

THE CORPORATION OF THE TOWNSHIP OF HORTON

PLANNING COMMITTEE

SEPTEMBER 20, 2005

There was a meeting of the Planning Committee held in the Municipal Council Chamber on Tuesday September 20, 2005. Present were Chair Dave Bennett, Bob Kingsbury, Jim Ferguson, Darlene Heaslip, Bob Hall and Robert A. Johnston.

1. CALL TO ORDER

Chair Bennett called the meeting to order at 4:30 p.m.

2. DECLARATION OF PECUNIARY INTEREST

Jim Ferguson declared possible pecuniary interest in Agenda Item 5 - Delegations: 5:15 Dwight MacMillan, as the property Mr. MacMillan has his Trailer on is owned by his Jim's aunt.

Reeve Johnston declared pecuniary interest in Agenda Item 8 - Zoning Amendment - Bernie & Lydia Pleau.

3. MINUTES OF JULY 19, 2005 MEETING

The Committee Members reviewed the Meeting Minutes, which were already approved by Council.

4. BUSINESS ARISING

There was no business arising.

5. DELEGATIONS

4:30 Rene Lebreque – Support LCBO “Agency Store”

Mr Lebreque had called the Office, prior to the start of the meeting, to advise that he would not be attending this meeting as he did not have his business plan completed and would make arrangements for a future appointment.

5:15 Dwight MacMillan – Trailer as Second Cottage Zoning Amendment

Dwight MacMillan and his brother George were present to discuss his request to have permission to put a camping trailer on the property owned by Doris Smith, at 513 Blue Jay Lane. Jim Ferguson had earlier declared pecuniary interest and left the Council Chambers.

Dwight MacMillan had photographs showing a minimum of 35 trailers which are used for similar purposes in Horton Township. He presented information from a MPAC Web Site on assessing trailers, they have to be over eight foot six inches to be determined as a structure.

Chair Bennett summed up the concern being if a travel trailer is deemed not to be a structure then it would be permitted. The MacMillans agreed. He then referred to a report by the CAO/Clerk in which the definition of a travel trailer under the zoning by-law, section 2.164 describes a recreational vehicle as a structure.

The Committee Members discussed the issue. They agreed that it has to be determined if there is a zoning infraction or if there is not. Chair Bennett agreed that recreational trailers stored or used on recreational property is happening

throughout the Township. He suggested that we get a planning opinion from our Planner. Councillor Kingsbury expressed support of the use of the trailer. Darlene Heaslip supported the use of the trailer. Valerie Miller, a neighbour, was present and she informed the Committee that there is another trailer nearby, used for exactly the same purposes and there was no complaint about it. She suggested that this was a selective complaint.

It was agreed that the CAO/Clerk ask the County Planning Department for an opinion on whether a travel trailer is permitted to be occupied or not and that this report to be back by the next meeting.

6. CORRESPONDENCE

County Public Works Department RONA - Info on Drainage and Second Entrance

The Committee reviewed a letter dated September 12, 2005, sent to WoodWorks of Renfrew (RONA), setting out the requirements of a second entrance and also drainage. Chair Bennett expressed concern with the drainage as the lot is not being changed, why would the County be concerned about increased water flow. He asked if Reeve Johnston would speak to the County Engineer on the drainage improvements required.

Janet Bradley – Opinion of R. A. Jamieson’s Request to Extend Jamieson Lane

The Committee reviewed an opinion dated September 1st, 2005 on an old request from R.A. Jamieson, that had not been responded to yet. Chair Bennett suggested that this be referred to the Road Committee, for review. The Committee agreed.

7. ROAD CLOSING REQUESTS

Robert Staley & Bruce Reid – Arrange for Site Inspections before Next Meeting

Chair Bennett informed the Committee members that Council had received two requests to close portions of unopened road allowances. The Council had forwarded these requests to this Committee for review. It was suggested that at the start of the next Committee Meeting we do Site Inspections. It was agreed by the Committee Members to meet at 4:30 p.m. at the next meeting and then carry out a site inspection of each request.

8. ZONING AMENDMENTS

Lydia & Bernie Pleau – We Have Not Received an Application

Reeve Johnston declared pecuniary interest and did not take part in the discussions.

The CAO/Clerk informed the Committee that he has not received the application for the By-law Amendment to permit the garage on the Pleau property and nor has he received the Agreement, with a deposit of \$5,000.00 from Pleaus, to offset the Township costs in this matter. The CAO/Clerk reported that the solicitor for the Pleaus had suggested that his clients not be required to pay the deposit or sign the agreement and his clients will not require any municipal involvement if there is an OMB Hearing.

Chair Bennett said that this is not satisfactory to him. If there is an appeal to our by-law we must be represented. Darlene Heaslip suggested sending a letter of final notice or the garage be removed. Deputy Reeve Hall questioned whether they would become confrontational and no action on the garage would be taken, putting the Township in a difficult position. Jim Ferguson agreed that the ratepayers should not be responsible for any legal fees on a private development.

