

**THE CORPORATION OF THE TOWNSHIP OF ALNWICK/HALDIMAND
MUNICIPAL PLANNING MEETING OF NOVEMBER 26TH, 2008- 7:00 P.M.**

AMENDED AS OF NOVEMBER 21, 2008

Council is to meet in the Municipal Planning Meeting on Wednesday, November 26th, 2008 at 7:00 p.m. in the Council Chambers at the Municipal Office in Grafton, with Mayor William Finley presiding.

Members Present:

Members Absent with Notification:

Staff Present:

Others:

I. CALL TO ORDER

Mayor Finley called the meeting to order at 7:01 p.m.

II. APPROVAL OF AGENDA:

Moved by
Seconded by

"Be it resolved that the Council of the Township of Alnwick/Haldimand approved the Agenda for the November 26th, 2008 Municipal Planning Meeting, as circulated. CARRIED."

III. DISCLOSURE OF PECUNIARY INTEREST AND GENERAL NATURE THEREOF:

IV. PUBLIC MEETING – 7:02 P.M.:

MOTION TO COMMENCE A PUBLIC MEETING

Moved by
Seconded by

"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 7:02 p.m. CARRIED."

7:02 p.m. – Jamie Sprayson, **By-Law No. 109-2008**, Part Lot 18, Concession 9, (former Haldimand Township) now in the Township of Alnwick/Haldimand RE: Granny Flat.

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 November 5th, 2008 to property owners within four hundred (400') 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 by-law, the reasons for the by-law and how the by-law proposes to accomplish the stated purpose."

Purpose:

THE PURPOSE of the proposed amendment is to rezone the subject lands from Rural Residential Exception No. 211 (RR-211) to Rural Residential Exception No. 211-Holding (RR-211-H) to permit a Garden Suite in addition to the permitted uses of the Rural Residential Exception No. 211(RR-211) Zone. A permitted Garden Suite will be subject to a Temporary Use provision under Section 39 of the Planning Act.

The Rural Residential Exception No. 211-Holding Zone (RR-211-H) Zone is to allow a one-unit detached residential structure containing a bathroom and kitchen facility that is ancillary to an existing residential structure and that is designed to be portable.

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

The Planning Co-ordinator, Terrence Korotki, advised that there was one present, objecting to this application or requesting clarification concerning 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:** The application is to change the zoning on the subject land from Rural Residential Exception No. 211(RR-211) to a Rural Residential Exception No. 211-H (RR-211-H). The purpose of the application is to rezone the property to permit a garden suite in addition to the permitted uses of the Rural Residential Exception No. 211 (RR-211) zone. The garden suite will be subject to a temporary use provision under Section 39 of the Planning Act to permit the use for a period of ten years from the date of passing of Zoning Bylaw 109-2008.

The lands are designated Rural in the accordance with the Township Official Plan. The Official Plan permits garden suites as one-unit, detached residential structures that are ancillary to an existing residential structure.

Our review concludes that there are no provincial issues with respect to the proposed Zoning By-law amendment. Based on the above, the PRMPA recommends that Rezoning Application 109-2008 be approved as it is consistent with the Provincial Policy Statement and complies with the Township's Official Plan with respect to the use of garden suites in the municipality.

➤ **Haliburton, Kawartha, Pine Ridge District Health Unit:** No objections.
➤ **Lower Trent Conservation Authority:** Lower Trent Conservation has **no concerns** with approval of the above noted applications for consent. However, we recommend the following:

1. The landowner(s) be advised of the applicability of the Development, Interference with Wetlands & Alterations to Shorelines & Watercourses Regulation and the Fisheries Act.

➤ **Letter from Hugh and Sue Auld:** "My wife and I will be unable to attend the public meeting of November 26th, 2008 regarding the above matter. I therefore visited Mr. Sprayson's property on November 18, 2008. He showed me where the garden suite would be located – north-west of his house on the site of an old shed which he intends to demolish. We have no objection to a garden suite in that location.

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

7:15 p.m. Jefferey Kelly and Connie Lynn Sainthill, **MV-05/2008**, Concession 3, Part Lot 23, (former Haldimand Township) now in the Township of Alnwick/Haldimand RE: Increase height restriction to 25 feet from 15 feet for accessory building for storage purposes.

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 November 5th, 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 variance proposes to accomplish the stated purpose."

