

The Corporation of the Town of Mississippi Mills

**PLANNING AND DEVELOPMENT COMMITTEE
REGULAR MEETING #7-2009
MINUTES**

A regular meeting of the Planning and Development Committee for the Corporation of the Town of Mississippi Mills was held on August 13, 2009 in the Council Chambers, Municipal Office.

PRESENT:

ABSENT:

Committee:

Councillor Val Wilkinson, (Chair)
Councillor Jane Torrance,
Councillor Jim Lowry, leaves at 7:20pm
Councillor Garry Dalgity
Mayor Al Lunney; leaves at 6:45pm/returns at 7:15pm
Councillor Brenda Hurre
Councillor Alex Gillis
Councillor Marilyn Anderson
Councillor Denzil Ferguson

Councillor Rick Minnille
Councillor John Edwards, regrets

Staff:

Stephen Stirling, Planner
Barb Lebeuf, Recording Secretary
Robert Demerath, Building Official

Others:

Peter Mansfield
Andrew Cinnamon
Angela Campbell
Nicole Beaudette
Emma Brown
Chris Norton
Joyce Fulton
Cynthia McKeller
Walter Cotie
Andre Charron

Chairperson Wilkinson called the meeting to order at 6:00 p.m.

A. APPROVAL OF AGENDA

**Moved by Councillor Hurtle
Seconded by Councillor Ferguson
THAT the agenda be accepted as amended.**

Additions:

**D.6 Riverwalk, Acknowledgement and Direction to create easement
D.7 Removal of Tree, 14 Mill St., Almonte Ward**

CARRIED

B. DISCLOSURE OF PECUNIARY INTEREST

The Chairperson requested that any member having a pecuniary interest to declare it now or at the time of discussion. No member of Council disclosed a pecuniary interest at this time.

C. DELEGATIONS

**1. 1760568 Ontario Inc. (Cinnamon)
Almonte Mews Subdivision, Almonte Ward (Nimer)**
Andrew Cinnamon, present

Andrew Cinnamon appeared before the Committee to propose changes to the development of land in the Almonte Mews subdivision. This new proposal would use the land from block 9 through block 16 to develop a large three to four storey condominium building of 70 to 80 units. He said the project was still in the design stage but would be similar to a project, which he provided drawings for, in Kemptville currently under construction.

In response to the Committee's questions regarding the current condominium market and whether the development would include affordable housing, Mr. Cinnamon said he felt there was a very hot market for this type of development and that the housing would be affordable but he would not be going with the government grant as that required some units to remain as rentals. In response to questions regarding the price for the units Mr. Cinnamon said they would probably sell for \$200.00 to \$235.00 per square foot. The Committee questioned how this change in development would affect the infrastructure of the original development. Mr. Cinnamon said that the planned for infrastructure would accommodate the proposed changes.

The Committee also questioned the process for public consultation. The Planner responded stating that the proposed development would be required to go through a plan of condominium process that would involve public consultation. He said this was an eight to twelve month process and suggested the developer and planner hold an open house prior to much of the design work being completed. Mr. Cinnamon said that construction in the other part of the subdivision would continue as planned while they waited for the results of this application. He thanked the Committee for their feedback.

2. Mills Supportive Housing Project

Almonte Ward

Peter Mansfield, Project Architect present

Peter Mansfield was present on behalf of the Mills Community Support Corporation to submit a proposal for a concept design for a senior citizen supportive affordable rental housing project at its site at 375 Country Street. He described the project as being a 40 unit (30 one bedroom and 10 two bedroom units) 3 storey apartment structure with a common area that would link both the old and new facilities and provide space for a variety of services. He said the facility would provide additional parking and a covered drop-off area. He said the concept had been presented at the County Council and received very well. He told the Committee that the funding criteria time-line was very aggressive and that if the funding was approved the criteria would require them to move forward with the project very quickly.

