



Township of Drummond/North Elmsley

**#7 Committee of the Whole – Chair, Ray Scissons
March 24, 2015 - following Council - Council Chambers**

Agenda

PLEASE NOTE: *Meetings of Council and the Committee of the Whole are open to the public however they are not a public forum. Members of the public are welcome to attend and your interest is appreciated, however due to time constraints, we request that individuals or groups wishing to appear before Council or the Committee at a regular meeting shall advise the Clerk not later than 2:00 p.m. on the Thursday prior to the meeting as per By-law No. 2010-017.*

	Page
1. Call to Order – Following Council	
2. Disclosure of Pecuniary Interest	
3. Minutes of Previous Meeting	
3.1 Minutes of Regular Session of March 10, 2014	3 - 8
3.2 Minutes of Special CoW of March 17, 2015	9 - 10
3.3 Closed Session Minutes of Special Meeting of CoW - March 17, 2015 (presented at the meeting)	
4. Approval of Agenda	
5. Petitions/Delegations/Public Meeting	
5.1 5:10 p.m.: Public Meeting - Development Charges Amendment	11 - 13
5.2 5:20 p.m.: Healthy Communities - Dr. Stewart	
5.3 5:30 p.m.: Puppy Mill - Maria Trudel	14 - 16
5.4 5:40 p.m.: Zoning for Boarding House - David Sigler	17
6. Communication/Correspondence	
6.1 Communication List Only	18
7. Committee and Board Reports	
7.1 Community Development	
a) Report of the Planner - Cross Severance Application	19 - 21
b) Report of the Planner - MacPhail Severance Application	22 - 23
c) Report of the Planner - Quesnel Conditional Site Plan Agreement	24 - 25
7.2 Public Works	

7.3 Corporate Services

7.4 Community Services

7.5 Clerk/Members of Council (presented at the meeting)

- a) Report of the Reeve
- b) Report from Fire Board
- c) Report from Library Board
- d) Report for CA's
- e) Reports from Members of Committee

8. Closed Session

9. Unfinished Business

10. New Business

11. Adjournment



**#5 Minutes
Meeting of March 10, 2015
Committee Of The Whole**

The Committee of the Whole met on Tuesday, March 10, 2015 at 5:07 p.m. at the Township of Drummond/North Elmsley Administrative Building, 310 Port Elmsley Rd.

- | | | |
|-------------------------|-------------------|-------------------------|
| Members Present: | Aubrey Churchill | Reeve |
| | Gail Code | Deputy Reeve |
| | Steve Fournier | Councillor |
| | George Sachs | Councillor |
| | Ray Scissons | Councillor (CHAIR) |
| Staff Present: | Cathy Ryder | Deputy Clerk |
| | Karl Grenke | Planner |
| | Scott Cameron | Public Works Manager |
| | Shawn Merriman | Chief Building Official |
| | Linda Van Alstine | Treasurer |
| Absent: | Cindy Halcrow | Clerk Administrator |

1. Call to Order

The meeting was called to order at 5:07 p.m. A quorum was present.

2. Disclosure of Pecuniary Interest

The Chair invited members wishing to disclose a pecuniary interest to do so now. No members declared a pecuniary interest.

3. Minutes of Previous Meetings

3.1 Regular Session Minutes of, February 17, 2015

MOTION #COW-15-040 (Verbal)

MOVED BY: Gail Code
SECONDED BY: George Sachs

THAT the Committee of the Whole approves the minutes of the regular Committee of the Whole meeting held on February 17, 2015 as circulated.

ADOPTED

4. Approval of Agenda

MOTION #COW-15-041 (Verbal)

MOVED BY: Aubrey Churchill
SECONDED BY: Gail Code

THAT the Committee of the Whole approves the agenda for the March 10, 2015 meeting of the Committee, as presented.

ADOPTED

5. Petitions/Delegations/Public Hearings

5.1 5:10 Irene Spence (Delegation to re-book)

6. Communication/Correspondence

No items were pulled from the Communication package although the following item was discussed before the motion was adopted:

#4 William Morris Recognition

Reeve Churchill reported that if Council members were in agreement that he would prepare a letter of support in recognition of the historic role of William Morris. Council agreed to the letter of support.

Action Item: Reeve Churchill will prepare a letter of support.

MOTION #COW-15-042 (Verbal)

MOVED BY: Steve Fournier
SECONDED BY: Gail Code

THAT THE COMMITTEE OF THE WHOLE receives the remainder of the communication items for the March 10, 2015 Committee of the Whole as information.

ADOPTED

7. Committee and Board Reports

7.1 COMMUNITY DEVELOPMENT PUBLIC WORKS

a) Report of the Planner – Bond Road Closure

The Planner provided Council with an update on a request from Jim and Linda Bond to close a portion of a road allowance and transfer that land to their abutting property. The Planner reported that the remnant portion of the allowance no longer serves a municipal need and that closing the road is appropriate. Council accepted the recommendation of the Planner and the following motion was adopted:

MOTION #COW-15-043 (Verbal)

MOVED BY: Steve Fournier
SECONDED BY: Gail Code

THE COMMITTEE OF THE WHOLE RECOMMENDS to Council,
THAT the portion of the public street right-of-way located adjacent to Karen Lane and described as Part 2 of Plan 27R-2268 (Part of Lot 26, Conc. 9 of North Elmsley) be declared surplus to the Township's needs; and

FURTHER THAT the Planner be authorized to work with the applicant to process the application in accordance with the Township's road closure procedures.