Nature of Relief:

NATURE OF RELIEF from Zoning By-Law No. 619 (former Township of Haldimand), as amended.

To allow the construction of an accessory building for storage purposes as it is being constructed to a height of twenty-five (25) feet which exceeds the maximum height of fifteen (15) feet as stipulated in Section 10.1.c. in Zoning By-Law 619 in reference to lands located on Part Lot 23, Concession 3, in the Township of Alnwick/Haldimand.

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

The Planning Co-ordinator, Terrence Korotki, advised that there was no one present, objecting to this application or requesting clarification concerning 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:** The minor variance application proposes to permit an increase in the height requirement for an accessory storage building from 15 feet to 25 feet. The proposed building is accessory to a proposed single detached dwelling and two-car garage to be constructed on the property. The southerly portion of the subject lands are designated Agricultural and Environmental Protection in the Township's Official Plan.

The area of the subject lands proposed for the storage building, the height of which is the subject of this application (No. MV-05/2008), is located in the northerly portion of the subject lands. As such, it appears to be located within the Countryside Designation of the Oak Ridges Moraine Conservation Plan and is therefore subject to the policies of that plan. The Countryside designation permits the use and erection of buildings if the use or erection was permitted by the municipal zoning by-law prior to approval of the Oak Ridges Moraine Conservation Plan. (November 15th 2001). The property has been zoned Rural since before November 15th 2001. This zone permits residential dwellings and accessory buildings.

The lands in the northerly portion of the subject lands are located in an Area of High Aquifer Vulnerability as shown on Schedule C-7 of the Township's Official Plan. Any use in the accessory building is subject to the restrictions of the Oak Ridges Conservation Plan Section 29 regarding the generation and storage of hazardous waste or liquid industrial waste, storage of toxic contaminants listed in Schedule 3 to Regulation 347 of the Revised Regulations of Ontario 1990, waste disposal facilities and sites, organic soil conditioning sites, snow storage and disposal, and underground and aboveground storage tanks that are not equipped with an approved secondary containment device.

It is recommended that an agreement, to be registered on title to the subject lands, be entered into by the applicant with the municipality to prohibit these uses, and that the use of best practices regarding erosion and sediment control during construction of the subject accessory building be employed.

Therefore, PRMPA recommends that minor variance application MV-05/2008 be supported insofar as it conforms to the policies of the Oak Ridges Moraine Conservation Plan. The Township should ensure that the building is located on the property to minimize any adverse effects on the natural environment (i.e. tree cutting, grading of natural topography etc.).

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

➤ **Lower Trent Conservation Authority:** We offer the following comments for your consideration.

We understand that the purpose of the application is to vary the maximum height of an accessory structure from 4.57 m (15') to 7.62 m (25'). Be advised the site was attended by staff on November 12, 2008. It appears that the subject lands consist of gentle topography with the majority of the lands being an agricultural field. There is a low lying area in the south-east corner of the property just south of the existing driveway. Digital mapping indicates a watercourse in this area however staff did not identify a defined flow path. It is probable that during spring freshet and other heavy rain periods, water collects in this area and infiltrates the ground rather than flows across it. It appears that the Municipality has zoned this area as Environmental Control (EC) and Lower Trent is satisfied that the low lying area is protected. The site plan submitted with the application indicates the proposed location of the accessory structure towards the northerly property boundary and away from this sensitive low lying area.

In the ORMCP, the northerly portion of the property is designated Countryside Area and is located in an area of high aquifer vulnerability, however under Part 1 subsection 8 of Regulation 140/02 of the Conservation Plan states nothing in the plan applies to prevent the erection of a building or structures previously authorized by municipal zoning prior to November 17, 2001. Lower Trent understands that this property was zoned for development (which could include an accessory structure) at that time in 2001. Notwithstanding the above, certain uses are prohibited in an area of high aquifer vulnerability as per PART III Section 29[5]: generation and storage of hazardous waste or liquid industrial waste; waste disposal site and facilities, organic soil conditioning site, and snow storage and disposal facilities; underground and above-ground storage tanks that are not equipped with an approved secondary containment device; and storage of a contaminant listed in Schedule 3 to Regulation 347. Lower Trent Conservation has **no concerns** with approval of the above noted application for minor variance.

