

## COMMITTEE OF THE WHOLE OF COUNCIL MEETING

A Committee of the Whole of Council of the Corporation of the Township of Havelock-Belmont-Methuen was held on May 24, 2011 at 7:00 p.m. in the Havelock-Belmont-Methuen Council Chambers, Reeve Ron Gerow in the Chair.

All members of Council were present.

Staff present: CAO Linda Reed, Chief Building Official Travis Toms, Deputy Building Official Andrea Loyst, and Clerk Glenn Girven.

Reeve Gerow called the meeting to order and reminded Council of the requirement to disclose any pecuniary interest and the general nature thereof if the occasion arises.

R-412-11      Moved by Councillor Pomeroy  
                    Seconded by Councillor Martin

That the meeting move into a public meeting for the Committee of Adjustment with Deputy Reeve Andy Sharpe in the chair.

Carried

### Public Meeting – Committee of Adjustment

Deputy Reeve Sharpe Chaired the Committee of Adjustment meeting, and reminded members of the Committee of the requirement to disclose any pecuniary interest and the general nature thereof if the occasion arises.

R-413-11      Moved by Councillor Ellis  
                    Seconded by Councillor Martin

That the agenda be amended to include Minor Variance Application A-01-11 Hogue.

Carried

Mr. Hogue had requested that consideration of his application be deferred until he had the opportunity to meet with planning staff regarding his application. The application was required to be recognized to meet the requirements of the Planning Act.

### Minor Variances

**A-01-11      Hogue**  
Mr. Hogue had requested that consideration of his application be deferred at this meeting until he had the opportunity to meet with planning staff regarding his application.

R-414-11      Moved by Councillor Martin  
                    Seconded by Councillor Pomeroy

That consideration of Minor Variance application A-01-11 Hogue be deferred at the applicant's written request.

Carried

**A-51-10 Grant Richmond**

750 Island 20 Jack Lake, Con 9, Pt Lot 25, Methuen Ward (Jack Lake)

The purpose of this application is to construct an addition and an open deck on an existing cottage. Notwithstanding Section 4.10 (f) of By-law 1995-42 AA, to permit a 20 foot x 14 foot addition to the cottage having deficient water yard and front yard of 15 feet; where the proposed addition is to be located in the existing rear yard.

The Clerk advised that notice of the Public Meeting had been given by prepaid first class mail to every owner of land within 60 metres of the area to which the application applies and a notice was clearly posted on the property. No written comments had been received on the application.

The Deputy Building Official presented the Planning Report to the meeting.

Deputy Reeve Sharpe invited anyone present to speak in opposition to the minor variance three times with no response.

Deputy Reeve Sharpe invited anyone present to speak in favour of the minor variance application three times. The applicant was in attendance to answer any questions.

R- 415-11 Moved by Councillor Ellis  
Seconded by Councillor Martin

That the Waterfront Minor Variance and Severance Committee Statement of Findings be received for information;

That the balance of the information in the Report be received;

And that the application A-51/10 is approved with the following conditions:

- That approval be received from the Peterborough County-City Health Unit prior to issuance of a building permit.
- That the request for minor variance be approved and a building permit (if required) issued if, in the opinion of the Chief Building Official, the site plan as submitted with the Building Permit Application continues to substantially maintain the general intent of the minor variance approval.
- A silt fence be installed as determined by and to the satisfaction of the Chief building Official prior to construction.

- That a building permit not be issued until the 20-day appeal period has lapsed.

Carried

**A-05-11      Barton Miller and Ruth Boudreau Miller**  
1094 Fire Road 89, Con 8, Pt Lot 30, Methuen Ward (Jack Lake)

The purpose of this application is to construct an addition on an existing cottage by reducing the minimum front yard setback from 70 feet to 49 feet as per Section 11.2.1(c) and reducing the water setback from 100 feet to 44 feet, in accordance with 4.35 of Zoning By-law 1995-42 AA.

The Clerk advised that notice of the Public Meeting had been given by prepaid first class mail to every owner of land within 60 metres of the area to which the application applies and a notice was clearly posted on the property. Written comments had been received on the application by email from Rob Armstrong, and were read into the public record.

