

THE CORPORATION OF THE TOWNSHIP OF HORTON

**Planning Committee Meeting – July 09, 2013**

There was a Planning Committee meeting held in the Municipal Council Chambers on Tuesday, July 09, 2013. Present were Committee Members: Chair Bob Kingsbury, Mayor Don Eady, Councillor Glen Campbell, Councillor Jamey Larone (left at 6:20 p.m.), Councillor Margaret Whyte, Committee Members: Mae Craig, David Brown, Bob Lockwood, John Berkhout, Jim Ferguson and John Wilson. Staff: Mackie McLaren, CAO/Clerk and Rose Curley, Administrative Assistant.

1. CALL TO ORDER

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

2. DECLARATION OF PECUNIARY INTEREST

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

3. ADDITIONS TO AGENDA AND APPROVE AGENDA

Moved by Margaret Whyte, Seconded by Jim Ferguson

That the Planning Committee approves the agenda for the July 09, 2013 Planning Committee meeting.

Carried.

4. MINUTES: June 11, 2013 – Regular Planning Committee Meeting  
June 12, 2013 – Noise By-law Sub-Committee Meeting

Committee members reviewed the minutes of the June 11, 2013 – Regular Planning Committee Meeting and the June 12, 2013 – Noise By-law Sub-Committee Meeting

5. BUSINESS ARISING:

**- Parking Bylaw**

Chair Kingsbury informed the committee that the parking bylaw was enacted by Council at their July 02, 2013 Council Meeting.

**- Property Standards**

- Knight Street/Nadobny Lane - Property Standards

Mackie McLaren, CAO/Clerk informed the Committee that the property owner has been given until July 26, 2013 to clean up his property.

- Harold Deacon Site Plan

The Committee asked Mackie McLaren, CAO/Clerk to get the amended site plan agreement from Harold Deacon.

6. DELEGATIONS:

**4:00 p.m. - Terry Johnston - Review Fireworks Bylaw**

Mr. Terry Johnston was present before the Committee to discuss the draft noise by-law in regards to detonation of fireworks. He noted that housing down on the river is very dense and is concerned about the safety. He made several suggestions: implement time restrictions, i.e. 9:00 p.m. to 10:00 p.m.; issue permits to owners only; obtain proof from applicant that they are insured properly; put flyer in tax bill for resident input.

Chair Kingsbury asked Committee members for input.

Councillor Jamey Larone said that both parties have valid points and that the Committee will address all concerns.

John Wilson agrees that insurance proof and issuance permits are good ideas. He doesn't agree with public notice.

Jim Ferguson said he is concerned on how fireworks will be policed.

Mae Craig had concerns about the recent detonation of fireworks at non-compliant times as this has been done frequently in the past few weeks. Fireworks should be limited to special occasions.

Dave Brown is concerned about insurance. Township could be held liable.

Councillor Margaret Whyte agreed that housing is very dense in the waterfront area and is concerned about safety.

Councillor Campbell agrees with permit system. They should consider the safety factor and shouldn't issue permits when it is dry. Minimum distance setbacks should be in place.

Mackie McLaren, CAO/Clerk said he doesn't believe the noise bylaw should control fireworks. He suggested that this be omitted from the noise bylaw and the committee should revise the current Fireworks By-law.

#### **4:15 p.m. - Bob Cassidy – Review Fireworks Bylaw**

Bob Cassidy was also present before the Committee to discuss the draft noise by-law in regards to detonation of fireworks. He said he agrees with Terry Johnston regarding the times. 10:00 p.m. should be the latest time that residents are allowed to detonate fireworks for safety reasons. He also agrees with special fireworks by-law, permits and addresses of permits. He noted that if the bylaw is too restrictive he would build a barge to detonate fireworks from and use the Ottawa River where he believes the Township does not have jurisdiction.

Chair Kingsbury said that it will be a challenge to find a middle ground for both parties and what will work for the Township. He agrees that the Committee should consider a separate by-law for fireworks. He asked the Committee for input.

Mayor Eady said he agrees with having a separate bylaw for fireworks. The draft bylaw will be put on the website and advertised in the paper for public input.

Councillor Larone said that he respects both Mr. Johnston and Mr. Cassidy's viewpoints. He agrees with having a separate bylaw for fireworks and said that the Committee will include both parties in this process.

John Wilson noted that Mr. Johnston doesn't oppose fireworks. He just wants to have specified times and days.

Jim Ferguson agrees with having a separate bylaw for fireworks. However, we can't legislate common sense.

Mae Craig agrees with issuance of fireworks permit.

Dave Brown noted that it must be an expensive hobby to have.

Councillor Margaret Whyte said that it is a work in progress and allowing on a daily basis is not appropriate. She agrees with having a separate bylaw for fireworks.

Councillor Glen Campbell said that he would like to be fair to both parties and agreed that a separate fireworks bylaw is a good option.

#### **4:30 p.m. - Andy St. Michael – Site Plan Agreement**

Committee members reviewed the Site Plan Agreement for Andy St. Michaels' property on Pinnacle Road. They congratulated him on the professional site plan he had prepared by an engineer. They noted that this plan is very easy to comprehend. Chair Kingsbury asked that this plan be reviewed by the Public

Works Committee and the Fire Committee. They also suggested that pine trees be used as a buffer in place of the existing elm trees.