ADOPTED

b) Report of the Planner – Walkden Zoning Amendment

The Planner provided an update on the Walkden proposed zoning amendment to permit a contracting business in an accessory building to be built on a rural lot on Rideau Lake Road. The Planner recommended changing the zoning from Rural to Rural- Special Exception to accommodate the contracting business within an accessory building and to allow for the additional lot coverage. Council accepted the recommendation of the Planner with the following direction:

Action Item: Direction given to staff to proceed to set a date for a public hearing at the earliest opportunity in April 14

c) Report of the Planner – Widenmaier Zoning Amendment

Note: The Public Works Manager presented his report at this point in the meeting see Item 7.2 a)

The Planner provided an update on the Widenmaier Zoning Amendment to permit a day camp to operate on approximately 9 acre lot on Widenmaier Road. The Planner reported that improvements to the road allowance would be required to accommodate safe access and increased traffic. The Planner recommended changing the zoning from Rural to Rural- Special Exception to accommodate the 9 acre portion only and the rest of the property would remain Rural. Council accepted the recommendation of the Planner with the following direction:

Action Item: Direction given to staff to proceed with a public meeting date on April 14th.

d) Report of the CBO – Development Charges Amendment

The CBO provided Council with the overview of process which needs to be followed to amend the Development Charges By-law to change the four dates when fees increase to January of the same year. Council accepted the recommendation of the CBO with the following direction:

Action Item: Direction to staff to proceed to a public meeting on March 24, 2015 following the Council meeting of the same date.

7.2 PUBLIC WORKS

a) Report of the Public Works Manager (*dealt with this item before CBO Report*)

The Public Works Manager provided Council with an update to acquire land for proposed widening and improvement of the horizontal alignment of one of the 90 degree corners on Widenmaier Road within the West Part Lot 12, Concession 7. While acquisition or construction on this road was not part of the 2015 budget, the Public Works Manager presented various options for Council to consider that would amend the 2015 budget in order to proceed with this project. Council accepted the recommendation of the Public Works Manager to acquire the land in 2015 and complete the road upgrades in 2016 and the following motion was adopted:

MOTION #COW-15-044 (Verbal)

MOVED BY: Aubrey Churchill
SECONDED BY: Steve Fournier

THE COMMITTEE OF THE WHOLE RECOMMENDS,
THAT Council agrees to enter into an Agreement with Mr. Robert Glen Widenmaier to acquire a road widening on Widenmaier Road for the purpose of road safety improvements within the West Part Lot 12, Concession 7, Drummond Ward.

ADOPTED

7.3 CORPORATE SERVICES

- a) Report of the Treasurer
The Treasurer provided Council with an overview of the surplus for 2014 year end. The Treasurer reported a \$62,522.49 surplus with the recommendation that \$17,522.49 be allocated to the Working Fund Reserve and that \$45,000 be allocated to the Policing Reserve. Council accepted the recommendation and the following motion was adopted:

MOTION #COW-15-045 (Verbal)

MOVED BY: Aubrey Churchill
SECONDED BY: Steve Fournier

THE COMMITTEE OF THE WHOLE RECOMMENDS,
THAT Council approves the allocation of the 2014 surplus of \$17,522.49 to the Working Fund Reserve and \$45,000 to the Police Reserve.

ADOPTED

- b) Report of the Deputy Clerk
The Deputy Clerk reviewed the Animal Control statistics for 2014. The report was received as information.

7.4 COMMUNITY SERVICES – No Reports

7.5 CLERK/MEMBERS OF COUNCIL

- a) **Report of Reeve – February 2015**
The Reeve provided a verbal update on the following items:
- Feb. 6/2015 Attended tender opening for School Road, and met with the C/A
 - Feb. 7/2015 Attended the Cattleman’s Dinner and Dance in Carleton Place
 - Feb. 9/2015 Lake 88 interview
 - Feb. 13/2015 Regular weekly meeting with C/A
 - Feb. 17/2015 Attended Emergency Control Group meeting at D/NE office
 - Feb. 20/2015 Regular weekly meeting with C/A
 - Feb. 27/2015 Regular weekly meeting with C/A

b) Report of the Reeve - Lanark County March 11, 2015

- The Corporate Services Committee recommended that Lanark County Council adopts the Federation of Canadian Municipalities resolution, for the purpose of joining the (Local Governments for Sustainability) Partners for Climate Protection Program
- Big Brothers and Big Sisters of Lanark County funding request - deferred after their presentation on March 11/2015
- The Corporate Services Committee recommended to County Council that no formalized grant policy be established and that council considers the merits of individual requests case by case
- The Corporate Services Committee recommended to County Council that Lanark County staff proceed with a design build request for the Proposal for a Smiths Falls Land Ambulance Base

b) Report from Fire Board – No reports

c) Report from Library Board – George Sachs (verbal update)

- Rachel Warren appointed as interim CEO
- Received keys to the Fire Hall
- Phone and internet quotes will be forthcoming for the Fire Hall
- Next Library Board meeting March 16, 2015

d) Report from CA's

Rideau Valley Conservation Authority – Ray Scissions, February 26, 2015 AGM Highlights:

- Election of Chair, Lyle Pederson; Vice-Chair Ed Hand
- Ray Scissions, Sharon Mousseau and Andy Jozefowicz appointed to the Executive Committee
- Howard Allen presented the 2014 financial statements
- 2015 budget passed
- Presentation on Energy East Pipeline Conversion

Mississippi Valley Conservation Authority – Gail Code, February 18, 2015 AGM highlights

- Appointment of Chair, John Karau, Vice Chair, Duncan Abbott
- Gail Code appointed to the Regulations Committee
- Staff are consulting with MPAC regarding the exemption of taxes on the new building

e) Report from Members of Committee

Drug Strategy Committee – Steve Fournier, March 9, 2015 Meeting

- No quorum

200th Anniversary – Gail Code

- The Women's Institute (Second Line) will provide the luncheon for the May 28, 2016 Heritage Day

8. CLOSED SESSION – None

9. Unfinished Business - None

10. New Business

10.1 Term of Council Priority Session – Reeve Churchill (verbal)

Reeve Churchill inquired if Council members would be interested in having a Session to discuss council/staff priorities for the next four years. Council members reported that they were interested in having a short informal session.

