

THE CORPORATION OF THE TOWNSHIP OF HORTON

Farrell's Landing Sub-Committee

December 15, 2014

There was a meeting of the Ad-Hoc Committee for Farrell's Landing held on Monday, December 15, 2014 at 2:00 p.m. in the Municipal Council Chambers. Present were sub-committee members: Councillor Jamey Larone, Mayor Bob Kingsbury, Don Eady, Mae Craig. Public Members: Darlene Mask, Renfrew Historical Society and Debbie Grantham. Councillor Robert A. Johnston was invited to attend due to his historical family knowledge of the area.

1. CALL TO ORDER

Chair Kingsbury called the meeting to order at 2:00 p.m.

2. DECLARATION OF PECUNIARY INTEREST

There was no declaration of pecuniary interest by Members of the Sub-Committee or staff.

Mayor Kingsbury, former Planning Committee Chair reported that he has requested Councillor Jamey Larone, current Planning Committee Chair to chair this sub-committee meeting. Mayor Kingsbury said he was appointed to the Committee when he was Planning Committee Chair and feels that chairing the sub-committee meetings is the role of the current Planning Chair. He thanked Councillor Larone for assuming this role.

3. TITLE SEARCH REPORT FROM LEGAL FIRM - GALLAGHER & INGLIS

Mackie McLaren, CAO/Clerk reviewed the full and exhaustive title research information he had requested from the legal firm of Gallagher & Inglis, as per Council direction. Copies of the title search were given to the Members.

4. INFORMATION FROM MAE CRAIG RE MRS. JEFFERY (JOHNSTON) ON LOCATION OF WHARF

Mae Craig reported on information she had received verbally from Mrs. Jeffery (Johnston) who grew up beside the road in question. Her father, Gordon Johnston received part of the road allowance, but not the road that the township now owns (Farrell's Landing). Mrs. Craig reported that Mrs. Jeffery told her the wharf was located at the end of Farrells Landing Road.

5. INFORMATION FROM DEBBIE GRANTHAM ON HER LEGAL AND ONTARIO LAND SURVEYOR REPORT

Debbie Grantham reviewed her information with the Committee and noted that the wharf location can be disputed. She referred to By-laws from 1851 & 1853 that refers to the start of the Opeongo Trail on the Lot and Concession next door. The 20 ft. next to their property does not contain the entire history. We are surrounded by the history of the area. This 20 ft. section has never been surveyed. Mayor Kingsbury asked if she could have the property surveyed to determine lot lines. Bob Johnston noted that in Bylaw 1859-10, road allowances were given to three landowners in lieu of land they gave up for Opeongo Road. Mr. Johnston said that he agrees with Mayor Kingsbury that we need to determine where the road is located. Ms. Grantham said that on the assessment roll her property shows an additional 10 ft. frontage. Mackie McLaren noted that she

should be able to recover assessment dollars for what she has paid on the extra property, although it would only be back dated for 3 years.

Don Eady said that at the September 16, 2014 Planning committee meeting, Debbie Grantham had provided concrete info that the wharf didn't exist where it was originally thought. This was the reason he had requested at the September 2014 Planning Committee meeting that this ad-hoc committee be formed. It has been an issue for a few years now. Ms. Grantham said she has concerns that this property is being used as a public beach. People can come and go at any time. Can we stop them from using as a public beach? Mayor Kingsbury said "no" because of the high water mark.

6. OTHER DISCUSSION ON FARRELL'S LANDING

Chair Larone asked if Council could pass a bylaw with restrictions as to use, where we can recognize history but restrict use as recreational property.

Mayor Kingsbury said we can do this, however, once they are at the high water mark they can use it. Mayor Kingsbury said that we have to consider all residents' concerns.

Mackie McLaren said there is no deed to Township for the road. The Township has acquired this road through "Forced Road". Was there 2 wharfs or 1 wharf? Mae Craig said that there were probably 3 wharfs. Mackie McLaren said that the surveyor employed by Ms. Grantham has scaled out map which shows that wharf was elsewhere. Does Farrell's Landing start where grass is? Did it ever go to water? Ms. Grantham said that the road was only used for Mary Johnston's property and it has never come to the river. Mae Craig said that Mary Jeffrey (Johnston) said that they only got 40 ft.

Mackie McLaren said that in 2012 he wrote the Federal Government and they said that they have no records of wharf.

The Committee agreed that the best solution is to research the legal aspect of what the township can do through a bylaw.

Ms. Grantham said that if Council were to convey the property to them they would ensure that residents could attend it as a historical site. Bob Johnston said that the bylaw will protect Ms. Grantham's rights and he doesn't feel the Township should convey it, as we can't protect what happens down the road if the property was to change ownership. He asked if we could install a nice fence along the property.

Mayor Kingsbury referred to the lawyer's letter and Section 34(2) of the Municipal Act which indicates you need the consent of the government of Canada to close the road as it leads to water, namely, the Ottawa River, which is owned by the Crown in Right of Canada. Therefore, the lawyer noted that it may be very difficult to try and close any part of that road. Also, he said we need to consider all residents' concerns, including the neighbours who use this road and that they should have input also. Chair Larone suggested that we go ahead with research and invite the neighbours to a future meeting.

Chair Larone said that Mackie McLaren can research and we can hold another meeting. He is not ruling out looking at other options.

Mae Craig said that she agrees with this direction.

Moved by Robert A. Johnston, Seconded by Mae Craig

That the sub-committee for Farrell's Landing recommends to Council that they authorize the CAO/Clerk to investigate whether the township has the legal authority to barricade a forced road and restrict the use to pedestrian traffic only and include "no swimming" restriction.

Discussion:

Don Eady said that this is a start and any decision the Committee makes is based on facts.

Carried.

Darlene Mask, Renfrew Historical Society asked if a fence was installed that it be a tasteful one with a nice cairn at the property. It is a heritage property and this would help preserve spot that is designated.

7. NEXT MEETING DATE AND TIME

Mae Craig noted that she is gone until April 01, 2015 but staff have her contact information. Committee members agreed that they will hold a meeting after April 01, 2015 and in the interim staff can carry out the research outlined above.

8. ADJOURNMENT

Chair Larone declared the meeting adjourned at 3:30 p.m.

CHAIR

SECRETARY