

THE CORPORATION OF THE TOWNSHIP OF HORTON

PLANNING COMMITTEE MEETING

March 17, 2009

There was a Meeting of the Planning Committee held in the Horton Community Centre on Tuesday March 17, 2009. Present were Chair Dave Bennett, Deputy Mayor Bob Hall, Councillor Don Eady, Mae Craig, Jim Ferguson, Rene Labreque, Bob Lockwood and Bill Winters. Staff present Rose Curley Administrative Assistant and Mackie McLaren CAO/Clerk.

1. CALL TO ORDER

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

2. DECLARATION OF PECUNIARY INTEREST

There was no declaration of pecuniary interest expressed by the Committee.

3. MINUTES OF JANUARY 20, 2009 COMMITTEE MEETING

Chair Bennett asked the Members to briefly review the Meeting Minutes.

4. BUSINESS ARISING

Councillor Eady referred to No 4 – Outdoor Furnaces, where he had mentioned a Corn Furnace. The owner of the furnace is Ray Puhalski on Ruttan Road and he has invited the Committee Members to attend to view the furnace in operation before the end of March. Chair Bennett suggested that the Committee Members may want to visit this property prior to the March 26 Special Planning Meeting.

Trucks Parked on Street at Cotieville

The CAO/Clerk reported that he has been in conversation with Peter Smith, owner of the trucks, who expressed an interest in purchasing property on MacBride Road near the intersection with Highway 60. He is in discussion with the property owner, any purchase will be conditional on a zoning amendment to permit a garage to be constructed as the principle building. If this happens the parking problem will be resolved.

Comprehensive Zoning By-law Review March 26, 2009 at 4:30 p.m.

Chair Bennett reminded the Committee Members that there is a Special Meeting of the Committee on March 26, 2009 to continue discussions on the Draft Comprehensive Zoning By-law. He asked members if they wished to attend the Puhalski Corn Furnace to do so at 3:30 p.m. Councillor Eady will make the arrangements and the CAO/Clerk will let everyone know.

5. DELEGATIONS

Vera Wemmers – former Castleford School – Art Gallery

Chair Bennett welcomed Mr & Mrs Wemmers to the Committee Meeting. Mrs Wemmers informed the Committee that she had plans to open a small Art Studio in the house that was formerly the Castleford School at the intersection of Castleford Road and River Road. One room in the house, she explained was formerly used a sewing business and the property is zoned general commercial. Mrs Wemmers makes articles for sale as does her husband, there will be no other articles for sale. It is not noise generating, there is no need for street parking, they want to start slowly, they do not have a business plan because they are not seeking financial assistance.

The CAO/Clerk reported to the Committee that the property is currently zoned general commercial but in the draft Comprehensive Zoning By-law the property is zoned rural as no business has been on the property for a number of years. The current general commercial zone does permit the Art Studio and Mrs Wemmers can start whenever she wishes.

The CAO/Clerk suggested there were three options that the Committee could apply to the future zoning for the property:

1. Indicate on Schedule A to the new Zoning By-law that the property is zoned general commercial not rural
2. Leave Schedule A with the property zoned rural and the Art Studio will enjoy non conforming rights to continue to operate under the non-conforming policies in the Zoning By-law, which would prohibit any other commercial uses from taking place.
3. To set up a rural exception zone which would permit all the rural provisions plus Art Studio.

After discussion, Mrs Wemmers suggested that they wanted the future to be general commercial, the following resolution was put forward.

Moved by Rene Lebreque, seconded by Mae Craig

That the Wemmers property located at 4235 River Road continue to be zoned general commercial in the future Draft Comprehensive Zoning By-law.

Carried.

TSSA Representative – Outdoor Furnace – Qualify for Indoor Use

Chair Bennett said he was unable to arrange for the representative to attend this meeting due to March Break, he suggested we place this on the Agenda for the next meeting.

Councillor Eady noted that Energy Options a company in Renfrew dealing with equal solutions to electricity sells smokeless outdoor furnaces. He suggested that we could have a representative present when the TSSA representative is here.

