

THE CORPORATION OF THE TOWNSHIP OF HORTON

PLANNING COMMITTEE MEETING

June 16, 2009

There was a meeting of the Planning Committee held on Tuesday June 16, 2009 in Municipal Council Chamber. Present were Chair Dave Bennett, Mayor Robert A. Johnston, Bob Kingsbury, Don Eady, Bob Lockwood, Rene Labreque, John Wilson and Bill Winters. Absent Jim Ferguson, Mae Craig, John Berkhout and Bob Hall. Staff present were Rose Curley Administrative Assistant and Mackie McLaren CAO/Clerk.

1. CALL TO ORDER

Chair Bennett called the official part of the meeting to order at 5:15 p.m. noting that at 4:00 pm the Committee Members attended the Site of the proposed Orr Subdivision.

2. DECLARATION OF PECUNIARY INTEREST

Robert A. Johnston declared pecuniary interest in agenda item 7 - Consents, and Bill Winters declared pecuniary interest in agenda item 4 - Business Arising - Report on Staff Meeting with Planners on Tom Orr proposal.

3. MINUTES OF MAY 19, 2009 PLANNING COMMITTEE MEETING

Chair Bennett reviewed the May 19, 2009 Committee Meeting Minutes, which had been approved by Council.

4. BUSINESS ARISING

Report on Staff Meeting with Planners on Tom Orr Proposal

Bill Winters had declared pecuniary interest and moved away from the Table.

The CAO/Clerk reported on a meeting held June 10, 2009 with the County Planning Department. Chair Bennett informed the Committee that during the Site Inspection earlier today, he asked Mr Orr to submit a formal request in writing to purchase the unopened concession 8 road allowance as it runs through the property and to submit a starting value for the purchase.

Don Eady asked if there was a by-law policy on the cost per acre for road allowances being closed and conveyed. The CAO/Clerk said no.

John Wilson asked if we are going to see a full proposed plan including survey before we are asked to make a recommendation on the development.

Chair Bennett said yes, this will all come together and we will have an opportunity to review.

John Wilson suggested that the developer be asked to bring the surveys as soon as possible and have it ready for the next Planning Meeting in July.

5. DELEGATIONS

5:00 Nicole Blimkie -2nd residence in new garage to be built

The CAO/Clerk informed the Committee that Ms Blimkie called and cancelled her appointment.

5:26 Ray Cunningham Draft Site Plan Agreement – Elliott Cres – Auto Sales

The CAO/Clerk reported that Mr Cunningham wishes to establish a used modular home on the property with part of the home being used for a business office and the balance of the home used as his residence, this use conforms to the Highway Commercial Zone provisions. The CAO/Clerk presented a draft copy of a Site Plan Agreement with the draft Site Plan attached.

Chair Bennett asked if the entrance permit issues were resolved a couple of years ago. The CAO/Clerk will check.

Chair Bennett noted that we require a professionally drawn plan and suggested that his engineer should be able to do this. We would also need to have a final grade noted on the plan, any signage would have to be shown on the Site Plan and any feature of the property must be set out in the Site Plan.

The Committee Members also discussed when the works are to be completed and the security required ensuring these works are completed under clauses 11 and 12 of the Draft Agreement. Mr Cunningham said he would like to have until December 31, 2010 to complete the conditions of the Site Plan, noting that he may complete them earlier. He informed the Committee that he is not planning to install the well and septic system until 2010.

The Committee discussed at length the requirement for security and the amount. Chair Bennett noted that because of the length of the time for works to be completed the Township's liability is higher, that we would need something in the \$5,000 range. After discussion Mr Cunningham offered \$500.00 and then later \$1,000.00.

There was discussion about the use of portatoilets rather than a septic system and possibly bringing back a trailer to use as an office before the modular building can be occupied, and it cannot be occupied until the well and septic are installed.

Chair Bennett suggested that over the next month Mr Cunningham have the engineer prepare the elevation work to see what other requirements of the Site Plan are already completed so that we can agree on what is left to do that would require a security deposit.

Councillor Eady suggested that Mr Cunningham take the month and work this out with the CAO/Clerk. After further discussion the following resolution was put forward.

Moved by Rene Labreque, seconded by John Wilson

That security for the Cunningham Site Plan Agreement be the standard \$5,000 security until such time as Mr Cunningham brings in information that would reduce this amount.

Carried.

Councillor Eady left the meeting at this point.

6:20 Chris Chapeski

Mr Chapeski informed the Committee that he and his wife own property at the corner of the Bennett-Lafont Road and Storyland Road and they propose a yard sale/garage sale on this property over the two long weekends in July and August. It would be for himself and several neighbours of the property at Bennett-Lafont Road.

