

**THE CORPORATION OF THE TOWNSHIP OF ALNWICK/HALDIMAND
MUNICIPAL PLANNING MINUTES OF JANUARY 27TH, 2010 - 7:00 P.M.**

Council met in the Municipal Planning meeting on Wednesday, January 27th, 2010, at 7:00 p.m. in the Council Chambers with Mayor William Finley presiding.

Members Present: Mayor William Finley
Deputy Mayor Dalton McDonald
Councillors: Raymond Bennis
Bill Holmes
Art Jeninga
Cathie Ritchie
Rosemarie Robins

Staff: Terry Korotki, Clerk/Administrator/Planning Coordinator
Robin van de Moosdyk, Deputy Clerk

Others: Mr. Semenzow Bob Vezina
Mr. William Gale Paula and John DeGrauw
Betty Carruthers Gordon Flagler
Kate Firstbrook David Prentice
Gail Madden Gritt and Ernie Koehl
Peter Logel John Logel

I. CALL TO ORDER

Mayor Finley called the meeting to order at 7:04 p.m.

II. DISCLOSURES OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

Councillor Ritchie declared a pecuniary interest pertaining to By-Law 110-2009 as noted in the December 16, 2009 meeting Minutes.

Deputy Mayor McDonald declared a pecuniary interest pertaining to the DeJong Family Farm Ltd. Consent Application AH-20/2009.

III. APPROVAL OF AGENDA AS CIRCULATED

Moved by Councillor Bennis, seconded by Councillor Ritchie;

"Be it resolved that the Agenda as circulated for the Municipal Planning Meeting of the Council of the Township of Alnwick/Haldimand of January 27th, 2010, be approved with addendums. CARRIED."

IV. PUBLIC MEETING FOR MUNICIPAL ZONING BY-LAWS – 7:05 P.M.:

Moved by Councillor Jeninga, seconded by Councillor Holmes;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, adjourn to a Public Meeting for the purposes of Municipal Zoning By-Laws, at 7:05 p.m. CARRIED."

7:05 p.m. - Estate of Edith May Watson, Agent: Colin Watson, **By-Law No. 04-2010**, Concession A, Part Lot 22, (former Township of Haldimand), now in the Township of Alnwick/Haldimand.

Mayor Finley asked the Planning Co-ordinator, Terrence Korotki, "By what method, what date and what notice of this meeting was sent?"

Notification:

The notice of Public Meeting was circulated on January 7th, 2010 to property owners within four hundred (400') feet of the subject property and all affected ministries and agencies.

Purpose:

The subject property has a land area of approximately 7.58 hectares from which a 0.405 hectare parcel for two (2) residential lots are to be created by consent to land severance. The severed parcels to result from severance consent applications A/H-25/2009 and AH-26/2009 are vacant lands that are to be used for residential purposes.

The proposed Zoning By-Law Amendment would change the Zone category from Rural Exception No. 367 (RU-367) to Hamlet Residential (HR). The Hamlet Residential (HR) Zone will allow for the construction of a single family dwelling house and garage on each lot.

Mayor Finley asked the Planning Co-ordinator, Terrence Korotki, "Is there anyone present other than the applicant in support of this zoning by-law amendment?"

The Planning Co-ordinator, Terrence Korotki, advised that there was no one present objecting to this application.

Mayor Finley asked the Planning Co-ordinator, Terrence Korotki, "Are there any written comments received?"

The Planning Co-ordinator, Terrence Korotki advised the following comments were received from the following ministries and agencies:

➤ **Lower Trent Conservation Authority:** In light of these comments, Lower Trent Conservation has **no concerns in principle** with approval of the proposed Zoning By-law Amendment application (File No: 04-2010), provided that:

1. All development is to be setback a minimum of 30 meters from the Grafton Swamp PSW complex, and the unevaluated wetlands on the retained parcel.

Based on the review of the planning application and the scoped EIS (2009), Lower Trent Conservation recommends the following to ensure that there will be no negative impacts on the ecological and hydrological integrity of the natural heritage features (PPS – Section 2.1.6):

1. The period of earth-moving construction should avoid the spring and fall equinox storm periods.
2. Prior to the undertaking, work areas are clearly identified in the field, and silt fencing is erected to partition the work areas from the adjacent natural heritage features.
3. Disturbed areas as a result of the proposed development should receive remediation on conclusion of the development.
4. The applicant(s) are encouraged to avoid chemical applications (e.g. fertilizers) on lawns, plantings and driveway access from Purdy Road.
5. The applicant(s) enhance the native vegetation planted along the frontage of Purdy Road, in order to maintain water quality and quantity rates into the roadside ditch leading to the Grafton Swamp PSW complex.

In addition, Lower Trent Conservation recommends that:

1. The applicant(s) be advised of the applicability of the Development, Interference with Wetlands & Alterations to Shorelines & Watercourses Regulation (Ontario Regulation 163/06), and the need for written approval from the Conservation Authority for any development.

- **Pine Ridge Municipal Planning Agency:** The application proposes to change the zoning on two parcels, each encompassing 0.4 hectares (1.0 acres), from a Rural Exception No. 367 zone to a Hamlet Residential zone to permit residential development. The application for rezoning is a condition of consent files AH-25/2009 and AH-26/2009.

