

Meeting No. 19

Date: May 22, 2012

Time: 7:00 p.m.

Location: Sydenham-Library Community Room

Present: Mayor Gary Davison
Deputy Mayor John McDougall
Councillors, Ron Vandewal
Mark Tinlin
Cam Naish
Allan McPhail
Bill Robinson
Larry York
Del Stowe

Staff: Lindsay Mills, Planner/Deputy Clerk;

1. Call to Order

The Mayor called the meeting to order at 7:00 p.m. in the meeting room of the Library.

2. Declaration of Pecuniary Interest – Nil

3. Delegations - nil

4. Reports Requiring Direction:

(i) Lindsay Mills, Planner re Building Permits on Seasonally-Maintained Roads

Lindsay Mills explained that Official Plan policies are silent in relation to development on Township-owned roads that are not maintained or are only seasonally maintained. He recommended that land-owners on these roads should be required to enter into a development agreement registered on the title of the property whenever a building permit or entrance permit is applied for. The agreement is an acknowledgement by the owner and future owners that the road is not fully maintained. He added that this requirement should be in the Official Plan.

The Committee discussed the recommendation and consensus was to include the provision into the Official Plan.

(ii) Anne Levac, Assistant Planner re Encroachment on Unopened Road Allowance

Lindsay Mills reviewed the report from Anne Levac and described that a dwelling owned by Sharon Rattray is for sale at 5016 Bradford Road but the 100 year old house is situated entirely on the Township's unopened road allowance for Whitty Road. Ms. Rattray's lawyer advises her that the house cannot be sold when it is located on someone else's property. Ms. Rattray is seeking a solution – preferably entering into an encroachment agreement with the Township. The report outlines three options to resolve the matter namely a) buy the road allowance and add it to her property b) remove the offending structure c) obtain an encroachment agreement.

The consensus was that the road allowance should be closed and Ms. Rattray should buy it because if she is selling it then this is the time to resolve it. The Committee also advised that we should be sure that her driveway is actually on the road allowance because Township maps appear to show her driveway to be located slightly off the road allowance on the neighbour's property to the east.

(iii) Anne Levac, Assistant Planner re Closing of Unopened Road Allowance Knox/Malden Sleeth Lane

Lindsay Mills reviewed the report from Anne Levac and explained that the Knox/Malden property is made up of two parts namely a waterfront parcel and a non-waterfront parcel. They are divided by a Township road allowance (Sleeth Lane). The previous owners of the land were granted an easement over the road allowance to place a septic system on the non-waterfront portion to serve the house on the waterfront. However, the present owners wish to construct a garage on the non-waterfront portion and are requesting that the road allowance be sold to them so their property would become one large piece.

It was noted that the road allowance at this location is only used informally but it has the potential to connect with another unopened road allowance to create a future crescent with access onto Lower Round Lake Road.

The consensus was to sell the road allowance to the property-owners and retain an easement over it in favour of the Township.

(iv) Rick Chesebrough, Fire Chief re First Quarter Stats

The Stats report was reviewed.

The Committee requested that the Fire Chief (not in attendance) come back with a report to the Public Services Committee about response times.

5. Reports for Information nil

6. Rise and Report

- County Council – Deputy Mayor John McDougall updated the Committee on the Microfit program; the United Way agreement with the City of Kingston re affordable housing ; the County Official Plan – noting that it will deal only with matters relating to the natural environment, tourism and sustainability;
- Arena Board – Councillor Stowe advised that the budget will not exceed the money for the End Zone and that they are still trying to decrease the debt as much as possible.

7. Information Items: nil

8. New Business:

(i) Councillor Tinlin noted that he had received questions and complaints about solar panels being placed on vacant lots in the Badour Farm subdivision. There was discussion on this and it was noted by Mayor Davison that the Clean Energy Act trumps any Planning regulations so they are allowed to put solar panels there. Councillor Stowe added that they only need a building permit if they are to be placed on the roof of a building.

ii) Councillor Robinson requested information on what is happening in six corners in Harrowsmith because he had questions about surveyors on site. Councillor Vandewal advised that Council had already approved a proposal to study it.

9. Closed Session (if requested) Nil

10. Adjournment

There being no other business, the Committee of the Whole meeting adjourned at 7:56 PM.