



**THE CORPORATION OF THE  
TOWNSHIP OF ALNWICK/HALDIMAND  
MUNICIPAL PLANNING MINUTES OF  
WEDNESDAY, MAY 26TH, 2010 - 7:00 P.M.**

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Council met in the Municipal Planning meeting on Wednesday, May 26th, 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  
Art Jeninga  
Cathie Ritchie  
Rosemarie Robins

**Members Absent with Notification:** Councillor Bill Holmes

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

**Others Present:**

Betty Carruthers	Barry Surerus
Stewart Surerus	Kate Surerus
Richard Irvine	John Corcoran
Patricia Murphy	Mike Peterkin
Roger Knight	Dianne Knight
David Knight	Kym Read
Marg Mitro	Bob Mitro
Gritt Koehl	Ernie Koehl
Kate Firstbrook	Helen & David Prentice
Paula & John de Graauw	Jean Bourne
Peter Josephs, Municipal Planner	
Don Bourne	Tracey Yorke
Lelia Ketola	Chris Ketola

**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**

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There were no disclosures of pecuniary interest at this time.

**III. APPROVAL OF AGENDA AS CIRCULATED**

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 Wednesday, May 26, 2010, be approved. CARRIED."

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**IV. PUBLIC MEETING**

**MOTION TO ADJOURN TO PUBLIC MEETING:**

Moved by Councillor Jeninga, seconded by Councillor Robins;

"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, at 7:03 p.m. CARRIED."

7:03 p.m. - Zenon and Mira Szumonski, **MV 03/2010**, Concession 7, Part Lot 20 (former township of Alnwick) now in the Township of Alnwick/Haldimand RE: Request for reduction of the interior side yard setback (eastside).

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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 the Public Meeting was circulated on May 6th, 2010 to property owners within two hundred feet (200') of the subject property and all affected ministries and agencies.

Mayor Finley asked the Planning Co-ordinator, Terrence Korotki, "Explain the purpose, reasons for the minor variance proposed to accomplish the state of purpose."

Purpose:

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

To construct an addition to the existing seasonal dwelling house that is within 1.82 metres (6 feet) of the required interior side year setback (eastside) instead of 6.0 metres (19.68 feet) as stipulated in Plate "C", Column "F", line 11 of Restricted Area Zoning By-law 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?"

There was no one present objecting to the 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:

- **Alnwick/Haldimand Public Works Department:**

An entrance is allowed only at location approved by the Public Works Superintendent at the expense of the owner.

- **Pine Ridge Municipal Planning Agency:**

The minor variance application is to permit an addition to a seasonal dwelling on Rice Lake that will reduce the east interior side yard from 6.096 m (20 ft) to 1.8 m (6 ft).

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The site encompasses 0.126 hectares (0.29 acres) and is developed with a one storey dwelling house with an area of 64.65 sq m (696 sq ft), a boathouse encompassing 13.37 sq m (144 sq ft) and a cabin encompassing approximately 23.2 sq m (250 sq ft) (not mentioned in the application but shown on the survey accompanying the application and verified through a site visit). Total developed area on the site is 101.26 sq m (1090 sq ft) which represents 8.6 per cent lot coverage.

It is proposed to enlarge the existing dwelling by constructing an addition on the east side of the dwelling which will encompass an area of 22.3 sq m (240 sq ft) and which will increase the existing dwelling area by one-third, all within the required side yard setback. Lot coverage will be 10.5 per cent which will exceed the Township zoning Bylaw's maximum coverage of 10 per cent. 34.4 per cent. The addition will be located 1.8 metres (6 ft) from the easterly lot line.

The property is designated Rural which permits limited rural residential dwellings. According to the application, the lands are zoned Seasonal Residential (SR) which permits seasonal dwellings.

A site visit was carried out on May 10th, 2010. The topography of the site is steep and rocky, with significant slope to the lake. It was observed that while the lot size is not atypical in the area, the subject lands are very small (0.11 hectares/1173.6 sq metres or 0.22 acres). The lot accommodates a septic sewage disposal system which further limits the opportunity to construct an addition on the west side of the dwelling.

There are cottages on each side of the subject lands. The septic system tile field separates the existing cottage from the lot to the west. The lot to the east is small and the dwelling on that lot is situated close to the mutual lot line. The existing cottage on the subject lands is already located 1.5 metres/5 ft from the east mutual lot line. The cottage to the east is located approximately 3.0 metres/10 ft from the mutual lot line. One of the tests of a minor variance is the impact that approval of the variance will have on surrounding land uses. PRMPA has concerns that the addition will adversely impact the cottage to the east of the subject lands.

The existing cottage and the proposed addition are both located well within the 30-metre (100-ft) setback from the lake, as required by Section 3.15 of the Township's Official Plan. Section 2.2 of the PPS requires that planning authorities protect, improve or restore the quality of water. PRMPA has concerns that this development will further load the septic sewage system and adversely affect water quality in Rice Lake.

Taking all these factors into account, PRMPA recommends that minor variance application MV-03/2010 not be supported, as it is not consistent with the PPS regarding the protection of water quality, does not meet the intent of the Township's Official Plan and Zoning Bylaw, is not minor in nature and will adversely affect surrounding land uses.

**- Lower Trent Conservation Authority:**

In light of these comments, Lower Trent Conservation has **no concerns in principal** with approval of the application for minor variance application (MV-03-2010), provided that:

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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 within the identified regulated area.

It will be important to demonstrate that the proposed addition to the existing seasonal single detached dwelling is compliant with Ontario Regulation 163/06.

In addition, Lower Trent Conservation recommends that:

2. Parks Canada – Trent Severn Waterway be contacted to determine any potential implications of the Fisheries Act for any future development on the subject property.

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

Mr. Szumonski was present in favour of his application. Mrs. Petra Hartwig, owner of Cottage No. 4, just east of the said lands, was present and in favour of this application.

Councillor Bennis noted that the lot coverage is not substantial it is increasing .5 of a percent over the permit coverage, the Health Unit has no concerns and the two issues noted by the Pine Ridge Municipal Planning Agency would be questionable as their applicability.

It was suggested that the agencies comments be forwarded to the Pine Ridge Municipal Planning Agency for review and comments. Mayor Finley noted that he would request this matter be brought forward at the next Pine Ridge Municipal Planning Agency meeting. The Clerk/Administrator/Planning Coordinator, Terry Korotki was directed to contact Ms. Heather Rielly, Planner for the Pine Ridge Municipal Planning Agency to discuss this application and the agency comments.

[ZENON SZUMONSKI MV 03 2010.pdf](#)  
[MV-03-2010 - Szumowski - Lot 20 Concession 7 \(Alnwick\) LTC Comments May2010.doc](#)  
[PRMPA MV-03-2010-Szumowski.doc](#)

7:18 p.m. - Robert Nuttall & Judyth Rejai, **MV-04/2010**, Concession 2, Part Lot 18 (former Township of Alnwick) now in the Township of Alnwick/Haldimand RE: Request for reduction of front yard setback for a farm building (equestrian riding arena).

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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 the Public Meeting was circulated on May 6th, 2010 to property owners within two hundred feet (200') of the subject property and all affected ministries and agencies.

Mayor Finley asked the Planning Co-ordinator, Terrence Korotki, "Explain the purpose, reasons for the minor variance proposed to accomplish the state of purpose."

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Purpose:

NATURE OF RELIEF from Zoning By-law 1001-73 (former Alnwick Township), as amended.

To construct an 80 foot by 180 foot horse riding arena for personal use in requesting a variance of the front yard setback for an agricultural building from 40 meters (300 feet) to 15.24 metres (50 feet) as stipulated in Plate "D", Section 8;b. of Restricted Area Zoning By-law 1001-73.

Mr. Stewart Surerus was present and advised of his opposition to the application. Mr. Barry Surerus was present requesting clarification of the application. Ms. Kate Surerus was present requesting clarification of the application.

Mr. B. Surerus noted that he has concerns with the limitations this minor variance to permit the agricultural building (training/riding arena) may establish on the three potential building lots in the Hamlet of Roseneath. The three potential building lots within the Hamlet would be restricted or unutilized should the training arena be constructed due to the Minimum Distance Separation calculation requirement of the Ministry of Agriculture, Food and Rural Affairs.

Mr. S. Surerus noted that he was not objecting to the construction of the arena itself, just the proposed location of the building is too close to the County Road.

Ms. K. Surerus noted her objection to the 50 foot setback from the road and concerns with the possible future uses of the structure. Ms. Surerus noted the Municipal Zoning By-Law protects residents and other future residents, which is the reason why they are there. The Oak Ridges Moraine Conservation Act also requires specific studies to be conducted and completed to ensure that there is a sufficient building envelope. Ms. Surerus was of the opinion that this application was not a minor in nature and that it did not meet the requirements of the Municipal Zoning By-Law or the Oak Ridges Conservation Plan Act.