➤ **Alnwick/Haldimand Public Works Department:** No Concerns.

MOTION TO ADJOURN THE PUBLIC MEETING

Moved by
Seconded by

"Be it resolved that the Council of the Township of Alnwick/Haldimand adjourn the Public Meeting Session and reconvene to the Municipal Planning Session, at 7:20 p.m. CARRIED."

APPROVAL OF FORMAL MINOR VARIANCE – SAINTHILL:

Moved by
Seconded by

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve the Minor Variance for Jefferey Kelly and Connie Lynn Sainthill, **MV-05/2008**, Concession 3, Part Lot 11 (former Haldimand Township) now in the Township of Alnwick/Haldimand to construct an accessory building for storage purposes as it is being constructed to a height of twenty-five feet (25 feet) which exceeds the maximum height of fifteen (15) feet as stipulated in Section 10.1.(c) in Zoning By-Law 619. CARRIED."

V. INFORMAL CONSENT(S) - 7:22 P.M.:

7:22 p.m. - Joanne Tummon, **AH-24/2008**, Concession 2, Part Lots 33 and 34 (former Township of Haldimand) now in the Township of Alnwick/Haldimand RE: Lot Addition.

Ms. Tummon is requesting a severance for approximately 2.7 acres for a lot addition which is to merge with an existing property to the south. The retained parcel is approximately 90 acres. The said lands are not located in the Oak Ridges Moraine Conservation Plan and the Official Plan designation is Rural and the Zoning is Rural Exception No. 431 (RU-431) and Environmental Control (EC).

Moved by
Seconded by

"Be it resolved that the Council of the Township of Alnwick/Haldimand, be the Land Division Committee/Committee of Adjustment, approve to circulate the Consent Application as submitted by Joanne Tummon, **AH-24/2008**, Concession 2, Part Lots 33 and 34 (former Township of Haldimand) now in the Township of Alnwick/Haldimand. CARRIED."

VI. FORMAL CONSENT(S) – 7:35 P.M.:

7:35 p.m. - Corcair Farms Ltd., Bob Clark, Clark Consulting Services – Agent, Concession 2, Part Lot 22, (former Township of Haldimand). **CONSENT #1**

Corcair Farms Ltd., Agent: Bob Clark of Clark Consulting Services, is requesting a severance for creation of a lot. The approximate size of the lot will be 2.44 acres and the retained parcel will be approximately 90.67 acres from a parcel of approximately 93.0 acres. The lands are located on Cranberry Lake Road, are not located on the Oak Ridges Moraine. The Official Plan designation is Rural and the Zoning is Rural (RU). All agencies and ministries were circulate and the following comments have been received:

- **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:** Depending on soil and water table conditions, sand fill may be required in the area of the sewage disposal system.

- **County of Northumberland:** Request that the following be included as condition of consent:
 1. That the applicant shall lay out and dedicate by deed to the County of Northumberland a 0.3 metre (1 foot) reserve along the frontage of the severed and retained portions of the County Road 23, save and except the existing field entrance (width 10.0m).
 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.

- **Lower Trent Conservation Authority:** Lower Trent Conservation has **no concerns** with approval of the above noted applications for consent. However, we recommend the following:
 1. That the landowner(s) of the retained be advised of the applicability of the Development, Interference with Wetlands & Alterations to Shorelines & Watercourses Regulation.
 2. That the existing Environmental Control (EC) zoning be maintained.
 3. That silt fencing be required during excavation and construction activities on the western property boundary of the proposed lot under application AH-23/2008.

Moved by
Seconded by

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve Consent Application **AH/22-2008**, as submitted by Corcair Farms Ltd., Agent: Bob Clark, Clark Consulting Services, Concession 2, Part Lot 22, (former Haldimand Township) now in the Township of Alnwick/Haldimand,

- Conditional upon payment of a **\$4,550.00** Residential Development Fee.
- Conditional upon an amendment to Restricted Area Zoning By-Law 619 coming into force and effect.
- Conditional upon the applicant registering sufficient covenants on title of the severed portion to protect overland surface water drainage patterns to ensure that drainage from the adjacent county road allowance properties shall remain unimpeded over the property;
- Conditional upon the owner laying out and dedicating by deed to the County of Northumberland a 0.3 metre (1 foot) reserve along the frontage of the retained portions of County Road No. 23 save and except the existing field entrance (width 10.0m). CARRIED."

