

**TOWNSHIP OF NORTH DUNDAS
PUBLIC MEETING TO CONSIDER A ZONING AMENDMENT
March 22, 2016
7:00 pm**

A Public Meeting of Council, under Section 34 of the *Planning Act, R.S.O. 1990*, as amended was held to consider a proposed amendment to the former Village of Winchester Zoning By-law 25-96. The applicant is the Winchester District Memorial Hospital c/o Patricia Lewis regarding 530 Fred Street, Winchester, Ontario.

Roll Call:

Eric Duncan	Present
Gerry Boyce	Present
Allan Armstrong	Present
Tony Fraser	Present
John Thompson	Present

Township of North Dundas Staff present included Township Planner, Calvin Pol and Clerk, Jo-Anne McCaslin who recorded the minutes.

Chairperson, Eric Duncan called for a motion to open the public meeting.

**Moved by Tony Fraser and seconded by Gerry Boyce that the public meeting of Council to consider a Zoning By-law Amendment to the former Village of Winchester Zoning By-law be called to order at 7:00 pm. (Winchester District Memorial Hospital)
CARRIED.**

The Chairperson confirmed that Public Notice for the Zoning Amendment was mailed out faxed and a sign posted on March 1, 2016 in accordance with Section 34 of the Planning Act and Ontario Regulation 545/06.

The Chairperson declared the meeting properly constituted as per the requirements of the *Planning Act*. An attendance sheet was circulated, (see attached).

A detailed planning report and the draft by-law were previously circulated to Council by Township Planner, Calvin Pol. The Mayor turned the meeting over to Mr. Pol who then made a power point presentation outlining the proposed amendment.

It was pointed out by the Planner that if a person or public body does not make oral submissions at this public meeting or make written submissions to North Dundas Township before the by-law is passed, the person or public body may not be entitled to appeal the decision of the Council of North Dundas to the Ontario Municipal Board.

Winchester District Memorial Hospital Amendment:

Planner Calvin Pol explained The Township of North Dundas received a site specific application to rezone the subject property from Institutional (I) to Institutional – Exception Four (I-4) to add a 93m² Commercial Sports and Recreation Centre as a permitted use.

The lands affected by this rezoning are described as Part of Part 2 on Plan 8R-1536, former Village of Winchester, now the Township of North Dundas, County of Dundas, known as 530 Fred Street, Winchester.

If adopted this By-law will allow a 93m² commercial gym within part of the Summers Physiotherapy offices within the expanded Community Care Building at 530 Fred Street.

The property/land to which the proposed Zoning By-law amendment applies is not the subject of any other application under the Planning Act at this time. However, the development is currently bound in a Site Plan Agreement between Winchester District Memorial Hospital and The Corporation of the Township of North Dundas.

A recent WDMH advertisement indicated that that a commercial gym would be opened within the Summers Physiotherapy offices of the new expansion to the Community Care Building. Under the current Institutional (I) zone, a physiotherapy clinic is a permitted use

(Medical Clinic); however, a commercial gym is not a permitted use. A medical clinic is defined as *“a building or part of a building used solely by physicians, dentists, and/or drugless practitioners, their staff and their patients, for the purpose of consultation, diagnosis and office treatment.* If the “gym” was used solely by clients for their therapy (for rehabilitation treatment), it could be considered as a permitted accessory use (cannot be available to the general public (memberships, etc.)).

A gym for general public use would be classified as a “Commercial Sports and Recreation Centre” under the Zoning By-law. A *Commercial Sports and Recreation Centre* is defined as *“an athletic, recreational or social club operated for gain or profit or for the private use of members.”*

The proposed zoning amendment is to add a building specific exception zone (I-4) to permit the proposed commercial gym as an augmented “Accessory” use to the clinic.

The Planner stated comments have been received from the Manager of Planning SD&G advising that no Official Plan Amendment is required. Comments are noted in Planning Report.

The Chairperson then asked the Applicant and the members of Council if they had any questions or concerns. He then then opened the Public Meeting to questions and comments from the public.

Dave Summers spoke on behalf of the Winchester District Memorial Hospital (the Applicant). Mr. Summers stated the primary reason for the move to the Community Care Building is to be closer to hospital. He noted the Community Care Building is completely accessible which is very important to his clients. He added the gym will be a great asset to his physiotherapy patients for follow-up therapy; however, he needs community memberships to assist with the costs associated to purchase equipment, etc. He stated the addition of a gym will foster health and well-being to his patients and the community at large.

