

THE CORPORATION OF THE TOWNSHIP OF HORTON

PLANNING COMMITTEE

MARCH 21, 2006

There was a meeting of the Planning Committee held in the Municipal Chambers on Tuesday March 21, 2006. Present were Chair Dave Bennett, Deputy-Reeve Bob Hall, Councillor Don Eady, Councillor Robert Kingsbury, Jim Ferguson, Bill Winters and Darlene Heaslip.

1. CALL TO ORDER

Chair Bennett called the Meeting to order at 4:45 p.m.

2. DECEMBER 15, 2005 SPECIAL PLANNING COMMITTEE MEETING MINUTES NOTES FROM JANUARY 17, 2006 MEETING – NO QUORUM

Committee members reviewed the above minutes. Councillor Bennett noted that these have already been approved by Council.

3. DELEGATIONS

**4:47 Heather Ede and Ray Cunningham**

Heather Ede and Ray Cunningham were present to discuss their site plan agreement and sales trailer. They noted that they will be purchasing a newer trailer for this location. As the lot they will be occupying is already developed i.e. pavement, lights, etc. they asked if the Committee would consider lowering the required site plan agreement deposit of \$2,000.00 as this would allow them more capital to purchase a newer trailer.

Chair Bennett noted that this fee is in place as a precautionary measure as we have had experiences in the past where the site plan specifications were not met and Council had no recourse for covering any costs incurred to clean up the problems. Once the site plan requirements are met the deposit is returned to the owner.

After discussion, the Committee agreed to take the following recommendation to Council. Chair Bennett noted that every site plan deposit will not be negotiable that this is an exception. This should not set precedent.

Moved by Darlene Heaslip

Seconded by Don Eady

That the Planning Committee recommends to Council that the deposit required with the Site Plan Approval for Heather Ede and Ray Cunningham be lowered to \$1000.00 as the lot they will be using is already developed and requires minimal improvements. This fee is not to set precedent and cases will be assessed on an individual basis.

Carried.

Chair Bennett informed Heather Ede and Ray Cunningham that this site plan is more complex as Ray will be leasing from Heather who will be the owner of the property. Heather noted that she is applying for incorporation and this should be done soon. Chair Bennett suggested holding off with the site plan approval until she is incorporated and then the agreement would be between the incorporated company, Ray Cunningham and the Township.

**5:15 Dan Leblanc - development agreement – Golf Course  
- use Township engineer for his design work**

Dan Leblanc was present to discuss his proposed Golf Course development. He asked the committee if he could be allowed to develop a portion of the unopened Township Road. He would have this done to Township standards.

Chair Bennett said that he would refer this request to the Public Works Committee. Mr. Leblanc was asked to attend the April 03, 2006 Public Works Committee Meeting.

Chair Bennett referred to Mr. Leblanc's request to use the same engineering firm as the Township for the study of his golf course. Chair Bennett explained that the Township had consulted with the County Planning Department and they advised that it would be more suitable for Mr. Leblanc to hire an independent engineering firm for his engineering study.

**5:30 R. A. Jamieson – Township assuming extension of Jamieson Lane**

Mr. Jamieson was present to speak with the Committee on his request for the Township to assume the extension of Jamieson Lane which is a 250 ft. portion that starts at the end of the paved, travelled portion of Jamieson Lane and ends at the Henry Moore property.

After discussion, the Committee agreed that if a proper legal agreement is drawn up that includes Henry Moore as a party in the agreement they will recommend this request to Council.

Chair Bennett informed Mr. Jamieson that he will take this request to the Public Works Committee and then to the April 04, 2006 Council meeting. After that they could proceed with having an agreement drawn up.

**5:45 Bob Lockwood - Site Plan Agreement  
- Neighbour's Drainage Concerns**

Chair Bennett reported that Mr. Lockwood was unable to attend tonight's meeting. He had phoned our office earlier in the day to inform us that he will be having trench work done by Crozier Excavating the week of March 27, 2006 and this should address his neighbour's drainage concerns. Also, he noted that he would have his site plan completed in the next two weeks.

**4. MOBILE HOMES–ZONING AMENDMENT FOLLOWING DECEMBER 06, 2005 PUBLIC MEETING**

Chair Bennett gave a brief report on the December 06, 2005 Public Meeting – Mobile Homes – Zoning Amendment. He reported that there had been a lot of opposition towards mobile homes being allowed in the Township. There is no demand to move forward with this amendment therefore it won't be pursued any further. He noted that current zoning permits modular homes (Code 177) under the Ontario Building Code.

Bill Winters stated that we should be cautious in regards to mobile homes and referred to the storm damage done to these types of homes in the United States.

At this point, 6:00 p.m., Chair Bennett noted that the Committee will adjourn for a short supper break. Committee Member Darlene Heaslip left the meeting at this time as she had a previous commitment.

Chair Bennett called the meeting back to order at 6:30 p.m.