The subject lands are designated Hamlet in accordance with the Township's Official Plan. The Official Plan directs that the majority of residential growth shall occur in the Township's hamlets. The Hamlet designation permits single-detached residential dwellings, duplex and semi-detached dwellings and converted dwellings.

The Provincial Policy Statement (PPS) supports the intensification of development in settlement area (hamlets), provided adequate servicing can be provided.

Based on the above, PRMPA recommends that ZBA 04-2010, be approved as it is consistent with the Provincial Policy Statement and complies with the Township's Official Plan with respect to residential development in the Hamlet designation.

- **Haliburton Kawartha Pine Ridge District Health Unit:** No objections.

7:11 p.m. - Anamet Canada Inc., Agent: Ed Owen, **By-Law No. 03-2010**, Concession B, Part Lot 1 (Lakeport), (former Township of Haldimand), now in the Township of Alnwick/Haldimand.

Mayor Finley asked the Planning Co-ordinator, Terrence Korotki, "By what method, what date and what notice of this meeting was sent?"

Notification:

The notice of Public Meeting was circulated on January 7th, 2010 to property owners within four hundred (400') feet of the subject property and all affected ministries and agencies.

Purpose:

The subject property has a land area of approximately 0.61 hectares. The parcel of land is presently vacant but will allow for future expansion of the existing hamlet industrial facility that is situated along the north side of County Road # 31 in Concession 1, Part lot 35, in the Township of Cramahe.

The proposed Zoning By-Law Amendment would change the Zone category from Hamlet Residential (HR) Zone to Hamlet Industrial Exception No. 10 (M2-10) Zone.

Mayor Finley asked the Planning Co-ordinator, Terrence Korotki, "Is there anyone present other than the applicant in support of this zoning by-law amendment?"

The Planning Co-ordinator, Terrence Korotki, advised that Mr. Gale and Mr. Semenzow were present expressing their concerns of the application.

Mayor Finley asked the Planning Co-ordinator, Terrence Korotki, "Are there any written comments received?"

The Planning Co-ordinator, Terrence Korotki advised the following comments were received from the following ministries and agencies:

- **Pine Ridge Municipal Planning Agency:** The application is to rezone 0.61 hectares (1.51 acres) from a Hamlet Residential (HR) zone to a Hamlet Industrial Exception (M2-10) zone to permit the expansion of the existing industrial facility that is situated on the north side of County Road No. 31.

The amendment will permit expanded development on a lot with reduced lot frontage along County Road 31 and with a reduced minimum interior east side yard.

The subject lands are designated Hamlet in accordance with the Township's Official Plan. The Hamlet designation permits industrial uses.

The Provincial Policy Statement encourages industrial development to locate in the settlement areas (hamlets) of the municipality.

Based on the above, PRMPA recommends that Rezoning Application ZBA 03-2010 be approved.

- **Lower Trent Conservation Authority:** Please be advised that Lower Trent Conservation has **no concerns in principle** with approval of this application. Lower Trent Conservation requires that a stormwater management report be amended as a condition of approval, in the event that the proposed development will exceed 0.5 hectares of impervious area on the site.

If the proposed development will not exceed 0.5 hectares of impervious area, Conservation Authority staff recommends that subparagraphs 1-3 be established as conditions of approval to maintain the hydrological integrity of Colborne Creek.

- **Alnwick/Haldimand Public Works Department:** An entrance is allowed only at location approved by the Public Works Superintendent at the expense of the property owner.
- **Letter from Mr. William R. Gale dated January 20, 2010:** "I am writing pursuant to your Notice inviting submissions from interested parties to the Proposed Zoning By-Law Amendment that would, if passed, change the zoning of Part Lot 1, Concession B (former Township of Haldimand) now in the Township of Alnwick/Haldimand, from a Hamlet Residential Zone to Hamlet Industrial Exception No. 10.

I purchased the property at municipal address 113 Boundary Road (Townline), which is immediately to the west of the Anamet Canada Inc. property, and actually also immediately south of the area whose zoning is purported to be changed. We own that property which is surrounded by two sides by the Anamet property, located on the northeast corner of County Road 31 and Townline Road in Lakeport. The closing of our purchase was September 11, 2009.

My wife and I searched for the type of quiet property in the country that the Hamlet of Lakeport represented. We bought this property to escape from the expansion of commercialism and industrialization that had infringed on our lives in Toronto.

I understand that Anamet Canada Inc. may have a need to make the use of their property more efficient and profitable, and that the current zoning, that was presumably in place when they purchased their property, may impair their ability to maximize the utility of their land or at least create some hurdles in doing so. It is not our intention to stand in the way of local business trying to make use of their land in a more efficient way.

However, I do want to ensure that if the Township Council is prepared to consider granting the amendment that Anamet seeks, that there are some limits placed on the use of the land so that the essential character of the area as a hamlet in the country is not degraded through major construction or significant changes to the topography of the land, or a substantial increase in traffic up and down Townline Road.

