE PURPOSES.

OCTOBER 27, 2008

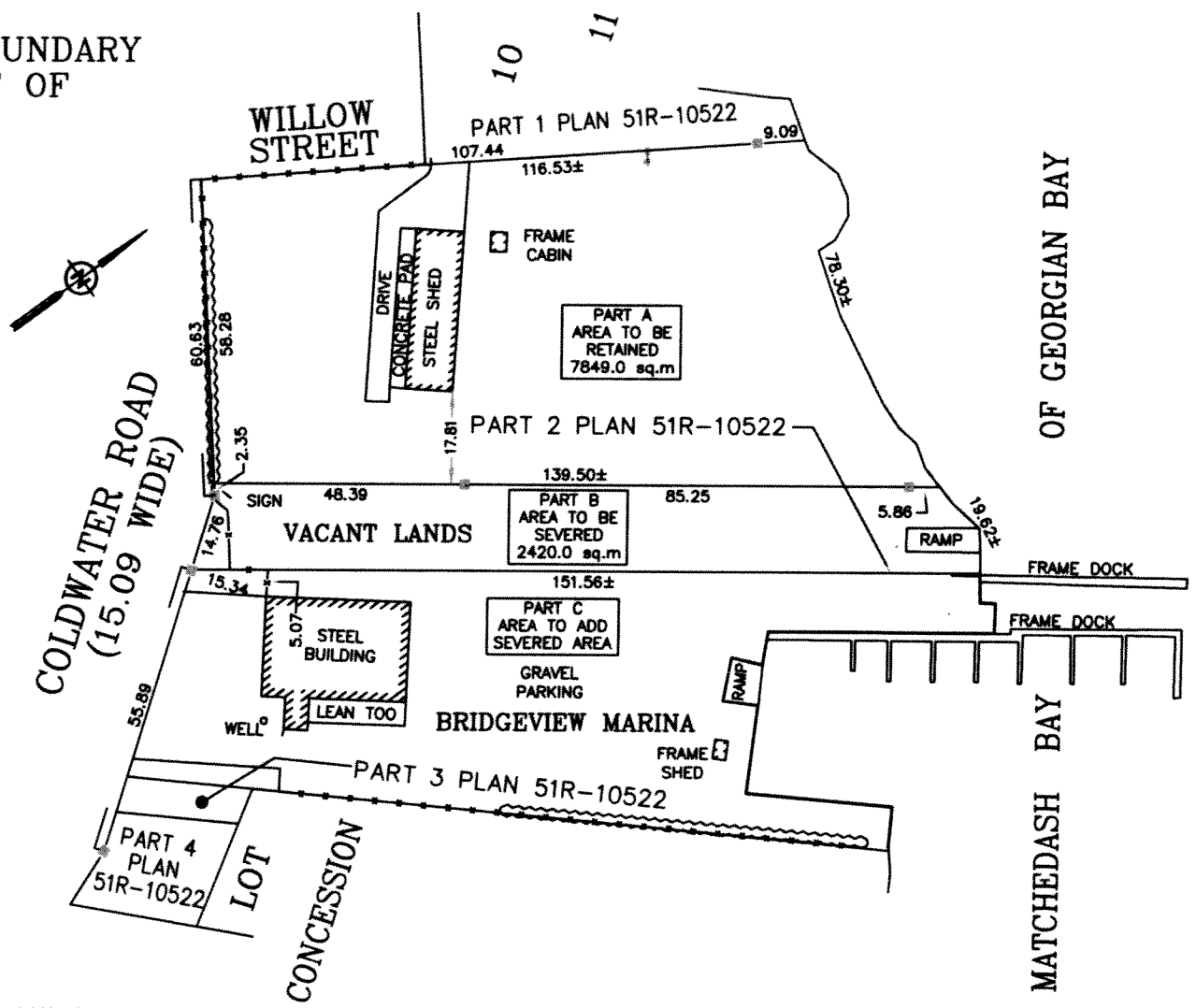
RODNEY G. REYNOLDS
ONTARIO LAND SURVEYOR
P.O. BOX 333 998 MOSLEY STREET
WASAGA BEACH, ONTARIO L0Z 1A4
(705) 429-5028 (FAX) 429-8293

FILE - 08-166

FOR - TIMLOCK

SCALE - 1 : 1000

DRAWN - C.T.F.



**THE CORPORATION OF THE TOWNSHIP OF TAY
BY-LAW NUMBER 2009-17**

*"Being a By-law to rezone lands described as
Part of Lot 10, Concession 11."*

WHEREAS By-law Number 2000-57 is the General Zoning By-law of the Corporation of the Township of Tay; and,

WHEREAS the Council of the Corporation of the Township of Tay have received an Application to Amend the General Zoning By-law and has approved the Application; and,

WHEREAS authority is granted pursuant to Section 34 of the Planning Act, R.S.O. 1990 to enact such amendments;

NOW THEREFORE be it enacted as a By-law of the Corporation of the Township of Tay the following:

1. Schedule "M" to General Zoning By-law Number 2000-57, is hereby further amended by rezoning from the Prestige Industrial "M2" Zone to the Marine Commercial "C6" Zone, those lands described as Part Lot 10, Concession 11, as shown on Schedule "A", which is attached hereto and forms part of this By-law.
2. This By-law shall take effect and come into force pursuant to the provisions of the Planning Act, R.S.O. 1990, c.P.13., as amended, and the regulations made thereunder.