The Deputy Building Official presented the Planning Report to the meeting.

Deputy Reeve Sharpe invited anyone present to speak in opposition to the minor variance three times. Mr. Rob Armstrong said that he was not necessarily opposed to the application, but that he did have problems with the site plan. His cottage was across the lake and he was concerned that trees would be cut on the Miller property to facilitate the addition, and that he would lose the solid tree scape he now enjoys from his dock. He thought the scale of the site plan was off and could be closer to the water than indicated. He also asked if the applicant planned to build a deck around the cottage.

The Deputy Building Official said that he could only build what he was applying for.

Deputy Reeve Sharpe invited anyone present to speak in favour of the minor variance application three times. The applicant was in attendance to answer any questions. He said that he would live with the distances in the application site plan and would not encroach any closer than the 44 feet. He was not asking for anything closer to the water, and was not putting more deck up than was included in the application. He said that he could not see Mr. Armstrong's dock from his property.

R- 416-11      Moved by Councillor Martin  
                    Seconded by Reeve Ellis

That the Waterfront Minor Variance and Severance Committee Statement of Findings be received for information;

That the balance of the information in the Report be received;

And that the application A-05/11 be approved with the following conditions:

- That approval be received from the Peterborough County-City Health Unit prior to issuance of a building permit.
- That the request for minor variance be approved and a building permit (if required) issued if, in the opinion of the Chief Building Official, the site plan as submitted with the Building Permit Application continues to substantially maintain the general intent of the minor variance approval.
- That a silt fence be installed as determined by and to the satisfaction of the Chief Building Official prior to construction.
- That a building permit not be issued until the 20-day appeal period has lapsed.
- That an accurate site plan be prepared by the applicant to verify the numbers approved on the application.

Carried

**A-06-11 Bill Godin and Leanne Skinkle**  
368 Fire Road 93 A, Con 8, Pt Lot 8 & 9, Methuen Ward (Kosh Lake)

The purpose of this application is to demolish the existing cottage and construct a new cottage and accessory building by reducing the minimum water setback from 100 feet to 75 feet as per Section 4.35 for the cottage; increasing the maximum height of an accessory building from 15 feet to 19 feet as per 4.1 (c) and increase the maximum floor area of all accessory buildings from 75% to 130% as per 11.2.2.1 of Zoning By-law 1995-42 AA.

The Clerk advised that notice of the Public Meeting had been given by prepaid first class mail to every owner of land within 60 metres of the area to which the application applies and a notice was clearly posted on the property. No written comments had been received on the application.

The Deputy Building Official presented the Planning Report to the meeting.

Deputy Reeve Sharpe invited anyone present to speak in opposition to the minor variance three times with no response.

Deputy Reeve Sharpe invited anyone present to speak in favour of the minor variance three times. The applicants were in attendance to answer any questions.

R-417-11 Moved by Reeve Gerow  
Seconded by Councillor Pomeroy

That the Waterfront Minor Variance and Severance Committee Statement of Findings be received for information;

That the balance of the information in the Report be received;

And that the application A-06/11 is approved with the following conditions:

- That approval be received from the Peterborough County-City Health Unit prior to issuance of a building permit.
- That the request for minor variance be approved and a building permit (if required) issued if, in the opinion of the Chief Building Official, the site plan as submitted with the Building Permit Application continues to substantially maintain the general intent of the minor variance approval.
- A silt fence be installed as determined by and to the satisfaction of the Chief Building Official prior to construction.
- That a building permit not be issued until the 20-day appeal period has lapsed.

Carried

**A-07-11 Kathy Woodward**

84 Fire Road 89 J, Con 9, Pt Lot 27, Methuen Ward (Jack Lake)

The purpose of this application is to construct an addition on an existing cottage and a detached garage by reducing the minimum water setback from 70 feet to 60 feet as per Section 11.2.1(c) and reducing the water setback from 100 feet to 60 feet (garage), in accordance with 4.35 of Zoning By-law 1995-42 AA. Also, notwithstanding Section 4.10 (f) of By-law 1995-42 AA, to permit a 10 foot x 15 foot addition to the cottage having deficient water yard and front yard of 24 feet; where the proposed addition is to be located in the existing rear yard.