I would seek some written assurances/commitment as part of the amending approval process that if Anamet did seek to undertake significant construction or alteration of the terrain or topography of the land, or did want to take steps that would inevitably lead to a material increase in traffic on Townline Road, that they would be obliged to return to the Township to make an application to obtain approval for such work.

I intend to appear for the meeting on January 27, 2010 to make submissions and participate in the process."

Mr. Semenzow noted that he concurred with Mr. Gale's concerns with respect to this planning application.

MOTION TO RECONVENE TO THE MUNICIPAL PLANNING SESSION

Moved by Councillor Bennis, seconded by Councillor Holmes;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, reconvene to the Municipal Planning Session at 7:26 p.m. CARRIED."

V. FORMAL CONSENT(S) – 7:26 P.M.:

Deputy Mayor Dalton McDonald declared a pecuniary interest pertaining to Informal Consent Application **(AH-20/2009)**. Deputy Mayor Dalton McDonald departed from the Council chamber at 7:26 p.m.

Formal withdrawal of Consent Application AH-20/2009, by Agent: Mr. Mark DeJong for the DeJong Family Farms Ltd.

Moved by Councillor Jeninga, seconded by Councillor Robins;

"Be it resolved that the Council of the Township of Alnwick/Haldimand Township, being the Land Division Committee/Committee of Adjustment, acknowledge the receipt of and accept the correspondence pertaining to the formal Withdrawal by Mr. Mark DeJong, Agent on behalf of DeJong Family Farms Ltd., of Consent Application AH-20/2009. CARRIED."

7:27 p.m. – DeJong Family Farms Limited, Agent: Mark DeJong **File AH-01/2010**, Concession 5, Part Lots 27 and 28, (former Township of Haldimand) now in the Township of Alnwick/Haldimand RE: Surplus Residence.

Mr. DeJong, Agent for DeJong Family Farms Limited, is requesting a lot severance. The severed lot will be approximately 2.35 hectares and the retained parcel will be approximately 58.27 hectares from a parcel of approximately 60.62 hectares.

The Planning Coordinator Terrence Korotki advised that the said lands are located on Baptist Road. The proposed parcel is located in the Oak Ridges Moraine Conservation Plan Area and designated as Countryside-Agricultural. The following ministries and agencies were circulated and following comments were received:

- **Pine Ridge Municipal Planning Agency:** The consent application proposes to sever a 2.3-hectare (5.8 acre) lot which is developed with a house, barn and outbuildings. The proposed lot is surplus to a farming operation. The retained lot encompasses 58.3 hectares (144 acres) and is vacant. The severed and retained lots are located in the Oak Ridges Moraine Conservation Plan (ORMCP). The lands are designated Countryside-Agricultural and lie within an area of high aquifer vulnerability.

The intent of the Countryside Areas of the Oak Ridges Moraine Conservation Plan is to protect prime agricultural areas, provide for the continuation of agricultural and other rural land uses and normal farm practices and maintain the rural character of the Rural Settlements.

The Planning Act (Section 3) requires that "A decision of the Council of a municipality ...shall be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision...".

The Provincial Policy Statement (PPS) was issued under the authority of Section 3 of the Planning Act. The PPS came into effect on March 1, 2005. Decisions affecting planning matter 'shall be consistent with' policy statements issued under the Act.

Section 2.3.4.1 of the Provincial Policy Statement (PPS) (2005) states the following:

Lot creation in *prime agricultural areas* is discouraged and may only be permitted for:

- a) *agricultural uses*, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
- b) *agriculture-related uses*, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*;
- c) a *residence surplus to a farming operation* as a result of farm consolidation, provided that the planning authority ensures that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance.

The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective; and

- d) *infrastructure*, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.

The PPS further states (Section 2.3.4.3.) that "the creation of new residential lots in *prime agricultural areas* shall not be permitted, except in accordance with policy 2.3.4.1c).

The proposed lot is located in an area of high aquifer vulnerability. As such, the uses in Section 29 (5) of the ORMC Plan are prohibited. It is recommended that the severed lot be rezoned to prohibit such uses.

It is recommended that, should the Township be satisfied that the application does represent lot creation as a result of farm consolidation, the retained lot be rezoned to prohibit residential development.

Subject to the above comments, PRMPA recommends that consent application AH-01/2010 be approved as it meets the intent of the Official Plan and is consistent with the Provincial Policy Statement and the Oak Ridges Conservation Plan regarding the creation of a lot containing a residence that is surplus to farming.

- **Alnwick/Haldimand Public Works Department:** An entrance is allowed only at location approved by the Public Works Superintendent at the expense of the property owner.

- **Lower Trent Conservation Authority:** Please be advised that Lower Trent Conservation has **no concerns in principle** with the approval of the above noted application for consent, provided that the comments made by Conservation Authority staff (August 19, 2009) on consent application AH-20/2009 are amended.
- **Letter from Eleanor Olmstead dated January 26, 2010:** I have briefly reviewed the Township file with respect to the above application and the predecessor application AH-20/2009. This application purports to create a severance by virtue of S. 32.(1)1 of the Oak Ridges Moraine Conservation Plan, where a lot may be severed for a residence surplus to a farming operation.

