

THE CORPORATION OF THE TOWNSHIP OF HORTON

**PLANNING COMMITTEE MEETING**

**October 20<sup>th</sup> 2015  
6:00 P.M.**

There was a Planning Committee meeting held in the Municipal Council Chambers on Tuesday, October 20<sup>th</sup>, 2015. Present were Chair Jamey Larone, Mayor Robert Kingsbury; Committee Members David Brown, John Wilson and Mae Craig. Staff: Mackie McLaren, CAO/Clerk, Christina Mulcahey, Administrative/Planning Assistant. Absent was Committee member Bob Lockwood and Vice Chair Dave Bennett.

**1. CALL TO ORDER**

Chair Larone called the meeting to order at 6:03 p.m.

**2. DECLARATION OF PECUNIARY INTEREST**

There was no declaration of pecuniary interest made by Committee Members or Staff.

**3. MINUTES**

The Committee reviewed the following meeting minutes:

3.1 Regular Planning Committee Meeting – September 8<sup>th</sup> 2015

Chair Larone informed the Committee that Mayor Kingsbury, CAO/Clerk Mackie McLaren and himself will be meeting tomorrow to discuss the County Official Plan.

**4. BUSINESS ARISING**

4.1 None

**5. DELEGATIONS**

**6:00 p.m.**

Scott McEwan – McEwan Homes – Pinnacle Road Construction

Mr. McEwan was present this evening. CAO/Clerk stated in 2012 there were 5 severances created by Mr. Bryan Mehlenbacher on Pinnacle Road. There were some concerns at the time that the severances were close to gravel pits. The solution was a lot drainage and grading plan that required screening from the road and increased setback for the future houses. This plan was attached to the development agreement. While the plan shows a building envelope that is now known to be 41 metres from the front lot line, the plan does not indicate the actual setback distance.

McEwan Homes took out a building permit for a house this summer. The house is now  $\frac{3}{4}$  constructed. The building is set back approximately 30 meters from the front lot line. While this does exceed the minimum front yard setback of 7.5 metres in our Zoning By-law, it does not meet the 41 metre setback on the plan.

The CAO/Clerk recommended that this Committee support the house in its current location. Sufficient tree buffering has been planted by the developer to meet the mitigation requirements in the Development Agreement. Mayor Kingsbury informed the Members that he went and looked at the house and it seems the house is right where it needs to be as the lot falls away behind the house. He has no problem with where the house sits now. He said that the lack

of the 41m. measurement on the plan was an oversight. Committee Member Mae Craig does believe the house is in the right position as well but has concerns that this was not caught in the beginning when the building plans were reviewed. Committee member John Wilson said the building locations for the final two lots need to be reviewed. Mayor Kingsbury said the Chief Building Official is well aware now where the future development would have to be placed

Moved by David Brown

Seconded by Mae Craig

That the Planning Committee recommends to Council that they support the request of McEwan Homes to permit their house that is currently under construction at 566B Pinnacle Road to remain in its present location. Sufficient buffering has been planted by the developer to meet the mitigation requirements in the Development Agreement. Carried.

**6:15 p.m.**

Ron and Shirley Kasaboski – Zoning Amendment & Agreement

Mrs. Kasaboski was present. The CAO/Clerk reviewed his report on the Kasaboski request to rezone their vacant lot to construct a garage as a Permitted Use rather than as an Accessory Use. He stated that Mr. and Mrs. Kasaboski own land on Coldingham Lake fronting on Larry's Lane. They have a cottage which they are converting to a Seasonal Residence this fall. They purchased the adjoining vacant lot this summer and propose to construct a garage on it. While the Kasaboski's consider their property to be one large lot, the two lots are separate lots and can be sold individually. Our Zoning bylaw does not permit the garage to be constructed on the vacant lot as a garage is considered as Accessory Use meaning the main Permitted Use must be on the property first.

An application to amend the Zoning By-law is before the Members for consideration at this meeting. The Kasaboski's also want to start construction of the garage this fall, prior to the zoning amendment approval process is completed. The CAO/Clerk presented the standard security agreement that would permit them to proceed.

Mae Craig asked if they plan on using the Cottage that is there as permanent residence. Mrs. Kasaboski said yes, they are going to be turning it into their home. Mae said she does not have any issue with that.