The Committee commented favourably on the project and wished them success with obtaining the funding.

3. Appleton Community Association

Appletex Property Almonte Ward

Allison Ball, Appleton Community Association representative present

Allison Ball was present to update the Committee on the May 12, 2009 meeting regarding issues of the former Appletex property. She summarized the minutes from that meeting providing a brief history of the oil spill that had occurred on the property and the plans in progress for the clean-up. She outlined concerns/questions that remain:

- concern regarding the amount of damage from the oil spill;
- concern regarding the proposed method of blasting;
- questions regarding for proof of ownership of the property and request for the Town to determine ownership and make this public including when the change of ownership took place;
- request for property standards to be enforced;
- request for public consultation on development proposals.

The Committee questioned the Town's ongoing obligation with regard to the site and its clean-up. The Planner said the Town was continuing to work with owner to clean-up the property but that this was jurisdiction of other agencies. In response to the Committee's questions regarding the site development the Planner said there has been an indication of a desire to develop the property and the residents have been informed of this, but there have been no further developments at this time. With regard to questions about property ownership, the Planner said they had been advised by the Town's lawyers that the information the Town retains regarding ownership was sufficient.

D. NEW BUSINESS:**1. Lanark County Land Division Committee
Consent Applications B09/015 and B09/018
Part Lot 26, Conc. 11, 227 Ridge Rd., Ramsay Ward
(Cotie, Walter and Judy)**

The Planner referred to his written report describing the application as a severance to create two lots. He said the lot in the back was intended for farming and the lot in the front was intended for the residence. He commented that the property across from these subject lands had a zoning of scrap yard/waste yard. The Planner explained that the first severance would not have frontage onto a year-round maintained public road and this matter had been deferred from the previous Planning and Development Committee meeting to deal this issue. He confirmed that this issue had now been satisfied.

Mr. Cotie commented that the large lot in the rear was to be retained and the triangular shaped lot was to be severed.

Moved by Councillor Dalgity

Seconded by Councillor Anderson

THAT the Planning and Development Committee SUPPORT consent applications B09/015 and B09/018 (Walter and Judy Cotie) for the severance of lands described as Part Lot 26, Conc. 11, 227 Ridge Rd., Ramsay Ward with the following conditions.

- 1. That the applicant provides a copy of the registered reference plan to the Town;**
- 2. That the applicant provide a digital copy of the registered reference plan in a .DWG file format;**
- 3. That the applicant pays any outstanding property taxes on the subject property;**
- 4. That the applicant register a covenant on title of the property that the lot is adjacent to an agricultural area and may therefore be subject to noise, dust, odours and other nuisances;**
- 5. That the applicant rezones the lot associated with B09/015 to restrict the construction of a dwelling or structure on the severed parcel;**
- 6. For applications B09/018, that the Owner provides certification of the following to the Town of Mississippi Mills:**
 - (a) That the well has been constructed in accordance with the Ministry of Environment guideline "Water Wells and Groundwater Supplies of Ontario";**
 - (b) That the quality of the water meets the Ministry of Environment "Ontario Drinking Water Standards"; and**
 - (c) That there is sufficient quantity for the intended use.**

CARRIED

**2. Lanark County Land Division Committee
Consent Applications B09/066 and B09/067
Part Lot 13, Conc. 7, Ramsay Ward
(Henry, Joseph)**

The Planner said the purpose of consent applications, B09/66 and B09/067 was to create two lots, each having an individual dwelling. He said the proposal was consistent with both the Community Official Plan and the zoning by-law. He said he supported the applications subject to conditions one of which included the applicant providing a right of way acceptable to the Town in the event there was a need for the road to be widened in the future.

The Committee discussed the wording of the condition and the width of the right of way.