Moved by Glen Campbell, Seconded by Mae Craig

That the Planning Committee accepts the site plan for Andrew St. Michael subject to review by the Fire Committee and Public Committee.

Further, that the Planning Committee recommends to Council that they approve the draft site plan and enter into a site plan agreement with Andrew St. Michael.

Carried.

**4:45 p.m. - Joseph and Stephen Hughes – Zoning Amendment for Sleeping Cabin**

Joseph and Stephen Hughes were present before the Committee to discuss a proposed sleep cabin for their cottage property on Garden Lake Trail. Our current zoning bylaw doesn't allow two residences on one property. They are requesting the Committee supports a zoning amendment to allow the sleep cabin.

Mackie McLaren, CAO/Clerk also reported that this property doesn't meet the Registered Right of Way zoning bylaw requirement. They would need to apply for a minor variance that will exempt the property from Section 3.15.2(a) and Section 2.167 of Horton Township Comprehensive Zoning By-law 2010-14 with respect to the requirement that the right of way be registered and to accept a legal right of access in its place.

Moved by Jamey Larone, Seconded by David Brown

That the Planning Committee supports a zoning application for Joseph Hughes for a sleep cabin, maximum size 30' X 12', with no cooking or eating facilities constructed in the building.

**Discussion:**

- Councillor Margaret Whyte said that she had concerns that we would be setting a precedent and that in the future the sleep cabin would be turned into a second cottage. Chair Kingsbury noted that each application for a sleep cabin would be reviewed on a case-to-case basis.

- John Wilson said that we need to specify why we accept the application as it is on a case-by-case basis.

- Councillor Jamey Larone asked if it has to be 12' by 30'? Could it be a smaller bunky?

Mackie McLaren, CAO/Clerk noted that we can set maximums. He noted that several municipalities are now including bunkies, sleep cabins in their zoning by-laws (Madawaska Valley, Whitewater Region).

Councillor Larone said that he would like the maximum size stipulated.

Mayor Eady said he supports this application and agrees with individual case-by-case basis.

Carried on Division.

Opposed: Councillor Margaret Whyte

**7. CONSENT APPLICATIONS:**

**- Consent Application No. B36/13 – Lorraine Purdon**

Committee members reviewed Consent Application No. B36/13. Chair Kingsbury and Councillor Larone noted that they had visited the site to view the building site location that Mr. Purdon had marked out on his property. David Brown feels that the lot is very swampy and needs fill.

Moved by Jamey Larone, Seconded by Jim Ferguson

That the Planning Committee recommends to Council that they support Consent Application B135/13(1) – Lorraine Purdon – with the following conditions:

- Consent Application
- Lot Development Charge
- Meets Minimum Distance Standards (MDS)

Carried on Division.

Opposed: David Brown

**- Consent Application No. B33/13 – Frances MacLaren & Aaron Campbell**

Committee members reviewed Consent Application No. B33/13. Jamey Larone said that he had been out to view the property and noted that the lot is 3-4 feet below road level. Mackie McLaren, CAO/Clerk handed out a “site grading plan” that was developed for these lots. He said this lot has been before the committee several times but the process has lapsed twice.

Moved by Jamey Larone, Seconded by Mae Craig

That the Planning Committee recommends to Council that they support Consent Application No. B33/13 – Frances MacLaren & Aaron Campbell with the following conditions:

- Consent Agreement
- Lot Development Charge
- Agree to construct to Houle Chevier Drainage Plan, dated August 06, 2009.

Carried.

**- Consent Application No. B63/13–Henry Venema/ Mary Anne Schinkel-Venema**

Committee members reviewed Consent Application No. B63/13 – Henry Venema/Mary Anne Schinkel-Venema. Mackie McLaren, CAO/Clerk noted that this severance is to return a small strip of land to the Henry Moore property. There is a right of way agreement that gives access for the Venema/Schinkel property until 2018. After discussion, the Committee agreed that a further contact be made to the 4 property owners who own property on the unimproved section of Jamieson Lane in an attempt to bring them together to improve the road to Municipal standards. Mackie McLaren was requested to write a letter to the 4 property owners that are affected by this portion of the road to inform them of the Committee’s decision.

8. DEREK McGRIMMON – Refund site plan security deposit

Chair Kingsbury reported that he had carried out a site visit and there are still no physical parking spaces for RV’s. The security deposit refund is on hold until these are created.

9. NOISE BY-LAW/ FIREWORKS BY-LAW

The Committee requested that Mackie McLaren, CAO/Clerk research these bylaws further.

10. SHORT FORM WORDING

Review of the short form wording was postponed until Mackie McLaren, CAO/Clerk researches further. This item will be brought back to the September Committee Meeting.

11. CORRESPONDENCE: None

12. OTHER BUSINESS

**- Portable Asphalt Plant**

Mackie McLaren, CAO/Clerk informed the Committee that the portable asphalt plant will be returning to Miller's Pit on Whitton Road in the next couple of weeks.

13. NEXT MEETING

The next Planning Committee Meeting will be held on Tuesday, September 17, 2013 at 4:00 p.m. in the Municipal Council Chambers.

14. ADJOURNMENT

Moved by David Brown, Seconded by Jim Ferguson

That the Planning Committee meeting be adjourned at 6:40 p.m.

Carried.

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CHAIR

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SECRETARY