

now rented out and that the owners do not live on site. Lee then asked the planner whether the NVCA identified any issues and none were heard. Lee noted that the property was under plantings right now, and asked whether the trees will be affected by new ownership. Mr. Luty has a present agreement with Drysdale Tree farms, and the trees will stay on site and eventually be harvested, confirmed Mr. Dymont. It was noted that the house presently lies on the east side of the property, and Committee asked if the house will be destroyed. Mr. Dymont noted that someone's living there right now, and that this is a viable house, and does not think it will be destroyed.

No audience questions were heard at this time.

Lee Redmayne noted she was in favour provided the County's conditions can be satisfied, and noted she was in favour of equal sized lots, which is more in keeping with the agricultural and rural character of the neighbourhood. Committee member Joan Truax was in agreement with County conditions being satisfied as well.

The Committee Members then approved the application for the severance.

Roy noted application has been passed.

B3/09

**CAMPBELL
7444 County Road #56**

Severance of Previously Merged Lot

Mr. Justin Hawkins and Mr. Jim Dymont from Meridian Planning attended the meeting. Colleen Healey noted the same planners are in attendance for this application as well. Colleen had prepared a memo updating the Committee on this file.

The Committee viewed the easel showing the proposal. This application was put forward some time ago, noted Ms. Healey, and added the County has no objections however the County did outline the provision for a road widening along the entire frontage, as a condition. As well, it was noted the NVCA required an EIS study on the property, for review. An EIS had been prepared and the NVCA has submitted their comments to the Township. The NVCA finds the EIS acceptable with provision of two conditions being: a written covenant for an easement to the NVCA, in aid of protection for the natural features in the rear of the property, and secondly, a restoration plan for the trees, as this is an area of environmental significance. Colleen then highlighted her updated report.

It was noted that the applicants now wish to enlarge the building lot to include the disturbed area, to extend to the rear and side of the lot.

The Chair asked if Mr. Dymont had anything to add and Mr. Dymont pointed out that he had attended the site three times, twice with Skelton Brumwell, who had prepared the EIS. Mr. Dymont suggested the applicants want to enlarge the size of the lot to accommodate private servicing. He indicated that presently a row of cedar trees exist along the rear, and an indigenous species which borders on the north, which if added to the area of the lot, may be viewed as culturally attractive along the new lot lines. It was noted that the NVCA supports this addition to the lot, as there would be more room for a well and septic. Mr. Dymont noted that he had convinced the Campbell's to give an easement to the NVCA. The CA also requested Kyle @ Skelton Brumwell, for more tree planting, and more protection to the lands and the owners also agreed to this. The Consultant noted that provided the Committee agrees with the lot severance, the Campbell's are in support of both these conditions. No audience questions were heard.

Committee member Lee Redmayne then commented on the conditions of consent being legal and binding once all conditions have been met including a Tree Preservation (planting) plan to be prepared. Discussion on the forested area that abuts the wetland was held and Mr. Dymont presented the Environmental report. He noted that no development will be permitted at the rear of this property, only preservation of the rear property. Lee asked what is the purpose of the other land assuming the lot may be approved? Mr. Dymont noted that Campbell's want to build two houses on the two properties, for parents of the landowner. He noted assistance is required for the family. Colleen Healey then asked if they have horses and Mr. Dymont noted that Liz Campbell rides, but rides in King Township. Lee noted that plantings and pasture may seem to conflict but Jim Dymont noted that there is no intention to have any pasture on site. Colleen noted that the Township lawyer can create the Conservation Easement which is satisfactory to the NVCA. Discussion and confirmation of the easement being registered on title was held. Lee asked whether the actual tree lines will be used for enlargement of lot, and it was noted the trees will act as a natural lot line. Lee then noted she has no objection to enlargement of lot, if conditions are applied to the remainder of the lot. No further questions were had.

The Committee Members then approved the application for the severance with applicable conditions.

Roy then announced the severance application has been passed.

B16/09

**M. SMILSKY LIMITED
6155 & 6253 5th Line**

Create one new agricultural lot

Mr. David Pesce, land surveyor from Alliston, attended the meeting, as agent for the application. Colleen then read the Planning report. It was noted that the farm may be used for polo as a future use on the property. It was recommended by staff that Committee restrict future residences on this lot and noted that consent conditions be imposed on the property. She further noted that she had contacted OMAFRA, and that such applications are permissible for agricultural lots. It was noted that Committee may want to add as a condition that they seek OMAFRA's approval in writing, as she had not heard back from their office (as to size).