The letter from the Ganaraska Conservation authority dated January 20, 2010 correctly sets forth the two criteria in which a lot can be severed and then states: Nothing provided in the municipal circulation dated January 4, 2010 would indicate that the application meets either criterion above.

I object to the granting of this severance as follows:

1. The severance requested does not meet the tests in S.32.(1) of the ORMCP.
2. The creation of a lot for agricultural purposes requires a minimum lot area of 36 hectares. The application states that the intended use is Farm Related Rural Residential. The severed lot must be zoned Residential and prevent agricultural uses. The lot intended for severance includes a house, cattle barns, sheds and grains bins. This does not meet the definition of dwelling as contained in S.11.36 of the AH general zoning by-law 619.
3. The retained lot must be subject to a condition that a dwelling will not be permitted on this lot in accordance with the recommendations of PRMPA and Peter Josephs.
4. As the applicant is a corporation, it is not possible to have a "residence" surplus to a farming operation.

I would be prepared to have a meeting with all interested parties to review my concerns.

- **Ganaraska Region Conservation Authority:** Please be advised that the above mentioned application has been reviewed and given due consideration. With regard to matters under the jurisdiction of the Conservation Authority, there is no objection to the proposed application.

Section 32 of the Oak Ridges Moraine Conservation Plan (ORMCP) outlines the circumstances under which a lot may be created within the Countryside Land Use Designation of the Oak Ridges Moraine. Section 32.(1)1. states a lot may be severed where the severance is for a lot for a residence surplus to a farming operation. While the application states the purpose of the severance is to dispose of surplus dwelling, the definition of a "residence surplus to a farming operation" in the ORMCP is either:

- a) If there are two or more farm residences, both built before 1978, on a lot that is being used in a farming operation, one of those residences that is surplus to the farming operation, or
- b) If the owner and operator of a farming operation acquires an additional lot and uses it in the consolidation farming operation, any existing farm residence that is surplus to the consolidated farming operation.

Nothing provided in the municipal circulation dated January 4, 2010 would indicate that the application meets either criterion above. Provided the proposed lot severance meets the ORMCP definition of a surplus dwelling, it is our opinion the intent of the plan would be met. I trust this meets your information requirements at this time.

- **Memorandum from Peter A. Josephs dated September 22, 2009:**
I would recommend that the applicant provide a detailed site plan for the property, providing the proposed setbacks of all buildings on the severed lot.

Moved by Councillor Jeninga, seconded by Councillor Holmes;

"Be it resolved that the Corporation of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve Consent **File AH-01/2010**, for DeJong Family Farms Ltd., Concession 5, Part Lots 27 and 28, (former Township of Haldimand) now in the Township of Alnwick/Haldimand

- Conditional upon the applicant providing a detailed site plan for the property outlining the proposed setbacks of all buildings on the severed lot, to ensure that all applicable requirements of the Comprehensive Zoning By-Law No. 619 are satisfied in terms of setbacks for accessory uses from the new property lines.
- Conditional upon the applicant meeting an amendment to Restricted Area Zoning By-Law No. 619 as amended to prohibit residential developmental on the retained parcel of land as recommended by the Pine Ridge Municipal Planning Agency and to rezone the severed parcel of land to the satisfaction of the municipality. MOTION WITHDRAWN."

Moved by Councillor Jeninga, seconded by Councillor Holmes;

"Be it resolved that the Corporation of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, defer Consent **File AH-01/2010**, for DeJong Family Farms Ltd., Concession 5, Part Lots 27 and 28, (former Township of Haldimand) now in the Township of Alnwick/Haldimand, until such time as the applicant meets with Ms. Olmsted to address her concerns pertaining to this application. CARRIED."

Deputy Mayor McDonald returned to the Municipal Planning Meeting at 7:41 p.m.

7:42 p.m. – Paula DeGraauw, **File AH-22A/2009**, Concession A, Part Lot 23 (former Township of Haldimand) now in the Township of Alnwick/Haldimand RE: Hamlet.

Mrs. DeGraauw is requesting a severance for a lot severance. The Planning Coordinator Mr. Terry Korotki advised that said lands are located on St. Andrews Drive. The severed lot will be approximately 1.08 acres and the retained parcel will be approximately 2.39 acres from a parcel of approximately 3.47 acres. The following ministries and agencies were circulated and the following comments have been received with respect to this application:

- **Pine Ridge Municipal Planning Agency:** The application proposes to sever a lot encompassing 0.43 hectares (1.08 acres) for hamlet residential purposes. The retained parcel will encompass 0.97 hectares (2.39 acres). Both parcels are vacant.

The subject lands are designated Hamlet in accordance with the Township's Official Plan. The Official Plan permits a maximum of 3 lots and a retained lot on parcels existing prior to January 1, 1990. The Official Plan directs that the majority of residential growth shall occur in the Township's hamlets.

The Provincial Policy Statement (PPS) supports the intensification of development in settlement area (hamlets), provided adequate servicing can be provided.

Based on the above, PRMPA recommends that application AH-22/2009 be approved as it is consistent with the Provincial Policy Statement and complies with the Township's Official Plan with respect to the creation of residential lots in the Hamlet designation.