Moved by Councillor Ferguson

Seconded by Councillor Hurrle

THAT the Planning and Development Committee support the consent application B09/066 and B09/067 (Joseph Henry) for the severance of lands described as Part Lot 13, Conc.7, Ramsay Ward, with the following conditions:

- 1. That the applicant provides a copy of the registered reference plan to the Town;**
- 2. That the applicant provide a digital copy of the registered reference plan in a .DWG file format;**
- 3. That the applicant pays any outstanding property taxes on the subject property;**
- 4. That the applicant provides a right of way acceptable to the Town.**

CARRIED

Moved by Councillor Ferguson

Seconded by Councillor Hurrle

THAT the Planning and Development Committee meeting extend past 9:00pm.

CARRIED

**3. Part Lot Control
Block 54, 55, 56, 57, 58 & 59 on Registered Plan of Subdivision 27M-40 Almonte
Ward, Phase 1 Riverfront Estates
(Houchiami Holdings)**

The Planner referred to his written report saying this was an application to create changes to the existing registered plan. The application would create one block (Block 55) of 6 townhouse units and Blocks 54, 56, 57, 58 and 59 for semi-detached dwellings. This application would be achieved through lifting of part lot control. The

Planner said staff supported this application and that the properties subject to the application would not impact surrounding neighbourhoods.

**Moved by Councillor Torrance
Seconded by Councillor Dalgity**

THAT the Planning and Development Committee recommends APPROVAL for an exemption from part lot control, pursuant to Section 50 of the Planning Act, R.S.O. 1990 Ch.P.13, and adopt a By-law to exempt from part lot control, those lands being Blocks 54, 55, 56, 57, 58 and 59 on Registered Plan 27M-40, to be registered in the Land Registry Office.

BY-LAW PREPARED

**4. Sign Permit Application – Jeff Julian Insurance
Field Advertising Sign – Hwy. 29, Ramsay Ward
(Jeff Julian)**

Building Official, Robert Demerath, described this application saying it was a field advertising sign that had been erected without a permit. He said the applicant had received permission from the County to erect the sign but that it had been erected 21m from the centre line of the road and would be required to be move back a further 9m.

Mr. Julian was present and said he would move the sign immediately.

**Moved by Councillor Ferguson
Seconded by Councillor Hurrle**

THAT the Planning and Development Committee APPROVE the sign permit application of Jeff Julian for a field advertising sign being 8ft by 4ft that would be permitted to be erected at in the field on Highway 29 approximately 0.2kms south of Old Perth Rd facing southbound traffic.

CARRIED

**5. Sign Permit Application – Pylon Sign
376 Ottawa St., Ramsay Ward
(Shoppers Drug Mart)**

Building Official, Robert Demerath, spoke to this matter saying it was an application for a 24ft by 13.2ft sign to be located at the Ottawa St. entrance to the Shoppers Drug Mart property. He said that the Town By-law requires all standard or pylon signs to have site specific and design approval from the Committee.

Mr. Andre Charron, of Rainbow Signs, was present to speak on behalf of the application. He commented that Shoppers have established a standard signage for their stores based on their belief in strong advertising. He said that because of the large size of the building, the store should be permitted to have a larger sign.

The Committee discussed other signage along Ottawa Street. Councillor Torrance commented that the Sign Committee had met the previous evening and that the current by-law allowed for a 4ft by 8ft ground sign. She said the Sign Committee would recommend that this remain consistent. She said the existing pylon signs

along Ottawa St. advertise multiple stores. There was discussion regarding acceptance of an 8ft by 8ft ground sign and it was requested that Mr. Charron and Shoppers work with staff on the design of their Ottawa Street signage.

**6. Riverwalk Easement
Almonte Ward**

The Planner briefly explained that this easement would grant access to the Riverwalk from Little Ottawa Street. He said a property owner was granting this easement over his property and that the paperwork had been prepared and that staff was requesting authorization from Council to proceed.

Moved by Councillor Gillis

Seconded by Councillor Hurrell

THAT the Planning and Development Committee AUTHORIZE staff to execute the Acknowledgement and Direction to accept Parts 4, 5, 7 and 8 of the Draft Reference Plan as part of the River Walk system.