Councillor Robins requested the definition of "barn". The Clerk/Administrator/Planning Coordinator, Terry Korotki advised that it is noted as an "agricultural building".

Councillor Jeninga noted he had no concerns with the arena. However, he did have concerns with the Minor Variance and noted that everyone has to be treated fairly.

Councillor Bennis asked if there were other buildings on the property which house animals at this time. The applicant advised there were existing structures.

Mr. Nuttall advised that all they wanted to do was construct an empty structure in order for his son to train the horses. Mr. Nuttall noted they have no intention of making this a riding operation or a structure to house animals as they already have those types of structures. Mr. Nuttall advised that they are doing everything they can to protect the environmental sensitive areas adjacent to Percy Creek. Mr. Nuttall noted that they would not financially capable of conducted extensive studies as they just have enough to construct the proposed arena structure.

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

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were received from the following ministries and agencies:

**- Pine Ridge Municipal Planning Agency:**

The minor variance application is to permit construction of a 1337.8 sq m (14400 sq ft) riding arena for personal use within the required 91.44 metre (300 ft) front yard setback from the front lot line.

The arena is proposed to be located 15.24 metres (50 ft) from the front lot line of a working farm just east of the hamlet of Roseneath.

The lands are designated Countryside-Rural in the Oak Ridges Moraine Conservation Plan. The purpose of the Countryside Areas is "to encourage agricultural and other rural uses ... maintaining and where possible improving and restoring the ecological integrity of the Plan Area". The plan permits agricultural uses which include raising livestock.

A site visit was conducted on May 11th, 2010. There is a rural residence across County Road 24 from the subject lands but it is located east of the proposed arena site. Directly across County Road 24 is pasture land for a working farm to the north. There is no development to the west of the site. The applicants' farm outbuildings and a dwelling lie to the east. It does not appear that surrounding land uses will be adversely impacted by the arena being located within the front yard setback.

The topography of the parcel upon which the arena is to be situated is crossed by Percy Creek. There are other low-lying and treed areas which restrict the location of the arena to the front of the property. Lower Trent Conservation has commented on the application and recommends the proposed location for the arena (according to the application) in order to maintain setbacks from Percy Creek.

Therefore, PRMPA recommends that minor variance application MV-04/2010 be supported, as it is consistent with the Provincial Policy Statement regarding development in *Rural Areas* and meets the intent of the Oak Ridges Conservation Plan, the Township's Official Plan and Zoning Bylaw, is minor in nature and should not adversely affect surrounding land uses.

**- Lower Trent Conservation Authority:**

In light of the above comments, Lower Trent Conservation recommends **deferring** the above noted application for minor variance (MV-04-2010), until the application has demonstrated conformity with the relevant provisions of the ORMCP and the adopted ORMEPR Zoning. As such, Conservation Authority staff recommends that the subject planning application, prior to approval, be supported by:

1. A natural heritage evaluation, demonstrating that the proposed development within the minimum area of influence (120 meters) from the identified significant woodland is in conformity with Section 23 of the ORMCP, to the satisfaction of the planning approval authority.

2. A hydrological evaluation, demonstrating that the proposed development within the minimum area of influence (120 meters) from the identified cold with Section 26(4) of the ORMCP, to the satisfaction of the planning approval authority.

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3. A stormwater management plan as set out in Sections 45 and 46 of the ORMCP, to the satisfaction of the planning approval authority. This plan should also demonstrate consistency with Section 43 of the ORMCP (if applicable).

The requirement of site plan approval under the ORMEPR Zone should be discussed in consultation with the planning approval authority.

Additionally, Lower Trent Conservation recommends that:

1. The applicant(s) be advised of the applicability of Ontario Regulation 163/06, and the need for written approval from the Conservation Authority for any development within the aforementioned regulated areas.
2. Lower Trent Conservation be contacted to determine any potential implications of the Fisheries Act.
3. The applicant(s) are encouraged to maintain, and where possible enhance, the natural vegetation within the riparian Area of the above noted watercourses and adjacent to the Percy Creek PSW complex.

- **Northumberland County:** No concerns.

- **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:** No objections.

[ROBERT NUTTALL MV 04 2010.pdf](#)

[MV-04-2010 - ZBA - Lot 18 Concession 2 Alnwick - Nuttall-Rekai - LTC Comments May2010.doc](#)

[PRMPA MV-04-2010-Nuttall and Rekai.doc](#)

**V. MOTION TO RECONVENE TO MUNICIPAL PLANNING SESSION**

Moved by Councillor Bennis, seconded by Councillor Robins;

"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 Meeting, at 7:53 p.m. CARRIED."

**VI. APPROVAL OF FORMAL MINOR VARIANCE(S)**

7:53 p.m. - Zenon and Mira Szumonski, **MV 03/2010**, Concession 7, Part Lot 20 (former Township of Alnwick) now in the Township of Alnwick/Haldimand RE: Request for reduction of the interior side yard setback (eastside).

Moved by Deputy Mayor McDonald, seconded by Councillor Bennis;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, defer the Minor Variance Application **MV 03/2010**, as submitted by Zenon and Mira Szumonski, Concession 7, Part Lot 20 (former Township of Alnwick) now in the Township of Alnwick/Haldimand. CARRIED."

7:54 p.m. - Robert Nuttall & Judyth Rekai, **MV-04/2010**, Concession 2, Part Lot 18 (former Township of Alnwick) now in the Township of Alnwick/Haldimand RE: Request for reduction of front yard setback for a farm building (equestrian riding arena).

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Moved by Deputy Mayor McDonald, seconded by Councillor Jeninga;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, defer the Minor Variance Application **MV 04/2010**, as submitted by Robert Nuttall and Judyth Re kai, Concession 2, Part Lot 18 (former Township of Alnwick) now in the Township of Alnwick/Haldimand, to construct an 80 foot by 180 foot horse riding arena for personal use in requesting a variance of the front yard setback for an agricultural building from 40 meters (300 feet) to 15.24 metres (50 feet) as stipulated in Plate "D", Section 8;b. of Restricted Area Zoning By-law 1001-73.

CARRIED."

**VII. FORMAL CONSENT(S) 7:55**

7:55 p.m. - Bob and Marg Mitro, **AH-08/2010, Consent #1**, Concession 4, Part Lot 2 (former Township of Haldimand) now in the Township of Alnwick/Haldimand RE: Non-farm.

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Mr. and Mrs. Mitro are requesting a severance for the creation of a residential lot (non-farm). The severed lot will be approximately 2.77 acres and the retained parcel will be approximately 96.73 acres from a parcel of approximately 99.50 acres. The subject property fronts along Shelter Valley Road and is not located on the Oak Ridges Moraine. The Official Plan designation is Rural and Environmental Protection (northend) and the Zoning is Rural (RU).

The following ministries and agencies were circulated and following comments were received:

**- Lower Trent Conservation Authority:**

In light of the above comments, Lower Trent Conservation has **no concerns** with the approval of the above noted applications for consent (AH-10/2010 and AH-11/2010). Lower Trent Conservation recommends that:

1. The applicant(s) be advised of the applicability of Ontario Regulation 163/06 on the retained lot, and the need for written approval from the Conservation Authority for any development and/or alteration within the aforementioned regulated areas.
2. Lower Trent Conservation be contacted to determine any potential implications of the Fisheries Act.
3. The applicant(s) are encouraged to maintain, and where possible enhance, the natural vegetation within the riparian area of the above noted watercourses and adjacent to the unevaluated wetland complex.

**- Pine Ridge Municipal Planning Agency:**

The consent application proposes the severance of lot encompassing 1.1 hectares (2.8-acres) which is currently vacant, to be used for rural residential purposes. The retained parcel encompasses 39.1 hectares (96.7 acres) and is currently developed with a dwelling house, detached garage and two storage buildings. Both parcels have frontage on Shelter Valley Road. There is a second application (no. AH-09/2010) for severance of a 2.0 ha (5.0 ac) parcel from the existing 39.1-ha (96.7-acre) parcel.

The subject lands are designated Rural and Environmental Protection in accordance with the Township's Official Plan. The Rural designation permits the creation of lots for non-farm residential uses, provided that no more than two lots are created from any one holding. The number of lots shall be determined based on the size of the original parcel as it existed on January 1, 1990. The

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Environmental Protection designation lies on the north half of the retained parcel. The Conservation Authority should be consulted regarding setbacks for any additional development on the retained parcel.

The Provincial Policy Statement permits limited residential development in the *Rural Areas* of the municipality.

