

Applicant: 2107779 Ontario Inc. (Smart Square) c/o Anmole Rattan
File No.: Z04/22
Municipality: Town of Wasaga Beach
Subject Lands: 1926 Mosley Street (CON 15 PT LOT 1)

Date of Decision: May 29, 2025
Date of Notice: June 3, 2025
Last Date of Appeal: June 18, 2025

NOTICE OF DECISION

Town of Wasaga Beach Council:

PASSED an Amendment to Comprehensive Zoning By-law 2003-60, as amended, Z0422

TAKE NOTICE that the Council of the Corporation of the Town of Wasaga Beach (the “Town”) passed By-Law 2025-21 (File No. Z04/22) to amend the Town of Wasaga Beach Comprehensive Zoning By-law 2003-60 at the Regular Council meeting held on the 29th day of May, 2025, pursuant to Section 34 & of the *Planning Act*, R.S.O. 1990, as amended, for the lands described and shown below.

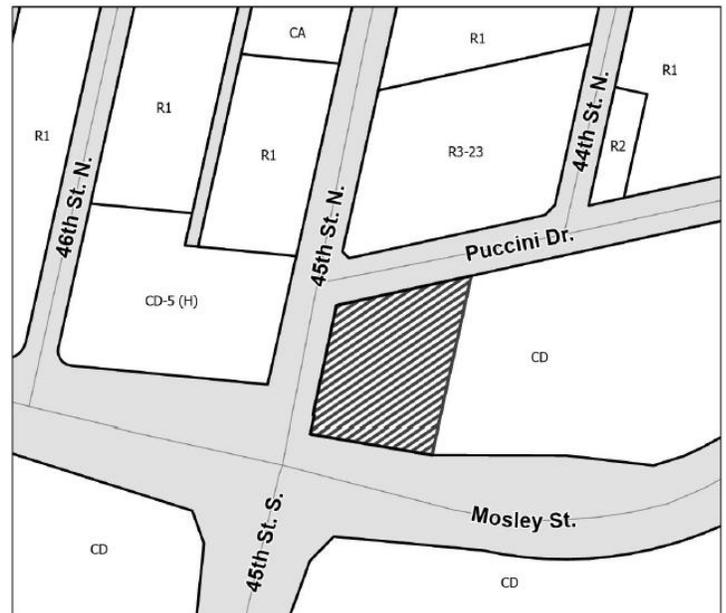
THE SUBJECT LANDS are municipally addressed as 1926 Mosley Street, and are legally described as CON 15 PT LOT 1 in the Town of Wasaga Beach, County of Simcoe;

A KEY MAP showing the location of the subject property is provided with this notice.

THE ZONING BY-LAW AMENDMENT is to facilitate the re-development of the subject lands with a relocated one storey retail building (convenience store) on the eastern property boundary, an automatic car wash station on the eastern property boundary, and a new three (3) storey mixed-use (commercial/ residential) building on the northern property boundary. By way of the application for Zoning By-law Amendment,

the owner wishes to achieve zoning permission for site-specific exceptions. More specifically, the applicant has requested the following site-specific amendments for the CD-13 Zone:

- A maximum of ten (10) residential units in a non-residential building provided that the dwelling units are contained above the first storey and are not in any building occupied by a motor vehicle repair garage or motor vehicle sales and service establishment;
- A minimum exterior side yard width of 0.0 metres;
- A minimum interior side yard width of 0.0 metres when abutting a C Zone;
- A minimum rear yard depth of 0.0 metres when abutting a R Zone;
- A maximum building height of 13.8 metres;
- A minimum parking requirement of 49 parking spaces;
- A minimum sight triangle dimension of 4 metres by 4 metres at the intersection of 45th Street North and Puccini Drive.



 Lands to be Rezoned from CD to CD-13

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WRITTEN AND ORAL SUBMISSIONS: Regard has been had for any written submissions relating to the Zoning By-law Amendment that were made to the Council before its decision, and any oral submissions relating to the Zoning By-law Amendment that were made at the public meeting, as considered in the report on application Z04/22 presented to members of Council, May 29, 2025.

The lands are also subject to an application for Site Plan Control (Town File SP0123).

WHEN AND HOW TO FILE AN APPEAL:

The last date for filing a notice of appeal for the Zoning By-law Amendment, is **Wednesday, June 18, 2025**, the notice of appeal:

- 1) Must be filed with the Clerk of the Municipality,
- 2) Must set out the reasons for the appeal; and
- 3) Must be accompanied by the fee required by the Tribunal. <https://olt.gov.on.ca/appeals-process/fee-chart/>

Only individuals, corporations and public bodies may appeal a by-law to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

DATED at the Town of Wasaga Beach this 3rd day of June, 2025.

CLERK, TOWN OF WASAGA BEACH