CARRIED

**7. Removal of Tree
14 Mill St., Almonte Ward
(Gord Pike)**

The Planner said this was a request from the property owner to remove a tree from the sidewalk that was blocking the entrance to his building. The Planner said the Beautification Committee was agreeable to having the tree removed. The owner agreed to plant a replacement tree, subject to the Beautification Committee's approval of specie.

Moved by Mayor Lunney

Seconded by Councillor Ferguson

THAT the Planning and Development Committee AUTHORIZE staff to coordinate the removal of one Ash tree located at 14 Mill St., Almonte Ward subject to the developer paying all costs and providing a replacement tree, specie to approved of by the Beautification Committee.

CARRIED

E. MONTHLY REPORT AND MINUTES

1. Approval of Planning & Development Committee Minutes dated June 23rd 2009.

Moved by Councillor Dalgity

Seconded by Councillor Hurrell

THAT the Minutes of the Planning & Development Committee meeting held on June 23rd, 2009 be accepted.

CARRIED

2. Planner Monthly Activity and Project Status Report – to July, 2009

A copy of the monthly report was provided.

3. Building Permit Statistics – July, 2009

A copy of the monthly report was provided.

F. PUBLIC INFORMATION MEETING

None.

The Public Meeting was called to order at 7:00 pm.

Acting now as Committee of Adjustment

G. PUBLIC MEETING

1. Proposed Minor Variance

**Part Lot 6, Part Lot 1, Registered Plan 779, known municipally as 188 Dalkeith, St., Pakenham Ward
(Joyce Fulton)**

An application for a minor variance to reduce the rear yard setback from 10m (32.8ft) to 5.4m (18ft) in the R1 zone provisions to accommodate a proposed balcony/deck and sunroom, as it applies to Part Lot 6, Part Lot 1 31, Registered Plan 779, known municipally as 188 Dalkeith St., Pakenham Ward.

The Chair indicated that this was a formal public meeting under the Planning Act. The Planner will present his verbal planning report, followed by questions from the Committee, the applicant and concluding with questions and comments from the public.

The Planner referred to his written report saying this was an application for a minor variance for the construction of a balcony/deck and sunroom. He said the applicant was limited by the septic system and well for options on where on the property the structure could be located. He said the impact of the construction of the balcony/deck and sunroom on the neighbouring properties would be negligible as the property was screened by heavy bush and a bluff. He said he had only received one comment and it was a concern from the Town Engineer regarding grading.

There were no comments or concerns expressed by the Committee or the applicant.

A neighbour was present and she indicated she had no objection to the application.

Moved by Councillor Ferguson

Seconded by Councillor Lowry

THAT the Town of Mississippi Mills Committee of Adjustment APPROVE the necessary minor variance for Part Lot 6, Part Lot 1, Registered Plan 779 municipally known as 188 Dalkeith Street, Pakenham Ward to permit the construction of a balcony/deck and sunroom with a minimum rear yard setback of 5.4m (18ft) for accessory buildings or structures in accordance with

the plans filed with the application with the following conditions:

- 1. That the applicant acquires all required building permits; and**
- 2. That the applicant prepares a grading plan to the satisfaction of the Town of Mississippi Mills.**

CARRIED

A Committee of Adjustment for the Corporation of the Town of Mississippi Mills Decision Sheet was circulated.

2. Proposed Minor Variance

Lot 25, Plan 27M-33, known municipally as 122 Dr. Bach St., Almonte Ward (Chris & Kathi Norton)

An application for a minor variance to reduce the rear yard setback of 7.5m (17ft) and increase the maximum lot coverage of 40% in the R1 zone provisions to accommodate a proposed pergola shade cover as it applies to Lot 25, Plan 27M-33, known municipally as 122 Dr. Bach St., Almonte Ward.