Based on the above, PRMPA recommends that Consent Application AH-08/2010 be approved, as it is consistent with the Provincial Policy Statement regarding development in *Rural Areas* and meets the intent of the Township's Official Plan regarding rural residential development.

**- Haliburton Kawartha Pine Ridge District Health Unit:**

Vegetation indicates there is a high water table. Therefore, the area of any sewage disposal system will likely have to be raised with 4' - 5' of sand fill. Loading rate and mantle area required also. Drainage is an issue that will have to be addressed at the time of building.

**- 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.

Moved by Councillor Jeninga, seconded by Councillor Bennis;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve the Consent Application **AH-08/2010**, for Bob and Marg Mitro, Concession 4, Part Lot 2 (former Township of Haldimand) now in the Township of Alnwick/Haldimand  
-Conditional upon an amendment to Restricted Area Zoning By-Law 619 coming into force and effect;  
-Conditional upon payment of the Residential Development Fee of **\$4,729.00.**  
CARRIED."

[BOB MITRO - CONSENT - AH-08-2010.pdf](#)

[AH-08-2010 and AH-09-2010 - Severance - Lot 2 Concession 4 Haldimand - Mitro - LTC Comments May2010.doc](#)

[PRMPA AH-08-2010 - M and B Mitro.doc](#)

7:15 p.m. - Bob and Marg Mitro, **AH-09/2010, Consent #2**, Concession 4, Part Lot 2 (former Township of Haldimand) now in the Township of Alnwick/Haldimand RE: Non-farm.

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Mr. and Mrs. Mitro are requesting a severance for the creation of a residential lot (non-farm). The severed lot will be approximately 5.00 acres and the retained parcel will be approximately 94.50 acres from a parcel of approximately 99.50 acres. The subject property fronts along Shelter Valley Road and is not located on the Oak Ridges Moraine. The Official Plan designation is Rural and Environmental Protection (northend) and the Zoning is Rural (RU).

The following ministries and agencies were circulated and following comments were received:

**- Pine Ridge Municipal Planning Agency:**

The consent application proposes the severance of lot encompassing 2.0 hectares (5.0 acres) which is currently vacant, to be used for rural residential purposes. The retained parcel encompasses 39.1 hectares (96.7 acres) and is currently developed with a dwelling house, detached garage and two storage buildings. Both parcels have frontage on Shelter Valley Road. There is a second application (no. AH-08/2010) for severance of a 1.1-ha (2.7-acre) parcel from the existing 39.1-ha (96.7-acre) parcel.

The subject lands are designated Rural and Environmental Protection in accordance with the Township's Official Plan. The Rural designation permits the creation of lots for non-farm residential uses, provided that no more than two lots are created from any one holding. The number of lots shall be determined based on the size of the original parcel as it existed on January 1, 1990. The Environmental Protection designation lies on the north half of the retained parcel. The Conservation Authority should be consulted regarding setbacks for any additional development on the retained parcel.

The Provincial Policy Statement permits limited residential development in the *Rural Areas* of the municipality.

Based on the above, PRMPA recommends that Consent Application AH-09/2010 be approved, as it is consistent with the Provincial Policy Statement and meets the intent of the Township's Official Plan regarding rural residential development regarding rural residential development.

**- Lower Trent Conservation Authority:**

In light of the above comments, Lower Trent Conservation has **no concerns** with the approval of the above noted applications for consent (AH-10/2010 and AH-11/2010). Lower Trent Conservation recommends that:

1. The applicant(s) be advised of the applicability of Ontario Regulation 163/06 on the retained lot, and the need for written approval from the Conservation Authority for any development and/or alteration within the aforementioned regulated areas.
2. Lower Trent Conservation be contacted to determine any potential implications of the Fisheries Act.
3. The applicant(s) are encouraged to maintain, and where possible enhance, the natural vegetation within the riparian Area of the above noted watercourses and adjacent to the unevaluated wetland complex.

**- Alnwick/Haldimand Public Works Department:**

An entrance must be located at the west limit of severed lot to obtain sufficient visibility to the west on Shelter Valley Road.

**- Haliburton Kawartha Pine Ridge District Health Unit:**

Any sewage system will have to be located on the west half of the lot to avoid the spring area on the east half. Four to five feet of sand fill may be required in the septic bed area due to a high water table.

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Moved by Deputy Mayor McDonald, seconded by Councillor Robins;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve the Consent Application **AH-09/2010**, for Bob and Marg Mitro, Concession 4, Part Lot 2 (former Township of Haldimand) now in the Township of Alnwick/Haldimand -Conditional upon an amendment to Restricted Area Zoning By-Law 619 coming into force and effect;

-Conditional upon payment of the Residential Development Fee of **\$4,729.00**.

CARRIED."

[BOB MITRO - CONSENT - AH-09-2010.pdf](#)

[AH-08-2010 and AH-09-2010 - Severance - Lot 2 Concession 4 Haldimand - Mitro - LTC Comments May2010.doc](#)

[PRMPA AH-09-2010 - M and B Mitro.doc](#)

8:00 p.m. - Marg Mitro, Agent: Bob Mitro, **AH-10/2010, Consent #1**, Concession 4, Part Lot 3 (former Township of Haldimand) now in the Township of Alnwick/Haldimand RE: Non-farm.

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Mr. and Mrs. Mitro are requesting a severance for the creation of a residential lot (non-farm). The severed lot will be approximately 1.0 acres and the retained parcel will be approximately 49.0 acres from a parcel of approximately 50.0 acres. The subject property fronts along Shelter Valley Road and is not located on the Oak Ridges Moraine. The Official Plan designation is Rural and Environmental Protection (northend) and the Zoning is Rural (RU).

The following ministries and agencies were circulated and following comments were received:

- **Lower Trent Conservation Authority:**

In light of the above comments, Lower Trent Conservation has **no concerns** with the approval of the above noted applications for consent (AH-10/2010 and AH-11/2010). Lower Trent Conservation recommends that:

1. The applicant(s) be advised of the applicability of Ontario Regulation 163/06 on the retained lot, and the need for written approval from the Conservation Authority for any development within the aforementioned regulated areas.
2. Lower Trent Conservation be contacted to determine any potential implications of the Fisheries Act.
3. The applicant(s) are encouraged to maintain, and where possible enhance, the natural vegetation within the riparian area of the above noted watercourses and adjacent to the unevaluated wetland complex.

- **Pine Ridge Municipal Planning Agency:**

The consent application proposes the severance of lot encompassing 0.4 hectares (1.0-acres) which is currently vacant, to be used for rural residential purposes. The retained parcel encompasses 19.8 hectares (49.0 acres) and is currently vacant. Both parcels have frontage on Shelter Valley Road. There is a second application (No. AH-11/2010) for severance of a 0.4 ha (1.0 ac) parcel from the existing 20-ha (50-acre) parcel.

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The subject lands are designated Rural and Environmental Protection in accordance with the Township's Official Plan. The Rural designation permits the creation of lots for non-farm residential uses, provided that no more than two lots are created from any one holding. The number of lots shall be determined based on the size of the original parcel as it existed on January 1, 1990. The Environmental Protection designation lies on the north half of the retained parcel. The Conservation Authority should be consulted regarding setbacks for any development on the retained parcel.

The Provincial Policy Statement permits limited residential development in the *Rural Areas* of the municipality.

Based on the above, PRMPA recommends that Consent Application AH-10/2010 be approved, as it is consistent with the Provincial Policy statement regarding development in the *Rural Areas* and meets the intent of the Township's Official Plan regarding rural residential development.

**- Haliburton Kawartha Pine Ridge District Health Unit:**

Any area of sewage system may have to be raised with up to five feet of fill if heavy soils or a high water table is encountered at the time of building.

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

Moved by Councillor Ritchie, seconded by Councillor Robins;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve the Consent Application **AH-10/2010**, for Bob and Marg Mitro, Concession 4, Part Lot 3 (former Township of Haldimand) now in the Township of Alnwick/Haldimand -Conditional upon an amendment to Restricted Area Zoning By-Law 619 coming into force and effect;

-Conditional upon payment of the Residential Development Fee of **\$4,729.00.**

CARRIED."

[BOB MITRO - CONSENT - AH-10-2010.pdf](#)

[AH-10-2010 and AH-11-2010 - Severance - Lot 3 Concession 4 Haldimand - Mitro](#)

[- LTC Comments May2010.doc](#)

[PRMPA AH-10-2010-M. Mitro.doc](#)

7:25 p.m. - Marg Mitro, Agent: Bob Mitro, **AH-11/2010, Consent #2**, Concession 4, Part Lot 3 (former Township of Haldimand) now in the Township of Alnwick/Haldimand RE: Non-farm.