Action Item: Reeve Churchill will discuss this with the Clerk Administrator to set a date and time.

11. Adjournment

MOTION #COW-15-046 (Verbal)

MOVED BY: Aubrey Churchill
SECONDED BY: Steve Fournier

THAT the Committee of the Whole stand adjourned at 6:06 p.m.

ADOPTED

CHAIR

DEPUTY CLERK



#6 Minutes Meeting of March 17, 2015 Special Committee of the Whole

The Committee of the Whole met on Tuesday, March 17, 2015 at 5:00 p.m. at the Township of Drummond/North Elmsley Administrative Building, 310 Port Elmsley Rd.

Members Present:	Aubrey Churchill Gail Code Steve Fournier George Sachs Ray Scissons	Reeve Deputy Reeve Councillor Councillor Councillor (CHAIR)
Staff Present:	Cindy Halcrow Karl Grenke	Clerk Administrator Planner

1. Call to Order

The meeting was called to order at 5:00 p.m. A quorum was present.

2. Disclosure of Pecuniary Interest

The Chair invited members wishing to disclose a pecuniary interest to do so now. No members declared a pecuniary interest.

3. Closed Session – Militky Rezoning of 13259 Highway 7

MOTION #COW-15-047 (Verbal)

MOVED BY: Steve Fournier
SECONDED BY: Gail Code

THAT THE COMMITTEE OF THE WHOLE goes in-camera at 5:01 to address a matter pertaining to litigation.

ADOPTED

MOTION #COW-15-048 (Verbal)

MOVED BY: Steve Fournier
SECONDED BY: George Sachs

THAT THE COMMITTEE OF THE WHOLE returns to regular session at 5:35 p.m.

ADOPTED

RISE AND REPORT

The Clerk Administrator was given direction with respect to the Township’s response to the Militky’s lawyer’s letter dated March 6, 2015.

4. Adjournment

MOTION #COW-15-049 (Verbal)

MOVED BY: Aubrey Churchill

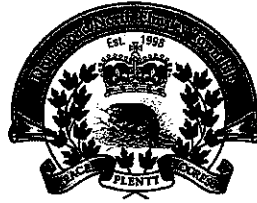
SECONDED BY: Steve Fournier

THAT the Committee of the Whole stand adjourned at 5:37 p.m.

ADOPTED

CHAIR

CLERK ADMINISTRATOR



NOTICE OF A PUBLIC MEETING Proposed New Development Charges By-law & Background Study

NOTICE OF PUBLIC MEETING

TAKE NOTICE that the Council of the Township of Drummond/North Elmsley will hold a public meeting on the 24th day of March, 2015 at 5:00 p.m., in the Municipal Administration Building Council Chambers, 310 Port Elmsley Road, RR 5, Perth, Ontario, to consider amending Development Charges By-law 2014-044 in accordance with Section 12 of the Development Charges Act, S.O. 1997.

A copy of the amended By-law and original Background Report will be available on March 1, 2015 at the municipal office and on the Township's website www.dnetownship.ca.

LANDS AFFECTED

THE PROPOSED amendment applies to all new residential development within the Township of Drummond/North Elmsley.

PURPOSE OF DEVELOPMENT CHARGES BY-LAW

THE BY-LAW is being amended with respect to the phasing in of charges to coordinate with the first of January for each calendar year. Development charge rates are levied against new residential development, which are used to fund capital expenditures required as a result of new development within the municipality. The service categories include studies and reports, fire protection and road systems.

REPRESENTATION

ANY PERSON may attend the public meeting and/or make written or verbal representation with respect to the proposed amended By-law. Written submissions received prior to the public meeting and submissions made at the public meeting will be considered by Council prior to the enactment of the Amended Development Charges By-law.

Cindy Halcrow, MA, CMO
Clerk Administrator
chalcrow@dnetownship.ca
613-267-6500

Date: May 6, 2014

Background information for 2014 Development Charges Study to become effective in Sept. 2014.

2009 Development Charges Study (effective September 2009 to 2014):

The chart below shows the opening balance of \$8,426.47 for the 2009 Development Charges Study with the associated breakdown by percentage:

2009 Study Opening Bal. Sept. 8, 2009	DC Study 2.5%	Fire 11%	Roads 85.5%	Road Equip .5%	Studies .5%
\$8,426.47	\$49.95	\$12,045.97	-\$30,484.93	\$26,815.48	new

The chart below shows the closing balance of \$124,493 in Development Charges with the associated breakdown by percentage as at December 31, 2013:

DC Balance Dec. 31, 2013	DC Study 2.5%	Fire 11%	Roads 85.5%	Road Equip .5%	Studies .5%
\$124,493	\$10,229	\$39,734	\$43,642	\$28,851	\$2,035

The amount collected in 2013 was \$70,000. Interest earned was \$1,332.40. The activity in this year included 29 homes, 5 other and 1 apartments. The median is about 25 to 30 homes per year.

The amount collected in 2012 was \$180,000. Interest earned was \$1,094.51. The activity in this year included 45 park model homes, 3 apartments, 17 houses in subdivisions and 25 homes. It is evident that the development charges spiked due to the 45 park model homes and the houses in the subdivisions.

The amount collected in 2011 was \$74,000. Interest earned was \$1,332.40. The activity in this year included 37 homes.

The amount collected in 2010 was \$64,500. Interest earned was \$435.41.

The amount collected in 2009 new study was \$16,000. Interest earned was \$177.31.

