

# THE CORPORATION OF THE TOWNSHIP OF HORTON

## SPECIAL COUNCIL MEETING

January 7, 2008

There was a Special Meeting of Council called to review the Wallace Property Stream Assessment Report held on Monday January 7, 2008. All members of Council were present. Prior to calling the Meeting to order Council went to the Wes Wallace property, 333 Jim Barr Road, to personally view the Site at 4:30 p.m.

1. CALL TO ORDER

The Meeting was called to order at 4:50 p.m.

2. DECLARATION OF PECUNIARY

There was no declaration of pecuniary interest.

3. RECEIPT OF WALLACE PROPERTY STREAM ASSESSMENT - REPORT

Site Visit to Property

Councillor Bennett reported that Council viewed the property and they made particular note to the slopes, the stream and the basement in relationship to the stream.

Presentation of Report to Wallace and Neighbours

The CAO/Clerk reported that this Environmental Study was prepared as action from the Public Meeting, December 4, 2007, on the Wallace Zoning By-law. He asked Council if they wished to send out a copy of the Study to the property owners or if they wished to have a second Public Meeting, at which the Study would be presented?

Councillor Bennett suggested that we send out the Report to all property owners, who were sent notice of the original Public Meeting, and that there will not be a second Public Meeting.

Councillor Eady said it is time to make the decision now that this Report has been prepared. Bob Kingsbury stated that the public have spoken and we have responded to their requests. Deputy Mayor Bob Hall agreed that we send out the Report for information.

Council authorized the CAO/Clerk to forward a copy of the Report to all property owners originally circulated on the Zoning Application, advising that Council has received the attached Report, they have reviewed the recommendations set out in the Report and will enter into a Site Plan Agreement with Mr. Wallace to implement the conditions in the report.

Following the signing of the Agreement, the Zoning By-law will be passed, and notice will be circulated. Furthermore, it is has now been determined through the Engineering Study that the distance between the creek and the house is not 11.5 metres but 9.5 metres. Council agreed that this change would be made on the Zoning By-law. Council agreed that a resolution would be passed at the Regular Council Meeting on January 8, 2008, stating that no further Public Meeting would be required, as per Section 34(17) of the Planning Act.

Site Plan Agreement for Recommendations Contained in Report

The CAO/Clerk reported that Charles Cheesman, County Planner, and Brian Whitehead, Planner for Jp2g agreed that the best way to implement the recommendations in the Report was to have an Agreement executed before the Zoning By-law was passed. There is no mechanism under the Planning Act to attach a condition to a Zoning By-law like there is under a Minor Variance. The vehicle suggested for the Agreement was the Site Plan Agreement, a copy of a generic Site Plan Agreement was passed out to Council Members. Various changes to the document will have to be made so that it is specific for this Report rather than for a commercial property development. Council supported this process.

4. CONFIRMING RESOLUTION

Moved by Don Eady, seconded by Bob Hall  
That Council pass this confirming resolution to validate any actions or directions given during the open portion of this Council meeting which are minor in nature and which were not set out in By-law or Resolution.

Resolution No. 08-01  
  
Carried.

5. ADJOURNMENT

Moved by Dave Bennett, seconded by Bob Kingsbury  
That this Special Council Meeting be adjourned at 5:40 p.m.

Resolution No. 08-02  
  
Carried.

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Mayor

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CAO/Clerk