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Mr. and Mrs. Mitro are requesting a severance for the creation of a residential lot (non-farm). The severed lot will be approximately 1.0 acres and the retained parcel will be approximately 49.0 acres from a parcel of approximately 50.0 acres. The subject property fronts along Shelter Valley Road and is not located on the Oak Ridges Moraine. The Official Plan designation is Rural and Environmental Protection (northend) and the Zoning is Rural (RU).

The following ministries and agencies were circulated and following comments were received:

**- Lower Trent Conservation Authority:**

In light of the above comments, Lower Trent Conservation has **no concerns** with the approval of the above noted applications for consent (AH-10/2010 and AH-11/2010). Lower Trent Conservation recommends that:

1. The applicant(s) be advised of the applicability of Ontario Regulation 163/06 on the retained lot, and the need for written approval from the Conservation Authority for any development within the aforementioned regulated areas.
2. Lower Trent Conservation be contacted to determine any potential implications of the Fisheries Act.
3. The applicant(s) are encouraged to maintain, and where possible enhance, the natural vegetation within the riparian area of the above noted watercourses and adjacent to the unevaluated wetland complex.

**- Pine Ridge Municipal Planning Agency:**

The consent application proposes the severance of lot encompassing 0.4 hectares (1.0-acres) which is currently vacant, to be used for rural residential purposes. The retained parcel encompasses 19.8 hectares (49.0 acres) and is currently vacant. Both parcels have frontage on Shelter Valley Road. There is a second application (no. AH-10/2010) for severance of a 0.4 ha (1.0 ac) parcel from the existing 20-ha (50-acre) parcel.

The subject lands are designated Rural and Environmental Protection in accordance with the Township's Official Plan. The Rural designation permits the creation of lots for non-farm residential uses, provided that no more than two lots are created from any one holding. The number of lots shall be determined based on the size of the original parcel as it existed on January 1, 1990. The Environmental Protection designation lies on the north half of the retained parcel. The Conservation Authority should be consulted regarding setbacks for any development on the retained parcel.

The Provincial Policy Statement permits limited residential development in the *Rural Areas* of the municipality.

Based on the above, PRMPA recommends that Consent Application AH-11/2010 be approved, as it consistent with the Provincial Policy Statement regarding development in *Rural Areas* and meets the intent of the Township's Official Plan regarding rural residential development.

**- Haliburton Kawartha Pine Ridge District Health Unit:**

Any area of sewage system may have to be raised with up to five feet of fill if heavy soils or a high water table is encountered at the time of building.

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

Moved by Councillor Ritchie, seconded by Councillor Jeninga;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve the Consent Application **AH-11/2010**, for Bob and Marg Mitro, Concession 4, Part Lot 3 (former Township of Haldimand) now in the Township of Alnwick/Haldimand -Conditional upon an amendment to Restricted Area Zoning By-Law 619 coming into force and effect;

-Conditional upon payment of the Residential Development Fee of **\$4,729.00.**

CARRIED."

[BOB MITRO - CONSENT - AH-11-2010.pdf](#)

**THE CORPORATION OF THE TOWNSHIP OF ALNWICK/HALDIMAND  
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[AH-10-2010 and AH-11-2010 - Severance - Lot 3 Concession 4 Haldimand - Mitro - LTC Comments May2010.doc](#)  
[PRMPA AH-11-2010 - M. Mitro.doc](#)

8:01 p.m. - Diane Knight, **AH-12/2010**, Concession 1, Part Lot 2 (former Township of Haldimand) now in the Township of Alnwick/Haldimand RE: Non-farm.

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Mrs. Dianne Knight is requesting a severance for the creation of a residential lot (non-farm). The severed lot will be approximately 4.80 acres and the retained parcel will be approximately 35.0 acres from a parcel of approximately 39.80 acres. The subject property fronts along Dudley Road and is not located on the Oak Ridges Moraine. The Official Plan designation is Rural and Environmental Protection and the Zoning is Rural (RU).

The following ministries and agencies were circulated and following comments were received:

**-Lower Trent Conservation Authority:**

Please be advised that Lower Trent Conservation has **no concerns in principle** with approval of this application; however, Lower Trent Conservation recommends the following be amended as conditions of approval:

1. The proposed development of the single detached dwelling, private wastewater servicing, and any accessory structures on the severed lot maintain a minimum 15 meter setback from the surveyed stable top-of-slope (slope ratio 3(h):1(v)). In the event the above noted development is proposed within the recommended setback, a geo-technical study to evaluate slope stability will be required. This study will be completed to the satisfaction of the planning approval authority prior to the granting of approval under the Planning Act.

Lower Trent Conservation additionally recommends that:

1. The applicant(s) be advised of the applicability of Ontario Regulation 163/06, and the need for written approval from the Conservation Authority for any development and/or alteration within the aforementioned regulated area.
2. The identified steep slope (approximate slope ratio of 3(h):1(v)) be re-stabilized with natural self-sustaining vegetation as soon as possible.
3. To ensure that there are no negative impacts on the hydrological functions associated with the cold water watercourse, it is recommended that the watercourse plus a 30 meter setback (top-of-bank) be placed in an Environmental Protection (EP) Zone. The recommended Environmental Protection (EP) Zone can be amended during the required (conditional) rezoning application for the subject lot.
4. The applicant(s) are encouraged to maintain, and where possible enhance, the natural vegetation within the regulatory setback from the identified watercourse.

**- Pine Ridge Municipal Planning Agency:**

This application proposes to sever a parcel encompassing approximately 1.9 hectares (4.8 acres) for rural residential purposes. The retained lot encompasses approximately 14.2 hectares (35.0 acres). The severed parcel is currently vacant. The retained lands are developed with a single detached dwelling and garage. Both parcels have frontage on Dudley Road (shown as Orchard Road on Schedule 'B' to the Township's Official Plan).

The subject lands are designated Rural in accordance with the Township's Official Plan. The Rural designation permits the creation of lots for non-farm residential uses, provided that no more than two lots are created from any one holding. The number of lots shall be determined based on the size of the original parcel as it existed on January 1, 1990.

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A portion of the frontage of the severed parcel is designated Environmental Protection, which delineates a 'pond', according to the application. The Township's Official Plan, Section 4.2.1 x), states that "severances in environmentally sensitive areas ...shall not be granted unless sufficient lands are available outside the sensitive area to accommodate the development and associated services ..." and that "in considering such applications, the Conservation Authority should be consulted". The frontage of the severed parcel is 129 metres (423.2 ft). Lower Trent Conservation should be consulted to provide guidance in delineating the EP area on the severed parcel and whether there is sufficient frontage for access along Dudley Road outside the EP designation. It should also be consulted regarding any proposed development within 30 metres of the EP area. The Provincial Policy Statement (PPS) permits limited residential development in the rural areas of the municipality. This application meets the intent of the PPS regarding development in *Rural* Areas.

The Official Plan permits limited rural residential development in the Rural designation. The application meets the intent of the Township's Official Plan. Provided that the comments noted above are addressed with Lower Trent Conservation, PRMPA recommends that Consent Application AH-12/ 2010 be approved as it is consistent with the Provincial Policy Statement and complies with the Township's Official Plan with respect to rural residential development.

- **Haliburton Kawartha Pine Ridge District Health Unit:** No objection.
- **Alnwick/Haldimand Public Works Department:** An entrance is allowed only at the location approved by the Public Works Superintendent at the expense of the property owner.

Councillor Ritchie asked if the recommendations of the Lower Trent Conservation Authority would be included as condition of consent. It was noted by Clerk/Administrator/Planning Co-ordinator, Terry Korotki that the notations are recommendations only and it would be Council's decision to include the recommendations as conditions to the consent application.

Moved by Councillor Robins, seconded by Councillor Bennis;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve the Consent Application **AH-12/2010**, as submitted by Ms. Dianne Knight, Concession 1, Part Lot 2 (former Township of Haldimand) now in the Township of Alnwick/Haldimand.

-Conditional upon an amendment to Restricted Area Zoning By-Law 619 coming into force and effect;

-Conditional upon payment of the Residential Development Fee of **\$4,729.00**  
CARRIED."

Request for a Release submitted by Mrs. Knight

Moved by Councillor Robins, seconded by Deputy Mayor McDonald;

"Be it resolved that the request for a Release and Discharge the Township of Alnwick/Haldimand of any and all liability should any arise as a result of completing/pouring of the footings and concrete walls up to the basement level for the structure that is to be constructed on the severed parcel in Concession 1, Part Lot 2 for Dianne Knight, application AH/12-2010.

Recorded vote requested by Councillor Ritchie:

Councillor Bennis - yea  
Councillor Jeninga - yea  
Councillor Ritchie - nay  
Councillor Robins - yea  
Deputy Mayor McDonald - yea  
Mayor Finley - yea

MOTION CARRIED BY A VOTE OF 5 to 1."