Bob Lockwood suggested that we speak to Dave Ainswoth of Energy Options about wind generation. The Committee agreed.

6. **CORRESPONDENCE**

George Jackson Toyota Site Plan

The Committee reviewed the plan for the George Jackson Toyota Site at the intersection of O'Brien Road and Highway 17, which is across Highway 17 from Horton. There were no comments from the Municipality.

OMB – Revised heating Date for Shea Minor Variance Appeal

The CAO/Clerk reported that the original Hearing in January was put aside at the request of the owner and a revised date has now been established for April 27, 2009 in the Council Chambers, for the Shea Minor Variance appeal.

7. **CONSENT APPLICATIONS**

Chair Bennett informed the Committee at the time of circulation of the Agenda there were no consent applications but on Monday March 16, two applications came into the Municipal Office, he asked if the Committee wished to review them – the Committee agreed.

B212/08 Marion Lydia Pleau and John Bernard Pleau

The CAO/Clerk reported that this application was to sever a second cottage off the Pleau property at Catherine Lake. The applicants had applied originally for a zoning amendment to permit two cottages on one property and the Committee at that time advised that they would not support a zoning amendment, that they wanted a severance. The application is before the Committee now and the Planning Comment notes that the retained lot and the new lot do not meet the minimum area or frontage for the LSR2 zone – a zoning amendment is required. The CAO/Clerk also noted that the right of way has still not been registered, so that would still be an issue to be dealt with before the severance is approved.

Moved by Don Eady, seconded by Bill Winters

That the Planning Committee recommends to Council that they support application B212/08 for the Pleaus to sever a cottage lot subject to rezoning to reduce the minimum lot area and lot frontage and that the right of way be registered prior to conveyance of the property. As this property already contains a cottage there will be no development change.

Carried.

B16/09 Knut Dahl

Mr Dahl has applied for a lot addition severance of 3.2 hectares to be added to property owned by Edward and Sandra Wales. There were no planning concerns identified.

Moved by Rene Lebreque, seconded by Jim Ferguson

That Planning Committee recommends to Council that they support Consent Application B 16/09 for Knut Dahl. As this is a lot addition severance there will be no development charge.

Carried.

8. DATE FOR HAROLD DEACON'S INSPECTION

The Committee agreed that they would meet at 4:30 p.m. on site at the start of the next regular meeting on April 21, 2009. Mr Deacon had previously submitted a copy of the revised Site Plan to the CAO/Clerk, who passed out copies for the Committee to review prior to the Site Meeting. It was noted that there are still several items missing, one being wording to the effect that no work or storage happens on the front of the property and the trees that already exist on the property are not shown on the Site Plan.

9. THOMSON ROGERS – ACCEPT CONSULTATION PROCESS FOR INSTALLATION OF WIRELESS TOWERS

Thomson Rogers, a law firm representing Bell Mobility, Rogers Wireless and Telus Mobility have submitted a request to the Township which set out their proposed process involved in siting a communication tower in the Township. Communication towers are controlled by the Federal Government and as such do not require municipal approval, however, they are willing to offer some consultation process with the local municipality and in certain cases local residents.

Councillor Eady noted that our Building Permit Fees By-law sets out permit fees for towers. The CAO/Clerk confirmed that a transmitter tower thirty feet and under has a fee of \$2,000 and a tower thirty feet or over \$5,000. Councillor Eady suggested that negotiations be conducted with the legal firm to incorporate these fees into their consultation process.

Chair Bennett noted that they also asked for a contact person to work with and it was suggested that Jeff Schruder, Infrastructure Manager, be the contact person with guidance from the CAO/Clerk. The Committee reviewed Schedule I and II which are the Siting Policies. They supported Schedule I and for Schedule II the CAO/Clerk was asked to see if other municipalities have a tower Siting Policy.

Moved by Mae Craig, seconded by Bob Lockwood

That Jeff Schruder, Infrastructure Manager, be designated as the contact official to facilitate discussion with the Communication Tower Companies.

Carried.

