

THE CORPORATION OF THE TOWNSHIP OF HORTON

PUBLIC MEETING

Andrew St. Michael
Peter Prince
Jordy Leavoy (George Leavoy Estate)
ZONING AMENDMENTS

March 06, 2012
6:30 P.M.

1. CALL TO ORDER

Mayor Eady called the meeting to order at 6:30 p.m.

2. DECLARATION OF PECUNIARY INTEREST

There was no declaration of Pecuniary Interest by members of Council.

Andrew St. Michael

3. CLERK'S REPORT ON NOTICE

The CAO/Clerk reported that as required by the Planning Act all property owners within 400 feet (120 meters) were mailed notice of this Public Meeting. This resulted in 11 property owners receiving notice and in addition 7 agencies were also sent notice for their comments.

4. i) PURPOSE OF AMENDMENT

Mayor Eady stated the purpose and effect of the amendment is to rezone 3.6 hectares of land from Rural (RU) to Commercial-Exception Seven (C-E7)

As indicated in the Township of Horton's cover letter to this application for rezoning, the St. Michael's property and the abutting properties in this area were zoned Highway Commercial-Exception One in the Township's old Comprehensive Zoning By-law (By-law 94-10) but were inadvertently zoned Rural (RU) in the new Zoning By-law (By-law 2012-14). The purpose of this amendment is to rectify this situation by incorporating the provisions of the old HC-E1 Zone into the new Comprehensive Zoning By-law.

ii) READING OF WRITTEN COMMENTS

The CAO/Clerk reported that he received written comments from Ontario Power Generation and Ministry of Transportation and both had no comments or concerns.

- iii) PUBLIC PARTICIPATION
- a) Questions from Public - None
 - b) Comments in Support – None
 - c) Comments in Opposition – None

5. INFORMATION ON WHO IS ENTITLED TO APPEAL COUNCIL'S DECISION TO THE ONTARIO MUNICIPAL BOARD UNDER SECTIONS 34 (11) AND (19) OF O. REG 545/06

Section 34(11) – if Council decides to refuse an application or refuses or neglects to make a decision on an application within 120 days of the municipal clerk receiving the application, the applicant or the Minister of Municipal Affairs and Housing, may appeal to the Ontario Municipal Board by filing an appeal with the clerk of the municipality.

Section 34 (19) – Not later than 20 days after the giving notice of passing of the by-law the applicant, any person or public body who made oral submission at the public meeting or made written submission to the Council, before the by-law passed or the Minister of Municipal Affairs and Housing, may appeal to the Ontario Municipal Board by filing an appeal with the clerk of the Municipality.

6. COUNCIL MEMBERS COMMENTS – There were none.

Peter Prince

7. CLERK'S REPORT ON NOTICE

The CAO/Clerk reported that as required by the Planning Act all property owners within 400 feet (120 meters) were mailed notice of this Public Meeting. This resulted in 5 property owners receiving notice and in addition 7 agencies were also sent notice for their comments.

8. i) PURPOSE OF AMENDMENT

Mayor Eady stated the purpose of the amendment is to rezone 2.5 hectares of land to establish a 50 metre minimum setback from the rear lot line for all buildings and structures. The building setback is intended to mitigate noise impacts from Highway 17. The effect of the amendment is to rezone the lands from Rural (RU) to Rural-Exception Thirty Seven (RU-E37). This amendment is a condition to the granting of consent applications B168/11(1), B169/11(2), B170/11(3) and B171/11(4).

- ii) READING OF WRITTEN COMMENTS

The CAO/Clerk reported that he received written comments from Whitewater Region Township and Ontario Power Generation and both had no comments or concerns.

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| iii) PUBLIC PARTICIPATION | a) Questions from Public – None |
| | b) Comments in Support – None |
| | c) Comments in Opposition – None |

9. INFORMATION ON WHO IS ENTITLED TO APPEAL COUNCIL'S DECISION TO THE ONTARIO MUNICIPAL BOARD UNDER SECTIONS 34 (11) AND (19) OF O. REG 545/06

Section 34(11) – if Council decides to refuse an application or refuses or neglects to make a decision on an application within 120 days of the municipal clerk receiving the application, the applicant or the Minister of Municipal Affairs and Housing, may appeal to the Ontario Municipal Board by filing an appeal with the clerk of the municipality.

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10. COUNCIL MEMBERS COMMENTS – There were none.

Jordy Leavoy (George Leavoy Estate)

11. CLERK'S REPORT ON NOTICE

The CAO/Clerk reported that as required by the Planning Act all property owners within 400 feet (120 meters) were mailed notice of this Public Meeting. This resulted in 45 property owners receiving notice and in addition 6 agencies were also sent notice for their comments.

12. i) PURPOSE OF AMENDMENT

Mayor Eady stated the purpose and effect of the amendment is to rezone 2913 square metres of land from Rural (RU) to Limited Service Residential (LSR). This amendment is a condition to the granting of consent for application B195/11, which is a lot addition to an existing waterfront lot.

ii) READING OF WRITTEN COMMENTS

The CAO/Clerk reported that he received a written comment from Ontario Power Generation and they had no comments or concerns.

- iii) PUBLIC PARTICIPATION
- a) Questions from Public – None
 - b) Comments in Support – None
 - c) Comments in Opposition – None

13. INFORMATION ON WHO IS ENTITLED TO APPEAL COUNCIL'S DECISION TO THE ONTARIO MUNICIPAL BOARD UNDER SECTIONS 34 (11) AND (19) OF O. REG 545/06

Section 34(11) – if Council decides to refuse an application or refuses or neglects to make a decision on an application within 120 days of the municipal clerk receiving the application, the applicant or the Minister of Municipal Affairs and Housing, may appeal to the Ontario Municipal Board by filing an appeal with the clerk of the municipality.

Section 34 (19) – Not later than 20 days after the giving notice of passing of the by-law the applicant, any person or public body who made oral submission at the public meeting or made written submission to the Council, before the by-law passed or the Minister of Municipal Affairs and Housing, may appeal to the Ontario Municipal Board by filing an appeal with the clerk of the Municipality.

14. COUNCIL MEMBERS COMMENTS

Councillor Kingsbury asked Mr. Leavoy if he had received any comments and he replied that he had not.

15. ADJOURNMENT

Moved by Councillor Bob Kingsbury

Seconded by Councillor Glen Campbell

That Council adjourn this Public Meeting at 6:40 p.m.

RESOLUTION NO.2012-86

Carried.

Mayor

CAO/Clerk