\*NOTE: The applicant contacted staff on May 16, 2011 to request the site plan be amended to reflect a 12 foot x 15 foot addition (formerly 10 foot x 15 foot). Staff feels this does not affect the recommendation, and the site plan is deemed to be amended to reflect a 12 foot x 15 foot addition.

The Clerk advised that notice of the Public Meeting had been given by prepaid first class mail to every owner of land within 60 metres of the area to which the application applies and a notice was clearly posted on the property. No written comments had been received on the application.

The Deputy Building Official presented the Planning Report to the meeting.

Deputy Reeve Sharpe invited anyone present to speak in opposition to the minor variance three times with no response.

Deputy Reeve Sharpe invited anyone present to speak in favour of the minor variance three times. The applicant was in attendance to answer any questions that the meeting may have.

R- 418-11 Moved by Councillor Pomeroy  
Seconded by Reeve Gerow

That the Waterfront Minor Variance and Severance Committee Statement of Findings be received for information;

That the balance of the information in the Report be received;

That the application A-07/11 be approved with the following conditions:

- That approval be received from the Peterborough County-City Health Unit prior to issuance of a building permit.
- That the request for minor variance be approved and a building permit (if required) issued if, in the opinion of the Chief Building Official, the site plan as submitted with the Building Permit Application continues to substantially maintain the general intent of the minor variance approval.
- A silt fence be installed as determined by and to the satisfaction of the Chief Building Official prior to construction.
- That a building permit not be issued until the 20-day appeal period has lapsed.
- The site plan is deemed to be amended to recognize a 12 x 15 deck.

Carried

**A-08-11      David Lean (Trevor Zimmerman, Agent)**  
1680 Fire Road 85, Con 8, Pt Lot 26, Methuen Ward (Jack Lake)

The purpose of this application is to demolish an addition and open deck on the rear of the cottage and reconstruct an addition and open deck in its place and demolish the existing open deck on the front of the cottage and reconstruct on the same footprint by reducing the minimum water setback from 70 feet to 31 feet as per Section 11.2.1(c) and reducing the water setback from 100 feet to 31 feet (open deck), 54 feet (addition) and 46 feet (rear open deck) respectively, in accordance with 4.35 of Zoning By-law 1995-42 AA.

The Clerk advised that notice of the Public Meeting had been given by prepaid first class mail to every owner of land within 60 metres of the area to which the application applies and a notice was clearly posted on the property. No written comments had been received on the application.

The Deputy Building Official presented the Planning Report to the meeting.

Deputy Reeve Sharpe invited anyone present to speak in opposition to the minor variance three times with no response.

Deputy Reeve Sharpe invited anyone present to speak in favour of the minor variance three times. Trevor Zimmerman was in attendance to represent the applicant and to answer any questions that the meeting may have. He said that they may move the

deck to the other side of the cottage. After it was explained that the public meeting notice had detailed the application as it was presented at this meeting, he said that the deck would remain as per application. A new location would mean a new application.

R- 419-11 Moved by Councillor Pomeroy  
Seconded by Reeve Gerow

That the Waterfront Minor Variance and Severance Committee Statement of Findings be received for information;

That the balance of the information in the Report be received;

That the application A-08/11 be approved with the following conditions:

- That approval be received from the Peterborough County-City Health Unit prior to the issuance of a building permit.
- A silt fence be installed as determined by and to the satisfaction of the Chief Building Official prior to construction.
- That the request for minor variance be approved and a building permit (if required) issued if, in the opinion of the Chief Building Official, the site plan as submitted with the Building Permit Application continues to substantially maintain the general intent of the minor variance approval.
- That a building permit not be issued until the 20-day appeal period has lapsed.

Carried

**A-09-11** Cal Stewart (Foodland)  
32 Ottawa St. W., Plan 5, Lots 6, 7, 8 and Part Lot 9, Havelock Ward

The purpose of this application is to construct a detached accessory building for storage of a cardboard baler by reducing the minimum rear yard setback from 30 feet to 3.5 feet as per 14.2.1 (e); reducing the minimum distance separation for an accessory building from any other building from 5 feet to 0 feet as per 4.1 (e) (iv) of Zoning By-law 1995-42 AA.

