

THE CORPORATION OF THE TOWNSHIP OF HORTON

PLANNING COMMITTEE MEETING

SEPTEMBER 18, 2007

There was a meeting of the Planning Committee held in the Municipal Council Chambers on Tuesday September 18, 2007. Present were Chair Dave Bennett, members Mae Craig, Jim Ferguson, John Wilson, Bill Winters and Bob Hall.

1. CALL TO ORDER

The meeting was called to order at 4:30 p.m.

2. DECLARATION OF PECUNIARY INTEREST

Deputy Mayor Bob Hall declared pecuniary interest in the Eady Drain petition.

3. MINUTES OF JULY 24, 2007 COMMITTEE MEETING

Moved by John Wilson, seconded by Jim Ferguson

That the Planning Committee receive the July 24, 2007 Planning Committee Minutes.

**Carried.**

4. BUSINESS ARISING FROM MINUTES

Bruce Reid/Paul Lavigne Access Issue

Chair Bennett reported that he and the CAO/Clerk met Bruce Reid August 31, 2007. Mr. Reid agreed to construct a road on his own property, where the Committee Members understood his access would be. This access road would only be suitable for his 4 x 4 truck. Mr. Reid has the belief that he has the right to continue to cross Mr. Lavigne's property. Mr. Lavigne was at the September 4, 2007 Council meeting, when he was informed of what Mr. Reid is doing, Council does not know if Mr. Lavigne is satisfied or not.

Copies of photographs that Mr. Reid has since brought in to the Municipal Office showing that he has constructed a road suitable for driving his four wheel drive truck on., were circulated.

Community Improvement Plan – Report on Meeting in Kingston

Chair Bennett reported that he, Mayor Johnston, Councillor Kingsbury and the CAO/Clerk met with Municipal Affairs Officials while at the Ontario East Conference in Kingston on September 12, 2007. The Ministry expressed concern with “transparency” with the fact that we were backdating the plan to January 1, 2006. It was explained that we are doing this as we have an applicant for Brownfields assistance in 2006 and this applicant is the catalyst for the Community Improvement Plan. It was agreed that a preamble would be added to the draft plan stating why January 2006 date is used.

On a second matter the Ministry will provide wording from the Planning Act to expand section 4.2.4. Once these two changes are made, the draft will be brought back to the Committee for their approval.

Norman and Willis Eady Petition Drain

Deputy Mayor Bob Hall declared pecuniary interest.

The Committee asked several questions concerning costs and determination of the area of drainage. After discussion, in which the Eady's rights of appeal to a Drainage Tribunal were discussed, the following resolution was put forward.

Moved by John Wilson, seconded by Jim Ferguson

That Planning Committee recommends to Council, that Council reject the petition for drainage works of Norman and Willis Eady.

**Carried.**

Outdoor Wood Furnace – Smokeless Technology

Deputy Mayor Hall presented information he had researched on smokeless outdoor furnace products. Chair Bennett informed the Committee that we now have an application for a minor variance to permit a smokeless outdoor furnace on a property that will not meet the setbacks. He said that an option the Committee has to consider this new technology and have a speaker come to the Committee. Members agreed that the amount of smoke would probably depend on the type of wood that is used. After discussion it was agreed that the dealer from whom the ratepayer purchased the smokeless stove be invited to attend the next Committee Meeting at which time the minor variance would be considered. It was also suggested contacting a dealer in Pembroke that Natalie Atkins referenced in the July 24, 2007 meeting minutes.

Renfrew Power Generation – Planning Study

John Wilson asked if there has been discussion or consideration on slope stability above the head pond and downstream. Jim Ferguson expressed concern with the raising and lowering water levels effect to the River Road bridge. Mae Craig questioned what this dam would do to the scenic tourist area and a favorite fishing spot for people. She also asked what amount of power is to be sold on the grid and at what price? It was noted that a culvert at map point 850 will be too low for the head pond and this culvert currently needs replacement due to collapse.

