

THE CORPORATION OF THE TOWNSHIP OF HORTON  
PUBLIC MEETING ZONING BY-LAW AMENDMENT APPLICATIONS

**Dale & Jan Potter  
Peter & Glenda Tippins  
Mobile Home & Outdoor Wood Burning Furnaces**

DECEMBER 6, 2005

There was a Public Meeting held in the Municipal Council Chambers of the Township of Horton on Tuesday December 6, 2005 to hear various Zoning By-law Amendment Applications. All members of Council were present.

1. CALL TO ORDER

Reeve Johnston called the meeting to order at 7:00 p.m.

2. DECLARATION OF PECUNIARY INTEREST

Reeve Johnston declared pecuniary interest under the Mobile Home portion of the Zoning Amendment and did not take part in the discussion.

**DALE AND JAN POTTER**

3. Clerk's Report on Notice

The CAO/Clerk informed the Public and Members of Council that as required by the Planning Act notices were sent to all property owners within 120 meters (400 feet) of the subject property. This resulted in eight property owners receiving notice. In addition, six agencies also received notice.

4. i) Purpose of Amendment

Reeve Johnston stated the purpose of this zoning by-law amendment is to rezone lands to permit the construction of a dwelling.

The effect of this zoning by-law amendment is to rezone the subject lands from Estate Residential-exception Two (ER-E2) and Environmental Protection (EP) to Estate Residential-Exception four (ER-E4). The ER-E4 zone carries over the existing provisions of the ER-E2 Zone and also eliminates the minimum rear yard depth requirement for the subject lands. "Rear lot line" is defined as the lot line opposite the front lot line and that corresponds to the 75.5 metre contour elevation line.

Concession The lands affected by this amendment are located on River Road in part of Lot 6, 9, Township of Horton.

ii) Reading of Written Comments

There were no written comments received.

iii) Public Participation

a) Questions from Public

There were no questions from members of the public.

b) Comments in Support

Dale and Jan Potter were present and Mrs Potter briefly discussed their proposal.

- c) Comments in Opposition  
There were no comments in opposition

5. COUNCIL MEMBERS COMMENTS

There were no comments from Council Members.

**PETER AND GLENDA TIPPINS**

6. CLERK'S REPORT ON NOTICE

The CAO/Clerk reported that as required under the Planning Act notices were sent to all property owners within 120 metres (400 feet) of the subject property. Ten property owners received notice. In addition six agencies received notice as well.

7. i) Purpose of Amendment

Reeve Johnston stated that the purpose of this zoning by-law amendment is to rezone lands to permit the construction of a seasonal dwelling. The lands to be rezoned constitute the severed parcel in Consent Application B37/05. This amendment is a condition of approval for that severance.

The effect of this zoning by-law amendment is to rezone the subject lands from Rural (RU) to Limited Service Residential Two-Exception (LSR2-E2). The exception provision reduces the required minimum lot frontage from 40 metres to 20 metres. It also establishes a 50 metre building setback from the top of the slope.

The lands affected by this amendment are located in part of Lot 4, Concession 8, Township of Horton.

ii) Reading of Written Comments

The CAO/Clerk reported that there were no written comments received.

iii) Public Participation

a. Questions from Public

There were no questions from members of the public.

b. Comments in Support

Peter Tippins was present and briefly reviewed his application.

c. Comments in Opposition

There were no comments in opposition.

8. COUNCIL MEMBERS CONCERNS

There were no concerns expressed by members of Council.

**MOBILE HOMES AND OUTDOOR WOOD BURNING FURNACES**

Reeve Johnston declared pecuniary interest and left the Chair. Deputy Reeve Hall assumed the chair.

9. CLERK'S REPORT ON NOTICE

The Clerk reported that as this amendment is a general amendment notice was placed in the Renfrew Mercury, a local newspaper with a paid subscription having circulation in the area. The ad was inserted on November 16, 2005. In addition to this, six agencies plus five neighbouring municipalities were sent copies of the notice.