The Clerk advised that notice of the Public Meeting had been given by prepaid first class mail to every owner of land within 60 metres of the area to which the application applies and a notice was clearly posted on the property. The County of Peterborough had provided written confirmation that they had no problem with the application.

The Deputy Building Official presented the Planning Report to the meeting.

Deputy Reeve Sharpe invited anyone present to speak in opposition to the minor variance three times with no response.

Deputy Reeve Sharpe invited anyone present to speak in favour of the minor variance three times. The applicant was in attendance to answer any questions that the meeting may have.

R- 420-11 Moved by Reeve Gerow  
Seconded by Councillor Ellis

That the balance of the Planning Report be received;

That the application A-09/11 be approved with the following conditions:

- That approval be received from the Peterborough County Public Works Department.
- That the request for minor variance be approved and a building permit (if required) issued if, in the opinion of the Chief Building Official, the site plan as submitted with the Building Permit Application continues to substantially maintain the general intent of the minor variance approval.
- That a building permit not be issued until the 20-day appeal period has lapsed.

Carried

R- 421-11 Moved by Councillor Martin  
Seconded by Councilor Pomeroy

That the Committee of Adjustment meeting adjourn and the gavel be returned to the Reeve.

Carried

### **Building Department Report:**

R- 422-11 Moved by Councillor Pomeroy  
Seconded by Councillor Martin

That the Building Department Activity Report for April 2011 be received for information.  
Carried

### **Other Business:**

1. Report from the Treasurer – to Write Off Property Taxes and Legal Fees for two properties that vested with the municipality.

R-423-11 Moved by Deputy Reeve Sharpe  
Seconded by Councillor Ellis

That the report from the Treasurer be approved.  
Carried

2. **Report from the Public Works Supervisor** – 2011 quotations for Dust Suppressant.

R-424-11 Moved by Councillor Martin  
Seconded by Councillor Ellis

That the recommendation that Council award the quotation for dust suppressant to Road Maintenance Equipment Services in the amount of \$0.115/l + HST as the quotation was the lowest received and is within the budget allocated for this project, be approved subject to clarification of questions from Council regarding the product.

Carried

3. **Signs on County Roads.**

R-425-11 Moved by Councillor Martin  
Seconded by Councillor Ellis

That a letter be written to County Council asking them to review the County Sign By-law, more particularly the provisions regarding Bush Roads in the County; and to provide the recommendation that they review how future signs are affixed to the ground, that bush country should not include in front of private property, and to review the size of signs permitted with the intent to reduce the size permitted.

Carried

**By-laws:**

There were no by-laws for consideration at this meeting.

**Closed Session:** (Council adjourns at this time to discuss legal, property or personal issues, which cannot be discussed in public meeting due to their nature.)

R-426-11 Moved by Councillor Martin  
Seconded by Councillor Ellis

That this meeting move into closed session under Section 239 (2) of the Municipal Act for matters regarding the security of the property of the municipality; and personal matters about identifiable individuals, 8:23 p.m.

Carried

R- 427-11 Moved by Councillor Pomeroy  
Seconded by Councillor Ellis

That the meeting rise from the closed session, 9:30 p.m..

Carried

**Confirmation By-Law:**

R-428-11     Moved by Councillor Martin  
                  Seconded by Deputy Reeve Sharpe

That the by-law to confirm the proceedings of the meeting of the Council of the Corporation of the Township of Havelock-Belmont-Methuen held on April 26, 2011 be read a first, second and third time and be finally passed in open council this 26<sup>th</sup> day of April 2011, and be numbered By-Law No. 2011– 62.

Carried

**Adjournment:**

R-429-11     Moved by Councillor Pomeroy  
                  Seconded by Councillor Martin

That this meeting adjourn at 9:35 p.m.  
  Carried

\_\_\_\_\_  
Reeve

\_\_\_\_\_  
Clerk