In the 2014 budget the following amount will be drawn from the reserve:

DC Balance Dec. 31, 2013	DC Study 2.5%	Fire 11%	Roads 85.5%	Road Equip .5%	Studies .5%
\$124,493	\$10,229	\$39,734	\$43,642	\$28,851	\$2,035
- 10,000	-10,000				
-11,700				-11,700	
New Balance					
\$102,793	\$229	\$39,734	\$43,642	\$17,151	\$2,035

Note: The 2014 approved budget draws on the Development Charges Reserve Fund for:

- \$10,000 for the development charges study.
- \$11,700 for the upgrade of a plow from single axle to tandem

Projection for 2014: To collect \$70,000 (based on 35 new homes at \$2,000 per DC)

2009 Study:

- Fire – spent \$7,100 in 2012 (equipment purchase) and \$10,000 (dry hydrant) in 2010
- Roads – spend \$274,000 on the Hands/Leach Road.

The Hands/Leach Road was the only road project eligible for the 2009 Development Charges study. In 2011 Council funded the Hands/Leach project with \$274,000 out of the Development Charges under road system segment (85.5% of each \$2,000 development charge). Since we didn't have all of the \$274,000 in Development Charges in the road segment we used \$102,000 that was collected in 2011 and set up an Unfinanced Capital Outlay account for the remaining \$172,000. In 2012 we collected \$147,000 and the remaining \$25,000 in 2013 to pay out the Unfinanced Capital Outlay.

Dated: May 7, 2014

Treasurer: Linda Van Alstine

March 10, 2015

The Township of Drummond/North Elmsley
310 Port Elmsley Road
R.R. #5
Perth, ON K7H 3C7

Attention: Ms. Cathy Ryder, Deputy Clerk

Dear Ms. Ryder:

I, Debbie Steven, resident at 301 Innisville Water Street for 53 years, am writing this letter of complaint concerning our neighbour [REDACTED] at [REDACTED] Water Street North, Innisville.

[REDACTED] has four large vicious German shepherds (one male; three females). One of these dogs (pregnant) was given to him by [REDACTED], a neighbour, following an incident where this same dog attacked another neighbour's two small dogs. There has been interbreeding. Pups have been born which never saw the light of day. Others were either sold or given away.

I live on a dead-end street and, consequently, have no choice but to pass in front of [REDACTED] house to get my mail. One day, the male dog, [REDACTED], attacked my granddaughter and me while walking by to get to the mailbox. All I could see was the dog's teeth lunging toward my face while I was desperately trying to protect my granddaughter. Thank God [REDACTED] was in his backyard and was able to call the dog back. Ever since that traumatic incident, I have panic attacks when I walk by his house, petrified that the dogs will be out and that one or more of them will attack me again. Even when inside the house, the dogs come charging to the window, baring their teeth and snarling. One would think one would not be afraid if the dogs are inside the house; however, several of [REDACTED] windows are broken and are patched with cardboard. It doesn't exactly make one feel secure. Even one of my new neighbours, [REDACTED] won't go for a stroll as she is terrified to be attacked. And the two of us are or have been dog owners.

[REDACTED] should not be permitted to have dogs or any other animal. He has a cage in his backyard, made up of chicken wire and lawn chairs. The dogs escape from its confines frequently and are not able to get back in, so they are on the loose running until he arrives home or until I call the dog catcher, which, by the way, is no longer answering my phone calls. If the dogs were

Page 1 / 2

friendly, I would bring them into my house, but they are not. My understanding is that the dog catchers were maintaining a register of complaints.

Other neighbours have also complained to the authorities, advising the police that the dogs were on the loose and that they killed two cats on one of the neighbour's property. One of the officers told our neighbour, [REDACTED], that if they were called again, they would take the dogs away. She won't let her daughter walk to our house which is only 600 feet away. The last time I called the police [REDACTED] dog was charging up the road after my dog. Thankfully, I was able to get to my dog in time before the shepherd reached my deck. The officer asked if I kept my dog tied up all the time to which I replied no; however, he did not permit me the chance to say that my dog never leaves my property unless she is on a leash. The unfriendly officer proceeded to tell [REDACTED] to tie up his dog which, unfortunately, has not continued to be the case.

Most of the village is scared to walk by his house. I am very concerned about the safety of our children. [REDACTED] dogs have a very bad reputation. I am a prisoner in my own home, fearful of letting my dog out. Four letters were written to Reeve Churchill about the dogs back in the fall when the cats were killed. No one has heard back.

I have said all I can in a letter and will be attending the council meeting on March 24. Hopefully, we will have your support in correcting this serious problem.

Yours truly,

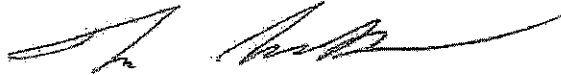
Debbie Stevenson
301 Water Street Innisville North
R.R. #1
Carleton Place, ON
K7C 4K9

[REDACTED]

To: Township of Drummond North Elmsley
ANIMAL CONTROL

MY NAME IS Tim Couell I have lived in Innisville for the past five years, at 303 Wather ST. THE guy at [REDACTED] HAS 6 TO 10 DOGS IN AND OUTSIDE. THE DOGS ARE BARKING ALL THE TIME I CANNOT SLEEP. THE KIDS CANNOT WALK BY HIS HOUSE. THE DOGS ARE IN BAD SHAPE. THEY SMELLE VERY bad. The house is in BAD SHAPE THE dogs [REDACTED] in the HOUSE. Thanks FOR CLEANING UP HIS WASTE IN HIS YARD. THE TOWNSHIP PUBLIC WORKS DEPARTMENTS.

P.S. ANIMAL CONTROL CAN YOU HELP US



MARCH 2015

Drummond North Elmsley Council Briefing

From: David and Pam Sigler, 6751 Highway 43, DNE K7H 3C7, 613.801.1261
Date: 2015-Mar-16

We have a home in Drummond North Elmsley – it is the third house from the Civitan Club on Highway 43. We purchased the house in 2007 when Pam started going to school at Algonquin College Perth campus taking the “Advanced Housing” program. It is 1 km door-to-door from the Algonquin College campus.