10. i) Purpose of Amendment

Deputy Reeve Hall stated the purpose and effect of this zoning amendment is to amend Section 3.15 Mobile Homes to permit a mobile home constructed in the year 2000 or later on individual lots in the Rural (RU) Zone. It also adds a "mobile home constructed in the year 2000 or later" as a permitted residential use in the RU Zone (Section 26.1(a)). The amendment also adds a new Section 3.32 Outdoor Furnaces to the By-law which permits outdoor furnaces in all Zones except Residential Zones.

ii) Reading of Written Comments

The CAO/Clerk reported that the following written comments were received:

- George Early stating in part "I object to this proposed by-law change which I feel would not be good for the Township allowing mobile homes scattered throughout the Township in rural zones when they could devalue other adjacent properties, would be poor development and bad planning."

- Alan and Mae Craig stating in part "we are writing concerning a proposed by-law amendment to allow a mobile homes on individual lots. We do not want the by-law changed.

- John and Shirley Collins stating in part "we do not agree with this change, mobile homes are not allowed on individual lots in nearby municipalities and we believe that it is not in our best interests to change this by-law."

- a petition with 21 names on it dated December 2005 which states in part "please be advised we object to this proposed change. We feel the existing by-law is satisfactory and conforms to good planning practices and seems to be working fine. It is not good foresight to have mobile homes adjacent or near to more expensive permanent housing. Having more expensive permanent quality housing gives the Township more tax revenues and also increases the overall appearance of the Township. We find the proposed change to be discriminatory as the change would only allow them in the rural zones. We feel the Township should be similar to the surrounding and adjacent municipalities which presently do not allow mobile homes.

- Don McCord stating in part "please be advised that I do not agree with this proposed change.

- Neil Eady stating in part "please take this letter as my formal objection to changes to the subject by-law that would allow mobile homes to be permitted in the rural zone."

- Dan Sheahan stating in part "please be advised that I do not agree with this proposed change"

- a further petition with 31 names representing 39 property owners stating in part "we do strongly object to the inclusion of mobile homes as a permitted use in the rural areas, not only from a good planning policy but from the fact that a sub-class of residential capability already exists in the zoning by-law in the form of modular homes which are permitted in all areas to accommodate the needs of moderate and immediate housing demands.

iii) Public Participation

a) Questions from the public

Bob Barker asked where the RU Zone is near? The CAO/Clerk reported that it is the prominent land use zone in the Township and is located throughout the entire Township.

John Smith asked where did this request come from, what is the reason behind the By-law change? He added that George Thompson has a beautiful park and he controls it, if we open the flood gates there is no control. The park owners can control old cars and dilapidated trailers. What will this do the value of neighbouring expensive homes? He believes that there is a place for trailers in a mobile home park.

John Wilson stated he has received several phone calls and made several phone calls. His concern has grown over time since he has moved here.

Rick Lester stated he needs education on what the difference is between a mobile home and a modular home. He asked when a mobile home arrives what does it sit on? Does it sit on a pad, a basement or on its wheels?

George Thompson of Pleasantview Mobile Home Park was present and attempted to answer the question. Mr. Lester asked if a mobile home conforms to the building code? Mr. Thompson said yes it does. Mr. Lester asked about the life expectancy of a mobile home? Mr. Thompson said the same as a house, a mobile has the same windows, the same siding, the same roofing etc. He added that all homes whether they be mobile homes or "stick" built homes will all require maintenance from time to time.

Bob Cassidy asked how come mobile homes blow around in the United States after a windstorm, would that happen here? He asked what are the dimensions of a mobile home? Mr. Thompson said the mobile homes are 16 feet wide for a single model or 24 feet wide for a double wide unit.

Bob Barker asked if the request for mobile home should be looked at on an "as needed" basis rather than a general zoning.

Hugh Stevenson asked for clarification about how this issue came up? Councillor Bennett, Chairman of the Planning Committee said he would address this question later under Council Comments.

