

**THE CORPORATION OF THE TOWNSHIP OF ALNWICK/HALDIMAND
MUNICIPAL PLANNING MINUTES OF JUNE 25TH, 2008- 7:00 P.M.**

Council met in the Municipal Planning Meeting on Wednesday, June 25th, 2008 at 7:00 p.m. in the Council Chambers at the Municipal Office in Grafton, with Mayor William Finley presiding.

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

Staff Present: Terrence Korotki, Clerk/Administrator
Robin van de Moosdyk, Deputy Clerk

Others: Betty Carruthers, resident

I. CALL TO ORDER

Mayor Finley called the meeting to order at 7:03 p.m.

II. DISCLOSURES OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF

There were no disclosures of pecuniary interest and general nature thereof.

III. APPROVAL OF AGENDA – 7:03 P.M.:

Moved by Councillor Broegelmann, seconded by Councillor Holmes;

“Be it resolved that the Municipal Planning Agenda of June 25th, 2008, as circulated, be approved with addendums. CARRIED.”

IV. PUBLIC MEETING – 7:05 P.M.:

MOTION TO COMMENCE A PUBLIC MEETING

Moved by Councillor Broegelmann, seconded by Councillor Ritchie;

“Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, commence the public meeting for a Minor Variance application. CARRIED.”

7:05 p.m. – Joseph and Iola Panetta, **MV-02/2008**, Part Lot 22, Concession 7 (former Township of Alnwick) now in the Township of Alnwick/Haldimand RE: Reduction of Rear yard setback and Side yard setback from High water mark of Rice Lake.

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 June 4, 2008 to property owners within two hundred (200') feet of the subject property and all affected ministries and agencies.

Mayor Finley asked the Planning Co-ordinator, Terrence Korotki, “Explain the purpose of the Minor Variance, the reasons for the Minor Variance and how the Minor Variances proposes to accomplish the stated purpose.”

Nature of Relief:

NATURE OF RELIEF from Zoning By-Law No. 1001-73 (former Alnwick Township), as amended.

- To reconstruct a seasonal dwelling house in reducing the required setback of 38.0 metres to 22.86 metres from a high water mark of Rice Lake as stipulated in Zoning By-Law No. 1001-73 as amended by By-Law 1053-76, Section 7, Subsection 0.
- To allow for the reconstruction of a seasonal dwelling house that is being constructed within 4.57 metres of the required interior sideyard setback (east side) instead of 6.0 metres as stipulated in Plate "C", Column "F", Line 11 of Restricted Area Zoning By-Law No. 1001-73.

Mayor Finley asked the Planning Co-ordinator, Terrence Korotki, "Is there anyone present other than the applicant in support of this Minor Variance Application?"

The Planning Co-ordinator, Terrence Korotki, advised there was no one present requesting clarification or opposed to this application.

Mayor Finley asked the Planning Co-ordinator, Terrence Korotki, "Is 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:** As the lot appears to be shallow and narrow, the Municipality may wish to take this opportunity to require that the new construction place the septic system to the rear of the lot, in order to protect and enhance water quality as much as possible. Similarly, the Municipality should ensure that no direct drainage to the lake results from the new construction which will adversely affect lake water quality. This can be accomplished through the use of dry wells, eavestroughs and other measures. Retention of shoreline vegetation will also help to protect water quality. The Municipality may also wish to satisfy itself that the new building size is compatible with neighbouring development. Therefore, PRMPA recommends that minor variance application MV-02/2008 be supported insofar as it maintains and enhances surface water quality.
- **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. Also, this is a private road.
- **Lower Trent Conservation Authority:** We understand that the purpose of the application is to reduce the required setback from the high water mark of Rice Lake from 38 m to 22.86 m and to reduce the required interior side yard setback from 6 m to 4.57 m to allow the reconstruction of a seasonal dwelling. According to the Conservation Authority's flood plain mapping at this location, a portion of the subject property falls within the regulatory flood line. The regulatory flood elevation in this area is 187.9 m. Lower Trent is unsupportive of any new development occurring within this flood elevation. Provincial policy Section 3.1.2 states development and site alteration shall not be permitted within a floodway (floodplain). The Conservation Authority's Regulation 163/06 also states that development should be setback a minimum of 6 metres from the flood elevation for the purposes of emergency measures. The site plan as submitted with the application does not illustrate the location of the flood hazard. Lower Trent Conservation **requests that the application for minor variance be deferred.** Staff does not feel that sufficient information has been provided. Staff requests the addition of the flood elevation contour be plotted on the site plan in order to properly determine if the proposed development is outside of the floodplain and the 6 metre emergency measures offset.