As both an educational exercise, and because we love the Perth area, we embarked on a major eco-friendly home renovation on the property. We enlisted the design assistance of two of Pam’s teachers at Algonquin. We were the general contractors for the renovation, getting assistance from major trades when necessary (upgraded to 200 Amp underground electrical, installed new well pump and cap, replaced septic system to bring it to code and replaced the roof – along with a huge internal redesign). By the end of the renovation, we were proud to be recognized as having turned this 1967 home into one of the tightest houses in Canada.

More recently, our living situation has changed and we no longer find ourselves permanently in the Perth area. As a result we have been renting the place to students. Given Pam’s history with Algonquin, we determined that renting the place out to students would work well because we would get a chance to interact with students, provide some help / guidance from Pam’s experience at the school, do a ‘showcase’ of what is possible to students who are taking any of the housing programs, and more fundamentally to provide much needed student housing - given how little there is and how there are always shortages for the people who come to the school from out of town.

We researched our rental situation recently, including a consult with Tracy Zander and an ensuing conversation with Karl Grenke and discovered that the area in which we are located is actually not zoned for renting to more than 2 unrelated persons, i.e., it is not zoned for use as a Boarding House.

In order to rectify this, and given that we currently have three students who are in the house who want to return in the fall, we are in a position where we need to determine if we can continue to rent to more than two students for the next school year (and for the long term).

Upon the advice of Tracy Zander, we are requesting a pre-consult with Council to get an initial reaction to our planned upcoming zoning amendment application (for use as a Boarding House). We look forward to discussing this at an upcoming Council Meeting.

Regards,





Township of Drummond/North Elmsley

Councillor Communications List

#7 Committee of the Whole

March 24, 2015

(Note: List only - the below noted documents emailed to you as a separate file)

	Page
1. RVCA - 2014 Municipal Information Sheet	2 - 5
2. Seniors Affairs - 2015 Seniors' Month	6 - 7
3. Alzheimer Society - Murder Mystery Dinner	8
4. County of Lanark - Official Plan Amendments	9 - 17

**TOWNSHIP OF DRUMMOND/NORTH ELMSLEY
COMMITTEE OF THE WHOLE**

March 24, 2015

Author: Karl Grenke, Planner

Re: Cross Severance Application (Dufferin Road)

1. **STAFF RECOMMENDATIONS:** *Direction to Staff* to provide a planning report to the County's Land Division Committee containing the recommendation and draft conditions outlined in this report.
2. **PURPOSE:** To advise Council of a recent severance application on Dufferin Road and review suggested conditions.
3. **BACKGROUND:** In February 2015 the Township was asked to comment on a severance application that will be going to the Lanark County Land Division Committee. The applicant, Les Cross, looks to sever a 4.2 acre parcel (with a dwelling) off of the 75 acre landholding owned jointly by Les and Diana Cross and John and Kim Ryan. The Crosses will take full ownership of this new lot and the remainder will continue to be owned jointly for now. The house on the severed lot is accessed by an existing driveway on Dufferin Road and what would be the 71 acre retained land is vacant, with the exception of a storage barn that shares a different driveway with the Ryan house, which is on another lot. While the application appears fairly straightforward from a planning perspective, due to the piecemeal severance history on the area there is no longer adequate road frontage for this severance to meet the requirements of the Zoning By-law, which is 148 ft (45m). The severed lot will be just short, with 141 feet (43 m) and the retained lands will have only 128 ft (39 m) divided between two portions. As such, a minor variance would be required for the reduced frontage on both the severed and retained lands. The storage barn is proposed to be removed as well however if it remains then it becomes a non-conforming (as an accessory building on a lot that no longer has a main building) and it may need to be recognized in the variance as well.
4. **DISCUSSION:** As this severance application has zoning implications which would require additional municipal approval if the County gives provisional consent Staff are bringing the severance to Council's attention prior to reporting to the County. Staff support this application in principle, noting that the area is within a designated hamlet (Scott Subdivision), the severed lot is already built on with a driveway and future development can be accommodated on the retained lot. The minor variance that would be a condition of the severance approval would be a separate application to the Township that the Committee of Adjustment will evaluate on its own merits. While a flag shaped lot is typically considered un-ideal from a planning perspective the unusual configuration of the lots on this block has predated this application. The applicants are also looking to keep their options open for future development opportunities on the retained lands and as such, a 66 foot wide parcel will be surveyed as a separate part on the severed lands. While remaining part of the severed lands for now it can at some point in the future be opened up as a road.
5. **CONCLUSIONS:** Staff recommend support of the Cross consent application (B15/016) subject to the following conditions:
 - Balance of any outstanding taxes paid in full to the Township;
 - Paper copy of survey provided to the Township;

- Applicant shall apply for a civic address number for retained lot;
- Applicant shall confirm that a viable entrance is possible on retained lot;
- Sufficient land for road widening shall be conveyed (if required) to the Township at no expense to the Township;
- Applicant shall receive zoning relief as required to allow reduced road frontage on proposed and retained lot.