10. DEREK McGRIMMON – AMEND SCHEDULE A TO SITE PLAN AGREEMENT

The CAO/Clerk presented an amended Site Plan in which Derek McGrimmon has outlined in red two amendments to the Site Plan –

1. Phase 3 building is to be increased from 30 feet wide to 40 feet wide, the length of 100 feet remains the same.

2. A new building entirely, not shown as a phase to be 45 feet wide by 200 feet long constructed.

The CAO/Clerk was asked if there was still room for sufficient parking and this will have to be checked into. Chair Bennett questioned whether the 200 foot building should be divided into two, as two separate buildings. The Building Code requires stricter code requirements for the larger building. The CAO/Clerk was directed to speak with Mr McGrimmon.

Councillor Eady noted that the entrance to this property is just below the top of a hill and it could be dangerous. He would suggest that Mr McGrimmon be asked to widen his driveway, even twenty feet would be of assistance, or put up a hidden entrance sign. Jeff Schruder was asked to investigate this possibility. It was noted that this entrance location was approved by Public Works Staff. Councillor Eady noted that a wider driveway would allow transport trucks in and this would facilitate use of the property for commercial storage as well.

11. McMILLAN PIT SITE PLAN – REQUEST TO REDUCE 30 M SETBACK ALONG THOMSON ROAD AND PROGRESSIVELY REHABILITATE AS THEY GO

Chair Bennett informed the Committee a similar request has been approved in the past for the Crozier Pit on Pinnacle Road. The process would be to remove the gravel in the 30 metre setback and then refill the area with another product. He suggested that the Township may not want to go the whole way and only permit reduction from 30 metres to 5 or 10 metres, so there would not be the concern with problems next to the road.

Bill Winters asked how far away the pit excavation is now? Chair Bennett said possibly 10 metres in some areas. Councillor Eady asked if we could table the request until the County comments are received for the same setback request on Lochwinnoch Road.

After discussion the Township agreed to consider a reduction but will wait to see what the County response is to their request.

12. OTHER BUSINESS

Rene Lebreque expressed concern on the delay of the County construction of the culvert on Thomson Road. He asked if there was a tax relief or compensation from the County for people who are put out in travel time because of this delayed construction.

Chair Bennett informed the Committee that Public Works Committee has met with the Senior County Management Staff and does not believe that we can get financial relief, however this issue can be put on the next agenda.

Councillor Eady said that he has also received two requests from ratepayers, one a date on when the road will be open and some attention to the condition of Lavallee Road.

Terry Verehelle – Permission to Commence a Foundation and a Pad for Garage prior to Right of Way being Registered

The CAO/Clerk presented correspondence received from Terry Verehelle this afternoon addressed to the Planning Committee asking for relief from the Zoning provision that a right of way has to be registered in order for a building permit to be issued. He proposes to construct a house on his property at the end of Catherine Lake Lane, which is part of the road network coming off Garden Lake Trail Lane and Payne Lane, which sometime ago was found not to have a registered access. Surveys have now been completed and it is now in the hands of the ratepayers lawyer to complete the transaction.

Bob Lockwood declared pecuniary interest and did not take part in the discussion. The Committee briefly reviewed the request and after consideration agreed that the Zoning By-law must be adhered to and they do not have authority to permit someone to proceed without a Building Permit.

13. NEXT MEETING

The next meeting will be a Special Meeting for Comprehensive Zoning By-law on Thursday March 26, 2009, meeting 3:30 p.m. at Ray Puhalski, if agreeable, 4:30p.m. at the Community Centre for the By-law Review.

The April meeting is April 21, 2009 at 4:30 p.m. meeting at Harold Deacons property for Site Inspection and then to the Municipal Council Chambers for the meeting.

14. CONFIRMING RESOLUTION

Moved by Bill Winters, seconded by Bob Hall

That the Committee passes this confirming resolution to cover 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.

15. ADJOURNMENT

Moved by Rene Lebreque, seconded by Jim Ferguson

That this Committee Meeting be adjourned at 6:00 p.m.

Carried.

Chair

CAO/Clerk