BY-LAW read a **FIRST**, **SECOND**, and **THIRD** time and finally **PASSED** this 8th day of April, 2009.

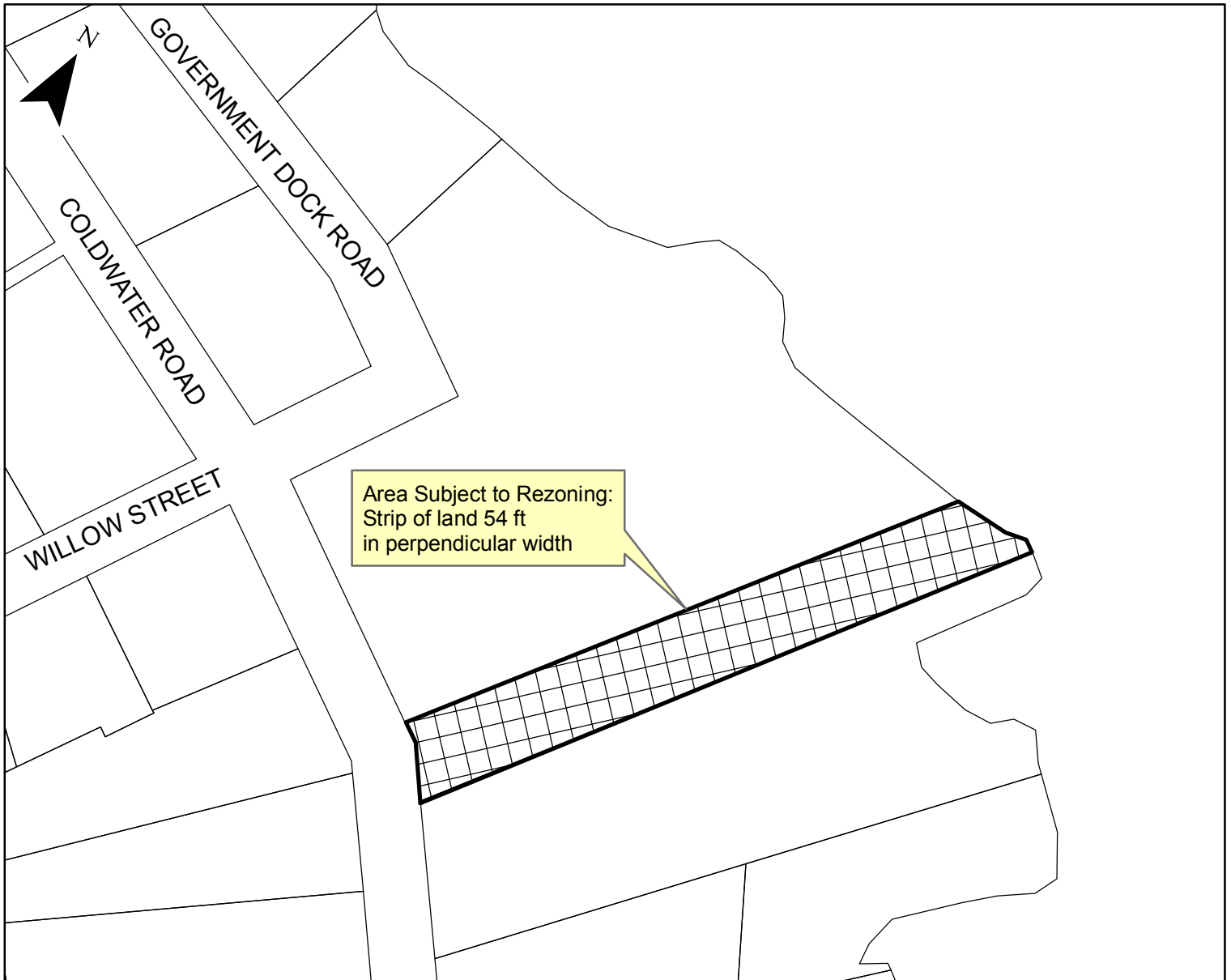
THE CORPORATION OF THE TOWNSHIP OF TAY

MAYOR Scott Warnock

CLERK Alison Thomas

SCHEDULE "A"

By-law No. 2009-17



Land re-zoned from the Prestige Industrial "M2" Zone to the Marine Commercial "C6" Zone

This is Schedule "A" to
By-law No. 2009-17, passed
this 8th day of April, 2009

Mayor Scott Warnock

Clerk Alison Thomas