

THE CORPORATION OF THE TOWNSHIP OF HORTON
Planning Committee Meeting
September 18, 2012

There was a Planning Committee meeting held in the Municipal Council Chambers on Tuesday, September 18, 2012. Present were Chair Bob Kingsbury, Councillor Glen Campbell, Councillor Margaret Whyte (5:30 p.m.) and Councillor Jamey Larone. Also present were Committee Members Jim Ferguson, Mae Craig, David Brown, John Wilson, Bob Lockwood, and John Berkhout. Staff present was Mackie McLaren, CAO/Clerk and Rose Curley, Administrative Assistant. Absent: Mayor Don Eady.

1. CALL TO ORDER

Chair Kingsbury called the meeting to order at 4:12 p.m.

2. DECLARATION OF PECUNIARY INTEREST

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

Chair Kingsbury reported that after attending a session at the recent OEMC conference in Kingston, Council members and staff learned that all agendas, including Committee agendas, should include the item "Additions to Agenda and Approve Agenda". This is the venue that should be used to add any business that didn't get included in the regular agenda. After the agenda is approved there can be no more additions to the agenda during the regular session. Also, the Head of Council and the Chair of the Committee should not partake in debate during the meeting. If they wish to participate they will have to vacate the Chair and appoint another member as Chair.

3. ADDITIONS TO THE AGENDA AND APPROVE AGENDA

Mackie McLaren, CAO/Clerk asked that under Other Business we discuss the Limlaw entrance request for Humphries Road.

Moved by Dave Brown, Seconded by Jim Ferguson

That the Planning Committee approves the Planning Committee agenda for September 18, 2012 and agrees to add the following item to the agenda:

- Limlaw entrance request under Other Business

Carried.

4. MINUTES:

- Planning Committee - Regular Committee Meeting – July 17, 2012
- Public Meeting – Minor Variance A16-12 (Shier)

The Committee reviewed the minutes of the July 17, 2012 Regular Committee Meeting and the Public Meeting – Minor Variance A16-12 (Shier).

5. BUSINESS ARISING:

- Derelict House – Mullins Road

Mackie McLaren, CAO/Clerk reported that he has received a letter from the owner stating that he will apply for his building permit on or before October 01, 2012.

- Deacon Site Plan Agreement

Mackie McLaren, CAO/Clerk updated the Committee on the improvements made to the Deacon property. The improvements are about 90 percent complete. Mr. Deacon has until September 21, 2012 to comply 100 percent. He said that there are shipping containers in the compound and that this item will come to the committee as a consideration for an amendment. Mr. McLaren and Jim McBain, Municipal Bylaw Officer will carry out an inspection at this property on September 24, 2012.

Mackie McLaren, CAO/Clerk reported that cleanup at the Deacon property has resulted in a property standards issue at 12 Pallen Road, the property across the road which is currently rented. Mr. McBain has issued an Order to Comply to the property owner.

6. DELEGATIONS:

4:20 p.m. – Lisa Severson, Eastern Ontario Warden's Caucus Program

Lisa Severson, Communications Relations Officer, Eastern Ontario Regional Network was present along with Jim Pine, CAO/Hastings County who was representing the Eastern Ontario Caucus.

They gave a presentation regarding the Eastern Ontario Regional Network project that promises to provide efficient, affordable high speed internet service to 95 percent of residents and business owners in all regions of Eastern Ontario. Presently, the project is on time and on budget. The Project is supported through funding from Federal, Provincial and local governments, along with private sector investment. They gave great detail on the various aspects of this project that relates to how the internet will be delivered. Due to the geographical nature of Renfrew County, service will be provided by broadband and satellite. They are working with Bell Alliant for the broadband service and Xplornet for the satellite service. In conclusion, they noted that there will be upcoming community information sessions and they gave us contact information should we have any questions.

Chair Kingsbury thanked Ms. Severson and Mr. Pine for attending our meeting and for the excellent presentation.

5:15 p.m. - CORY SCHEEL – SITE PLAN

Cory Scheel was present before the Committee to present his site plan for approval and support. He said that he hopes to start construction before the end of September.

