

THE CORPORATION OF THE TOWNSHIP OF HORTON

PLANNING COMMITTEE

April 20, 2010

There was a Meeting of the Planning Committee held in the Municipal Council Chambers on Tuesday April 20, 2010. Present were Chair Dave Bennett, Mayor Robert A Johnston, Deputy Mayor Bob Hall, Councillors Don Eady and Bob Kingsbury, John Wilson, , Mae Craig, Jim Ferguson, David Brown and Bob Lockwood. Absent was John Berkhout. Staff present were Rose Curley Administrative Assistant and Mackie J. McLaren CAO/Clerk.

1. CALL TO ORDER

Chair Bennett called the meeting to order at 4:30 p.m. and welcomed David Brown the newest member of the Committee.

2. DECLARATION OF PECUNIARY INTEREST

David Brown declared conflict of interest in Item No 8, Consent B11/10 & B12/10 – Hollingsworth severances.

3. MINUTES – MARCH 16, 2010 COMMITTEE MEETING

MARCH 16, 2010 COMMITTEE OF ADJUSTMENT PUBLIC MEETING

Chair Bennett briefly reviewed the March 16, 2010 Meeting Minutes.

4. BUSINESS ARISING

Mayor Johnston noted that Mr Deacon does not seem to have started the necessary improvements to his property that are required by the end of June.

Garden Lake Road – Right of Way is Now Registered

Chair Bennett informed the Committee that the Right of Way has now been registered. There is no need for the Agreement that was referenced at the last meeting and severances and building permits can now proceed.

Connor-Smart/Murphy – Access approved by Council

Chair Bennett noted that the Committee recommendation was approved by Council at their April 6, 2010 Council Meeting.

Shorey Minor Variance – Infrastructure Manager Has Signed Off

The Infrastructure Manager has inspected the property and determined that a porch at the front of the house will not interfere with the road activities.

Tom Orr – Survey for Road Closure Received

The CAO/Clerk informed the Committee that a survey has been received describing the road allowance that is to be closed on behalf of the Tom Orr Developments. A request has gone to Janet Bradley, our solicitor, to prepare the notices.

5. DELEGATIONS

4:50 Robert Winters – Potential of EP Designation on Winters Farm

Chair Bennett reported that he walked the Winters property, Lots 22, 23 and part of lot 24, Concession 7 with Mr Winters. This was a follow-up to our last Committee Meeting where a Site Inspection was to be arranged to determine if the area required an EP designation.

Mr Winters described his property, there are cottages to the East, across the Ottawa River in the Province of Quebec are high-end residential development and a proposed subdivision is to the west. He believes that

there are no environmental issues, the property is not in a flood plain, there is lots of elevation to the property, there are no marshes, endangered species and the property consists of shallow soil over bedrock.

Chair Bennett reported that the topography on the Winters property is the same as the topography as on the Orr property that is subject to a development proposal.

Deputy Mayor Hall said that he supports there not being an EP zone on the property. Jim Ferguson reported that he has walked the property previously and he has not noticed anything environmentally sensitive.

Moved by Bob Lockwood, seconded by Bob Kingsbury

That the Planning Committee recommends that the Winters' property retain Rural designation in the Draft Comprehensive Zoning By-law.

Carried.

5:40 Irwin Jamieson – Annexation Request

Irwin Jamieson was present and asked the Committee to start a process to annex back his farm from the Town of Renfrew as the promises they made, when the farm was annexed in 1970, never materialised.

Chair Bennett reported that an investigation has been carried out with the Ministry of Municipal Affairs, in Kingston. It is noted that they will only support the annexation process if two municipalities are in agreement and he questioned whether Renfrew would support such a request.

John Wilson suggested that a letter be written to Renfrew by the Committee, on behalf of the property owner rather than on behalf of the municipality to see if they are interested in the proposal.