Chairperson Duncan asked about membership numbers and hours of operation. Dave Summers stated he is aiming for 250 which he feels will be enough to sustain and fund the equipment. The gym will be open 24-7 to provide access to shift workers. Members will be provided with fob-key and security tokens.

Councillor Armstrong stated he feels if Council approves this zoning amendment it will be unfair to other commercial downtown landowners. He referenced Council’s decision relating to 505 Winchester Church Street.

Chairperson Duncan commented we are lucky to have the Winchester District Memorial Hospital and feels the proposed zoning amendment to permit a gym compliments what is already located in the Community Care Building (Health Hub).

Councillor Armstrong stated the WDMH should have contacted the Township prior to advertising. Dave Summers in a solid business owner.

Councillor Fraser expressed concerns about the increase to traffic on Fred St and the effect on residents.

Calvin Pol advised there are two access points to the Community Care Building – Fred Street and the ring road.

Councillor Thompson stated he recognizes how the addition of a gym would assist physiotherapy follow-up.

Deputy Mayor Boyce stated that not all commercial businesses are in the downtown core.

Cathy McArthur, 443 Fred St. stated she thinks the gym is a great idea and a good addition to the community.

Carey-Lynn O'Leary 5 Wintonia Drive, commented she uses a gym (exercise) to maintain her mental health. She added the Community Care Building is very close to her home.

Judy Sutton, 107-517 Albert St. stated she suffers with a back injury and physiotherapy has helped to get her out of a wheelchair.

Gary Annable, 61 Christie Lane stated he has no problem with the gym, but is concerned about traffic 24/7 and privacy issues in his backyard.

Owen Shortt, Box 150, Winchester representing the North Dundas Chamber of Commerce questioned if this amendment was to be approved, would it be precedent setting. He also noted concern about parking.

Pat Lewis, WDMH 566 Louise St. stated there are 60 additional parking spots for the new building and that parking will be free. Ms. Lewis accepted responsibility for the miscommunication regarding the advertisement indicating that a commercial gym would be opened. She stated the building did not receive any public funds and the renters pay premium rates to be in the building.

Mayor Duncan asked about traffic on Fred St.

Pat Lewis, replied there are two access points and one exit. There is no exit on to Fred St. She will ask people using the gym to use the ring road only.

Bill Smirle, Box 22 Morewood spoke in favour of the proposed zoning amendment. He feels a physiotherapy clinic and gym are a good combination. Very supportive of any initiative that supports health and wellness.

Shane Freeman, Box 307 Winchester advised he was in a car accident and requires physiotherapy. Feels the gym will complement the physiotherapy clinic.

Jacqueline Kelly-Pemberton, Resident and President of the Dundas Federation of Agriculture spoke in favour of the proposed amendment.

Nanda Wubs, 12585 River Rd commented the decision relating to Church Street should not affect the proposed amendment.

Mayor Duncan clarified that no decision has been made with regard to the proposed (Church Street) zoning amendment.

Planner Pol advised Council that El Khatib had revised his application based on comments from Council.

Dave Summers responded to the above noted comments by stating parking will be at the back of the building. 24/7 access to the gym is important to accommodate all users. He has worked hard to grow his business and hopes to expand. He feels a physiotherapy clinic and a gym is a good combination and will help to support the health and wellness of patients and patrons.

Councillor Armstrong reiterated it is a zoning matter not a personal matter.

Chairperson Duncan stated anyone has the right to apply for a zoning change.

Councillor Armstrong stated the zoning is not allowed; the process is allowed.

Councillor Thompson commented the proposed zoning amendment fits the building.

Planner Pol replied the zoning amendment is specific to the gym only, no other commercial uses.

Upon no further questions, Chairperson Duncan thanked all those in attendance for coming and stated the by-law would be considered during the regular meeting of Council.

**Moved by Gerry Boyce and seconded by Tony Fraser that the Public Meeting of Council to consider a Zoning By-law Amendment to the former Village of Winchester Zoning By-law adjourn at 8:08 pm. (Winchester District Memorial Hospital)
CARRIED.**

Eric Duncan, CHAIRPERSON

Jo-Anne McCaslin, CLERK

THESE MINUTES WERE APPROVED AS WRITTEN APRIL 13, 2016