6. **ATTACHMENT: County severance sketch.**

Recommended By:

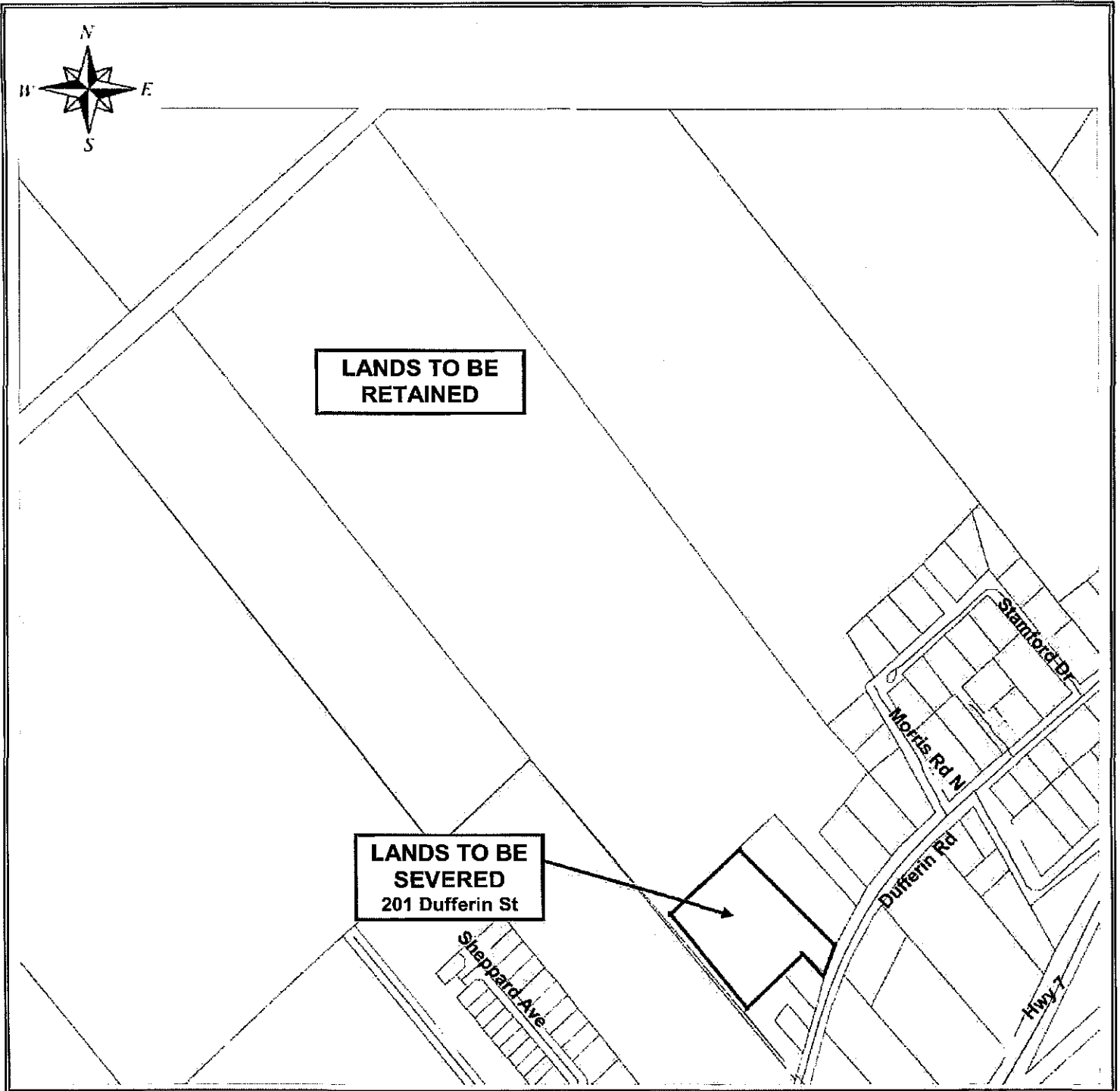


Name: Karl Grenke
Title: Planner

Approved for Submission By:



Name: Cindy Halcrow
Title: Clerk Administrator



Landowner: Leslie & Diana Cross / Janet & James Ryan
File No.: B15/016
Subject Land: Pt. Lot 3 Conc. 3 geographic Township of Drummond,
now in the Township of Drummond / North Elmsley.