John Doering stated that there was confusion between what a mobile home and a modular home is. He opposes wide open permission of mobile homes.

Daniel Aubert asked if a mobile home is of good quality why is it permitted only in the rural areas, under this by-law and not in residential areas. Are farmers second-class citizens? He asked that this be an election issue as it is important everyone should have their say.

George Thompson stated it seems there is only one person for mobile homes in this room. He did not initiate the request for a change in mobile homes in the by-law. He noted that most people could not tell the difference between a modular home and a mobile home.

Jayne Stevenson asked if the mobile home increasing the value of a neighbour's house.

b) Comments in Support  
There were no comments in support.

c) Comments in Opposition  
Bob Cassidy suggested that Council look at the letters that were read earlier for input. John Wilson read a letter objecting to the proposed by-law stating that it is not in the best interests of the Township and requested that Council members consider this amendment carefully.

## 11. COUNCIL MEMBERS COMMENTS

Councillor Bennett stated that the amendment came to the floor at his request. He does not believe mobile home owners are getting a fair rap tonight. Comments put out by people about second-class citizens etc. He presented pictures of a modular homes and

mobile homes and asked the member of the public to tell which was which. Mobile homes are regulated by clause Z240 Specs through the Ontario Building Code. He noted that quality control is greater in factory built homes as there is constant inspection being done. He believes there is nothing wrong with mobile homes put in a proper site arrangement. The current by-law now does not permit any mobile home, including double wide mobile homes. The cheapest mobile home built in 2000 and later would be \$65 - 70,000. He suggested that if Council developed the by-law properly he believes that we will find mobile homes will be well maintained. An option may be that permission may have to be site specific, as suggested earlier. The Modular Home Code is Z277 which is not much different than a mobile home.

Gary Carty noted that the mobile homes are better built today but they are still economically affordable for certain members of the public.

Councillor Bennett continued that the year 2000 was picked because it was three to four years after changes to the Building Code which guaranteed that all units would be built to the new specs. It was also picked to ensure that the mobile home would not be transient. He noted that there is no basic difference in the construction of a "Sea Hawk Home" to a mobile home. It opens up the opportunities for retirement homes. He asked the CAO/Clerk to read the rules of a local Mobile Home Park Owner, which was done.

Councillor Kingsbury noted that he lives beside an older mobile home, it does not depreciate his property. However, he has regular homes in his area which do detract from his value. He supports mobile homes provided they are on full services of well, septic and on a minimum one acre lot.

Councillor Eady said he could not support this by-law at this time. There is too much confusion, it is too soon to make a decision. We need to have a further public meeting to go along with the majority of the people's wishes tonight.

Deputy Reeve Hall said that he would need to have more information and suggested that a decision not be made later in the evening to pass the by-law. He asked if there were any other questions from the floor.

John Smith asked if Cotieville was part of the rural zone? The CAO/Clerk said no.

Earl Newberry asked why did Councillor Bennett bring the issue to the Council Table? Councillor Bennett described how he came to the request. He noted that he wanted to buy a manufactured home for his property but discovered after he had picked out the model that he was looking at a mobile home and could not do it under the by-law, even though the home was double wide. Since then he has built an addition to his building rather than put up a new building. Mr. Newberry asked what you are looking at is a tax structure to bring in less income earners.

Hugh Stevenson suggested that we need high end homes to fill up the lots. Councillor Bennett discussed this stating not everyone working in Renfrew can afford a high end home.

Jane Stevenson said that comment of "sub-class" in the petition were not meant as derogatory. She asked if people in the room were still unclear? One person said that he was unclear. She asked where they are going from here? Councillor Bennett stated that Council has to decide tonight if this will go forward or not and if there is to be a further public meeting or not. The issue is to develop the community to meet everyone's needs.

Hugh Stevenson asked why we need a meeting as the people here have spoken tonight? Councillor Bennett said that Council has to consider the comments and decide if they should go forward.

