

THE CORPORATION OF THE TOWNSHIP OF HORTON

PUBLIC MEETING

Aurelia Van Den Hurk Zoning Amendment

March 04, 2008

1. CALL TO ORDER

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

2. DECLARATION OF PECUNIARY INTEREST

There was no declaration of pecuniary interest by members of Council.

3. CLERK'S REPORT ON NOTICE

The CAO/Clerk reported that as required by the Planning Act all property owners within 400 feet (120 metres) were mailed notice of the Public Meeting. This resulted in four property owners receiving notice and in addition six agencies were also sent a notice for their comments.

4. i) Purpose of Amendment

Mayor Johnston stated that the purpose of this amendment is to rezone approximately .4 hectares (1.01 acres) of land to reduce the required 100 metre setback requirement to permit the installation of an outdoor furnace on the subject property, and to permit a towing company.

The effect of the amendment is to rezone the lands from Rural (RU) to Rural-Exception Thirty-Seven (RU-37). The RU-E37 zone will reduce the minimum setback required for an outdoor furnace from a property line from 100 metres to 20 metres, to allow an outdoor furnace to be installed on the subject property. The exception provision also permits a towing company. All other provisions of the Zoning By-law shall apply to the subject lands.

The lands affected by the amendment are described as part of Lot 15, Concession 5 in the Township of Horton and known municipally as 523 Mullins Road.

ii) Reading of Written Comments

There were no written comments received. The three neighbours circulated called the CAO/Clerk and had no objections.

iii) Public Participation

a) Questions from the Public

There were no questions from the public.

b) Comments in Support

There were no comments in support.

c) Comments in Opposition

There were no comments in opposition.

5. INFORMATION

Information on who is entitled to appeal Council's decision to the Ontario Municipal Board under Sections 34(11) and (19) of O.Reg 545/06

The CAO/Clerk read the following:-

Section 34(11) – If Council decides to refuse an application or refuses or neglects to make a decision on an application within 120 days of the municipal clerk receiving the application, the applicant or the Minister of Municipal Affairs and Housing, may appeal to the Ontario Municipal Board by filing an appeal with the clerk of the municipality.

Section 34 (19) – Not later than 20 days after the giving of notice of passing of the by-law, the applicant, any person or public body who made oral submission at the public meeting or made written submission to the council, before the by-law passed or the Minister of Municipal Affairs and Housing, may appeal to the Ontario Municipal Board by filing an appeal with the clerk of the municipality.

6. COUNCIL MEMBERS CONCERNS

Council Members discussed their concern with Outdoor Furnaces. Deputy Mayor Hall suggested a mail out to residents about the space required to install an outdoor furnace. Councillor Bennett suggested a newspaper advertisement. Councillor Kingsbury felt they should be banned in the Township and if a taxpayer wanted to install an outdoor furnace they would have to apply to Council for an amendment. The present by-law would require at least 6 acres of land. Councillor Bennett suggested discussing the subject at the next Planning Meeting.

7. CLOSE MEETING

Moved by Dave Bennett, seconded by Bob Hall **Resolution No. 08-103**
That Council close the Van Den Hurk Zoning By-Law Public Meeting at 7:14 p.m.
Carried.

Mayor

CAO/Clerk