- **Haliburton Kawartha Pine Ridge District Health Unit:** In order to comment on the Minor Variance being required, it is necessary to establish if a sewage system, large enough to serve the building being proposed, can be constructed on the property. The site plan provided indicates the dwelling to be a two storey, 2300 sq. ft. footprint (4300 sq.ft. living space) with a 75' setback from Rice Lake. Mr. Panetta advised me during a telephone conversation, the house is to be four bedrooms with a walkout at the lower level. I was also advised during a different conversation, there was only a loft and two bedrooms upstairs which would reduce the living space. The site visit revealed the property as being heavily treed and sloping towards the lake. I am also aware of the fact the area is known as having clay like soil, which adds to the sewage design concerns.

Given the above information, I have advised Mr. Panetta, it is necessary for him to submit an application for the Installation of a Sewage System along with an acceptable design, appropriate fee, test hole, etc. I have provided Mr. Waldie with additional information regarding tertiary systems, however, I feel the size of the home being proposed demands a sewage system, which does not appear to be able to fit on the property. Mr. Panetta was advised that any options regarding moving the house or changing the dimensions of the house would have to be formalized in the sewage application before it could be considered. In any case, it is not likely an answer can be given for the meeting on June 25th, 2008.

- **Parks Canada:** No concern.

MOTION TO ADJOURN THE PUBLIC MEETING

Moved by Councillor Bennis, seconded by Councillor Broegelmann;

"Be it resolved that the Public Meeting be adjourned at 7:11 p.m. and further that the Municipal Planning Session reconvene at 7:11 p.m. CARRIED."

V. FORMAL MINOR VARIANCE(S) – 7:12 P.M.:

Joseph and Iola Panetta, MV-02/2008, Part Lot 22, Concession 7 (former Township of Alnwick) now in the Township of Alnwick/Haldimand RE: Reduction of Rear yard setback and Side yard setback from High water mark of Rice Lake.

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, **defer** Minor Variance **MV-02/2008**, Joseph and Iola Panetta, Concession 7, Part of Lot 22 (former Township of Alnwick) now in the Township of Alnwick/Haldimand, to allow for the reconstruction of a seasonal dwelling house in reducing the required setback of 38.0 metres to 22.86 metres from a high water mark of Rice Lake as stipulated in Zoning By-Law No. 1001-73 as amended by By-Law 1053-76, Section 7, Subsection 0 and to allow for the reconstruction of a seasonal dwelling house that is being constructed within 4.57 metres of the required interior sideyard setback (east side) instead of 6.0 metres as stipulated in Plate "C", Column "F", Line 11 of Restricted Area Zoning By-Law No. 1001-73.

CARRIED."

VI. FORMAL CONSENT(S) – 7:12 P.M.:

There are no formal consent applications at this time.

VII. INFORMAL CONSENT(S) – 7:12 P.M.:

There are no informal consent applications at this time.

VIII. APPROVAL OF MINUTES – 7:12 P.M.:

Municipal Planning Meeting Minutes of May 28th, 2008.

Moved by Councillor Bennis, seconded by Councillor Holmes;

“Be it resolved that the Minutes of the Municipal Planning Meeting of May 28th, 2008, be adopted. CARRIED.”

IX. BUSINESS ARISING FROM PREVIOUS MINUTES – 7:30 P.M.:

Status update to be provided by the Planning Co-ordinator/Clerk Administrator, Terrence Korotki with respect to the New Comprehensive Zoning By-Law.

The Clerk/Administrator, Terrence Korotki advised that a report and text will be provided to Council for the Municipal Planning Meeting in September from Mr. Peter Josephs with respect to the New Comprehensive Zoning By-Law.

Letter from the Ministry of Public Infrastructure Renewal dated May 14, 2008
RE: Moving forward with an Assessment of Employment Areas in the Great Golden Horseshoe – COMMENTS IF ANY WITH REGARDS TO THIS MATTER BY JULY 16, 2008 FOR SUBMISSION.

Moved by Councillor Jeninga, seconded by Councillor Ritchie;

“Be it resolved that the Letter from the Ministry of Public Infrastructure Renewal dated May 14, 2008 advising of the movement forward with an Assessment of Employment Areas in the Great Golden Horseshoe, be deferred to the Regular Council Session of July 3rd, 2008 for submission of Council Members comments and concerns. CARRIED.”