He requested authority for possibly three or four portable car shelters to temporarily cover the material on sale and possibly an older green house, which is a steel frame with a plastic cover. He would install the portable buildings for the July 1 – 4 weekend and keep them until the end of the August 1-3 weekend, unless everything sells on the first weekend. He would require a Yard Sale Sign. People would not stay long enough for the requirement of Portatoilets.

Chair Bennett said he sees nothing wrong with car shelters, they look presentable, however, he has concerns with a greenhouse as it would not be considered temporary. Three or four car shelters would look better than a greenhouse. He noted that the signs should be approved by MTO and the County Roads and suggested that we have a letter in writing that

following the August weekend the property would be cleaned and the portable shelters removed.

Bob Kingsbury asked if there was something like this on the property before. Mr Chapeski said yes, several years ago, they tried to sell some cars he had and they were moved after there were concerns raised.

Bob Lockwood asked about Site Security?

Mr Chapeski said they would hope to bring his RV and actually stay in it over the two weekends.

John Wilson suggested that CAO/Clerk draw up an agreement which would permit the sale only on July 1-4th and August 1-3rd and that all the property must be vacant by August 8th.

Moved by Rene Labreque, seconded by John Wilson

That Planning Committee recommend to Council that they authorize the CAO/Clerk to draft an agreement to permit Chris Chapeski to operate a Yard Sale at the corner of Storyland Road and Bennett-Lafont Road for the period July 1-4 and August 1-3, 2009. All items to be removed from the property and all shelters removed by August 8, 2009. Portable car shelters shall be the only structures permitted during the sale period.

Carried.

6. CORRESPONDENCE

- OMB decision on the appeal of Shea Minor Variance
- Horton correspondence to Peter Smith on parking issue
- AMO – Green Energy Act – Planning Approval Regulation Consultations
The CAO/Clerk was requested to obtain a copy of the regulations recently published for the Green Energy Act

7. CONSENT

B83/09 - Robert & Juliette Johnston

Robert A. Johnston declared pecuniary interest

The Committee Members reviewed the lot addition severance application.

Moved by John Wilson, seconded by Bill Winters

That Planning Committee recommends to Council that they support Consent B83/09 for Robert & Juliette Johnston – no conditions.

Carried.

8. HEATHER COLBERT

Application for Zoning Amendment

The CAO/Clerk presented a copy of the Application for Zoning Amendment, which the Committee agreed at the last meeting was not sufficient to process a setback reduction. Bob Lockwood asked if approval of this reduction in the water setback of 100 feet down to 37 feet would be precedent. The CAO/Clerk suggested the need for environmental impact study would make a different application and would make each application stand on its own.

Mayor Johnston questioned the difference in requiring an environmental impact study on this property versus the recent approval of setback reduction for the Sheas? Ms Colbert asked for the Committee to reconsider the request for an environmental impact study as it would cost over \$1,100. After discussion the following resolution was put forward.

Moved by Bob Lockwood, seconded by Bob Kingsbury

That Planning Committee agrees not to move forward with the Colbert zoning amendment until the Environmental Impact Statement has been received.

Carried.

9. MITCH & KIM FLEGUEL

Zoning Amendment to permit a garage on a vacant lot

The CAO/Clerk informed the Committee members that the Fleguel's own four parcels of land on Thompson Road which they consider one parcel but they are in fact four individual lots. The Fleguel's purchased a bolt together steel storage building and wish to install it on an area of their property that would be a separate lot from their house. They have submitted an application for zoning to permit a storage building on the property as a main use.

John Wilson asked why there is a need for an amendment as there appears to be room on the main lot or an alternative would be to merge lot 5 with the house lot, part 5 being the lot that they want the garage put on. After discussion the following resolution was put forward.

Moved by John Wilson, seconded by Rene Labreque

That Planning Committee recommends to Council that they do not accept the zoning amendment application for Mitch and Kim Fleguel to construct a garage on a vacant parcel of land.

Carried.

10. OTHER BUSINESS

Councillor Kingsbury said he has noticed that nothing seems to be happening with the Site Plan Improvement to the Deacon property, he suggests the CAO/Clerk contact him to advise him of the agreed upon time line. Chair Bennett said he has spoken with Mr Deacon about these timelines and was advised that there would be significant improvement by July 15, 2009.

The CAO/Clerk informed the Committee that Kevin Mask of Whitton Road has informed him that pieces of the shutdown Asphalt Plant on Jamieson Gravel Pit have been removed over the past year and a half, and suggests that the Township demand that the entire plant be removed from the Site.

After discussion by the Committee, the Committee Members agreed that they had no concern with the plant being there at this time.

11. NEXT MEETING

The next meeting of the Planning Committee will be July 21, 2009 at 4:30 pm. in the Horton Council Chambers.

12. CONFIRMING RESOLUTION

Moved by Bob Lockwood, seconded by John Wilson

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.

13. ADJOURNMENT

Moved by Bill Winters, seconded by Rene Labreque

That this Committee Meeting be adjourned at 7:15 p.m.

Carried.