Mackie McLaren, CAO/Clerk reported that he and Rose Curley have had two meetings with Mr. Scheel to prepare the site plan that is before the Committee for review. During the review of his site plan we discovered a planning matter that needs to be addressed. He proposes to construct his main garage building with a 20 foot (6 metre) side yard setback. This setback meets a Commercial zone setback, but unfortunately his property is still zoned Rural with an Exception zone to permit a contractors yard and shop. The setback for a non-residential building in the Rural zone is 50 feet (15 metres).

Mr. Scheel proposes to make an application for a Minor Variance to reduce the side yard setback. The public meeting for this application will

not be until the October 16th Planning Committee Meeting. Mr. Scheel is requesting permission to enter into an agreement to commence construction before the minor variance is in effect. The minor variance process will not be completed until November 5th when the objection period would be over.

Previously, we have entered into agreements with property owners who have made an application for a zoning amendment but needed to start construction prior to completion of the amendment process. Once executed the agreement permits the applicant to start construction before the proper zoning is in place. This requires the applicant to enter into an agreement with the Township and post a \$5,000 security deposit. This security deposit would be the same money that is required for the site plan agreement security deposit. It would be held by the Township until the Site Plan is considered complete.

After discussion, the following resolution was put forward.

Moved by Jamey Larone, Seconded by Glen Campbell

That the Planning Committee recommends that Council approve the site plan for Cory Scheel and enter into an agreement to permit construction prior to the completion of the minor variance process to reduce his side yard setback

Carried.

7. MCKENDRY/MACDONALD ZONING BY-LAW APPLICATION

Chair Kingsbury reported on the site visit to the McKendry/MacDonald property at the corner of River/Storyland Roads that was carried out at 3:00 p.m. today by Committee Members and staff along with the property owner and neighbours. He said that the neighbours have been invited to participate in discussions for the site plan control. Mr. McDonald needs to provide an initial site plan for a starting point. Mackie McLaren, CAO/Clerk was directed to contact Mr. McDonald and request a site plan, and to schedule meetings for site plan discussions once he has received this plan.

8. DEREK McGRIMMON – REFUND OF SITE PLAN SECURITY DEPOSIT

Chair Kingsbury noted that he did a site visit to this property and saw that there are several RV's and a sea container parked randomly on the property. For Mr. McGrimmon to store these RV's and sea container he would require a site plan amendment. Committee members said that they would like these vehicles to be parked together in one specific area. Also, they would like a limit on the number of vehicles he could store and they would like assurance that they are not derelict vehicles.

At this time, Chair Kingsbury recessed the regular session of this Committee at 5:00 p.m. to enter into a Public Meeting.

9. 5:00 p.m. – COMMITTEE OF ADJUSTMENT - PUBLIC MEETINGS:

- Minor Variance A17-12 – Bruce Murdoch
- Minor Variance A18-12 – Collin Moore

Chair Kingsbury called the regular Committee Meeting back to order at 5:12 p.m.

10. CONSENT APPLICATIONS:

- B30/12 – Lidia Worm & Denis Gagne

Committee members reviewed the above application. Mackie McLaren, CAO/Clerk was requested to check with the County Planning Department if Mr. Campbell, an adjacent neighbor would be able to build a barn in the future if the need arises. After discussion, the following resolution was put forward.

Moved by Jamey Larone, Seconded by John Berkhout

That the Planning Committee recommends that Council support Consent Application B106/12 – Lidia Worm and Denis Gagne with the following conditions:

- Consent Agreement
- Carry out recommendations from Planning Justification Report
- Lot Development Charge
- Residential use – not agriculture
- Meets MDS requirements
- Existing building meets Property Standards By-law
- Township to seek legal, planning and County Roads approval on remote control car and dirt track.

Carried.

- B106/12 – Ronald & Shirley Kasaboski

The Committee reviewed the above application. Mrs. Kasaboski was present for questions. Chair Kingsbury inquired about 2 RV trailers that were parked there. Mrs. Kasaboski said that one is for storage and the other is used by one of her daughters. Chair Kingsbury said that these are not allowed under our zoning by-law. The Committee noted that MNR has flagged the retained lands as containing an endangered species and that this could delay her severance.