After discussion the Committee agreed that the Township would comment that they asked Renfrew Power Generation to do an engineering study on stability using an engineering firm of Horton's choice or alternatively a peer review of the study by a Horton engineer at Renfrew Power Generation cost. The Committee agreed that they would note that the Township reserves the right to comment further when more plans are available and that a copy of this letter be sent to the Ottawa Riverkeeper for her input.

5. DELEGATION

4:55 Eric Draper – Site Plan Agreement

Mr. Draper said that he has reviewed the draft sample Site Plan Agreement and is satisfied with it. Chair Bennett reviewed the Agreement. He asked if there were any buffering or outdoor light requirements? Mr. Draper noted that the facility is already buffered with natural tree growth. There will be a sign erected at the entrance onto Lochwinnoch Road, but it will not be lit as there is no power there. He noted that the Site Plan is to be drawn up by a professional surveyor or engineer. The plan presented to the Committee was drawn up by Mr. Draper. Mr. Draper noted that the building exists, suggesting that there should not be a need for a surveyor to confirm the location of the building that is already there. He agreed to do this later if he develops a further building.

John Wilson suggested the Township make a condition of approval that a survey would be required if Council requested it. The Committee supported this idea.

Chair Bennett said there is a need to show the location of the well and the septic system, and to show the sign location of the road. It was also noted that the plan shows the hours of operation of 6 am to 6 pm. Horton Township Noise By-law limits work to start at 6:30 am but can continue until 8:00 pm, this change would be noted on the Plan.

Moved by Jim Ferguson, seconded by Mae Craig

That the Planning Committee recommends to Council that there be no security required on the Draper Site Plan as the works are completed.

**Carried.**

6. SEVERANCES

The Committee reviewed the following severance applications:

|              |                                      |
|--------------|--------------------------------------|
| B43 to 45/07 | Ernest Nesbit                        |
| B64/07       | Graham MacMillan                     |
| B91 & 92/07  | Peter & Glenda Tippins               |
| B99/07       | Feikje Beimers                       |
| B120/07      | Paul Mousseau (Bell Canada easement) |

B121/07

Norman & Willis Eady (Bell Canada Easement)

Moved by Bill Winters, seconded by John Wilson

That Council recommends the approval of the following severances with conditions:

- B43 to 45/07 Ernest Nesbit – complete a noise study for railway and standard consent agreement  
B64/07 Graham MacMillan – no conditions as this is a lot that was previously severed but lapsed  
B91 & 92/07 Peter and Glenda Tippins – subject to the standard consent agreements  
B99/07 Feikje Beimers – no condition – a zoning amendment is not considered as the current by-law restricts residential development on an unopened road allowance

**Carried.**

The Committee also considered applications for a Bell easements on B120/07 and B121/07 Paul Mousseau and Norman and Willis Eady.

Moved by Jim Ferguson, seconded by Mae Craig

That Planning Committee recommends to Council that the County approve applications B120/07 and B121/07 for Bell Canada easements.

**Carried.**

7. CORRESPONDENCE

Renfrew County Outdoor Woodlot Conference

A brochure was handed out with information on this Conference.

8. ZONING AMENDMENT APPLICATION – RENFREW SELF STORAGE

The Committee received an application from Renfrew Self Storage to rezone a lot addition that was recently applied for, to expand the Self-Storage building.

Moved by John Wilson, seconded by Bill Winters

That Planning Committee recommends to Council that they receive the zoning amendment application for Renfrew Self-Storage and request the County Planning Department to prepare the draft by-law and notices.

**Carried.**

9. FISH SHACKS ON UNOPENED ROAD ALLOWANCE

The Committee reviewed a Report from the CAO/Clerk on a complaint the Township has received that three Fish Shacks are being stored on an unopened road allowance, owned by the Township at the Ottawa River.

John Wilson suggested that as we cannot block the road allowance with a gate, we therefore cannot block the road allowance with fish shacks. The Committee agreed with this suggestion.

Moved by John Wilson, seconded by Bill Winters

That the Planning Committee agree that the three fish shacks currently on the unopened road allowance at Concession 11 where it intersects the Ottawa River be removed.