**APPLICATION FOR
CONSENT**

"Sketch Only"
Prepared by Lanark County
Planning Dept.
NOT A LEGAL SURVEY

**TOWNSHIP OF DRUMMOND/NORTH ELMSLEY
COMMITTEE OF THE WHOLE**

March 24, 2015

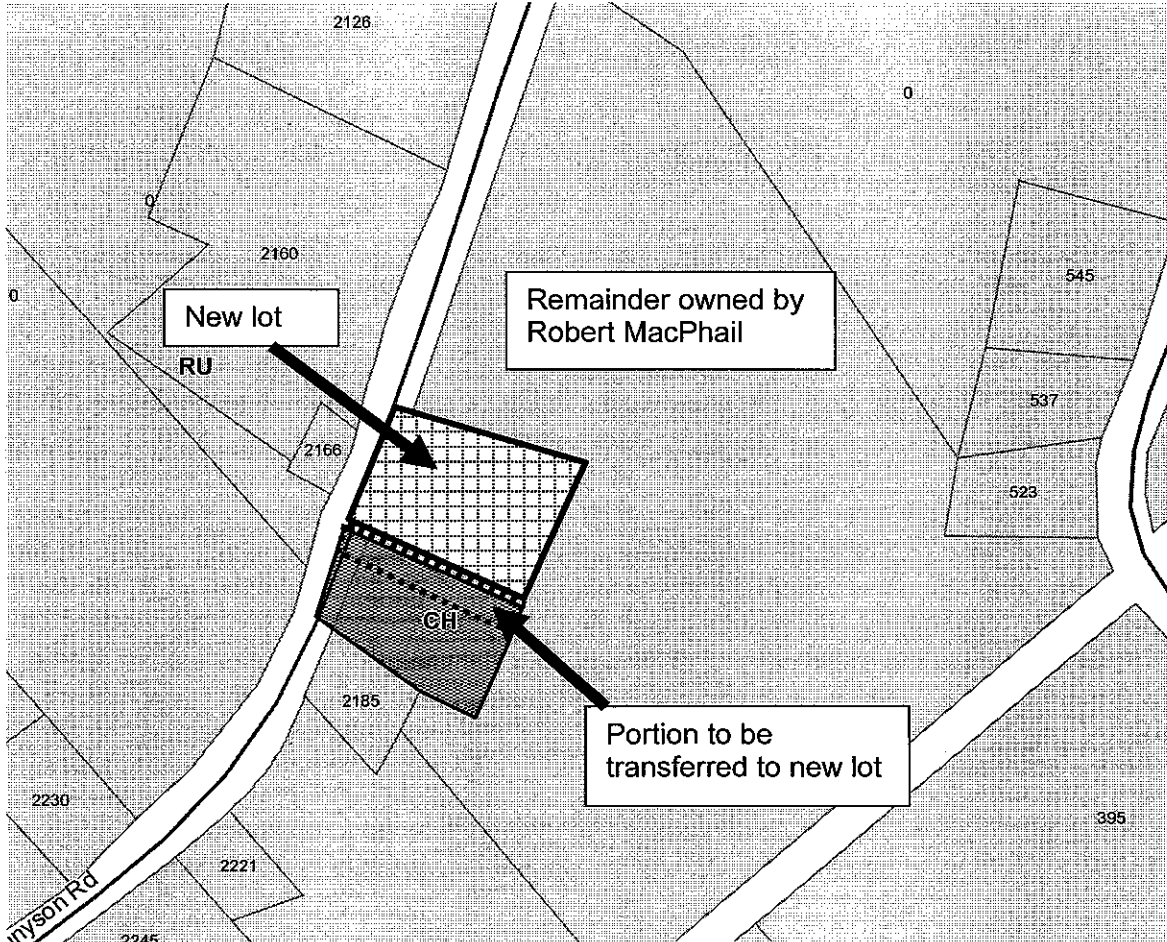
Author: Karl Grenke, Planner

Re: MacPhail Severance Application (Tennyson Road)

1. **STAFF RECOMMENDATIONS:** *Direction to Staff* to provide a planning report to the County's Land Division Committee containing the recommendation and draft conditions outlined in this report.
2. **PURPOSE:** To advise Council of a recent severance and lot addition application on Tennyson Road and review suggested conditions.
3. **BACKGROUND:** In February 2015 the Township was asked by the County to comment on two consent applications by Robert MacPhail (a severance and a concurrent lot addition). Mr. MacPhail owns two lots- a 1.3 acre property with an equipment repair shop and a modular home and an adjacent 30 acre vacant parcel. The lots are described as Lots 14 and 15, Concession 3 of Drummond and they both front on Tennyson Road. The first consent application seeks to sever a 2.7 acre lot from the 30 acre lot. At the same time, Mr. MacPhail has also applied to sever the dwelling (and 0.3 acres of land around it) from the shop property and attach it to his new lot. While technically two applications, the end result will be that the shop and dwelling are on separate lots, with no additional development proposed at this time on the remaining 27 acre lot. The 1.3 acre lot is entirely zoned Highway Commercial, with the dwelling serving as a permitted accessory use. Since lot creation does not in and of itself change the zoning of a property, the approval of these applications will add a portion of Highway Commercially zoned land (without the CH use) to a new Rural lot. As such and for the zoning to match the lot lines and the intended use of the two lots, the 0.3 acre portion with the home will need to be rezoned from Highway Commercial to Rural to match the rest of the new lot.
4. **DISCUSSION:** As this severance application has zoning implications which would require additional municipal approval if the severance is provisionally approved Staff are bringing the application to the attention of Council prior to reporting to the County. In this case, staff are recommending that the Township supports the applications in principle, noting that the proposed lot sizes are appropriate for their uses and there are no changes of use proposed that would create a land use incompatibility. According to the information provided the existing septic system associated with the modular home will also, in its entirety, be transferred over to the new lot as well. The shop and the home each have their own driveway and civic address. The zoning amendment would be a condition of a severance approval and an application would need to be made to the Township and considered on its own merits at that time.
5. **CONCLUSIONS:** Staff recommend support of the MacPhail consent applications (B15/002 and B15/003) subject to the following conditions:
 - Balance of any outstanding taxes paid in full to the Township;
 - Paper copy of survey provided to the Township;
 - Applicant shall apply for a civic address number for retained (27 acre) lot;
 - Sufficient land for road widening shall be conveyed (if required) to the Township at no expense to the Township;

- Applicant shall rezone lands as required in order to accommodate existing and intended single residential use.

Key Map- 2181 Tennyson Road



Recommended By:

Name: Karl Grenke
Title: Planner

Approved for Submission By:

Name: Cindy Halcrow
Title: Clerk Administrator

**TOWNSHIP OF DRUMMOND/NORTH ELMSLEY
COMMITTEE OF THE WHOLE**

March 24, 2015

Author: Karl Grenke, Planner

Re: Quesnel- Conditional Site Plan Agreement (SP-15-01)

1. **STAFF RECOMMENDATIONS:** *That staff be authorized to enter into a conditional site plan agreement with John Hinton (or expected purchaser) regarding a portion of the Optima Commerce Park subdivision.*

2. **PURPOSE:** To advise Council of a request by Zenis Quesnel for conditional site plan approval to move forward with more detailed technical work on his application prior to final site plan approval.

3. **BACKGROUND:** On January 5, 2015 the Township has received a site plan control application from Zenis Quesnel, who is in the process of purchasing a 3.56 acre part of a “block” within the commercial subdivision in Wayside. Staff reported to Council on this application on January 20th and noted that the purchaser intends to construct a 5,900 square foot office building on the site. Since the proposal complies with the existing commercial zoning of the site as well as all lot setbacks there is no zoning relief required, however all new commercial development is subject to site plan control. In this case, site plan control will address landscaping, access, building design, grading and drainage to ensure an attractive development that does not have a negative impact on abutting properties. Due to the size of the development and based on feedback from MTO, the Building Department and Roads Department, a grading and drainage plan is required to demonstrate compliance with the original Wayside subdivision agreement and ensure no greater stormwater flows onto Township ditches and neighbouring properties post-development. This is normally part of the site plan process in case identified drainage works (including a stormwater pond that the applicants are considering) end up necessitating a change to the building plans and this is all finalized prior to the issuance of a building permit.

