

THE CORPORATION OF THE TOWNSHIP OF HORTON

Special Planning Committee Meeting

August 17, 2011 - 5:00 p.m.

There was a Meeting of the Planning Committee held in the Municipal Council Chambers on Wednesday, August 17, 2011. Present were: Chair Robert Kingsbury, Mayor Don Eady, Councillor Margaret Whyte, Councillor Glen Campbell, Councillor Jamie Larone; Committee members: Mae Craig, John Berkhout, Jim Ferguson, David Brown; and staff members Mackie McLaren, CAO/Clerk and Rose Curley, Administrative Assistant; Members of the public: Harry Bennett, Robert Smith and George Smith.

1. CALL TO ORDER

Chair Kingsbury called the meeting to order at 5:00 p.m. He noted that the Committee would be immediately going into a Committee of Adjustment public meeting to hear Minor Variance Application A01-11 for Bernie and Lydia Pleau.

Chair Kingsbury called the Planning Committee Meeting back to order at 5:05 p.m.

2. DECLARATION OF PECUNIARY INTEREST

There was no declaration of pecuniary interest by committee members or staff.

3. SEVERANCES:

-B68/11- ROBERT & GEORGE SMITH

The Planning Committee reviewed a report from Mackie McLaren, CAO/Clerk in regards to the three planning concerns that the County Planning Department has regarding this application and the recommendations that the applicants are to address. Highlights of the report are as follows:

1. Geotechnical Study with respect to Slip Clays.

A geotechnical study would determine the set back required for the construction of a building on the property. A building permit has been issued for the construction of a residence that has been relocated onto the site. There is a section of land along the Bonnechere River zoned Environmental Protection. However, the majority of the property is zoned Rural and the building is located in the Rural zone. The Rural zone permits the construction of this residence.

As the building already exists on the property, the Planning Committee could recommend to the Land Division Committee that a Geotechnical study is not required for this application.

2. Confirmation that there is no concern regarding Karst.

This issue was raised at the last Planning Committee Meeting, and the Committee supported the initial test of digging three test holes 1 metre deep. This was done and inspected by our Chief Building Official. There was no karst rock found. A report has been submitted by the Chief Building Inspector to the County Planning Staff. This requirement has been met.

3. MDS information.

The applicants have submitted the MDS applications for the two barns to the County Planning Department and there were no concerns.

Moved by Mae Craig, Seconded by John Berkhout

That the Planning Committee recommends that Council support Consent Application B68/11 for George and Robert Smith to sever a lot from their holding in Lot 5 Concession 9 subject to the following conditions:

- Consent Agreement
- Lot Development Charge
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A geo technical study is not required

Carried.

- B80 & 81/11- ERNEST NESBITT (RE-SUBMISSION OF LAPSED APPLICATIONS)

Mackie McLaren, CAO/Clerk informed the committee that these consent applications are a re-submission of applications that were previously approved by the Land Division Committee but the applicant had let them lapse. Councillor Larone asked how far back these severance were required to be from the pipeline. Mackie McLaren, CAO/Clerk replied that the requirement is 7 metres. He noted that in the lapsed applications that the applicant had entered into an agreement with the TransCanada Pipeline. He also noted that notice will be sent again to the TransCanada Pipeline.

Moved by John Wilson, Seconded by Dave Brown

That the Planning Committee recommends that Council support Consent Applications B80 & B81/11 for Ernie Nesbitt to sever 2 lots that had lapsed from his holdings in Lot 6 Concession 5 subject to the following conditions:

- Consent Agreement
- Lot Development Charge

Carried.

4. DWIGHT MACMILLAN - AGREEMENT TO TEMPORARILY RELOCATE COTTAGE WHILE BUILDING HIS NEW RESIDENCE

Mr. MacMillan was present and reported that he has changed his plans to live in his old cottage while his new residence is being built. They have decided to move back to their Renfrew residence until their new residence is completed. He is now asking permission to relocate his old cottage and convert to a storage shed for his 4-wheelers, lawn mowers, etc. Committee members had several concerns: moving the residence to the back of the property would create a congested property as the lot is only .3 acres in size; the diagram they are looking at didn't reflect the true size of the property; how could the Township ensure that he took all amenities out of the old cottage to ensure it is just a storage building; the rain water from the eavestrough of the new residence could cause drainage issues as Mr. MacMillan has built up his lot significantly and this has already created drainage problems for his neighbours. They would like to see Mr. MacMillan take measures to solve the drainage issues.

Moved by John Berkhout, Seconded by Margaret Whyte

That the Planning Committee recommends to Council that the Township enters into an agreement with Dwight and Margaret MacMillan to relocate and convert the existing cottage into a storage shed and that the MacMillans will provide a drainage ditch on their property adjacent to the Ritz property to intercept surface water and take it to the ditch. They will also provide a security deposit of \$2,500.00.

Discussion: Chair Kingsbury asked the CAO/Clerk to ensure that the Chief Building Official is aware of the small size of the property and that Mr. McMillan conforms to the setbacks outlined in our zoning by-law.

Carried.

5. Other Business

- Garden Lake Trail Right-of-way issue

Mae Craig asked if the Committee could take any measures to help the cottagers solve the on-going right of way issue on Garden Lake Trail. This issue has been ongoing for many years and has become a real hindrance for development in that area. Chair Kingsbury noted that the Cottage group has hired a new lawyer that is looking at options to solve this issue.

6. CONFIRMING RESOLUTION

Moved by Mae Craig , seconded by John Berkhout

That the Committee pass 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.

7. ADJOURNMENT

Moved by John Wilson , Seconded by Margaret Whyte

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

Carried.

CHAIR

SECRETARY