**Carried.**

10. JIM & GARRY BEIMERS – REQUEST FOR REFUND OF OFFICIAL PLAN AND ZONING AMENDMENT FEES

The CAO/Clerk reported that in 1995 the Beimers brothers applied for zoning approval, to permit severance of 200 acres of bush from their parents' 300 acre farm. The 200 acres would not have access to an open maintained Township Road. The Official Plan Amendment and Zoning By-laws fees of \$900 were paid at the time. The Official Plan Amendment was rejected by the Ministry of Municipal Affairs. At the time the County Official Plan was in draft form and it would permit severance of bush lots, minimum 100 acres, on unopened road allowances. The Beimers decided to wait until the Official Plan Amendment was approved. The Plan is now in place and they have made an application for severance that was recommended earlier this evening. They have asked for a refund of the planning fees paid in 1995.

Mae Craig asked where the money will come from and is there not a seven year statute of limitations? Chair Bennett noted that in the end the applicants received what they wanted

that the planning fees had paid for. Jim Ferguson noted that there was considerable time and money spent on the original application.

Moved by Jim Ferguson, seconded by Mae Crain

That the Planning Committee agrees not to refund any possible unused Planning Fees for Jim and Gary Beimers.

**Carried.**

11. UPDATE OUT BUILDING BY-LAW

The Chief Building Official has informed the Township that a new Building by-law is required to conform to the Ontario Building Code Act. A sample of the Admaston/Bromley by-law was presented to the Committee for review.

Moved by Jim Ferguson, seconded by Mae Crain

That Planning Committee recommends to Council that they adopt the draft building by-law.

**Carried.**

12. OTHER BUSINESS

Effect of Strip Development on Sub-standard Roads

Chair Bennett informed the Committee that there are a number of sub-standard Township roads that are having severance applications along the roads. The Public Works Committee cannot keep up with the future demands of road upgrades. He sighted the Humphries Road where we recommended two new severances today, and we are aware of five more severances coming from another farm. Another example is Eady Road, between Castleford Road and Mullins Road which has seen recent development. He suggested that a policy be developed to persuade developers to develop by sub-division rather than along our road frontage.

John Wilson noted that his experience was that the Township of Champlain carried out a road study to determine if the road was wide enough, if there were any safety hazard features, i.e. hills, and engineers made recommendations as to where severances could be made which Council adopted. Chair Bennett said that one family severance is different to a developer creating five lots. Mae Craig added that the purchasers of these new lots are used to paved roads and are not satisfied with conditions that they see twelve months a year. John Wilson noted that the Township can ask Developers to make improvements to the road for large severance applications.

Bill Winters asked if the property owner with the five new severances on Humphries Road be informed of our considerations and invited to come to the next meeting. The Committee agreed.

OMAFRA Economic Development

The CAO/Clerk informed the Committee that he attended a session of Economic Development 101, while at the Ontario East Municipal Conference in Kingston last week. He presented a copy of the power point presentation to the members. OMAFRA have staff dedicated to economic development in the rural area and they will come and help the municipalities focus on future economic development possibilities. The Committee agreed to invite a representative to attend a meeting and that neighbouring municipalities be invited to attend this session as well. Dates are to be gathered.

September 30, 2007 – Illegal Businesses

Deputy Mayor Bob Hall noted that the last advertisement is to go in the newspaper September 30, 2007 on the notice for businesses that are not zoned properly to make application to the Township for proper zoning. He asked what is the next step, if businesses do not come forward? It was the consensus of the Committee that the Township proceed and that this be back on the October Agenda for action.

13. NEXT MEETING

The Committee agreed to meet on Tuesday October 16, 2007 at 4:30 p.m.

14. CONFIRMING RESOLUTION

Moved by John Wilson, seconded by Jim Ferguson

That the Committee pass this confirming resolution to validate 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.**

15. ADJOURNMENT

Moved by Mae Craig, seconded by Bill Winters

That this Planning Committee Meeting be adjourned at 6.55 p.m.

**Carried.**

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Chair

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CAO/Clerk