Councillor Eady asked if Mr Jamieson would want us to put his concerns and reasons for this annexation request in a letter. Mr Jamieson said that yes, he will provide those. After discussion the Committee agreed to invite Steve Sellar or another Municipal Affairs representative to a future Committee Meeting to discuss the requirements of annexation with the Committee and with Mr Jamieson. Mr Jamieson will write down his reasons and submit them to the Township.

6. VERBAL REPORT FOM HAROLD DEACON ON WORK ON HIS SITE PLAN

The CAO/Clerk reported that Mr Deacon has not requested an appointment nor, as he understood, has Mr Deacon provided a verbal report on the work on his Site Plan.

7. BRIAN MEHLENBACHER SEVERANCES – REPORT FROM MAYOR JOHNSTON

Mayor Johnston informed the Committee that he received a letter from Mr Mehlenbacher seeking support for his severances. The location of the severances on Pinnacle Road are in the vicinity of a gravel zone. The County required an investigation into whether the severances would influence the aggregate operation. Jp2g Consulting Firm submitted recommendations on August 19, 2009. These recommendations have not been approved by County Land Division Committee.

The Committee Members reviewed the Jp2g Report. Mayor Johnston said he would support the severance plan as set out in the Report. He noted that on occasions, as Chair of the Land Division Committee, the Committee has made decisions that are contrary to recommendations from Ministries and from County Planning Department.

Deputy Mayor Hall reported that his family has been approached by Gravel Companies and he knows of other properties where gravel companies have approached the owners, so there seems to be a demand for gravel in the area. There may be at some point in time gravel pits across the road from these severances.

Bob Lockwood asked if it would be the responsibility of future Gravel Pit owners to have a berm on their property as well. Chair Bennett said yes.

After discussion the Committee agreed to request the County's comments on the Jp2g recommended solution.

David Brown asked if any funds from the creation of lots comes back to the Municipality for upgrading of roads? Chair Bennett advised that the Lot Development Charge is collected at the creation of these lots and the largest portion of this fund is put into a reserve for road maintenance, but it may not be the road that the severance is on.

8. CONSENT B11/10 AND B12/10 HOLLINGSWORTH

David Brown had declared conflict of interest at the start of the meeting. He informed the Committee that he declared because this property is close to his and he has written a letter of objection to this severance. David Brown removed himself from the table and spoke about the proposal.

In a normal year in the spring time there is six inches of water in this area of the field which is not tile drained. His property is across Humphries Road and he has a dug well for his garden and water is constant at one foot below the surface. There are traffic issues on Humphries Road, it is not a good road and vehicles travel too fast.

Chair Bennett noted that the Chief Building Official will go out and view the properties to ensure their septic suitability, noting that lots can be built up if there is a high water table. The impact on Humphries Road would be minimal compared to the lots that were created down the road, as these lots are at the intersection of Humphries Road and Castleford Road. He suggested that the speed of the drivers is not a severance issue.

Mayor Johnston informed the Committee that he has farmed this property before and it can be wet in the Spring of the year, in this corner.

Chair Bennett noted that this is the sixth and seventh lot off this property and will therefore require a Planning Justification Report and a Drainage review is part of that Report.

John Wilson asked if the Township should have some input into the location of the driveways for traffic control. He also suggested that further down this road that we have a condition that the fences be set back on the actual road allowance boundary and that any ditching required be carried out by the applicant. He supports the need for a Planning Justification Study.

After discussion the following resolution was put forward.

Moved by John Wilson, seconded by Jim Ferguson

That Planning Committee request the Hollingsworth's prepare the required Planning Justification Report and complete the MDS separation formula process and report their recommendations to Planning Committee for further consideration.

Carried.

The Committee also asked Jeff Schruder to review if the fences are constructed on the road allowance and should be moved to the lot line and if ditches are needed.

9. CORRESPONDENCE

OMB Decision – Jackson Toyota

Chair Bennett noted that the OMB decision is in the package for Committee Members review.