Growth Management Meetings at the County of Northumberland

Moved by Councillor Bennis, seconded by Councillor Holmes;

“Be it resolved that the Council of the Township of Alnwick/Haldimand direct that the Clerk/Administrator, Terrence Korotki make it priority to attend the Growth Management Meetings of the County of Northumberland; and in his absence the Municipal Planner attend or an alternate on behalf of the municipality; and further that a copy of the Minutes of these meetings be forwarded to the Municipality for review, together with a copy of the Minutes of the Pine Ridge Municipal Planning Agency (PRMPA) meetings. CARRIED.”

Letter from Mr. and Mrs. Sprayson RE: Granny Flat request and corresponding letter to Mr. Peter Josephs, Municipal Planner for a written planning report with respect to this request.

Moved by Councillor Broegelmann, seconded by Councillor Holmes;

“Be it resolved that the Council of the Township of Alnwick/Haldimand accept and support the recommendations as submitted by Mr. Peter Josephs, Municipal Planner in his report dated June 20, 2008 with respect to the proposed planning application for Zoning By-Law Amendment to permit a Garden Suite on lands located in Part of Lot 18, Concession 9 (former Township of Haldimand) now in the Township of Alnwick/Haldimand; and further that the Planning application, Agreement and Temporary Use By-Law be prepared. CARRIED.”

X. CORRESPONDENCE – 7:53 P.M.:

Letter from the Storm Coalition dated April 8, 2008 RE: Monitoring the Moraine project- Status Report.

Moved by Deputy Mayor McDonald, seconded by Councillor Ritchie;

“Be it resolved that the letter from the Storm Coalition dated April 8, 2008 regarding the status report for the Monitoring the Moraine Project, be received and filed. CARRIED.”

Notice of Decision from the Ontario Municipal Board dated June 12, 2008 RE: Board Hearing Decision for Olmsted vs. Smith

Moved by Councillor Jeninga, seconded by Councillor Ritchie;

“Be it resolved that the notice from the Ontario Municipal Board dated June 12, 2008 regarding the adjudicator’s decision pertaining to the Board Hearing of Olmsted vs. Smith, be received and filed. CARRIED.”

Memorandum from Robin van de Moosdyk, Deputy Clerk dated June 19, 2008 RE: Explanation with respect to Provincial Legislation to permit change of Public Holiday

Moved by Councillor Bennis, seconded by Councillor Holmes;

“Be it resolved that the Memorandum from Robin van de Moosdyk, Deputy Clerk dated June 19, 2008 providing an explanation with respect to Provincial Legislation to permit change of Public Holiday, be received and filed. CARRIED.”

Letter from Mr. Lou Rinaldi, M.P.P. dated June 16, 2008 RE: Announcing their unique plan to celebrate “Canadian Patriotism” – Public display competition for Canada Day.

Moved by Councillor Bennis, seconded by Councillor Holmes;

“Be it resolved that the letter from Mr. Lou Rinaldi, M.P.P., advising of the Public Display Competition to Celebrate “Canadian Patriotism” and that Mr. John Eagleson and Esther van de Meer, proceed with the decorating of the office for this competition. CARRIED.”

Appeal Submission to the Ontario Municipal Board (OMB) by Appellant, Eleanor Olmsted regarding Planning Application for Consent AH-11/2008 – Carl Bevan.

Moved by Councillor Jeninga, seconded by Councillor Bennis;

“Be it resolved that the Council of the Township of Alnwick/Haldimand receive the Appeal submission that was forwarded to the Ontario Municipal Board (OMB) by appellant, Eleanor Olmsted regarding Planning Application for Consent AH-11/2008 – Carl Bevan. CARRIED.”

XI. NEW BUSINESS – 8:05 P.M.:

Memo from Bernadette Murray, Administrative Assistant dated June 24, 2008 RE: Monthly Planning Activity Report.

Moved by Councillor Holmes, seconded by Councillor Broegelmann;

“Be it resolved that the Monthly Planning Activity Report dated June 24, 2008, from Bernadette Murray, Administrative Assistant, be received and filed. CARRIED.”

Email from Eleanor Olmsted dated June 24, 2008 RE: EIS for Jaynes.