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[DIANE KNIGHT - CONSENT - AH-12-2010.pdf](#)  
[A-12-2010 - Severance - Lot 2 Concession 1 Haldimand - Knight - LTC Comments May2010.doc](#)  
[PRMPA AH-12-2010 D. Knight.doc](#)

8:22 p.m. - Brian Read, **AH-13/2010**, Concession 1, Part Lot 34 (former Township of Haldimand) now in the Township of Alnwick/Haldimand. RE: Lot Addition.

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Mr. Read is requesting a severance for a lot addition. The parcel of land to be severed is approximately 2.26 acres which is to merge with the property to the east owned by Kimberly Read. The Planning Coordinator, Terry Korotki advised that the said lands are located on Brookside Road and the proposed parcel is not located on the Oak Ridges Moraine Conservation Plan area. The Official Plan designation is Agricultural and Environmental Protection and the Zoning is Rural (RU) and Environmental Control (EC).

The following agencies and ministries were circulated and the following comments received:

- **Ganaraska Region Conservation Authority:** We have completed our review of the above noted applications to sever and convey two parcels as lot additions.

Please be advised that these applications have been given due consideration, with regard to matters under the jurisdiction and mandate of the Conservation Authority, there is no objection to the approval of these applications.

The owners should be aware that the subject lands are traversed by an identified watercourse, and as such a portion of the west 1/2 of lot 34 are regulated under this Authority's Development, Interference with Wetlands, Alteration to Shorelines and Watercourses Regulation (Ontario Regulation 168/06). A permit would be required prior to any development or site alteration within the regulated portions of the property.

- **Pine Ridge Municipal Planning Agency:**

This application proposes to sever approximately 0.9 hectares (2.3 acres) to be merged as a lot addition to an existing (benefitting) lot encompassing approximately 19.8 hectares (49.0 acres) which is currently developed with a house and outbuilding. The retained lands encompass approximately 19.4 hectares (48.0 acres) and are currently vacant. The retained parcel has frontage on County Road 2 and on Brookside Road. The severed parcel (i.e. the lot addition) has frontage on Brookside Road. The severed parcel, once merged in title with the benefitting lot, will widen the benefitting lot's existing limited frontage and access on Brookside Road to 45.7 metres (150 ft).

The subject lands are designated Agricultural in accordance with the Township's Official Plan. The Provincial Policy Statement (PPS) and the Township's Official Plan do not permit the creation of new rural residential lots in the Agricultural designation. However, no new lot is being created by this application. The application may be considered a lot adjustment for legal or technical reasons as outlined in Section 4.2.3. v) in the Official Plan. The Official Plan permits severances which have the effect of changing boundary lines or which do not create additional new buildable lots. The application meets the intent of the PPS and the Township's Official Plan.

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Based on the above, PRMPA recommends that Consent Application AH-13/ 2010 be approved as it is consistent with the Provincial Policy Statement regarding development in *Rural Areas* and complies with the Township's Official Plan with respect to lot line adjustments in the Township.

- **Alnwick/Haldimand Public Works Department:** An entrance is allowed only at the location approved by the Public Works Superintendent at the expense of the property owner.
- **Haliburton Kawartha Pine Ridge District Health Unit:** No objections.
- **County of Northumberland:** No objections.

Moved by Councillor Jeninga, seconded by Councillor Robins;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve Consent Application **AH-13/2010**, for Brian Read, Concession 1, Part Lot 34 (former Haldimand Township) now in the Township of Alnwick/Haldimand -Conditional upon an amendment to Restricted Area Zoning By-Law 619 coming into force and effect;  
-Conditional upon payment of the Residential Development Fee of **\$4,729.00**.  
CARRIED."

[BRIAN READ AH 13 2010.pdf](#)

[PRMPA AH-13-2010 Read.doc](#)

[GRCA COMMENTS AH-1314 2010-READ.pdf](#)

7:40 p.m. - Kimberly Read, **AH-14/2010**, Concession 1, Part Lot 34, (former Haldimand Township) now in the Township of Alnwick/Haldimand RE: Lot Addition.

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Ms. Read is requesting a severance for a lot addition. The parcel of land to be severed is approximately 42.72 acres which is to merge with property to the west owned by Brian Read. The Planning Coordinator, Terry Korotki advised that the said lands are located on Brookside Road (and County Road No. 2 - southerly boundary). The proposed parcel is not located in the Oak Ridges Moraine Conservation Plan area. The Official Plan designation is Agricultural and Environmental Protection and the Zoning is Rural (RU) and Environmental Control (EC). The following agencies and ministries were circulated and the following comments were received:

- **Ganaraska Region Conservation Authority:** We have completed our review of the above noted applications to sever and convey two parcels as lot additions. Please be advised that these applications have been given due consideration, with regard to matters under the jurisdiction and mandate of the Conservation Authority, there is no objection to the approval of these applications.

The owners should be aware that the subject lands are traversed by an identified watercourse, and as such a portion of the west ½ of lot 34 are regulated under this Authority's Development, Interference with Wetlands, Alteration to Shorelines and Watercourses Regulation (Ontario Regulation 168/06). A permit would be required prior to any development or site alteration within the regulated portions of the property.

**- Pine Ridge Municipal Planning Agency:**

This application proposes to sever approximately 17.3 hectares (42.7 acres) to be merged as a lot addition to an existing (benefitting) lot encompassing approximately 19.8 hectares (49.0 acres) which is vacant. The retained lands are currently developed with a house and outbuilding and have frontage on Brookside Road. The severed parcel (i.e. the lot addition) has frontage on County Road 2. The severed parcel, once merged in title with the benefitting lot, will enlarge the size of the newly created lot in the Agricultural designation by approximately 90 per cent.

Should this application be approved, the retained parcel from this application which encompasses approximately 2.4 hectares (6.0 acres) will be merged with a parcel to be severed by approval of application no. AH-13/2010, to increase the frontage of the enlarged parcel on Brookside Road.

The subject lands are designated Agricultural in accordance with the Township's Official Plan. The Provincial Policy Statement (PPS) and the Township's Official Plan do not permit the creation of new rural residential lots in the Agricultural designation. However, no new lot is being created by this application. The application may be considered a lot adjustment for legal or technical reasons as outlined in Section 4.2.3. v) of the Official Plan. The Official Plan permits severances which have the effect of changing boundary lines or which do not create additional new buildable lots. The application will also result in the creation of a larger parcel designated Agricultural. The application meets the intent of the PPS with regard to development in *Rural Areas* and the Township's Official Plan regarding lot line adjustments.

Based on the above, PRMPA recommends that Consent Application AH-14/ 2010 be approved as it is consistent with the Provincial Policy Statement and complies with the Township's Official Plan with respect to lot creation in the Township.

- **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:** No objection.

**- Northumberland County:**

In response to the circulation noted above, we have reviewed the application and would request that the following be included as conditions of consent:

1. That the applicant shall layout and dedicate by deed to the County of Northumberland a 0.3 metre (1foot) *reserve* along the frontage of the severed and retained portions of County Road 2.

2. That the applicant shall register sufficient covenants on the title of the severed and retained portions to protect overland surface water drainage patterns to ensure that drainage from the adjacent County road allowance properties shall remain unimpeded over the properties.

The purpose of Condition No. 1 is to prohibit further entrances being made onto the adjacent County roadway. The purpose of Condition No .2 is to ensure that surface water drainage from the adjacent County roadway may continue to drain overland and unimpeded.

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Moved by Councillor Ritchie, seconded by Deputy Mayor McDonald;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve Consent Application **AH-14/2010**, for Kimberly Read, Concession 1, Part Lot 34 (former Haldimand Township) now in the Township of Alnwick/Haldimand

-Conditional upon an amendment to Restricted Area Zoning By-Law 619 coming into force and effect;

-Conditional upon payment of the Residential Development Fee of **\$4,729.00**

-Conditional upon the applicant shall layout and dedicate by deed to the County of Northumberland a 0.3 metre (1foot) *reserve* along the frontage of the severed and retained portions of County Road 2

-Conditional upon the applicant shall register sufficient covenants on the title of the severed and retained portions to protect overland surface water drainage patterns to ensure that drainage from the adjacent County road allowance properties shall remain unimpeded over the properties.  
CARRIED."

[READ\(AH-14-2010\)northumberlandCounty.pdf](#)

[GRCA COMMENTS AH-1314 2010-READ.pdf](#)

[KIM READ AH 14 2010.pdf](#)

[PRMPA AH-14-2010 Read.doc](#)

8:35 p.m. - Pat and Harold Murphy, **AH 15/2010**, Concession 1, Part Lot 13 (former Haldimand Township) now in the Township of Alnwick/Haldimand RE: Non-farm.