Committee Member Lee Redmayne was in agreement with this condition being added to the application. Roy asked if Mr. Pesce had anything to add and no additional comments were made.

Chair Roy Perry then asked the audience for comments. Lance Phelps attended the meeting, residing at 6110 5th Sideroad, and asked what exactly is being done on the property, and what is proposed? Mr. Pesce then noted his client owns the farms to the south of this lot, and that one part of the parcels will be retained (north half, while Lot 10 would stay as agricultural) noting the other one will expand the whole operation for horses and the sport. He further noted that no proposed buildings are currently planned, but only accessory barn buildings which will accommodate horses. Mr. Pesce noted there could be some liability or financial issues, which all must be dealt with pertaining to the property, as there are combined partners involved. Mr. Phelps then asked what is being built and Mr. Pesce noted he believes only agricultural buildings for farm use. Colleen confirmed that OMAFRA will set/guide the required setbacks for MDS upon time of construction of any new buildings. Mr. Phelps asked what access will be used and Mr. Pesce noted the present access off the 5th Line will be used for access. Colleen confirmed that there is an existing access off the 5th Line and Mr. Pesce noted he assumes this same rural entrance will be used.

Lori of 6171 10th Sideroad then asked if the north part will be used as agricultural and Mr. Pesce noted the barn is on the south parcel. She noted her concern was they were granted a building

lot severed several years ago and is concerned that a barn will be built on the north portion, which could go beside them at the west of her lot. Colleen noted the proposed retained parcel has no new houses planned. Colleen further added that agricultural uses take precedent in our municipality, according to the Ministry of Agriculture, setting distances for barn setbacks. She noted calculations are provided individually, dependent on size of barn and number of livestock, odour produced, etc. The Ministry of Agriculture is concerned for smell to neighbours' as well. Colleen noted that the barn would likely have to be set back closer to the south half of the lot but that the applicants can build a barn on agricultural lands.

Lee noted that one must understand that the country side is primarily for agricultural uses, for survival, and that shelter for barns, drive sheds, etc. are permitted however, if there is a true concern, one must write to the Township to have this on record. If neighbours are approached, good neighbourly manner to then request that setbacks be extended or added to deal with concerns of surrounding lots/neighbours.

Mr. Phelps asked if taxes would go up? Discussion on the lands was held concerning the proposal for the property and expansion to the polo operation. Mr. Pesce explained that many partners are involved and that he was only acting on behalf of one. He noted that liability issues may be considered to be separate, if lots are kept as separate parcels. Lee added that no future residential development be registered on title concerning the north parcel (presently a sod farm). Mr. Pesce noted his agreement to this condition. Discussion on the entrance was held. Mr. Phelps noted his concern for washdown off of the bank and down to river and that a culvert provided which pipes runoff to the river, and that if any animal feces on site, this too would be washed down the river. Mr. Pesce noted that when and if a building application is submitted, then the property would be subject to site plan conditions. Lee noted in defense of polo operations that polo fields are seen as incredibly clean. A complaint from Mr. Phelps was heard concerning materials being put in the ditch. Lee commented that this would be covered by Township By-laws and Colleen confirmed by-laws for agricultural operations would apply. Colleen then noted that any By-law complaints are dealt through the municipality which is outside of the severance application being applied.

Kevin Thompson of 6171 5th Line, farmed this field for 30 years as he had worked for Mr. Smilsky, and noted that the parcel does flood every year, as there is lots of water behind their house. He also noted that there is lots of manure, and that the Township should be aware of this. Discussion on enforcement and similar issues was had. Colleen noted can look into but is dependant on type or scale of animals, how many, etc. Mr. Pesce added his client may keep as sod for now and may not build immediately. Colleen noted the Nutrient Management Act, under the Ministry of Agriculture and Rural Affairs and confirmed an MDS application must be submitted when proposing to build. Roy then asked if there were any further questions.

Mr. and Mrs. Peterson at 6083 5th Line noted their property abuts the subject lands. They asked what is being planned on the southerly portion and whether a new residence is planned, and Mr. Pesce noted he is not aware of any plans. He was doubtful but noted he is aware that one residence exists on the retained parcel. It was noted a second residence could not be built. Discussion on the abutting properties was had and it was identified that a single strip along the bottom with width of 10 m to the south of the parcel is owned by a separate person. Mr. and Mrs. Peterson confirmed they owned that property. Lee noted entitled to one residence, but not on the other part of land. Mr. Pesce could not confirm as he indicated people come from the city, with ponies for the day, and then go home.