7:45 p.m. - Corcair Farms Ltd., Bob Clark, Clark Consulting Services – Agent, Concession 2, Part Lot 22, (former Township of Haldimand). **CONSENT #2**

Corcair Farms Ltd., Agent: Bob Clark of Clark Consulting Services, is requesting a severance for creation of a lot. The approximate size of the lot will be 2.44 acres and the retained parcel will be approximately 90.67 acres from a parcel of approximately 93.0 acres. The lands are located on Cranberry Lake Road, are not located on the Oak Ridges Moraine. The Official Plan designation is Rural and the Zoning is Rural (RU). All agencies and ministries were circulated and the following comments have been received:

- **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:** Depending on soil and water table conditions, sand fill may be required in the area of the sewage disposal system.

- **Lower Trent Conservation Authority:** Lower Trent Conservation has **no concerns** with approval of the above noted applications for consent. However, we recommend the following:
1. That the landowner(s) of the retained be advised of the applicability of the Development, Interference with Wetlands & Alterations to Shorelines & Watercourses Regulation.
 2. That the existing Environmental Control (EC) zoning be maintained.
 3. That silt fencing be required during excavation and construction activities on the western property boundary of the proposed lot under application AH-23/2008.

Moved by
Seconded by

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, approve Consent Application **AH/23-2008**, as submitted by Corcair Farms Ltd., Agent: Bob Clark, Clark Consulting Services, Concession 2, Part Lot 22, (former Haldimand Township) now in the Township of Alnwick/Haldimand,

- Conditional upon payment of a **\$4,550.00** Residential Development Fee.
➤ Conditional upon an amendment to Restricted Area Zoning By-Law 619 coming into force and effect. CARRIED."

VII. APPROVAL OF MINUTES – 7:55 P.M.:

Municipal Planning Meeting Minutes of October 22nd, 2008.

Moved by
Seconded by

"Be it resolved that the Minutes of the Municipal Planning Meeting of October 22nd, 2008, be adopted. CARRIED."

VIII. BUSINESS ARISING FROM PREVIOUS MINUTES

IX. PLANNING DELEGATIONS – 8:00 P.M.:

There are no delegations at this time. Previous tentative delegation advised that required information has not been received in order for them to proceed at this time.

X. NEW BUSINESS - 8:00 P.M.:

Letter to Mr. Stanoulis – Shearer Point Subdivision

Moved by
Seconded by

"Be it resolved that the Council of the Township of Alnwick/Haldimand approve a two (2) year extension of the Draft Plan of Subdivision-Phase II for the Shearer Point (Rice Lake Estates) Subdivision; and further that this resolution be forwarded to the Pine Ridge Municipal Planning Agency for consideration.

CARRIED."

X1. CORRESPONDENCE – 8:10 P.M.:

Letter from the Pine Ridge Municipal Planning Agency dated November 4, 2008
RE: Request for a further two (2) year Extension of Draft Approval – Phase II –
Rice Lake Estates formerly known as Shearer Point Estate MMAH File
#14T95007.

Moved by
Seconded by

“Be it resolved that (Council direction required)

Emails from Mr. Garth Watson, P. Eng., Aecom and Mr. Wayne Fairbrother,
Municipal Solicitor dated November 4, 2008 respectively RE: Process to the EA
for the extension of Turk Road for Shelter Valley Aggregates.

Moved by
Seconded by

“Be it resolved that (Council direction required)

Report from Mr. John Morgan, President, Shelter Valley Aggregates dated
October 22, 2008 RE: Site Closure Report, Remedial Excavation and Verification
Soil Sampling Program, Lot 6, Concession 3, (former Township of Haldimand)
now in the Township of Alnwick/Haldimand, Shelter Valley Aggregates Property
dated October 10, 2008 as prepared by D. L. Services Inc..

Moved by
Seconded by

“Be it resolved that (Council action required)

Update from the Clerk/Administrator/Planning Coordinator, Terrence Korotki RE:
County of Northumberland Growth Plan Study.

Notice of Motion from Regular Council Session of November 6th, 2008 as brought
forward by Councillor Ritchie RE: Review of Existing Process followed for
Planning Applications, and more particularly “The Informal Step of Planning
Applications”.