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Mr. and Mrs. Murphy are requesting a severance for the creation of a severance of a residential lot (non-farm). The parcel of land to be severed is approximately 2.56 acres and the retained parcel shall be 19.72 acres from a total parcel of 22.28 acres. The subject lands front along Skyview Road and is not located in the Oak Ridges Moraine Conservation Plan area.

The Official Plan designation is Rural and Environmental Protection (on the eastside) and the Zoning is Rural (RU).

The following agencies and ministries were circulated and the following comments received:

**- Lower Trent Conservation Authority:**

In light of these comments, Lower Trent Conservation has **no concerns** with approval of the above noted application for consent (AH-15/2010). Lower Trent Conservation recommends that:

1. The applicant(s) consult with the Ministry of Natural Resources – Peterborough District Office to discuss the potential implications of the Endangered Species Act (2007).

**- Pine Ridge Municipal Planning Agency:**

The consent application proposes the severance of a parcel encompassing approximately 1.03 hectares (2.56 acres), which is currently vacant, to be used for single detached rural residential purposes. The retained parcel encompasses 7.9 hectares (19.7 acres) and is currently developed with a single-detached dwelling, a storage building and three sheds. Both parcels have frontage on Sky View Road. The subject lands are designated Rural in accordance with the Township's Official Plan. The Rural designation permits the creation of lots for

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non-farm residential uses, provided that no more than two lots are created from any one holding. The number of lots shall be determined based on the size of the original parcel as it existed on January 1, 1990. There is a wetland mentioned in the application but Schedule 'B' of the Township's Official Plan appears to indicate that the Environmental Protection designation lies to the east of the retained parcel. The Provincial Policy Statement permits limited residential development in *Rural Areas* of the municipality. Based on the above, PRMPA recommends that Consent Application AH-15/2010 be approved as it is consistent with the Provincial Policy Statement regarding development in *Rural Areas* and meets the intent of the township's Official Plan regarding rural residential development.

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

- **Alnwick/Haldimand Public Works Department:** Entrance to be located on east end of severed lot where slope is not as steep as to avoid erosion problems from the driveway.

- **Ministry of Transportation:** No concerns.

Moved by Councillor Bennis, seconded by Councillor Jeninga;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve Consent Application **AH-15/2010**, for Pat and Harold Murphy, Concession 1, Part Lot 13 (former Haldimand Township) now in the Township of Alnwick/Haldimand

-Conditional upon an amendment to Restricted Area Zoning By-Law 619 coming into force and effect;

-Conditional upon payment of the Residential Development Fee of **\$4,729.00**.

CARRIED."

[MURPHY APPLICATION AH 15 2010.pdf](#)

[AH-15-2010 - Severance - Lot 13 Concession 1 Haldimand - Murphy - LTC](#)

[Comments May2010.doc](#)

[PRMPA AH-15-2010- Murphy.doc](#)

**VIII. INFORMAL CONSENT(S) - 8:38 P.M.:**

8:38 p.m. - Omni Commerce Ltd., Agent: Richard Irvine, **AH-16/2010**, Concession 2, Part Lot 6 (former Township of Haldimand) now in the Township of Alnwick/Haldimand. RE: Non-Farm.

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**COMPREHENSIVE ZONING BY-LAW:**

Moved by Councillor Robins, second by Deputy Mayor McDonald;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, defer the Comprehensive Zoning By-Law for the Township of Alnwick/Haldimand until the Municipal Planning Meeting scheduled on Wednesday, August 25, 2010.

CARRIED."

Moved by Councillor Bennis, seconded by Councillor Robins;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve the circulation of the Consent Application for Omni Commerce Ltd., Agent: Richard Irvine, **AH-16/2010**, Concession 2, Part Lot 6 (former Township of Haldimand) now in the Township of Alnwick/Haldimand.

CARRIED."

[OMNI COMMERCE LTD \(Agent-Richard Irvine\) \(AH-16-2010\).pdf](#)

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9:05 p.m. - Mike Peterkin, **AH-17/2010 (replaces AH-14/2009)**, Concession A, Part Lot 32 (former Township of Haldimand) now in the Township of Alnwick/Haldimand RE: Non-Farm.

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Moved by Councillor Bennis, 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, accept the email from Mr. Mike Peterkin advising of his formal withdrawal of Consent Application AH-14/2009. CARRIED."

Moved by Councillor Jeninga, seconded by Councillor Ritchie;

"Be it resolved that the Council of the Township of Alnwick/Haldimand Township, being the Land Division Committee/Committee of Adjustment, approve the circulation of Consent Application **AH-17/2010** (replaces AH-14/2009), as submitted by Mike Peterkin, Concession A, Part Lot 32 (former Township of Haldimand) now in the Township of Alnwick/Haldimand. CARRIED."

[PETERKIN\(Consent AH17-2010\)\(replaces AH-14-2009\).pdf](#)

9:07 p.m. - John DeGraauw, **AH-18/2010**, (replaces AH-29/2009), Concession A, Part Lot 23, (former Township of Haldimand) now in the Township of Alnwick/Haldimand.

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Moved by Deputy Mayor McDonald, seconded by Councillor Ritchie;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment accept the formal withdrawal of Consent Application AH-29/2009 from Mr. John DeGraauw. CARRIED."

Moved by Councillor Bennis, seconded by Councillor Robins;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment accept the formal withdrawal of Consent Application AH-22A/2009 from Mrs. Paula DeGraauw. CARRIED."

Moved by Deputy Mayor McDonald, seconded by Councillor Ritchie;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve the circulation of Consent Application **AH-18/2010** (replaces AH-29/2009) as submitted by Mr. John DeGraauw, Concession A, Part Lot 23, (former Township of Haldimand) now in the Township of Alnwick/Haldimand. CARRIED."

[DEGRAAUW John\(AH-18-2010\).pdf](#)

9:11 p.m. - Marie McVety, **AH-19/2010**, Concession 3, Part Lot 11 (former Township of Haldimand) now in the Township of Alnwick/Haldimand. RE: Hamlet.

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Moved by Councillor Bennis, seconded by Deputy Mayor McDonald;

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve the circulation of Consent Application **AH-19/2010** as submitted by Marie McVety, Concession 3, Part Lot 11 (former Township of Haldimand) now in the Township of Alnwick/Haldimand. CARRIED."

[McVetyMarie\(AH-19-2010\).pdf](#)

Break 9:12 P.M. – 9:21 P.M.

**IX. PLANNING DELEGATIONS**

9:22 p.m. - Ms. Lelia Ketola, Requesting Relief from Exotic Animal By-Law and her grandson Chris Ketola and Shannon Leblanc.

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My name is Lelia Ketola and I am here this evening on behalf of the Centre for the Conservation of Specialized Species. The Centre is basically a family run, fully charitable organization interested in conservation and has two basic mandates. The first is to breed not only 'threatened and endangered animals, but also animals that are so specialized they cannot readily adapt to environmental changes in their native habitat.

Our second mandate, of equal importance, is to educate the younger generation, and the public at large, about how changes in the environment can affect all living creatures. To this end, we have presented to at least 40 different schools during the present school year. On February 11th and February 13th of 2009 we were in your school, here in Roseneath for two afternoons demonstrating to your local students with live birds of prey and bats that we have bred at the Centre.

The purpose of our presence here this evening is to respectfully request an Exemption to your Animal by-law No SS - 2001, being a by-law prohibiting and regulating the keeping of certain animals within your Municipality of Alnwick/Haldimand that would enable us to reside in your community.

Since November of 1987 our family has been breeding specialized species at our current location in Belmont Township. Throughout this time, there has never been a complaint from any member of the township. We have not posed any risk to any resident, or property. We have merely gone about our business, in relative obscurity, maintaining these animals and breeding them in quiet and isolated conditions.

The reason that we are in search of a new location for the Centre, is because a limestone quarry will begin blasting operations on August, 2011 very near to our present premises. This blasting will interfere with the breeding of the birds of prey.

To enable us to carry on the work that we are dedicated to, and to make provision for any moderate future expansion in the type of animals we may maintain and breed, and for public interest and public security, we would like to suggest that the following regulations be incorporated in the exemption.

Not to be included in this exemption are the following animals:

a) Any animal that is considered venomous. This specifically includes all venomous reptiles and venomous insects,

b) No species of animal may be kept whose weight would exceed 175 pounds.