The Chair indicated that this was a formal public meeting under the Planning Act. The Planner will present his verbal planning report, followed by questions from the Committee, the applicant and concluding with questions and comments from the public.

The Planner referred to his written report saying this was an application for the erection of a pergola shade structure. He recommended support for the application.

There were no comments or concerns expressed by the Committee or the applicant.

Two of applicant's neighbours were present. One questioned how the pergola would affect the sun reaching her property. The Planner said it was an open air structure and the sun would shine through it. The other neighbour asked if there were regulations on paint colour choice. The Planner said it was his understanding the pergola would be painted the same or similar colour as the house.

Moved by Councillor Dalgity

Seconded by Councillor Hurrle

THAT the Town of Mississippi Mills Committee of Adjustment APPROVE the necessary minor variance for Lot 25, Plan 27M-33, known municipally as 122 Dr. Bach St., Almonte Ward to permit the construction of a pergola shade cover with a minimum rear yard setback of 3.0m (9.8ft) and a maximum lot coverage of 50% for accessory buildings or structures in accordance with the plans filed with the application with the following condition:

- 1. That the applicant acquires all required building permits.**

CARRIED

A Committee of Adjustment for the Corporation of the Town of Mississippi Mills Decision Sheet was circulated.

**3. Proposed Zoning By-law Amendment
120 Main St., Almonte Ward
(Heinz Wolfe)**

An application to amend the Mississippi Mills Zoning By-law #01-70 as it applies to 120 Main Street, Almonte Ward.

The Chair indicated that this was a formal public meeting under the Planning Act. The Planner will present his verbal planning report, followed by questions from the Committee, the applicant and concluding with questions and comments from the public.

The Planner indicated this matter had been deferred from the previous Planning and Development Committee meeting to allow for a review of the grading and drainage of the property and to determine if the driveway could be relocated towards the centre of the property to allow for the potential removal of the retaining wall. He expressed concern that even if the driveway was moved the property would still slope towards the neighbouring property at 114 Main Street as Mr. Wolfe's property had been graded to tie into the property on the opposite side.

The Planner said that currently the property at 114 Main Street had no easement rights for the maintenance of that property. The Planner recommended that a 4m wide easement from the front lot line to the rear of the house at 114 Main Street to provide for maintenance and protect the view. He said his intention was to put his recommendations into an agreement and have them registered on title so that the agreement would be tied to the property.

The Chair invited questions and comments from the Committee and the public.

Nicole Beaudette said she was concerned with all the issues mentioned but said the real issue of the severance was getting lost and questioned why the Committee could not just say no to the severance. The Planner referred to the Provincial Policy Statement and the Community Official Plan regarding intensification and affordable housing. He also said that the Town did not have the ability to impose an agreement unless it went through the application process.

Councillor Torrance commented that a process for all infill to be a subject to site plan control had now been implemented.

Councillor Dalgity commented that the situation was unfortunate but that the Town did not have a legal right to reject the application now.

Councillor Wilkinson said the Town must follow the regulations or be subject to an appeal.

Councillor Torrance asked if a building permit would be required to construct a fence. The Planner said no, but that by registering the agreement on title of both properties this would allow future owners to be aware of the restrictions.

Recorded vote requested by Councillor Dalgity

Moved by Councillor Dalgity

Seconded by Councillor Ferguson

THAT the Planning and Development Committee recommend that Council APPROVE the necessary Zoning By-law Amendment on 120 Main Street, Almonte Ward (Wolfe) to permit the creation of two semi-detached lots with 9.3 metre lot frontages and 283m² lot areas,

AND FURTHERMORE that the developer is required to enter into an agreement with the municipality with regard to the construction of a fence, grading and drainage and that the owner of 114 Main Street, Almonte Ward is granted a maintenance easement over the property.

