

REGULAR COUNCIL MEETING

A Regular Meeting of the Council of the Corporation of the Township of Havelock-Belmont-Methuen was held on October 17, 2011 at 4:00 p.m. in the Havelock-Belmont-Methuen Council Chambers, Mayor Ron Gerow in the Chair.

All members of Council were present.

Staff present: CAO Linda Reed, Planning Assistant/By-law Enforcement Officer Andrea Loyst, Clerk Glenn Girven.

Mayor 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.

Minutes:

R-691-11 Moved by Councillor Pomeroy
 Seconded by Councillor Ellis

That the minutes of the Regular Council meeting of October 3, 2011 be adopted as circulated.

Carried

Public Meeting – Committee of Adjustment:

R-692-11 Moved by Councillor Martin
 Seconded by Councillor Pomeroy

That this meeting move into a public meeting of the Committee of Adjustment with Deputy Mayor Sharpe in the Chair.

Carried

Deputy Mayor Sharpe reminded members of the Committee of the requirement to disclose any pecuniary interest and the general nature thereof if the occasion arises.

Minor Variances:

A-16/11 Brenda Cooper
50 Fire Road 30, Con 5, Part Lot 11, Belmont Ward, Belmont Lake

The purpose was to obtain approval for a minor variance to allow for the demolition of an existing open deck and rebuild a new open deck attached to cottage with the effect of reducing the front yard setback from 70' to 44' as per 11.2.1(c), together with reducing the minimum water setback from 100' to 44' (54.5' existing) as per 4.35 of Zoning By-law 1995-42 AA; and

reducing the side yard setback from 20' to 7' 8" (9' existing) as per 11.2.1 (d) of Zoning By-law 1995-42 AA.

The Clerk advised that this application had been deferred at the August 16th, 2011 Committee of Adjustment meeting. Notice of that 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 for the August 16th meeting or to date.

The Planning Assistant/By-law Enforcement Officer presented the Planning Report to the meeting.

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

Deputy Mayor Sharpe invited anyone present to speak in favour of the minor variance application three times. The applicant was in attendance to answer any questions from the meeting. She said that the application had been deferred to permit the balance of the Committee to take a look at the deck as constructed. She said that she could find nothing in the zoning by-law that stated that the size of the deck has to be smaller than the cottage. The original deck was replaced for safety reasons and was enlarged over an embankment, moving it ten feet closer to the water. She said that the interior of the cottage was small but was big enough because they spend their time outside, and the new deck improves that. It does not block the view of any neighbour and is not hurting anything. She regretted not getting a building permit.

The members of the Committee of Adjustment said that they had all viewed the deck, but had concerns about the closeness of the lot line, and that the deck had been built without a building permit. Councillor Ellis recognized that the new portion of the deck had been built over a rough rock wall portion of the property. Mayor Gerow asked for clarification of the side yard distance. Brenda Cooper said that the survey stakes were there from an earlier land swap, and verified that the deck was 7'8" from the property line.

R-693-11 Moved by Councillor Ellis
 Seconded by Councillor Martin

That the application A-16/11 be approved with the conditions:

- that a building permit is to be purchased and paid for as per policy; and
- that the distance to the lot line is to be verified as seven feet eight inches; and
- That a building permit not be issued until the 20-day appeal period has lapsed.
- That approval is received from the Crowe Valley Conservation Authority prior to issuance of a building permit.
- That the Waterfront Minor Variance and Severance Committee Statement of Findings is received for information; and

- That the balance of the information in the Report be received.
Carried

A-19/11 Margaret and David Barnard
29 Fire Road 84B, Con 3, Pt Lot 25, Methuen Ward (Methuen Lake)

This application had been amended, and it was required that the notice of a public meeting be re-circulated. It would be scheduled for the November 21st Committee of Adjustment meeting.

A-24/11 Wesley and Rhonda Cawker
Lot 8 & 9, Concession 1, Belmont Ward (Crowe Lake)

The purpose of the application is to construct a cottage and open deck with the effect of reducing the water setback from 100 feet to 88 feet as per 4.35 of Zoning By-law 1995-42 AA; and reducing the minimum floor area for vacation dwelling from 797 sq ft. to 400 sq ft. as per 12.2.1 (h) 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 Planning Assistant/By-law Enforcement Officer presented the Planning Report to the meeting. Construction on the cottage had started before a building permit was taken out.

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

Deputy Mayor Sharpe invited anyone present to speak in favour of the minor variance application three times. Mr. and Mrs. Cawker were in attendance to answer any questions from the meeting. They said that they seldom use the property, and that the small cottage suits them.

The Committee of Adjustment asked about the status of the trailers on the property. Mr. Cawker said that they would be removed this winter.

R-694-11 Moved by Mayor Gerow
Seconded by Councillor Pomeroy

That Application A-24/11 be deferred until the next Committee of Adjustment meeting; and that the property owner be encouraged to amend the application to enlarge the structure to meet, or be closer, to the minimum floor area requirements of the Official Plan and Comprehensive Zoning By-law;

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.
Carried

R-695-11 Moved by Councillor Ellis
Seconded by Councillor Martin

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

Carried

Regular Meeting resumes:

Delegations:

James Knott, Outreach Coordinator for Sustainable Peterborough, was in attendance to provide an update on the development of an Integrated Community Sustainability Plan – *Sustainable Peterborough*. He shared the results from their community engagement efforts to date, and that the next steps were to continue the information gathering through Community Cafes and Working Group Meetings. The plan is to be completed by the end of February 2012.