This specifically includes, but is not limited to, elephants, rhinos, zebras, baboons, gorillas, orangutans, emus, ostriches, rheas, bears, lions, leopards, tigers, cougars and panthers. And sea animals such as dolphins, porpoises or whales. The limitation of 175 pounds in weight will ensure that no species is kept that is difficult to control. Such a regulation in our proposed exemption would also give us the opportunity to moderately expand when necessary, since we do not know at this time, what species will be at risk in the future. All of the dangerous species, those that could pose a risk to the community, are covered in section (b) of our proposed regulation. Since the family is so closely involved in the care of the animals, we understand concerns and would not want to impose any animal upon the community that would be a risk to ourselves as well as members of the community. The species that we have been breeding and

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maintaining for the past twenty two years and plan to move to new premises are, as previously mentioned, birds of prey. This includes hawks, falcons, eagles and owls. All birds will be contained in enclosed areas. They are far too valuable to be flown freely, so this is never done. Our policy has always been to tether birds when they are taken out of their aviaries. In this manner, they are controlled at all times, and cannot possibly pose a threat to anyone in any manner whatsoever.

As well, we have also been breeding colonies of tropical fruit bats for the same length of time. These bats are kept in specialty enclosed and heated premises at all times. They do not have access to any outdoor flights of any kind. There is no possibility of any escapes. In any event, they must be maintained at a temperature of between 80 to 85 degrees Fahrenheit throughout the year and could not possibly survive in our climate.

During this last year we have been investigating a number of areas in Northumberland, and have found that your Municipality has properties that are most suitable to our needs. The property that we were interested in purchasing was sold to someone else this past week, and it is no longer available to us. We are therefore asking for this Counsel to grant us an exemption to be applied to a property yet to be located, providing that this property is zoned as Agricultural, which would cover the breeding of our animals.

We need a property that has natural growth on it that will be maintained in it's pristine state. Any forested area would not be used as a source for firewood. Untouched, it would be used as a vehicle to demonstrate the value of conservation to any visiting students that are attending special environmental courses. We would like eventually to be open to public access in a very limited capacity. It is not our intention to ever be a zoo such as Orono Cat World, or Bowmanville Zoo. All visiting will be controlled by invitation and reservation only. There isn't any noise to be heard from the bats, and only an occasional hoot from an owl that I do not think anyone would find offensive. The reason the large acreage is important to us is to ensure that the animals are not perturbed by the sounds that come from human dwellings and from traffic too close to them. Their need is for isolation in order to breed successfully.

Our intention is to build a small residence for the family. This would enable us to be present at all times to ensure that the animals receive the proper care on a 24 hour basis. The bird aviaries would be placed in such a manner as to take advantage of the natural topography, therefore disturbance to the natural features that exist on the property would be minimized.

There would also be a few small buildings strategically placed for any animals, such as the bats that need a sealed indoor environment at all times. All forestry would remain intact with only small pathways to maneuver through. There would not be large areas that would be disturbed by cement walkways, nor would there be a large number of vendors, for any reason on the property.

The Centre has endeavored over the past 22 years to maintain a high standard of care and responsibility towards the community and the animals in our care. We do not have the time nor inclination to keep animals such as venomous reptiles or large cats that have shock value that is used as a source for monetary gain. Because of this high standard, we can only be an asset to any community that we reside in. I would like to refer you to the sections included labeled ISIS and Studbook to give you a better idea of the depth of our dedication.

Thirty years ago, we decided as a family, to devote our time and energy to a cause that would be of benefit. We believe that captive breeding is an insurance policy against extinction. What we breed does not enter the pet trade, nor do we sell animals to individuals. We place the progeny from our animals in pairs to other breeding facilities throughout the world. In this way, we are ensuring that

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when a natural or man-made disaster occurs in habitat of a species that we breed, that this species will not become extinct. The best example that personifies this is the oil spill off the coast of Florida. All animals on land and sea in the areas of this spill are very likely to decline significantly in numbers and are at risk of extinction. This is the breeding season for these animals, they are all located, young and old, in very limited areas. They have no escape. For reasons such as this, we are hoping that you will grant us this exemption, if we are lucky enough to find another property in your Township that is suitable for what we are doing.

We would be glad to answer any questions you may have, and I introduce Chris Ketola. He is our primary animal handler and best equipped to answer questions in more detail.

Mayor Finley thanked Mrs. Ketola and her Grandson Chris Ketola for coming and advising Council of their operation and of their future ventures and noted that until they have found a suitable relocation there wouldn't be much more that Council could do at this time. It was requested if Council could attend the present location to see the existing operation. Mr. C. Ketola said that this would not be possible until at least October.

9:45 P.M. - Tracey Yorke and Don Bourne, Discuss Hamlet Consents

Mr. Don Bourne and Mrs. Tracey Yorke were present to discuss three proposed consents adjacent to the unconstructed Bryson Drive off of Clitheroe Road in the Hamlet of Grafton.

The following was presented by Mrs. Yorke for Council's consideration:

- Council is requested to permit their Public Works Department to construct Bryson Drive between the west shoulder of Clitheroe Road for a distance of 470 feet westerly. The road construction shall include a hammerhead (within the 470 feet) as necessary to permit vehicle turning. Bourne agrees to convey property (at no cost to the Municipality) of sufficient area as necessary to construct the hammerhead. The road surface shall be 24 feet wide and topped with high float surface and will service traffic for only three lots. Your Public Works Superintendent estimated that his forces could complete the construction for a cost of approximately \$26,000.00. Any deviation to this cost shall be negotiated by both parties.
- The extension of the existing six inch watermain from the existing stub located on Bryson Drive, (now at 20 feet west of Clitheroe Road) for a distance of 350 feet westerly is necessary to service the three lots. The cost of the extension including one hydrant and three services as required by LUSI is estimated at \$38,000.00. Bourne shall arrange for this work to be complete by an experienced contractor and be supervised by LUSI personnel.
- The Bouden property located on the west side of Clitheroe Road includes a 125 foot width on the north side of Bryson Drive that is not serviced. This will necessitate Bourne to construct Bryson Drive and to extend the watermain across the Bouden property to permit the servicing of the three proposed lots. The cost of Bryson Drive is a Municipal Road Allowance and accordingly Bourne request Council to absorb the construction costs across the flankage of the Bouden property. The formula to pay these costs is estimated as follows: 125 feet divided by 470 feet being 26.6 percent equals \$6,650.00 being the Township share.
- In consideration of Bourne paying the entire cost of constructing the watermain in the amount of \$43,000.00 (including taxes) within the Municipal owned road allowance, Council is requested to waive the water

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connection fees for the proposed three new building lots. It is understood the Municipal shall impose development fees in the total amount of (3 x \$4,729.00) \$14,187.00. Bourne requests Council to defer payment of development fees until building permits are issued.

- A short form agreement shall be prepared following approve of the three consent applications binding both parties to the terms including timing, cost sharing, etc. as necessary to permit the project to proceed. The consent application shall be presented to Council at their meeting on June 2010.
- Council may consider renaming Bryson Drive to Bryson Court due to the fact that the road allowance will not be extended westerly due to serious environmental and topography constraints.

Mayor Finley advised that Council would require additional time to review the above-noted request prior to providing a decision with respect to this development proposal.

10:05 p.m. - Mr. Peter A. Josephs, Municipal Planner:

Endorsement of the Minutes of Settlement for Oak Heights Estates Winery/Cook:

Moved by Deputy Mayor McDonald, seconded by Councillor Ritchie;

"Be it resolved that the Council of the Township of Alnwick/Haldimand endorse the Minutes of Settlement between Brian Cook, Appellant; Oak Heights Estate Winery, Applicant, and the Township of Alnwick/Haldimand in the matter of: By-Law 77-2009 and By-Law 65-2009 relating to lands in the former Township of Haldimand, now in the Township of Alnwick/Haldimand described in Concession 8, Part Lot 2 – Oak Heights Estates Winery and Ontario Municipal Board File numbers PL090872 and PL090873. CARRIED."

Robins Pit Operation - Draft Development Agreement:

Moved by Councillor Bennis, seconded by Councillor Ritchie;

"Be it resolved that the Council of the Township of Alnwick/Haldimand direct that the Municipal Planner, Mr. Peter A. Josephs in conjunction with the Municipal Solicitor, Mr. Wayne Fairbrother, Templemann Meninga prepare a Draft Development Agreement for the proposed pit operations as submitted by Mr. Shawn Robins; and further that Mr. Cam Ward, Public Works Superintendent be included in the preparation of this Development Agreement. CARRIED."

Councillor Jeninga departed the Municipal Planning Meeting at 10:17 p.m.

**X. APPROVAL OF MINUTES**

Municipal Planning Meeting Minutes of April 28, 2010.

Moved by Councillor Bennis, seconded by Councillor Ritchie;

"Be it resolved that the Municipal Planning Meeting Minutes of April 28, 2010, be deferred. CARRIED."

**XI. BUSINESS ARISING FROM PREVIOUS MINUTES**

There was no business arising from previous minutes.