5. SITE PLAN AGREEMENT – NEW PROPOSED SITE PLAN BY-LAW (this is the authority to enter into Site Plan Agreements with Developers)

Chair Bennett reported to the Committee that our current by-law for site plan agreements is somewhat outdated and referred to a sample by-law from Greater Madawaska that was in their meeting package. Staff has recommended that we implement a similar one for Horton Township. After the Committee reviewed the differences between the existing and the new proposed by-laws they put the following resolution forward.

Moved by Bob Hall  
Seconded by Jim Ferguson

That the Planning Committee recommends to Council that we implement the new proposed site plan by-law similar to the one utilized by the Township of Greater Madawaska.

Carried.

6. SEVERANCES

Richard and Becky Hollingsworth – Consent Application B249//05

The Committee reviewed Consent Application No. B249/05.

Moved by Jim Ferguson  
Seconded by Don Eady

That the Committee recommends that Council approve Consent Application B249/05 from Becky and Richard Hollingsworth with the following condition:

- 1) That the applicants enter into a consent agreement with the Township of Horton pursuant to Sections 51 and 53 of the Planning Act.

Carried.

Mark Virgin and Michelle-Leavoy Virgin – Consent Applications B258, B259 and B260/05

The Committee reviewed Consent Application Nos. B258, B259 and B260/05.

Moved by Jim Ferguson  
Seconded by Don Eady

That the Committee recommends that Council approve Consent Application Nos. B258, B259 and B260/05 from Mark Virgin and Michelle-Leavoy Virgin with the following condition:

- 1) That the applicants enter into a consent agreement with the Township of Horton pursuant to Sections 51 and 53 of the Planning Act.

Carried.

Ottawa River Waterway Inc. – Consent Application Nos. B01/06 and B02/06.

The Committee reviewed Consent Application Nos. B01/06 and B02/06.

Moved by Jim Ferguson  
Seconded by Don Eady

That the Committee recommends that Council approve Consent Application Nos. B01/06 and B02/06 from Ottawa River Waterway Inc.

Carried.

7. FEE SCHEDULES

Chair Bennett informed the Committee that the County has increased their fee schedules and this results in an increased cost of \$12.00 to the Township. After discussion, the Committee agreed that we had increased our application fee in the fall and at this time we would absorb the recent County increase.

3. DELEGATIONS (cont'd)

**7:00 Brent & Diane Greer - legal comment on Site Agreement Question  
- Committee's recommendation on By-law**

Chair Bennett welcomed Brent Greer, Ray and Regina Puhalski, Rose Ruttan and Rick Ruttan to the Committee meeting. He asked them to move up to the table for discussion on the Greer zoning amendment.

Chair Bennett informed everyone that the Township had received legal advice on the site agreement question. Our lawyer advised that a temporary use by-law was the best way to deal with this issue. He noted that there was a possibility that the application fee would be waived when the by-law is renewed in three years, but the Committee and Council couldn't commit to it at this time as we did not want to commit for future Councils.

Chair Bennett reviewed a list of written concerns that Mrs. Ruttan, a neighbour of the Greer's, had submitted earlier in the meeting. It was agreed that her main concern was noise early in the day (5:00 a.m.) when Mr. Greer is loading. The sound resulting from steel on steel can be very disturbing when she is trying to sleep. After discussion, the Committee and everyone present felt that this could be dealt with by site plan control. The hours of operation would be 6:30 a.m. to 8:00 p.m. – Monday to Saturday. Also, the Township would reserve the right to request the Greers to buffer this property with sand berms, trees, if they felt it was necessary to control noise.

Mrs. Ruttan was asked by Chair Bennett and Councillor Kingsbury if she was satisfied with this solution. She agreed that this was fine. She was requested to report to the Township in writing if she had concerns that the site plan controls weren't being met.

Mr. and Mrs. Puhalski asked if wording in the original by-law will stay the same. Chair Bennett replied that it would with the addition of a reference to site plan control. He reviewed the wording in this by-law. The Puhalski's reported that their previous concerns about what would happen if the zoning amendment was passed and Mr. Greer sold his property, are being addressed in a legal side agreement between themselves and the Greers.

Chair Bennett noted that this will be the last meeting before it goes to Council for recommendation.

Moved by Bob Kingsbury  
Seconded by Bill Winters

That the Planning Committee recommends to Council that they approve the original zoning by-law amendment for Diane and Brent Greer with the addition of 1(c) - site plan control conditions. These site plan controls are as follows:

- 1) set hours of operation: Monday to Saturday – 6:30 a.m. to 8:00 p.m.
- 2) the Township has the option of requesting the Greers to buffer this property with sand berms, trees as outlined in the Site Plan Agreement for this property.

Carried.

8. OTHER BUSINESS

There was no other business.

9. NEXT MEETING

The next Planning Committee Meeting will be held in the Municipal Chambers on April 18, 2006 at 4:30 p.m.

10 CONFIRMING RESOLUTION

Moved by Don Eady

Seconded by Hall

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

Carried.

11. ADJOURNMENT

Moved by Bob Kingsbury

Seconded by Bill Winters

That this the Planning Committee meeting be adjourned at 7:50 p.m.

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Chair

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Secretary