R-696-11 Moved by Councillor Pomeroy
Seconded by Councillor Ellis

That the James Knott delegation, on behalf of Sustainable Peterborough, be received.
Carried

Mayor Gerow invited anyone in attendance wishing to make a presentation to Council to do so at this time, with no response.

Staff Reports:

1. Report from the Planning Department
Severance application
B-71/11 Richard and Angela Racey
67 Fire Road 59A, Con 1, Lot 30, Belmont Ward
The purpose of this application is to receive a recommendation for a lot addition from one Seasonal Residential lot to be merged with an adjacent Seasonal Residential lot.

R-697-11 Moved by Deputy Mayor Sharpe
Seconded by Councillor Ellis

That application B-71/11 be recommended for approval to the Peterborough County Land Division Committee with the following conditions:

- Rezoning to the satisfaction of the Municipality to recognize existing deficient lot frontages and building setbacks.
- That a merger agreement be entered into between the transferor, transferee and the municipality as per the Planning Act and registered on title that would merge the severed parcel with the abutting parcel of land with Roll No. 1531-010-006-17600-0000 such that these parcels will be considered as one lot and will not be dealt with separately.
- That a right-of-way be granted to those properties that presently access their properties via the private fire road.

Carried

2. Report from the Planning Department

Severance application B-81/11

Albert & Grace Vuyk and Victor Rodriguez & Sandra Balind

96 Fire Road 31, Con 5, Lot 12 and 13, Belmont Ward

The purpose of this application is to receive a recommendation for a right-of-way from a rural property to permit access from an existing right-of-way to Seasonal Residential lots.

R-698-11 Moved by Councillor Ellis
Seconded by Councillor Martin

That application B-81/11 be recommended for approval to the Peterborough County Land Division Committee with the following condition:

- That a right-of-way be granted to those properties that presently access their properties via the existing private fire road.

Carried

3. Report from the Planning Department

Severance application

B-82/11 Gary and Rose Witt

45 Fire Road 31A, Con 5, Lot 13, Belmont Ward

The purpose of this application is to receive a recommendation for a right-of-way from a Seasonal Residential lot to permit access from an existing right-of-way to Seasonal Residential lots.

R-699-11 Moved by Deputy Mayor Sharpe
Seconded by Councillor Ellis

That application B-82/11 be recommended for approved with the following condition:

- That a right-of-way be granted to those properties that presently access their properties via the existing private fire road.

Carried

Correspondence:

There were no items of correspondence for consideration at this meeting.

Committee Reports:

Deputy Mayor Sharpe reported that the annual Flu Clinic was coming to Havelock-Belmont-Methuen in November. He reported that he has been talking with Tom Cathcart at the Health Unit regarding a possible septic re-inspection program. He also reported that the Community Policing Committee had recently held a successful Cram the Cruiser event in support of the Food Bank. He said that the Committee has little help or interest in a youth committee, and were hoping that the TEACH Centre would take over some of the youth functions.

Councillor Ellis said that he and Andrea had met with the Crowe Valley Conservation Authority last Friday to try to put a costing on the draft Source Water Protection Policies. For the T.R.I.P. Committee, he said that the Santa Claus parade in Havelock would be November 19th at 5:00 p.m.; and in Cordova on November 26th at 11:00 a.m. He has heard good comments on the new pond.

Councillor Martin had nothing to report under Committee reports.

Councillor Pomeroy reminded Council that the Chamber of Commerce dinner is next Tuesday night at 6:00 p.m. at the Chinese Restaurant.

Mayor Gerow said that there had been a Police Services Board meeting this morning. The issue of speeders on Old Norwood Road, and break and enters, had been reviewed. There had also been a general discussion on policing costs.

Notice of Motion: written

There were no written Notice of Motions presented.

Notice of Motion: oral

There were no oral Notice of Motions presented.

New Business:

Councillor Martin asked about the deteriorating condition of the 7th line due to heavy truck traffic to the gravel pit. CAO Reed said that she would follow up with the Superintendent of Works and report back at the next meeting.

Councillor Martin was not satisfied that the County only removes graffiti in the spring and fall. He would like to see it painted over now.

R-700-11 Moved by Councillor Ellis
Seconded by Councillor Pomeroy

That a letter be written to the Director of Works at the County asking that the graffiti be removed, to request a specific time frame for the removal, and to copy the letter to County Council.

Carried

By-Laws: there were no by-laws for consideration at this meeting

Closed Session:

R-701-11 Moved by Councillor Ellis
Seconded by Councillor Pomeroy

That this meeting move into closed session at 8:16 p.m. under Section 239 (2) of the Municipal Act for matters regarding the security of the property of the municipality; personal matters about identifiable individuals, including municipal employees; proposed or pending acquisition of property by the municipality; labour relations or employee negotiations; and litigation or potential litigation, including matters before administrative tribunals, affecting the municipality or local board.

Carried

R-702-11 Moved by Councillor Pomeroy
Seconded by Deputy Mayor Sharpe

That the meeting rise from closed session at 10:55 p.m. and the open session resume.

Carried

Confirmation By-Law:

R-703-11 Moved by Councillor Ellis
Seconded by Councillor Martin

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 17th day of October, 2011 be read a first, second and third time and be finally passed in open council this 17th day of October, 2011 and be numbered By-Law No. 2011– 99.

Carried