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**XII. CORRESPONDENCE**

Letter from Kurt and Lynne Piekenbrock, 153 Savoury Road - Request to purchase triangular parcel of land.

Moved by Councillor Ritchie, seconded by Councillor Bennis;

"Be it resolved that the Clerk/Administrator/Planning Coordinator, Terry Korotki forward a letter to Mr. and Mrs. Piekenbrock to advise that the Council of the Township of Alnwick/Haldimand have denied their request to purchase the triangular parcel of land at County Road No. 18 and Lilac Valley Road as it is located within the Natural Core Area of the Oak Ridges Moraine Conservation Plan which deems the lands undevelopable. CARRIED."

Letter from the Ministry of the Environment dated May 4, 2010 RE: Proposed Road Project in the Townships of Cramahe and Alnwick/Haldimand

Moved by Deputy Mayor McDonald, seconded by Councillor Bennis;

"Be it resolved that it was the consensus of the Council of the Township of Alnwick/Haldimand to have Mayor William Finley contact Mayor Marc Coombs and Councillor van Edmond of the Township of Cramahe to discuss the proposed Road Project in greater detail and possibly address some of their concerns; and further that the letter from the Ministry of the Environment dated May 4, 2010 regarding the proposed road project in the Townships of Cramahe and Alnwick/Haldimand, be received and filed. CARRIED."

[LETTER FROM MOE RE RD PROJECT CRAMAHE AND ALNHALD.pdf](#)

Letter from the Environment and Land Tribunals Ontario (Ontario Municipal Board OMB) dated May 13, 2010 RE: Appeal of Good vs McBride.

Moved by Councillor Robins, seconded by Deputy Mayor McDonald;

"Be it resolved that the letter from the Environment and Land Tribunals Ontario (Ontario Municipal Board OMB) dated May 13, 2010 regarding the Appeal of Good vs. McBride, be received and filed. CARRIED."

[OMB LETTER GOOD MCBRIDE.pdf](#)

Letter from the Municipality of Trent Hills dated May 5, 2010 RE: Draft Zoning By-Law and Maps for comments.

Moved by Councillor Robins, seconded by Deputy Mayor McDonald;

"Be it resolved that the letter from the Municipality of Trent Hills dated May 5, 2010 regarding their Draft Zoning By-Law and Maps for comments, be received and filed. CARRIED."

[TRENT HILLS DRAFT ZONING BYLAW.pdf](#)

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Letters from Ernie Koehl dated May 3, 2010 RE: Future Council Meetings regarding the DeGraauw Applications and DeGraauw Applications AH-22A/2009 and AH-29/2009.

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Moved by Councillor Robins, seconded by Councillor Bennis;

"Be it resolved that the Clerk/Administrator/Planning Coordinator, Terry Korotki send an acknowledgement letter to Mr. and Mrs. Koehl pertaining to their correspondence dated May 3, 2010 with respect to Consent Applications AH-22A/2009 and AH-29/2009; and further that this correspondence be received and filed. CARRIED."

[KoehlLetter\(DeGraauw\)May3, 2010.pdf](#)  
[2ndLetterKoehlMay3, 2010\(DeGraauw\).rtf](#)

Letter from George Keith Bundy and Gwen Williams dated May 6, 2010 RE: DeGraauw Consent Application AH22A-2009 (Easement).

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Moved by Councillor Bennis, seconded by Councillor Robins;

"Be it resolved that the Clerk/Administrator/Planning Coordinator, Terry Korotki acknowledge receipt of the above-noted correspondence from George Keith Bundy and Gwen Williams dated May 6, 2010 regarding the DeGraauw Consent Application AH22A-2009 (Easement); and further that the correspondence be received and file. CARRIED."

[Bundy Williams Letter.pdf](#)

Letter from the Alderville First Nation dated April 28, 2010 RE: Comments pertaining to the Robins Pit Proposal.

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Moved by Councillor Ritchie, seconded by Councillor Bennis;

"Be it resolved that the Clerk/Administrator/Planning Coordinator, Terry Korotki forward a letter to acknowledge receipt of the above-noted correspondence; and further that a copy of this correspondence be forwarded to Mr. Peter A. Josephs, Municipal Planner, Mr. Bernie Furhmann, Applicants consultant, Mr. John McDonald, Planner, Ministry of Municipal Affairs and Housing and to Ms. Angela Gillies, Band Administrator, Alderville First Nation. CARRIED."

[LETTER FROM ALDERVILLE FIRST NATION.pdf](#)

Letter from the Ontario Restaurant Hotel and Motel Association (ORHMA) dated April 23, 2010 RE: Requesting Notice by Registered Mail of Proposed Amendment to Official Plans, Various By-Laws.

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Moved by Councillor Robins, seconded by Councillor Ritchie;

"Be it resolved that the letter from the Ontario Restaurant Hotel and Motel Association (ORHMA) dated April 23, 2010 requesting Notice by Registered Mail of Proposed Amendments to Official Plans, Various By-Laws, be received and filed. CARRIED."

[LETTER FROM ORHMA.pdf](#)

**XIII. CAO REPORT/UPDATES**

Letter from Gritt and Ernie Koehl dated June 3, 2010 RE: AH-18/2010 Consent Application by John de Graauw.

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Moved by Councillor Robins, seconded by Councillor Ritchie;

"Be it resolved that the letter from Gritt and Ernie Koehl dated June 3, 2010 regarding Consent Application AH-18/2010 as submitted by John de Graauw, be received and deferred to the June 23, 2010 Municipal Planning Meeting.

CARRIED."

**By-Law #58-2010** – Being a by-law to Sign and Execute a Contractual Agreement between the Corporation of the Township of Alnwick/Haldimand and Behan Construction Ltd. for the Reconstruction of Shelter Valley Road – Phase II.

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Moved by Councillor Robins, seconded by Councillor Bennis;

"Be it resolved that **By-Law No. 58-2010**, Being a by-law to Sign and Execute a Contractual Agreement between the Corporation of the Township of Alnwick/Haldimand and Behan Construction Ltd. for the Reconstruction of Shelter Valley Road – Phase II, be read and deemed to be PASSED this 26<sup>th</sup> day of May, 2010.

CARRIED."

**XIV. QUESTIONS FROM THE RATEPAYERS – 10:40 P.M.:**

Mrs. Carruthers pointed out that Pages 184 to 189 were not legible. The Deputy Clerk advised that there are some formatting issues being reconfigured with the software provider.

**BUSINESS FROM COUNCILLORS - 10:41 P.M.:**

Councillor Ritchie advised of a couple of issues pertaining to the Canada Day Celebrations and was provided an update from the Clerk/Administrator.

Councillor Bennis advised that he would not be attending the Canada Day Committee meeting as he would be celebrating his 43<sup>rd</sup> Wedding Anniversary. Councillor Bennis also noted that he has filed his nomination papers for office of Deputy Mayor for the 2010 Municipal Elections.

**MOTION TO ADJOURN TO AN IN CAMERA SESSION:**

Moved by Deputy Mayor McDonald, seconded by Councillor Bennis;

"Be it resolved that the Council of the Township of Alnwick/Haldimand Township adjourn to an In Camera Session in accordance with Section 239(2)(a) of the Municipal Act 2001, as amended, at 10:45 p.m.

CARRIED."

**MOTION TO RECONVENE TO THE MUNICIPAL PLANNING SESSION:**

Moved by Councillor Robins, seconded by Councillor Bennis;

"Be it resolved that the Council of the Township of Alnwick/Haldimand reconvene to the Municipal Planning Session at 10:54 p.m.

CARRIED."

**XV. APPROVAL OF CONFIRMING BY-LAW**

**By-Law No. 56-2010** - Being a by-law to confirm the proceedings of the Municipal Planning Meeting held on Wednesday, May 26th, 2010 of the Council of the Township of Alnwick/Haldimand.

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Moved by Councillor Ritchie, seconded by Councillor Robins;

"Be it resolved that **By-Law No. 56-2010**, being a by-law to confirm the proceedings of the Municipal Planning Meeting held on Wednesday, May 26, 2010 of the Council of the Township of Alnwick/Haldimand, be read and deemed to be PASSED this 26th day of May, 2010." CARRIED."

[CONFIRMING BY-LAW MAY 26 2010 MPM.pdf](#)

**XVI. ADJOURNMENT – 10:55 P.M.:**

Moved by Deputy Mayor McDonald, seconded by Councillor Bennis;

"Be it resolved that the Municipal Planning Session of May 26<sup>th</sup>, 2010, be adjourned at 10:55 p.m." CARRIED."

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MAYOR, WILLIAM FINLEY

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CLERK/ADMINISTRATOR/PLANNING  
COORDINATOR, TERRY KOROTKI