Deputy Reeve Hall said if Council decided to go ahead we will hold a further public meeting.

Heather Humphries suggested we are encouraging low end housing and will not get anything else but low end.

George Thompson added that his taxes from the Mobile Home Park make him the largest taxpayer in Horton right now.

Steve Newman, Renfrew Mercury Reporter, noted that Killaloe, Hagarty Richards Township actually permits mobile homes in a by-law they passed in the last five years.

Bob Barker again suggested that we make mobile homes available on a site specific basis.

Deputy Reeve Hall asked if it was fair to say that if Council decides to go forward would the ratepayers come back with their questions after learning about the homes now?

Rick Lester said that he needed an education half an hour ago and has been educated now and is not yet convinced. What he saw he did not have a concern on but would not vote yes at this point in time.

Peter Tippins asked if mobile homes appreciate or depreciate? Councillor Bennett said that a 1990 mobile home cost \$20,000 and has now sold for \$58,000. There are three mobile homes on the market, two next to houses worth between \$150,000 to \$170,000. The issue all depends on how the owner maintains the property. Either type will depreciate or appreciate.

John Wilson asked that when we have the next Public Meeting will notice only be put in the subscription newspaper? This leaves people who only receive the free weekend newspaper without notice. He suggested that it be put in the weekend paper as well.

Councillor Bennett noted that all the discussion on this by-law was about mobile homes but also added that there was a section about outdoor wood furnaces - were there any comments on furnaces?

Terry Latendresse said that he had a situation where an outdoor furnace was installed next to him. When he reads the amendment he realizes that the neighbour is not within any of the setbacks set out in the by-law. Is there anything which controls his neighbour? He noted that outdoor wood furnaces are good thing provided they are not blowing smoke into neighbors' houses. He said that there are several other areas where outdoor furnaces have caused neighbour problems. Years ago wood burned through a high chimney was not a concern to the community. We need to come up with some stack height minimums for outdoor furnaces. Nowadays many homes have air exchangers which draw in the smoke. He asked if this amendment would control pre-existing situations?

Councillor Bennett said any installation which predates the passing of the by-law would be considered non-conforming and therefore be permitted. However, the by-law has been proposed because of problems described by Mr. Latendresse. The by-law is required to regulate these problems, but it will not help his situation now. He added that manufacturers claim that higher stacks do not make efficient burning, smudge still happens because of insufficient draft. He noted that under the fire code, someone cannot create smoke that can affect neighbors. He does not know if this will help or not but it should be checked out.

Mr. Latendresse said that we need some changes to stack heights and we need these controls passed as soon as possible. Councillor Bennett said that unfortunately the by-law is included in the mobile home by-law.

Murray Humphries asked why the manufacturers could not be requested to make higher stacks and design their furnaces to accept them.

Councillor Bennett said that he has researched this. The outdoor furnaces are designed for a stack height between six and eight feet. He added the problem is people burn wet wood, dried wood does not create the same problem.

Murray Humphries suggested Council push manufacturers to design high stacks.

Margot Aubert asked why the by-laws are together? The CAO/Clerk explained that this was a matter of timing. Two general by-law amendment requests were made to the County Planning Department and they put them into one draft by-law.

Evans Taylor asked if the Township is committed to having one more meeting on mobile homes?

Deputy Reeve Hall said that if Council continues on the subject they will have a further public meeting.

Kent Storie asked about the mobile home near the former Horton Public School?

Councillor Bennett said that this was done by special agreement with Council. There are two situations in the Township right now where people are building homes and are using a mobile as a temporary residence by special arrangement.

Deputy Reeve Hall thanked the public for attending the meeting tonight.

12 CLOSE MEETING

Moved by Bob Kingsbury  
Seconded by Dave Bennett

That Council closes this Public Meeting for Zoning By-law amendments at 8:36 p.m.

Carried.

---

Reeve

---

CAO/Clerk