In this case, the applicant does not yet own the land and while he will retain an engineer and other professional support to design the site, he is reluctant to incur those costs until he finalizes the property purchase and knows he has municipal support for his project. For those reasons he asked if staff would be open to a conditional site plan agreement whereby the Township and him agree to the general development provisions related to the project, with ‘final’ approval coming upon completion of a stormwater management plan.

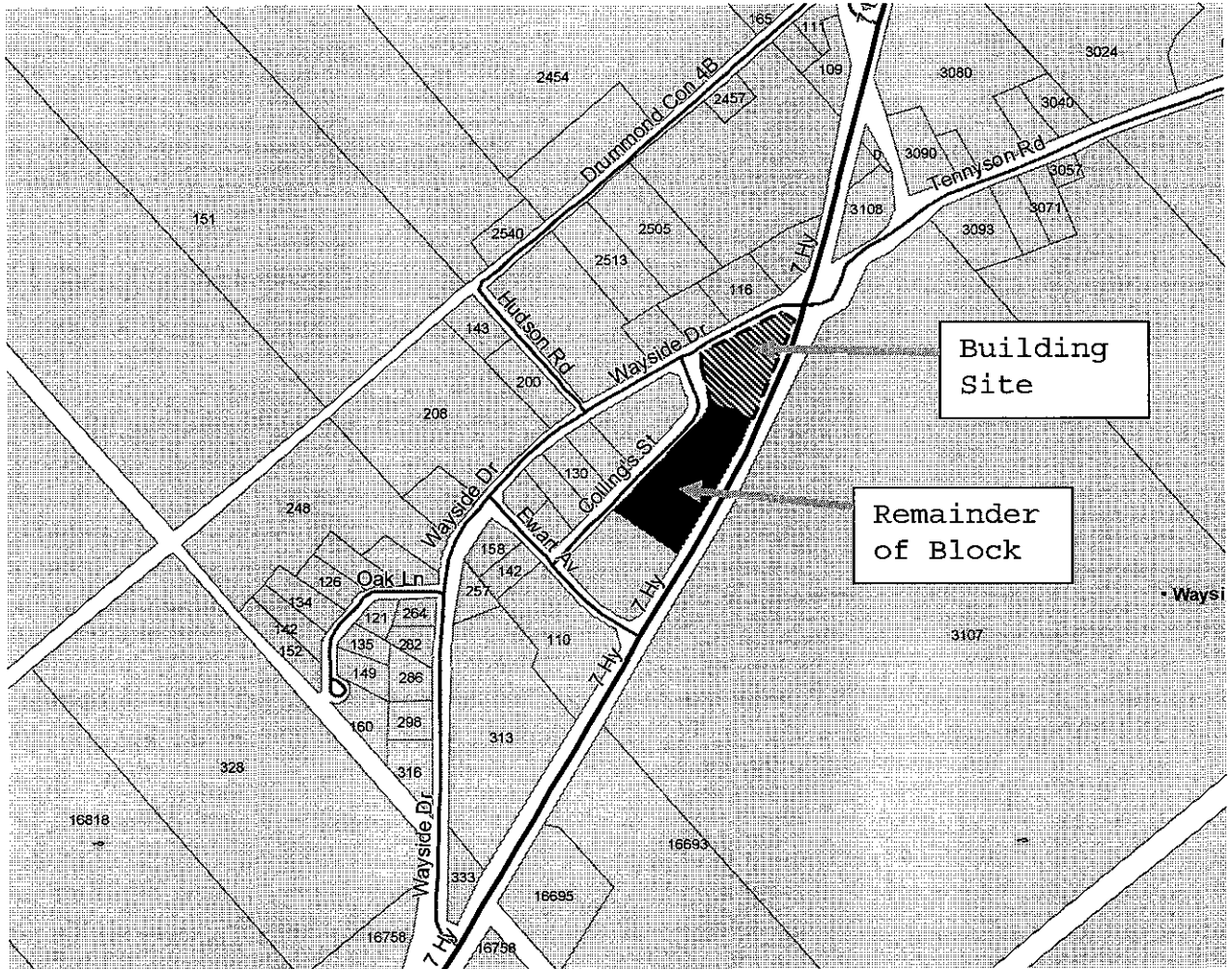
4. **DISCUSSION:** While this approach is unusual in practice in Drummond/North Elmsley, the rationale behind the request is reasonable. As such, staff prepared a draft agreement with standard development conditions and provisions for the work to come and after some discussion, clarification and modifications have agreed in principle with the applicant on the wording and intent. The purpose of the conditional site plan agreement from Mr. Quesnel’s perspective is that it gives him comfort and certainty that the municipality is going to approve the requested development before he invests substantial costs into the professional design. Staff are comfortable with the conditional agreement in that it still ensures all the planning requirements are met prior to final approval and believe that this step balances these interests and is reasonable and appropriate in this case.

5. **CONCLUSION:** As the conditional site plan agreement is not binding on Council at this stage a by-law is not necessary however staff are seeking Council’s support, in principle, of this

step since it is new. A final and binding site plan agreement will be presented to Council at a later date for approval and registration on title. .

6. ATTACHMENTS: Key Map

Key Map- Subject Land



Recommended By:

**Name: Karl Grenke
Title: Planner**

Approved for Submission By:

**Name: Cindy Halcrow
Title: Clerk Administrator**