- **Alnwick/Haldimand Public Works Department:** An entrance is allowed only at location approved by the Public Works Superintendent at the expense of the property owner.
- **Haliburton Kawartha Pine Ridge District Health Unit:** With the narrowness and steep slopes of the lot, it cannot be determined if a sewage disposal system could be installed in compliance with the Ontario Building Code. Therefore, we cannot recommend approval and ask that any decision be deferred until the owner can provide an engineered design for a sewage system that will comply with the Ontario Building Code if possible.
- **Lower Trent Conservation Authority:** Please be advised that Lower Trent Conservation has **no concerns in principle** with approval of this application.

Lower Trent Conservation recommends that:

- i. Future development and site alteration be prohibited on and directly adjacent to the identified slope, equal to or exceeding a ratio of 3(h):1(v), where a 15 meter development setback is maintained from the top-of-slope; or
- ii. Development proposed on or directly adjacent (15 meters) to the identified slope, equal to or exceeding a ratio of 3(h):1(v), be supported by a geo-technical study to the satisfaction of Lower Trent Conservation and the planning authority prior to the granting of an application under the *Planning Act*.

In addition, Lower Trent Conservation recommends the following:

- i. To assist in implementing subparagraph 'i' above, Lower Trent Conservation recommends that as a condition of approval the slope equal to or exceeding a ratio of 3(h):1(v), plus the 15 meter development setback from the top-of-slope, be zoned Environmental Control (EC).
- **Letter from Gritt and Ernie Koehl dated January 27, 2010:** We are opposed to the above applications for a severance and an easement based on the concerns outlined below.

Easement application:

- Application dimensions are difficult to read. Dimensions need to be precise.
- Slope from Bowman Court South to Lot 23 is approximately 7 degrees. Given that the driveway on this tract of land would need to run straight up the hill, runoff and erosion issues are a real concern.
- Purpose of this application is to create an access to Lot 23 from Bowman Court South. Lot 23 already has a frontage of 289 feet on St. Andrews Drive.
- We purchased on a court for obvious reasons. The prospect of looking at a "roadway/driveway" to a property (Lot 23) that is not visible from the court is not appealing. Lot 23 is not a part of the subdivision Plan 469.
- Application should be for the tract of land to be severed from Lot 32; Plan 469 and subsequently deeded to Lot 23.

Severance application:

- The proposed severance of Lot 23 creates a very long and narrow parcel of land. Since access to Lot 23 from St. Andres Drive is already of concern, then how would access to the narrower lot be feasible? The severance of Lot 23 is illogical.
- With proper grading and erosion control, a winding driveway could be constructed up the hill on Lot 23, so that the owner can build a house with a view. If Lot 23 is severed as suggested, then an access from St. Andrews is not possible for either lot.

We respectfully request that the above applications not be approved at this time.

Mr. and Mrs. Koehl were present with respect to this matter.

Moved by Councillor Robins, seconded by Deputy Mayor McDonald;

"Be it resolved that that the Corporation of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, defer Consent **File AH-22A/2009**, for Paula DeGraauw, Concession A, Part Lot 23 (former Township of Haldimand) now in the Township of Alnwick/Haldimand, until such time as a detailed Site Plan has been completed and submitted in order to address the concerns expressed by Haliburton Kawartha Pine Ridge District Health Unit and the Lower Trent Conservation Authority. CARRIED."

7:55 p.m. - John DeGraauw **AH-29/2009**, Concession A, Part Lot 32 (former Township of Haldimand) now in the Township of Alnwick/Haldimand RE: Easement.

Mr. DeGraauw is requesting a severance for the creation of an easement. The Planning Coordinator Mr. Terry Korotki advised that said lands are located on Bowman Court South. The following ministries and agencies were circulated and the following comments have been received with respect to this application:

- **Pine Ridge Municipal Planning Agency:** The application proposes to sever a lot addition encompassing 666.9 sq metres (7178.7 sq ft) to be merged as a lot addition with an existing (benefitting) lot encompassing 1.4 hectares (3.45 acres). The lot addition will provide a second access to this existing lot which currently fronts on St. Andrew's Drive in Grafton. This existing lot is the subject of consent application AH-22A/2009 to sever it into two parcels. Should application AH-22A/2009 be approved, the existing lot will be reduced in area to 0.97 hectares (2.39 acres), plus the lot addition. Both the lot addition and the benefitting lot are vacant.

The subject lands are designated Hamlet in accordance with the Township's Official Plan. The Official Plan permits a maximum of 3 lots and a retained lot on parcels existing prior to January 1, 1990. The Official Plan directs that the majority of residential growth shall occur in the Township's hamlets.

The Provincial Policy Statement (PPS) supports the intensification of development in settlement area (hamlets), provided adequate servicing can be provided.

Based on the above, PRMPA recommends that application AH-29/2009 be approved as it is consistent with the Provincial Policy Statement and complies with the Township's Official Plan with respect to the creation of residential lots in the Hamlet designation.