Moved by Mae Craig, Seconded by John Wilson

That the Planning Committee recommends that Council support Consent Application No. B106/12 for Shirley and Ron Kasaboski with the following conditions:

- Consent Agreement
- Lot Development Charge
- Meets Species at Risk (SAR) requirement.

Carried.

- B120/12 – Garry & Karen Carty

Committee members reviewed the above application. After discussion, the following resolution was put forward.

Moved by Glen Campbell, Seconded by Jamey Larone

That the Planning Committee recommends that Council support Consent Application No. B120/12 for Garry and Karen Carty with the following conditions:

- Consent agreement
- Zoning amendment for frontage reduction
- Meets Species at Risk (SAR) requirement
- Bring 5 metre entrance road up to standard to permit emergency vehicles to access property

Carried.

- B123/12 – Terry and Tom Cobus
Committee members reviewed the above application. After discussion, the following resolution was put forward.

Moved by Jamey Larone, Seconded by Dave Brown

That the Planning Committee recommends that Council support Consent Application No. B123/12 for Terry and Tom Cobus with the following conditions:

- Consent Agreement
- Lot Development Charge
- Minimum lot size of 4050 square metres

Carried.

- B63/12–1694005 Ont. Inc.(Prince)–Planning Justification Report Condition

Committee members reviewed the planning justification report that was prepared by the applicant's engineer in support of this consent application. After discussion, the following resolution was put forward.

Moved by Margaret Whyte, Seconded by Jamey Larone

That the Planning Committee supports the Planning Justification Report recommendations for Application No. B63/12 B63/12 – 1694005 Ont. Inc. (Peter Prince) and adds Conclusion 3 to the Consent Agreement that is a condition of this severance.

Carried.

11. NOISE BY-LAW – Recommendation from Sub-Committee

Jim McBain, Municipal Bylaw Officer was present to discuss the draft by-law that is being recommended by the sub-committee appointed to review and prepare the noise by-law. Several changes were discussed and once these are made it will be brought back to the Committee for approval and recommendation to Council. Mr. McBain said that once the draft is approved, we will put in on the website and advertise in the Horton Corner section of the local paper, before it is taken to Council. The by-law is complaint driven and there is a complaint process in place at the office.

12. DRAFT ANIMAL CONTROL BY-LAW

Committee members reviewed the draft animal control by-law. This draft bylaw was prepared by Mackie McLaren, CAO/Clerk using the Town of Arnrior's bylaw as an example. Special attention was given to the distinction between "rural" and "Residential". The changes discussed will be made and it will be coming back to the Committee for review.

13. DRAFT BYLAW TO PROHIBIT PARKING ON ALL MUNICIPAL ROADS

Committee members reviewed the draft by-law to prohibit parking on Municipal roads. Several committee members see the need for a more intensive review as there were several items of concern regarding Township liability. After discussion, the committee agreed to appoint a sub-committee to review this by-law and bring back to the Planning Committee for further review.

Moved by Dave Brown, and seconded by Bob Lockwood

That the Planning Committee forms a sub-committee to review and prepare a draft by-law to prohibit parking on all municipal roads and bring this draft by-law back to the Committee for their consideration. The sub-committee will be comprised of: Councillor Bob Kingsbury, Councillor Jamey Larone, Councillor Margaret Whyte, Mackie McLaren – CAO/Clerk, and Jim McBain, Municipal Bylaw Officer – Township of Horton.

Carried.

14. CORRESPONDENCE:

-Letter to Denis Gagne/Lydia Worm re: remote control car race track

This item was discussed under Consent Application B30/12 – Lidia Worm and Denis Gagne.

-Letter to Debbie O'Dwyer-re: temporary camping trailers & her Email response

Mackie McLaren, CAO/Clerk reported that he has received a response regarding the temporary camping trailers that were put up on an Ottawa River property. The property owner has confirmed that these were family members that were staying there for the summer while they helped her prepare the property for construction of her residence. These trailers will be removed by the end of 2012 or sooner.

