

THE CORPORATION OF THE TOWNSHIP OF HORTON

Planning Committee Meeting

FEBRUARY 21, 2012 - 4:00 p.m.

There was a Meeting of the Horton Township Planning Committee held in the Municipal Council Chambers on Tuesday, February 21, 2012. Present were Chair Bob Kingsbury, Mayor Don Eady, Councillor Margaret Whyte and Councillor Glen Campbell. Committee Members: John Wilson, David Brown, John Berkhout, Jim Ferguson, and Bob Lockwood. Also present was CAO/Clerk Mackie McLaren and Rose Curley, Administrative Assistant. Absent: Councillor Jamey Larone and Committee Member Mae Craig.

1. Call to Order

Chair Kingsbury called the meeting to order at 4:00 p.m.

2. Declaration of Pecuniary Interest

Councillor Glen Campbell declared pecuniary interest on Item No. 10 –Deacon Site Plan.

3. Minutes of: January 11, 2012 Committee Meeting

Committee members reviewed the minutes of the January 11, 2012 Planning Committee meeting.

4. Business Arising:

- Corner lot condition – Bennett-Lafont at Storyland Road
Mackie McLaren, CAO/Clerk reported that this property will be inspected in the Spring once the snow is gone.
- County sign policy
County staff will view the sign on the Bruce Street property and will report back if there are any issues.
- Eric Draper subdivision cancelled due to MDS issues
The Committee was informed that the proposed subdivision for Eric Draper has been cancelled as he is unable to meet the MDS requirements for this property.
- Mike Martin is attending meeting re condition of approval
Mackie McLaren, CAO/Clerk informed the Committee that Mike Martin has a delegation appointment later in the meeting to request that the Committee reconsider the severance condition of an Environmental Impact Study.

5. Delegations:

4:15 Tim Chapeski – 549 Storyland Road – proposed zoning amendment to RU-E7 to allow for sale of Recreation Vehicles

Mr. Chapeski was present to discuss the current zoning on his property. He referred to a copy of his zoning amendment application that he had submitted in 1998 requesting Highway Commercial Zoning from his Rural & Extractive Industrial Reserve zoning, to permit him to carry out repair work on heavy equipment. The zoning process went through without any objections. However, it now appears that the County Planning Department granted a Rural Exception Fifteen (RU-E15) under By-law 99-07 which grants the permitted uses: Single detached dwelling; automotive commercial garage; and contractor's yard or shop. However, he had thought that he had received the Highway Commercial Zoning. Recently, he was approached by an associate to use his property to sell Recreation Vehicles. Under his current RU-E7 zoning he would have to apply for an amendment to allow for an Automotive Vehicle Sales or Rental Establishment. He feels this is unfair as he had already went through the process in 1998 to have the Highway Commercial Zoning.

Mackie McLaren, CAO/Clerk said that often the County Planning Department will amend a request for Commercial zoning to a Rural Exception zone as this is site specific and tailored to the needs of the applicant. Commercial zoning has a much broader scope of permitted uses than an Exception zone.

After discussion, the Committee agreed that Mr. Chapeski should apply for the Highway Commercial zone for his property and that the Township waive the fee for this application.

Moved by Glen Campbell, Seconded by John Berkhout

That the Planning Committee supports Tim Chapeski's request for the full rezoning to Highway Commercial Zoning that he applied for in 1998 when he only received Rural-Exception zone uses and request Council to agree to waive the application fee at this time and request the County Planning staff to prepare the required documentation.

Carried.

4:30 Mike Martin – concern with severance condition of Environmental Impact Study

Mike Martin was present to request the Committee to reconsider the condition that he carries out an Environmental Impact Study. John Wilson said that the reason he asked for this condition was that he had concerns about the proximity of the creek and the potential environmental effects from the septic beds. He was trying to protect the Township from any possible liability issues.

Mackie McLaren, CAO/Clerk noted that our zoning by-law already dictates that the current setback for the septic is 66 feet from the creek. These lots would have to abide by that setback. The Committee discussed this further and suggested that that this setback be increased to 80 feet.

Moved by Bob Lockwood, Seconded by Dave Brown

That the Planning Committee amends the support of Consent Application B191/11 to B194/11 by rescinding the request for an Environmental Impact Study and add a condition that a note be placed on title that the septic system for Lots 3 and 4 be installed a minimum of 80 feet from the roadside ditch.

Carried.

6. Waive fees for Minor Variance Applications regarding registered right-of-way for Garden Lake/Catherine Lake property owners

The Committee reviewed a report submitted by the CAO/Clerk that outlined the time and costs related to the processing of the 12 minor variance applications regarding the registered right-of-way for Garden Lake/Catherine Lake property owners. The minimum amount to cover these costs would be \$250.00 per applicant. The current application fee is \$350.00. Several members felt that these residents have incurred many costs to try and correct their right-of-way issue and we should waive the application fee. Others felt that possibly we could reduce the fees to \$250.00 to cover the Township's costs.

Moved by David Brown

That the Planning Committee recommends to Council that they waive the application fees for Minor Variance Applications A02-12 to A13-12.

There was no seconder for this motion.

Moved by John Berkhout, Seconded by Margaret Whyte

That the Planning Committee recommends to Council that they reduce the application fees for Minor Variance Applications A02-12 to A13-12 from \$350.00 to \$252.45 to recover costs.