- **Alnwick/Haldimand Public Works Department:** An entrance is allowed only at location approved by the Public Works Superintendent at the expense of the property owner.
- **Haliburton Kawartha Pine Ridge District Health Unit:** Could be satisfactory for an easement for a driveway only. Not suitable for development of a septic system.
- **Lower Trent Conservation Authority:** Please be advised that Lower Trent Conservation has **no concerns** with approval of this application.
- **Letter from Gail Madden dated January 24, 2010:** Further to our discussion of Monday, January 18, 2010, I would like to put forth my concerns regarding the Application for Consent for an Easement on Lot 32, Bowman Court, Grafton. They are as follows:

1. In the Application for Easement, Item #10 the figures shown are very confusing and difficult to read, therefore they need to be clearly stated for all concerned.
2. Will there be gas lines and/or pipelines running along the easement to the back lot? What utility boxes will be on Lot 32 at the base of the easement?
3. This easement could definitely limit my privacy (for a future residence) as it will run the whole depth of my lot (#31) including any backyard I would have.
4. I would request that some landscaping with trees be put along the easement on the border adjacent to my property.
5. I am concerned about the runoff from the easement and how it might affect the drainage for the court and what impact it would have in the winter.

I would very much appreciate it if you could provide me with answers for some of my concerns. Unfortunately I will be unable to attend the meeting to discuss this application on Wednesday, January 27, 2010. However, my neighbours Mr. and Mr. Koehl will be attending and will express these concerns on my behalf.

- **Letter from Gritt and Ernie Koehl dated January 27, 2010:** We are opposed to the above applications for a severance and an easement based on the concerns outlined below.

Easement application:

- Application dimensions are difficult to read. Dimensions need to be precise.
- Slope from Bowman Court South to Lot 23 is approximately 7 degrees. Given that the driveway on this tract of land would need to run straight up the hill, runoff and erosion issues are a real concern.
- Purpose of this application is to create an access to Lot 23 from Bowman Court South. Lot 23 already has a frontage of 289 feet on St. Andrews Drive.
- We purchased on a court for obvious reasons. The prospect of looking at a "roadway/driveway" to a property (Lot 23) that is not visible from the court is not appealing. Lot 23 is not a part of the subdivision Plan 469.
- Application should be for the tract of land to be severed from Lot 32; Plan 469 and subsequently deeded to Lot 23.

Severance application:

- The proposed severance of Lot 23 creates a very long and narrow parcel of land. Since access to Lot 23 from St. Andres Drive is already of concern, then how would access to the narrower lot be feasible? The severance of Lot 23 is illogical.
- With proper grading and erosion control, a winding driveway could be constructed up the hill on Lot 23, so that the owner can build a house with a view. If Lot 23 is severed as suggested, then an access from St. Andrews is not possible for either lot.

We respectfully request that the above applications not be approved at this time.

Moved by Councillor Jeninga, seconded by Councillor Bennis;

"Be it resolved that the Corporation of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, defer Consent **File AH-29/2009**, for John DeGrauw, Concession A, Part Lot 32 (former Township of Haldimand) now in the Township of Alnwick/Haldimand, until such time as the applicant submits Certified Engineered Stamped Drawings to address the drainage issues.
CARRIED."

VI. INFORMAL CONSENT(S) – 8:12 P.M.:

8:12 p.m. – Corcair Farms, **File AH-02/2010**, (replaces AH-22/2008), Concession 2, Part Lot 22 (former Township of Haldimand) now in the Township of Alnwick/Haldimand **(CONSENT #1)** RE: Non-Farm.

Corcair Farms Ltd. is requesting a severance for creation of a lot. The approximate size of the lot will be 2.44 acres and the retained parcel will be approximately 90.67 acres from a parcel of approximately 93.0 acres. The lands are located on Cranberry Lake Road, are not located on the Oak Ridges Moraine. The Official Plan designation is Rural and the Zoning is Rural (RU).

Moved by Councillor Robins, seconded by Councillor Jeninga;

“Be it resolved that the Corporation of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve to circulate Consent Application for Corcair Farms **File AH-02/2010**, (replaces AH-22/2008), **(Consent #1)**, Concession 2, Part Lot 22 (former Township of Haldimand) now in the Township of Alnwick/Haldimand. CARRIED.”

8:13 p.m. – Corcair Farms, **File AH-03/2010**, (replaces AH-23/2008), Concession 2, Part Lot 22 (former Township of Haldimand) now in the Township of Alnwick/Haldimand **(CONSENT #2)** RE: Non-Farm.

Corcair Farms Ltd. is requesting a severance for creation of a lot. The approximate size of the lot will be 2.44 acres and the retained parcel will be approximately 90.67 acres from a parcel of approximately 93.0 acres. The lands are located on Cranberry Lake Road, are not located on the Oak Ridges Moraine. The Official Plan designation is Rural and the Zoning is Rural (RU).

Moved by Councillor Jeninga, seconded by Councillor Bennis;

“Be it resolved that the Corporation of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve to circulate Consent Application for Corcair Farms, **File AH-03/2010**, (replaces AH-23/2008), **(Consent #2)**, Concession 2, Part Lot 22 (former Township of Haldimand) now in the Township of Alnwick/Haldimand. CARRIED.”

8:14 p.m. – Edward and Mary Logel, Agent: Peter Logel, **File AH-04/2010**, Concession 1, Part Lot 22, (former Township of Haldimand) now in the Township of Alnwick/Haldimand RE: Hamlet.