10. JACKSON TOYOTA SITE PLAN

Dave LaRocque and Warren LaRocque of Jackson Toyota were present. Chair Bennett thanked the LaRocques, the Richards and the Planning Committee for working together to resolve concerns of this development. Jp2g Consultants submitted a report on the Site Plan, dated April 16, 2010.

Dave Brown informed the Committee that he has heard that people in the area are concerned about the potential speed of traffic on Garden of Eden Road, once the road is reconstructed and Toyota is built, and he suggested a speed limit of 60 km per hour be put on this road. Chair Bennett suggested that this concern be taken to the Public Works Committee, who is in the process of completing the design or the road reconstruction.

The COA/Clerk reviewed the amendments to the Site Plan that they had reviewed at earlier meetings, section 9, j. k. and l had been added to the draft which set out the issues approved by the Planning Committee at their February 16, 2010 Committee Meeting.

David LaRocque pointed out that 9k calls to protect the existing oak trees on the property, they have noted that the tree in the parking lot is suffering from health issues, they promised that if it does die it will be removed and a new tree planted.

Deputy Mayor Hall said this could be a safety issue, if the tree is hallow, the wind will eventually twist the top of the tree around dropping it to the ground, he suggested that it be examined by a professional and if is not healthy to have it removed and a new tree planted.

An amendment was then made to the section which now reads “protect” or “replace” the existing oak trees on the property. The Committee agreed.

Chair Bennett pointed out the bonding requirements in clause 12. The CAO/Clerk informed the Committee that Schedule A will be amended to include only the 30 acres, the previous draft had it for the whole farm, there are plans to sever the 30 acres in two and the legal description of the reference plan will be used. He added that there is now a Schedule C which has not been in any Site Plans before, Schedule C is a Site Grading and Servicing Plan, which the Committee reviewed at their last meeting.

Moved by David Brown, seconded by Mae Craig

That Planning Committee recommends to Council that they execute the amended Site Plan Agreement.

Carried.

11. RAY CUNNINGHAM (RAY’S AUTO) REQUEST TO RENTURN \$5,000 SECURITY

Chair Bennett presented a report from Jeff Schruder Municipal Infrastructure Manager, which sets out the remaining services, under the Site Plan, that are required before the security can be returned. The Committee noted that the location of the building and services are not in the exact location shown on the Site Plan. The well is in a different location.

Ray Cunningham was present and said that they decided to install a dug well which required it to be 100 feet away from the septic rather than 50 feet, that required them to put the well in a different location. He will move the handicap

accessible ramp from the side of the building to the front, so that it does not interfere with the septic system. It will however remove one parking space.

The CAO/Clerk reported that five spaces are shown on the Plan but only four are required by the Zoning By-law, so one could be removed.

Chair Bennett summed up the discussion saying that prior to Mr Cunningham getting the security returned he would have to provide "as built drawings" for the next Committee Meeting and complete the Lot Grading and Landscaping requirements.

12. SATURN FARMS

The CAO/Clerk reported that he has been contacted by a lawyer representing the purchaser of the Nesbitt and Rath farms. It appears that the Solar Farm plan is proceeding, but he has no other information to that effect.

13. OTHER BUSINESS

There was no other business discussed by the Members of the Committee.

14. NEXT MEETING

The Committee agreed that the next meeting will be Tuesday May 18, 2010 at 4:30 pm. It was noted that a Site Inspection has been arranged for 3:00 pm at the MacMillan Gravel Pit at the corner of Thomson Road and Lochwinnoch Road, before the regular Planning Committee meeting.

15. CONFIRMING RESOLUTION

Moved by Mae Craig, seconded by Bob Hall

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.

16. ADJOURNMENT

Moved by David Brown, seconded by John Wilson

That Planning Committee Meeting be adjourned at 5:55 p.m.

Carried.

Chair

CAO/Clerk