Moved by Councillor Bennis, seconded by Councillor Broegelmann;

"Be it resolved that the email from Eleanor Olmsted dated June 24, 2008 regarding the proposed Environmental Impact Study (EIS) which was to have been completed on property owned by Clarence and Gene Jaynes, be received and filed. CARRIED."

XII. FINANCIAL ACCOUNTS – 8:06 P.M.:

Financial Accounts - Voucher #32

Moved by Councillor Jeninga, seconded by Councillor Broegelmann;

"Be it resolved that the Financial Accounts – Voucher #32, be approved as follows:

General	in the amount of	\$39,244.02
Public Works	in the amount of	\$ 6,783.95
Fire Dept.	in the amount of	<u>\$ 1,184.90</u>
Total		\$47,212.87

CARRIED."

XIII. BUSINESS FROM COUNCILLORS – 8:08 P.M.:

Councillor Jeninga:

Moved by Councillor Jeninga, seconded by Councillor Holmes;

"Be it resolved that the Clerk/Administrator, Terrence Korotki forward a letter of request to Mr. John Morgan for a copy of the documentation with respect to the findings pertaining to the "DDT" that was located on his property; and further that Mr. Morgan's permission be obtained to provide this information to the general public upon request. CARRIED."

Councillor Bennis:

Councillor Bennis advised Members of Council that he approved repairs to Fire Truck 283, Station #2 which malfunctioned the previous evening at the Centreton Pond during testing procedures.

It was noted that there are a number of commercial establishment across Ontario that complete repairs on Fire Equipment and that further investigation of these establishments be completed by Fire personnel.

Mayor Finley:

Mayor Finley noted that, if possible, it would be beneficial to try and combine the last two meetings of the month in August into one to provide for a short vacation period. It was noted that a resolution of Council would be required to suspend the Procedural By-Law provisions to address this matter.

XIV. QUESTIONS FROM THE PRESS/PUBLIC/GALLERY – 8:27 P.M.:

Mrs. Carruthers asked when a vote would be conducted with respect to the proposed County Wide Policing issue and was advised that this would take place at the July 3rd, 2008 Regular Council Session.

Mrs. Carruthers requested clarification with respect to proposed repairs to certain Fire Equipment and asked if the Fire Department personnel had to wait until such time as Council adopted the Minutes to proceed with such repairs. She was advised that they do not have to wait for the adoption of the Minutes in order to proceed with the required repairs to fire equipment.

Mrs. Carruthers enquired as to how extensive were the Personnel Reviews. Councillor Holmes advised that all Full Time staff are to have a personnel review completed.

MOTION TO ADJOURN TO COMMITTEE OF THE WHOLE IN CAMERA

Moved by Councillor Jeninga, seconded by Councillor Ritchie;

"Be it resolved that the Council of the Township of Alnwick/Haldimand adjourn to a Committee of the Whole In Camera Session in accordance with Section 239(2)(b)(d)(e) of the Municipal Act 2001, as amended, at 8:34 p.m.

CARRIED."

The purpose of the In Camera Session is to discuss matters pertaining to enforcement of By-Laws and the procedures for charges and further prosecution, as requested by Mayor Finley.

An update was provided with respect to the Mann Property.

Update from the Planning Co-ordinator/Clerk/Administrator, Terrence Korotki with respect to the Personnel Reviews and Management Review process.

MOTION TO RECONVENE TO THE MUNICIPAL PLANNING SESSION

Moved by Councillor Broegelmann, seconded by Councillor Bennis;

"Be it resolved that the Council of the Township of Alnwick/Haldimand reconvene to the Municipal Planning Session at 8:52 p.m.

CARRIED."

CONFIRMING BY-LAW – 8:52 P.M.:

By-Law No. 62-2008 - Being a by-law to confirm the proceedings of the Municipal Planning Session of June 25th, 2008.

Moved by Councillor Holmes, seconded by Councillor Broegelmann;

"Be it resolved that **By-Law No.62-2008**, being a by-law to confirm the proceedings of the Municipal Planning Session of June 25th, 2008, be given a FIRST, SECOND and THIRD READING and FINALLY PASSED this 25th day of June, 2008.

CARRIED."

XV. ADJOURNMENT – 8:52 P.M.:

Moved by Deputy Mayor McDonald, seconded by Councillor Broegelmann;

"Be it resolved that the Municipal Planning Meeting of Wednesday, June 25, 2008, be adjourned at 9:02 p.m.

CARRIED."

MAYOR, WILLIAM FINLEY

CLERK/ADMINISTRATOR,
TERRENCE KOROTKI