Mr. and Mrs. Logel, Agent: Peter Logel, are requesting a severance for creation of an easement. The lands front on Clitheroe Road, are not located on the Oak Ridges Moraine. The Official Plan designation is Hamlet and the Zoning is Rural (RU).

Moved by Councillor Holmes, seconded by Councillor Robins;

“Be it resolved that the Corporation of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve to circulate Consent Application for Edward and Mary Logel, Agent: Peter Logel, **File AH-04/2010**, Concession 1, Part Lot 22 (former Township of Haldimand) now in the Township of Alnwick/Haldimand. CARRIED.”

VII. APPROVAL OF MINUTES – 8:17 P.M.:

Municipal Planning Meeting Minutes of December 16, 2009.

Moved by Councillor Bennis, seconded by Councillor Holmes;

“Be it resolved that the Municipal Planning Meeting Minutes of December 16, 2009, be adopted. CARRIED.”

VIII. CORRESPONDENCE – 8:17 P.M.:

Letter from the Pine Ridge Municipal Planning Agency dated December 31, 2009 addressed to Mr. Hans Jansen RE: Application for Red-Line Changes to Draft Approval of MMAH File No. 14T-93005 (White Island – Rice Lake Part Lot 10/11, Concession 4, (former Township of Alnwick) now in the Township of Alnwick/Haldimand.

Moved by Councillor Robins, seconded by Councillor Holmes;

“Be it resolved that the letter from the Pine Ridge Municipal Planning Agency dated December 31, 2009 addressed to Mr. Hans Jansen RE: Application for Red-Line Changes to Draft Approval of MMAH File No. 14T-93005 (White Island – Rice Lake Part Lot 10/11, Concession 4, (former Township of Alnwick) now in the Township of Alnwick/Haldimand, be received and filed. CARRIED.”

Correspondence pertaining to Robins Pit Application:

Copies of emails from Peter A. Josephs with respect to dialogue between the Ministry of Natural Resources and Mr. Bernie Fuhrmann, Consultant for Mr. Shawn Robins dated December 18, 2009; and, Bernie Fuhrmann to Peter Josephs dated January 4, 2010; and email from Mr. Wm. Copeland to Cameron Ward, Public Works Superintendent regarding a copy of the Traffic Study.

Moved by Councillor Jeninga, seconded by Councillor Holmes;

“Be it resolved that the copies of emails from Peter A. Josephs with respect to dialogue between the Ministry of Natural Resources and Mr. Bernie Fuhrmann, Consultant for Mr. Shawn Robins dated December 18, 2009; and, Bernie Fuhrmann to Peter Josephs dated January 4, 2010; and email from Mr. Wm. Copeland to Cameron Ward, Public Works Superintendent regarding a copy of the Traffic Study, be received and filed. CARRIED.”

Moved by Councillor Holmes, seconded by Councillor Bennis;

“Be it resolved that Councillor Jeninga request clarification pertaining to the Robin’s Pit Proposal with respect to the review process and approval jurisdiction with respect to this type of Planning application at the General Meeting of the Lower Trent Conservation Authority. CARRIED.”

Letter from the Ministry of Municipal Affairs and Housing dated December 15, 2009 RE: Revised Planning Act regulations to comply with recommendations of the Propane Safety Review Panel.

Moved by Councillor Jeninga, seconded by Councillor Holmes;

“Be it resolved that that the letter received from the Ministry of Municipal Affairs and Housing dated December 15, 2009 Revised Planning Act regulations to comply with recommendations of the Propane Safety Review Panel be received for information and placed on the website for information. CARRIED.”

IX. PLANNING BY-LAWS – 8:38 P.M.:

By-Law No. 04-2010- Being a by-law to amend Restricted Area By-Law No. 619, Township of Alnwick/Haldimand for The Estate of Edith Watson, Agent: Colin Watson, Concession A, Part Lot 22 (former Township of Haldimand) now in the Township of Alnwick/Haldimand.

Moved by Councillor Robins, seconded by Councillor Bennis;

“Be it resolved that **By-Law No. 04-2010**, being a by-law to amend Restricted Area By-Law No. 619, Township of Alnwick/Haldimand owned by the Estate of Edith Watson, Agent: Colin Watson, Concession A, Part Lot 22 (former Township of Haldimand) now in the Township of Alnwick/Haldimand, be given a THIRD READING and FINALLY PASSED this 27th day of January, 2010. CARRIED.”

By-Law No. 03-2010- Being a by-law to amend Restricted Area By-Law No. 619, Township of Alnwick/Haldimand for Anamet Canada Ltd., Agent: Ed Owen, Concession B, Part Lot 1 (former Township of Haldimand) now in the Township of Alnwick/Haldimand.

Moved by Councillor Jeninga, seconded by Councillor Ritchie;

“Be it resolved that **By-Law No. 03-2010**, being a by-law to amend Restricted Area By-Law No. 619, Township of Alnwick/Haldimand owned by Anamet Canada Ltd., Agent: Ed Owen, Concession B, Part Lot 1 (former Township of Haldimand) now in the Township of Alnwick/Haldimand, be deferred. CARRIED.”