Moved by Darlene Heaslip
Seconded by Bob Kingsbury

That the CAO/Clerk send a final letter to Lydia and Bernie Pleau requesting that they file their zoning amendment application and submit the deposit and agreement or remove the offending garage by October 17, 2005.

Carried on division.

Opposed Bob Hall

Jan and Dale Potter

The Committee reviewed a zoning application from Jan and Dale Potter to rezone lands in the old Ferguson Beach area.

Moved by Jim Ferguson
Seconded by Robert A. Johnston

That the Planning Committee recommend Council receive the application from Dale and Janet Potter to rezone part of Lot 6, Con 9, from EP to ER-E2 .

Carried.

9. SITE PLAN AGREEMENT

Larry Rawn – Request to Amend Agreement – Arrange for Meeting with Neighbours

The Committee reviewed a revised site Plan prepared by Larry Rawn for his property at the intersection of Thomson Road and River Road. The Committee agreed to meet at a Special Meeting on October 6, 2005 at 7:00 p.m. in the Municipal Office to review this amendment request. The neighbours surrounding this property would be invited to attend the meeting.

10. SEVERANCES

B68/05 - Bruce and Gloria Tait

Moved by Robert A. Johnston
Seconded by Bob Kingsbury

That the Planning Committee recommend Council support Consent Application B68/05.

Carried.

B69/05 - Willis and Robena Runtz

Moved by Robert A. Johnston
Seconded by Bob Kingsbury

That the Planning Committee recommend Council support Consent Application B69/05 for a registered right-of- way.

Carried.

B70/05 - Robert and Barbara Towey

Moved by Darlene Heaslip
Seconded by Jim Ferguson

That the Planning Committee recommend Council support the approval of application B70/05. The Committee has reviewed the criteria and considers it satisfactory.

Carried.

B78 & 79/05 - Terry Cobus

Moved by Bob Kingsbury

Seconded by Robert A. Johnston

That the Planning Committee recommend to Council that they support the approval of applications B78 & 79/05 with a condition that the standard rural agreement be entered into.

Carried.

B103/05 - George Early

Moved by Robert A. Johnston

Seconded by Bob Hall

That the Planning Committee recommend to Council that they support application B103/05 with a condition that the rural agreement be entered into.

Carried.

B108/05 - Karen Carty

Gary Carty, husband of the owner and agent was present to review this severance application. There is a concern that the County has identified that there have been over six lots already approved from the original holding and this then requires an additional study by the property owner. The CAO/Clerk suggested that he be given authority to contact the County Planning Staff to review what severances were actually created off this parcel of land, since 1971, to determine that the number has actually been reached.

Moved by Robert A. Johnston

Seconded by Bob Kingsbury

That the Planning Committee recommend to Council that they recommend approval of consent B108/05 with a condition that the additional study be required if the number of lots proves to be over five have already been created.

Carried.

B139/05 - Rick Rogers

Moved by Robert A Johnston

Seconded by Darlene Heaslip

That the Planning Committee recommend to Council approval of Consent Application B 139/05 with the rural agreement condition.

11. KAREN CARTY

Extend Committee of Adjustment Condition to Start Resident by October 8, 2005.

Mr Carty was present. He informed the Committee that he had a minor variance, last year, to construct a garage prior to his house being constructed and there was a condition to that approval that he start his residence by October 8, 2005. He will not be able to meet that deadline. The creation of the severance B108/05 has taken longer than he anticipated and he needed the approval of the severance before making a decision on building a house. If he can not get the severance he may build a different style residence.

The Committee discussed their options. Councillor Bennett suggested that the only way a condition can be amended is to file a new application for minor variance to amend the condition.

Moved by Bob Kingsbury
Seconded by Jim Ferguson

That Karen Carty be required to apply for a further minor variance to extend the building dead line condition in minor variance application A08/04.

Carried on division

Opposed Darlene Heaslip

12. PROPERTY STANDARDS BY-LAW

Chair Bennett realized, as it was getting late, that the discussion on this by-law will again take much longer than the Committee members want to stay. It was agreed to add it to the agenda for the October 6, 2005, meeting to review a site plan.. The Committee Members agreed.

13. BUSINESS ARISING

There was no business arising.

14. NEXT MEETING

The Committee agreed that the next meetings will be October 6, 2005 for the Site Plan and the Property Standards, and October 18, 2005 for the regular Planning Committee Meeting at 4:30 p.m. starting off with a Site Inspection of the two applications to close road allowances.

15. CONFIRMING RESOLUTION

Moved by Bob Hall
Seconded by Bob Kingsbury

That the Committee pass this confirming resolution to validate any actions or directions given during the open portion of this Council Meeting which are minor in nature and which were not set out in By-law or Resolution.

Carried

16. ADJOURNMENT

Moved by Darlene Heaslip
Seconded by Jim Ferguson

That this meeting of the Planning Committee be adjourned at 5:59 p.m.

Carried.

Chair

CAO/Clerk