John Wilson asked what the zoning was currently. He was told the zoning is Limited Service Residential (LSR). He then questioned why the Kasaboski's would not want to apply for a lot addition severance to combine both parcels legally into one large property. He suggested the same security agreement could be used to permit them to construct the garage while the severance is processed.

Mayor Kingsbury said he agrees with Mr. Wilson because we have dealt with this issue in the past. He believes the lot addition is a better solution, to create one new large lot rather than supporting a zoning amendment to permit a garage on a vacant property.

Moved by Mayor Kingsbury

Seconded by David Brown

That the Planning Committee recommends to Council that they support a lot addition severance for Ron and Shirley Kasaboski to combine their vacant lot with their cottage lot, AND to enter into the standard agreement with the Township to permit the construction of the garage prior to the severance process being completed.

Carried.

**6:30 p.m.**

Nikki Laframboise – Elements Luxury Tented Camp and Nature Spa

CAO/Clerk provided a verbal report. Elements Luxury Tented Camp and Nature Spa have provided staff with a draft site plan. It has been reviewed and staff recommends that the Committee accept the plan and the draft Site Plan Agreement. He noted that this is a standard Site Plan Agreement. The proposal is to construct 6 tent frames and platforms. This would be phase one of the development. As each phase comes forward there would be amendments to the site plan agreement layout. Ms. Laframboise said this is part of a 10 year phase in business plan. Currently she is looking at 6 Glamping tents, which are designed on wood decking. The sites have been selected for minimal environmental impact.

Mae Craig asked what was the difference between the tents 1, 2 and 3. Ms. Laframboise replied just the different sizes of tents.

Mayor Kingsbury asked if the tenting that she is using is fire retardant. Ms. Laframboise replied yes, and mildew retardant. She does have a small model on site right now.

Mayor Kingsbury asked in event of a fire in a tent, what means of escape would they have. She replied the tent opening is quite wide. It's almost 10 feet wide. There are windows in different locations depending on the tent.

John Wilson asked if the customers park right at the tent. No, she replied there is one parking lot near Storyland Road. All sites are within walking distance of the parking lot.

Chair Larone asked if there will be fuel storage on site. In the future, we would need to see this type of storage on the site plan.

Chair Larone asked about accessibility for emergency vehicles. Ms. Laframboise replied that the internal road is built for a full size pick-up trucks so there shouldn't be an issue. Chair Larone asked if the open fire pits would consider a permit. CAO/Clerk said the Fire Chief would have to approve the fire pits.

Moved by David Brown

Seconded by John Wilson

That the Planning Committee recommend to Council that they enter into a Site Plan Agreement with Elements Luxury Tented Camp and Nature Spa Inc.

Carried.

**6. CONSENT APPLICATIONS**

6.1 None

**7. CORRESPONDENCE**

**7.1 Peter Tippins – Zoning By-Law Amendment Application**

CAO/Clerk reported that Mr. Tippins was granted approval of his consent application B46/15 to take 18 ha. (44 acres) from the farm he lives on and adds it to his adjoining farm which are both in lot 5 concession 8. This leaves retained land of 8.6 ha. (21 acres) which includes the house and barns. The minimum lot size for a farm is 10 ha. (25 acres) and as the 8.6 ha is set up for a farm, it is anticipated a future owner would want to bring in livestock etc.

The conditions of approval of the consent application require two zoning amendments. One is to reduce the minimum lot size for a farm from 10 ha to 8.6 ha. and the second amendment removes the RU-E33 designation from the farm the land is added to. RU-E33 approved a reduction in lot frontage to 20 metres for the farm, but now with the lot addition the farm will meet the minimum lot frontage of 40 m.

Moved by David Brown

Seconded by Mae Craig

That Planning Committee recommends to Council that they receive the Zoning Amendment Application from Peter Tippins and request the County Planning Department to prepare the required notices and draft by-law. Carried.

7.2 AMO Policy Update  
The Committee reviewed the newsletter.

7.3 McNab/Braeside – Notice to Public Bodies  
The Committee reviewed the Public Meeting Notice for a general zoning amendment in their Township.

8. **OTHER BUSINESS**

8.1 None

9. **NEXT MEETING**

The Members agreed to the following meetings:

- Regular Committee meeting – Tuesday November 10<sup>th</sup> at 6:00 p.m.

10. **ADJOURNMENT**

Chair Larone declared the Meeting to be adjourned at 7:00 p.m.

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CHAIR

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SECRETARY