By-Law No. 07-2010 – Being a by-law to prescribe a Tariff of Fees for the Processing of Applications in respect of Planning matters in the Township of Alnwick/Haldimand.

Moved by Councillor Holmes, seconded by Councillor Robins;

“Be it resolved that **By-Law No. 07-2010**, being a by-law to prescribe a Tariff of Fees for the Processing of Applications in respect of Planning matters in the Township of Alnwick/Haldimand, be given a THIRD READING and FINALLY PASSED this 27th day of January, 2010. CARRIED.”

CLERK/ADMINISTRATORS CORRESPONDENCE:

Letter from Peter A. Josephs & Associates dated January 26, 2010 RE: Robins Pit Proposal – applications for OPA No. 2 and ZBA, Part Lot 14 Concession 4.

Information submitted by Mayor Finley for distribution to Members of Council from the Lower Trent Conservation Authority to Shelter Valley Aggregates with respect to altering watercourses for the reconstruction of Turk Road dated December 15, 2009.

Letter from the Ministry of the Environment dated January 25, 2010 RE: Regulations to support the development and implementation of Source Protection Plans under the Clean Water Act 2006.

Email from Peter A. Josephs dated January 26, 2010 RE: Follow up to meeting at Oak Heights Winery and Mr. Brian Cook’s letter.

Memorandum from Robin van de Moosdyk, Deputy Clerk dated January 27, 2010
RE: Delegations for the March Council Meetings.

Letter from Lelia Ketola dated January 27, 2010 RE: Animal By-Law – Birds of Prey.

Moved by Councillor Bennis, seconded by Councillor Holmes;

"Be it resolved that the above-noted correspondence from the Clerk/Administrator, be received for information. CARRIED."

Email from Peter A. Josephs dated January 26, 2010 RE: Draft Council Resolution Pertaining to the Growth Plan.

Moved by Councillor Bennis, seconded by Councillor Holmes;

"Be it resolved that the Draft Resolution pertaining to the Growth Plan received from Peter A. Joseph's on January 26, 2010, be deferred to the February 24th, 2010 Municipal Planning Meeting. CARRIED."

X. FINANCIAL ACCOUNTS – 9:03 P.M.:

Financial Accounts Voucher #1 – 2009:

Moved by Councillor Robins, seconded by Councillor Holmes;

"Be it resolved that the Financial Accounts – Voucher #1 – 2009, be approved as follows:

COUNCIL	\$	2,521.56
ADM & ADM BLDG		11,264.93
EMO / OPP/COMM POLICING/R.I.D.E		77,679.41
ARENA		665.02
FIRE		49,628.47
PWS		151,479.98
LIBRARIES		3,621.65
CBO		629.82
COMM CENTRES		5,756.16
TWP PROPERTIES		3,281.45
ROS RECREATION		211.06
PLANNING		<u>6,424.20</u>
TOTAL OF VOUCHER # 1-2009	\$	313,163.71

CARRIED."

Grafton Communal Water System Financial Accounts – 9:10 P.M.:

Moved by Councillor Jeninga, seconded by Councillor Robins;

"Be it resolved that the Financial Accounts for the Grafton Communal Water System in the amount of **\$30581.42**, be approved. CARRIED."

Grafton Communal Water System Financial Accounts – 9:11 P.M.:

Moved by Councillor Jeninga, seconded by Councillor Bennis;

"Be it resolved that the Financial Accounts for the Grafton Communal Water System in the amount of **\$36436.75**, be approved. CARRIED."

XI. QUESTIONS FROM THE PRESS/PUBLIC/GALLERY – 9:01 P.M.:

None at this time.

XII. BUSINESS FROM COUNCILLORS (PLANNING RELATED) – 9:14 P.M.:

Councillor Robins requested that the Public Works Superintendent, Cam Ward, investigate the right-of-way directly across from Soren Degn's, as Mr. Frost stated that it appears to be fenced off.

Councillor Holmes requested clarification with respect to the changing of the locks at the Alnwick Civic Centre. The Deputy Clerk advised that she would contact the Administrative Assistant, Dianne Nicholls for further information regarding this matter.

CONFIRMING BY-LAW – 9:30 P.M.:

By-Law No. 11-2010 - Being a by-law to confirm the proceedings of the Municipal Planning Meeting held on January 27, 2010 of the Council of the Township of Alnwick/Haldimand.

Moved by Councillor Jeninga, seconded by Councillor Bennis;

"Be it resolved that **By-Law No. 11-2010**, being a by-law to confirm the proceedings of the Municipal Planning Meeting held on January 27th, 2010 of the Council of the Township of Alnwick/Haldimand, be read a FIRST, SECOND and THIRD TIME and FINALLY PASSED this 27th day of January, 2010.

CARRIED."

XIII. ADJOURNMENT – 9:31 P.M.:

Moved by Councillor Robins, seconded by Councillor Holmes;

"Be it resolved that the Municipal Planning Meeting of January 27, 2010, be adjourned at 9:31 p.m.

CARRIED."

MAYOR, WILLIAM FINLEY

CLERK/ADMINISTRATOR,
TERRENCE KOROTKI