Committee had no further questions. The audience was asked for any other comments and Mr. Phelps would like to know when the barns are going to be drawn up? Colleen noted when the landowner submits plans, she noted Mr. Phelps can ask for notification and then we can let Mr. Phelps know of this. It was noted that you can always approach the landowners to view plans or discuss any plans.

Lee then noted she was in favour of the application subject to no residence going on the retained portion of lands and that this must go on title. Kevin noted that presently there is no residence on the north. Was no residence planned on the south portion then asked Mrs. Peterson. Lee noted that applicants were legally entitled to have a single house on one lot, not both. An audience member noted she had already got a previous severance, her severance was on her lot, not the lots in questions. Lee noted that the Province provides direction to the County, and sets rules allowed for the neighbour's previous severances, these will have nothing to do with somebody else's property. Discussion on residences permitted and further severances on agricultural lands and it was confirmed by Colleen that no further severances are permitted since 2005. No further comments were heard.

The Committee Members then approved the severance application.

Roy then announced the approval of the application.

B17/09

**TURNBULL
305 Mill Street**

Create new Commercial lot (4.7 ac)

Leesa Turnbull attended the meeting as owner of the property. Colleen Healey then presented her planning report. Colleen noted the neighbouring landowner to the north is asking for imposing of a condition, per servicing, which is same as Greg Murphy's comments and recommended conditions.

Leesa noted she was here because of the NVCA, and gave a detailed explanation of the mapping provided by the NVCA. She then asked to approach the Committee to show these maps for closer inspection. She had Committee view the 1:100 year map from NVCA and added that since then a new map has been brought forward since Feb 2005. Leesa pointed out the proposed property and indicated that the map now used, (also depicting regional flood mapping) indicates the 1:100 year has now extended out. She indicated that a new map has come to light and that the line has been moved further out. Colleen noted this is the full floodplain, both the floodway and flood fringe. Further discussion on the mapping and flood line was had.

Leesa added that the NVCA is now concerned with 2 cm of dirt on the property which may only be flooded once in 500 years. Leesa noted that Canadian Tire does not want a smaller site, but they are reducing the acreage to get away from the NVCA issue. She also informed that the NVCA has asked Canadian Tire to do a survey on the property. She added that the elevations have not yet been submitted to NVCA and that Canadian Tire has done a lot of work. It was noted that Canadian Tire has agreed to have a Rationalization Plan prepared for the NVCA. Discussion on satisfying Provincial Policy requirements and future reports was had, as well as discussion on Council resolution adopting the NVCA mapping.

Colleen noted that since 2004 - 2005, the Township was in middle of process for obtaining more information on flooding in Angus and reviewing future development all subject to the local Conservation Authority. She also confirmed that at this time, new policies were being created, to assist with development. It was clarified that the deputation to the Conservation Authority's Executive was to ask for an exception. Colleen noted that once Canadian Tire presents to the Conservation Authority's Executive Board then perhaps discussion of trade offs could be held. Colleen noted the Township is still in stages of policy formulation and implementation and may hire a consultant to benefit those developers north of County Road 90.

Leesa indicated she was here today to get the application for severance extended in its original size.

Lee noted she was in favour of severance, and if the NVCA was not heard from to limit consent, and proceed on with severance and deal through any issues at site plan process. She agreed with same conditions as last years' decision.

The Committee Members then approved the severance application.

Leesa thanked the Committee.

A13/09

**SEAGER
137 Murphy Road**

Relief of front yard setback

Colleen represented the application. The Township is putting this application forward regarding a recent installation of the sidewalk. It was noted that this house is the closest one along this stretch to Murphy Road. The Township felt this was a legal non-conforming issue, since the house pre-existed, and only recently the Township had hired to install the sidewalk, therefore, felt an application would assist the landowner with assurance to rebuild should unforeseen circumstance arise, or sale of property, etc. No questions were heard from the audience.

The Committee Members then approved the minor variance application.

Chair Roy Perry announced approval of the application.

OTHER BUSINESS:

No other business was heard.

ADJOURNMENT:

The meeting adjourned at 11:40 a.m.

Roy Perry, Chair

Bev Mansbridge, Secretary-Treasurer