-Ministry of Municipal Affairs and Housing re: County of Renfrew Official Plan

The Ministry of Municipal Affairs and Housing have confirmed that they have approved an amendment to the Official Plan for the County of Renfrew to change the designation of the subject lands from “Mineral Aggregate” to “Rural”. This request was made for property owned by Mr. Eric Draper who in turn revoked his appeal to our Zoning Bylaw 2010-14.

-Hydro One – Notice to opt out of planning notices

Under the Planning Act, Ontario Regulation 545/06 – the Township is required to send public agencies Municipal zoning notices. Hydro One has sent a letter to the Township opting out of the mailing list for future planning notices.

15. OTHER BUSINESS

- Renfrew Inn Suites – Extended stay use conforms to zoning by-law

In the past month, staff have responded to many phone calls and letters regarding a possible purchase of the Renfrew Inn Suites (formerly Butson's Motel). The current building houses people who have resided at this location for several years. Initially, we had thought he was in non-compliance with our zoning bylaw as he is not zoned for apartments. We encouraged him to apply for a zoning amendment and appoint the potential buyer as an “agent”. They did apply and pay for the application.

On September 7th, the Owner called and requested that his zoning application be withdrawn and that we refund his \$600 application fee, based on his understanding that “extended stay” use did conform with the Hotel and Motel permitted uses in the Commercial Zone designation. The Suites property is still zoned Commercial.

After consultation with Charles Cheesman, Renfrew County Planner, he researched the “extended stay” use. After his research, he advised that he accepts that the “extended stay” use does fall under the Hotel or Motel provisions. He said the typical renter is a person staying for one or two nights in an area, a business person or contractor who comes into an area

for a job, a family who are moving to the area but don't yet have a house. It may also include longer stays of 6 months to a year, however, the eating facilities are only a kitchenette and the units are small. There are no Landlord/Tenant Act controls with this use. People only have to give one days' notice to leave. After discussion, the following resolution was put forward.

Moved by Glen Campbell, Seconded by Mae Craig

That the Planning Committee recommends to Council that they revoke the zoning application for Ottawa River Waterway Inc. and refund the application fee of \$600.00 to the owner.

Carried.

Planning Committee members discussed the amount of staff time and legal fees that are incurred as a result of planning inquiries. They feel that applicants should have to pay for any legal advice that is done on their behalf. They agreed that a policy should be developed to allow the Township to recoup the costs for staff time and legal advice.

Moved by John Wilson, Seconded by Bob Lockwood

That the Planning Committee recommends to Council that the Township develop a policy that deems it is the responsibility of an applicant/individual to reimburse the Township for staff time and legal advice that incurred as a result of their planning issue/application.

Carried.

- Limlaw request - permission to have two separate entrances

Mackie McLaren, CAO/Clerk reported that Ann Limlaw had attended the Public Works Committee Meeting on July 18, 2012 to request permission to have two separate entrances instead of one joint entrance onto Humphries Road (Hollingsworth severances) on a property they were looking to purchase. At that time, it was noted that the request for a joint entrance was a Planning Committee recommendation when they reviewed the Hollingsworth consent application for this property. The Public Works Committee recommended that this item be taken to Council and the Planning Committee for consideration. However, since that time Mr. and Mrs. Limlaw purchased the property and have received an entrance permit and a building permit. Chair Kingsbury asked that in the future, staff inquire as to whether or not the applicant has permission to put the entrance where they indicate on their application.

Dave Brown noted that the entrance will create safety issues and inquired about a sign that would indicate "blind hill" in that area. This was referred to Public Works for consideration.

16. NEXT MEETING

The next Planning Committee Meeting will be held on Tuesday, October 16, 2012 at 4:00 p.m. in the Municipal Council Chambers.

17. ADJOURNMENT

Moved by Glen Campbell, Seconded by John Wilson

That the regular meeting of Planning Committee be adjourned at 8:36 p.m.

Carried.