Monthly Planning Activity Report dated November 17, 2008 as prepared and submitted by Bernadette Murray, Administrative Assistant.

Moved by
seconded by

"Be it resolved that the Monthly Planning Activity Report dated November 17, 2008 as prepared and submitted by Bernadette Murray, Administrative Assistant, be received and filed. CARRIED."

Facsimile Transmission dated November 20th, 2008 from Peter Josephs, (Municipal Planner) – Re: Request for Consideration concerning Project of Updating the Municipality's Zoning By-Law

X11. BY-LAWS - 8:20 P.M.:

By-Law No. 27-2008 –

Being a by-law to amend Restricted Area By-Law No. 619, Township of Alnwick/Haldimand owned by Roy Hircock, Agent: Lynda Gowling, Concession A, Part Lot 22 (former Township of Haldimand) now in the Township of Alnwick/Haldimand.

Moved by
seconded by

"Be it resolved that **By-Law No. 27-2008**, being a by-law to amend Restricted Area By-Law No. 619, Township of Alnwick/Haldimand owned by Roy Hircock, Agent: Lynda Gowling, Concession A, Part Lot 22 (former Township of Haldimand) now in the Township of Alnwick/Haldimand, be given a THIRD READING and FINALLY PASSED this 26th day of November, 2008. CARRIED."

By-Law No. 76-2008 -

Being a by-law to Amend Restricted Zoning By-Law No. 1001-73, (former Township of Alnwick) now in the Township of Alnwick/Haldimand, Part Lot 11, Concession 3, Heinz Dudichum.

Moved by
seconded by

"Be it resolved that **By-Law No. 76-2008**, Being a by-law to Amend Restricted Zoning By-Law No. 1001-73, (former Township of Alnwick) now in the Township of Alnwick/Haldimand, Part Lot 11, Concession 3, Heinz Dudichum, be given a THIRD READING and FINALLY PASSED this 26th day of November, 2008. CARRIED."

By-Law No. 109-2008 - Being a by-law to Amend Restricted Zoning By-Law No. 619, (former Township of Haldimand) now in the Township of Alnwick/Haldimand, Part Lot 18, Concession 9, Jamie Sprayson.

Moved by
seconded by

"Be it resolved that **By-Law No. 109-2008**, being a by-law to Amend Restricted Zoning By-Law No. 619, (former Township of Haldimand) now in the Township of Alnwick/Haldimand, Part Lot 18, Concession 9, Jamie Sprayson, be given a FIRST, SECOND and THIRD READING and FINALLY PASSED this 26th day of November, 2008. CARRIED."

XIII. BUSINESS FROM COUNCILLORS – 8:30 P.M.:

XIV. QUESTIONS FROM THE PRESS/PUBLIC/GALLERY – 8:40 P.M.:

XV. DELEGATION – 9:00 P.M.:

MOTION TO ADJOURN TO IN CAMERA SESSION – 9:00 P.M.:

Moved by
Seconded by

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, adjourn to an In Camera Session in accordance with Section 239(2)(b)(c)(d) of the Municipal Act, as amended at 9:00 p.m. CARRIED."

Mr. Mark King, Land Use Proposal.

Update from Clerk/Administrator with respect to Personnel Reviews

MOTION TO RECONVENE TO REGULAR SESSION – 9:30 P.M.:

Moved by
Seconded by

"Be it resolved that the Council of the Township of Alnwick/Haldimand, being the Land Division Committee/Committee of Adjustment, reconvene to the Municipal Planning Session at 9:30 p.m. CARRIED."

CONFIRMING BY-LAW - 9:31 P.M.:

By-Law No. 115-2008 - Being a by-law to confirm the proceedings of the Municipal Planning Meeting of Wednesday, November 26th, 2008.

Moved by
Seconded by

"Be it resolved that **By-Law No. 115-2008**, Being a by-law to confirm the proceedings of the Municipal Planning Meeting of Wednesday, November 26th, 2008, be given a FIRST, SECOND and THIRD READING and FINALLY PASSED this 26th day of November, 2008. CARRIED."

XVI. ADJOURNMENT – 9:32 P.M.:

Moved by
seconded by

"Be it resolved that the Municipal Planning Session of Wednesday, November 26th, 2008, be adjourned at 9:32 p.m. CARRIED."

AMENDED NOV 21 2008