YEAS

Councillor Dalgity, Councillor Hurrle, Mayor Lunney, Councillor Wilkinson, Councillor Ferguson, Councillor Torrance, Councillor Anderson

NAYS

Councillor Gillis

**MOTION CARRIED 7-1
& BY-LAW PREPARED**

**4. Proposed Zoning By-law Amendment
Almonte Mews Subdivision (Nimer), Almonte Ward
(Andrew Cinnamon)**

An application to lift a holding zone designation as it applies to Part of Lots 146, 147, 158-166, 172-180 and 187 MacFarlane Section, Plan 6262, Pt Wright St., Part Ann St., Pt Lisgar St., all closed by RN27156, Almonte Ward.

The Chair indicated that this was a formal public meeting under the Planning Act. The Planner will present his verbal planning report, followed by questions from the Committee, the applicant and concluding with questions and comments from the public.

The Planner indicated that this was a housekeeping item and that the property had gone through the subdivision process and an engineering and plan design. He said the ability to service the area had been satisfied and was requesting that the holding zone designation be lifted.

Councillor Gillis questioned the lifting of the holding zone before going through the process discussed earlier in the meeting when Mr. Cinnamon appeared as a delegation to present the proposed changes to this subdivision. The Planner said

the lifting of the holding zone did not change the ability to service the property and that that was the issue being dealt with in this application.

Moved by Councillor Ferguson

Seconded by Councillor Hurre

THAT the Planning and Development Committee recommends that Council APPROVE the zoning application (D14-17-08) to remove the "H" Holding symbol from the property described as Part of Lots 146, 147, 158-166, 172-180 and 187 MacFarlane Section, Plan 6262, Part Wright St., Part Ann St., Part Lisgar St., all closed by RN27156, Almonte Ward.

BY-LAW PREPARED

**5. Proposed Site Plan Control Amendment – Equator Coffee
Part Lot 10, Conc. 15, being Part 10 on Plan 27R-8211, Almonte Ward
(Craig Hall)**

The Chair indicated that this was a formal public meeting under the Planning Act. The Planner will present his verbal planning report, followed by questions from the Committee, the applicant and concluding with questions and comments from the public.

The Planner indicated that the previously approved concept of coffee shop/roaster and bakery had changed. He said the applicant proposed to revise the site plan by removing the bake shop, adding a drive-thru and adjusting the parking layout. The changes to the approved site plan would increase the square footage from 464.5m² (5,000ft²) to 538.8m² (5,800ft²). The Planner said the applicant was requesting Council's support in relocation of the access easement. He said that sufficient stacking in the drive-thru had been accounted for to ensure cars would not back-up onto the road and that sufficient parking had also been accounted for.

The Committee reviewed the location of the drive-thru and pedestrian path. They commented that they wanted to maintain the access road/easement to ensure it had status as a road and that the pedestrian path stay on the green space.

Craig Hall said he was aware of the problems with the easement but that he was prepared to make it work and commented there was the option to move the building back.

Moved by Councillor Dalgity

Seconded by Councillor Anderson

THAT the Planning and Development Committee recommends that Council APPROVE the proposed site plan application for the lands described as Part Lot 10, Concession 15, being Part 10 on Plan 27R-8211, Almonte Ward, subject to staff approval of the grading and site servicing plan,

AND FURTHERMORE that a continuous easement across all properties subject to the Ottawa Street Landscape Plan be maintained.

CARRIED

A brief recess was called at 8:15pm. The meeting reconvened at 8:20pm.

H. BUSINESS ARISING

None.

I. MEETING ANNOUNCEMENTS

1. **Planning & Development Committee Public Meeting – September 22, 2009 (6:00pm Regular Meeting; 7:00 pm Public Meeting).**

J. ADJOURNMENT

**Moved by Councillor Dalgity
Seconded by Councillor Hurrele
THAT the meeting be adjourned.**

CARRIED

The meeting adjourned at 9:15pm.

Barb Lebeuf, Recording Secretary