

THE CORPORATION OF THE TOWNSHIP OF HORTON

PUBLIC MEETING

**JACK MACDONALD / ELIZABETH MCKENDRY  
ZONING AMENDMENT**

September 04, 2012

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.

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 17 property owners receiving notice and in addition 6 agencies were also sent notice for their comments.

4. i) PURPOSE OF AMENDMENT

Mayor Eady stated the purpose of the amendment is to permit a contractor's yard and shop on the subject lands. The effect of the amendment is to rezone to a 14 hectare parcel of land from Rural (RU) to Rural – Exception Forty (RU-E40). All other provisions of the By-law shall apply.

ii) READING OF WRITTEN COMMENTS

The CAO/Clerk reported that written comments were received from the County of Renfrew Planner and Jack Groenwoud.

iii) PUBLIC PARTICIPATION

a) Questions from Public

Regina Puhlaski who lives on Ruttan Road was present. She questioned where the entrance way would be to this proposed property. Would it be off of River Road? At this time she voiced her concerns regarding trucks going in and out all day and about the pollution that would be formed.

b) Comments in Support

Jack MacDonald and Elizabeth McKendry were present. Mr. MacDonald said he appreciated everyone coming here this evening. He wants to become a good neighbour and he understands the concerns. As far as location goes, he stated that he wanted to put the shop at the furthest point of the property so no one would be able to see it except possibly in the winter. The traffic in and out, there wouldn't be heavy traffic like everyone is thinking. He has a tree planting business. There would be One truck, two pieces of equipment. From April to mid-December there would be no traffic at the shop at all. The purpose of the shop would be to re-build the equipment over the winter. There would be no noise during the summer months he stated as there are

no employees working there. The entrance would be off of River Road. There would be no signage.

c) Comments in Opposition

Tamara Klatt who lives at 688 Storyland Road was present to voice her and her husband's concerns. When they bought their property they were informed that this was a rural area. They are okay with rural sounds but not okay with non-rural sounds such as shop noises and trucks moving in and out all day. This proposed shop will be less than 200 feet from their home. They do not understand why they would choose this piece of property. The trees will not stop the smell of fuel etcetera coming from this shop. If the zoning is passed, they believe there is nothing stopping him from turning it into a boneyard. What happens in a few years from now when the property is sold and the zoning is in place for a contractor's yard or shop? You cannot retract the zoning.

Murray McDonald was present. He said he is the longest resident in this area. He purchased the lot on top of the hill. One main reason is for the view. He knew that someday there would be more development in this area but he never thought someone would want to put in a shop. People come to this area for the view and bring cameras etcetera. He stated that the property values will go way down with this proposed shop. What is thought today can be changed tomorrow and he can see it growing. He drove past the current property that Jack MacDonald owns and it is filled with junk in the yard. If this zoning is passed, Murray requests that he be invited to the site plan meetings as well. Gone would be the view, value of homes close by and a lot of un-happy residents.

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

The CAO/Clerk stated:

*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 INPUT

Councillor Kingsbury noted that there are safeguards if the zoning is passed. There would be a site plan agreement which the residents that are affected could participate in.

Councillor Larone asked if there would be fuel storage on this property. Jack MacDonald answered he does not plan on it. The fuel would be stored at his Mount Saint Patrick property. Councillor Larone asked what type of equipment he would be re-building. Mr. MacDonald replied T26A – large equipment. Councillor Larone then asked what size the building would be. He was informed it would have a 16 foot ceiling to accommodate the large equipment. The property being the size it is, Councillor Larone asked if there was a way to move the shop down the line. The residents seem to be concerned about the location.

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Councillor Whyte said she has heard the neighbours' concerns. Once the zoning has been changed, it is hard to work backwards.

Councillor Campbell said he is not here to turn anyone away. Council has had similar situations to deal with in the past and there is a process to follow.

Mayor Eady noted that when an application comes to Council, there is a Public Meeting held to hear the public's comments and concerns. He said in his own opinion, he hasn't seen the property or a site plan, so he does not have enough information to agree or disagree. He would like to have a site visit possibly with the Planning Committee. There are three options available. Approve the zoning amendment, not approve the zoning amendment or to invite the public to the Planning Committee to take part in the site plan agreement process.

Mayor Eady thanked the public for being present.

7. CLOSE MEETING

Moved by Councillor Bob Kingsbury

**RESOLUTION NO.12-275**

Seconded by Councillor Jamey Larone

That Council close this Public Meeting at 7:20 p.m.

**Carried.**

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Mayor

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CAO/Clerk