Carried on Division

Opposed: David Brown

7. Correspondence

There was no correspondence to review.

5:00 PUBLIC MEETINGS –Minor Variances A01-12 to A13-12

At 5:00 p.m., the Planning Committee proceeded into a public meeting for the Committee of Adjustment to hear 12 minor variance applications.

Chair Kingsbury called the Planning Committee meeting back to regular session at 6:20 p.m.

8. Draft Property Standards By-law

The Committee reviewed a report submitted by the CAO/Clerk regarding the current property standards by-law and the new proposed draft by-law prepared by Jim McBain, Municipal By-law officer.

David Brown feels the draft by-law is too detailed and compared it to a Kanata city by-law. He is concerned that too many residents will have infractions if this is implemented. Mayor Eady agreed that it seems too detailed. Councillor Campbell noted that we are still a rural farming community and that the by-law should reflect this. Councillor Whyte said that the by-law needs to be very specific with definitions and regulations so that the by-law will hold up in court. It was noted that some of the definitions could be taken out of context as they just apply to certain areas of the Township. Committee members requested that Mr.

McBain be invited to the March Committee meeting for interpretation of definitions and to answer any questions the Committee might have.

9. Consent No. B219/11- Peter Tippins

The Committee reviewed Consent Application No. 219/11 which is a lot addition to a previous lot that was created.

Moved by Dave Brown, Seconded by Jim Ferguson

That the Planning Committee recommends that Council supports Consent Application B219/11 – Peter Tippins - with the following conditions:

- addendum to Houle Chevrier Engineering report on soil stability
- zoning amendment from Rural to Limited Service Residential – Exception 6, to have consistent zoning and to institute slope setback
- comply with the minimum distance separation requirements

Carried.

10. Deacon Site Plan

Councillor Campbell had declared pecuniary interest on this item and did not partake in discussion.

Chair Kingsbury reported that Mr. McBain had been requested to visit Mr. Deacon's property and to review the site plan agreement with him. Recently, Mr. Deacon created an extra entrance off Castleford Road next to the Campbell property and he doesn't have legal access for this. Mackie McLaren, CAO/Clerk was requested to notify the county of this entrance. There are still many concerns that he is not following his site plan and the parking area has now become a scrap yard. Mr. McBain had noted that under the current Property Standards by-law it would be hard to enforce standards. Under the new proposed property standards by-law there would be specific standards for a Commercial property. The Committee also requested that Mackie McLaren, CAO/Clerk write a letter to Mr. Stan Campbell regarding the entrance.

Dennis Fridgen also visited the property and informed him that when he installs a wood boiler he will require a permit and has to meet WETT certification. Fire Chief Corbin will also carry out an inspection to follow up on the progress of this property.

11. Ken Dillabough & Rand Elliott - Twp. ask MTO for ownership of old road bed?

Mackie McLaren, CAO/Clerk reported that Mr. Ken Dillabough is looking to purchase property from Rand Elliott. In pursuing severances on the Elliott property it was discovered that MTO owns a small portion of an old Pinnacle road bed. In discussions with MTO, they reported that MTO has now declared this property surplus. One option would be for Mr. McLaren to contact MTO on behalf of Horton Township to inquire about purchasing the old road bed for a nominal fee. Councillor Campbell asked if the Township would then assume this section of the road. Mr. McLaren said that we would assume it, but a condition of the severance could be that the road is brought up to standard before the Township assumes it.

Moved by John Wilson, Seconded by Jim Ferguson

That the CAO/Clerk be authorized to contact the Ministry of Transportation to inquire about the possibility of purchasing a triangular section of land adjacent to Highway 60 and the Rand Elliott property for a nominal fee.

Carried.

12. Suggestion that Committee meets with Township's Lawyer and Planner to review subdivision agreements and what we want rural developments to look like

Mackie McLaren, CAO/Clerk reported to the Committee that Mr. Peter Prince is hoping to finalize his subdivision application by the Spring. The Township will be entering into a subdivision agreement with Mr. Prince. Mr. McLaren suggested that staff and committee members should meet with Janet Bradley, our Township lawyer and Mr. Charles Cheesman, Renfrew County Planner to discuss what processes and agreements need to be in place for this subdivision.

Chair Kingsbury suggested that we strike up a sub-committee of staff and committee members for this process.

Moved by Dave Brown, Seconded by Glen Campbell

That the Planning Committee form a sub-committee to prepare for the future subdivisions that are in process of approval consisting of the following staff and committee members: Bob Kingsbury, Don Eady, John Wilson, John Berkhout, Rose Curley, Jennifer Barr and Mackie McLaren.

Carried.

13. Other Business

The Committee thanked staff for all their work preparing an information package for the 12 minor variance applications that were discussed earlier at the Committee of Adjustment public meeting.

14. Next Meeting

The next Planning Committee Meeting will be held on Tuesday, March 20, 2012 in the Municipal Council Chambers at 4:00 p.m.

15. Confirming Resolution

Moved by Glen Campbell, 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.

16. Adjournment

Moved by Jim Ferguson, Seconded by John Berkhout

That this Committee Meeting be adjourned at 7:20 p.m.

Carried.

Chair

Secretary