



TOWN OF MINTO

DATE: April 5, 2018

REPORT TO: Mayor and Council

FROM: Bill White, CAO/Clerk

SUBJECT: Removing Holding Provisions Bylaws 2018-022 and By-law 2018-023

STRATEGIC PLAN:

9.1 Establish and maintain streamlined planning approval processes that use innovative and cost effective tools to protect Town and public interest and ensure development proceeds quickly and affordably.

BACKGROUND:

Council has two by-laws to remove holding provisions on its agenda. A holding symbol or “H” is placed in front of the zoning category that applies to a property to make sure specific conditions are met before the underlying zoning comes into effect and the land can be developed. The Planning Act allows Council to pass a by-law removing the holding symbol when the requirements that led to the “H” being placed are met. Notice must be given to the owner of the land where the holding symbol applies. If Council does not pass the by-law removing the “H” the owner may appeal that decision. The explanatory note in the by-laws outlines reasons a holding symbol was applied to each property.

One by-law applies to land owned by Rick Murray on Minto Road between John and Nelson Streets in Clifford:

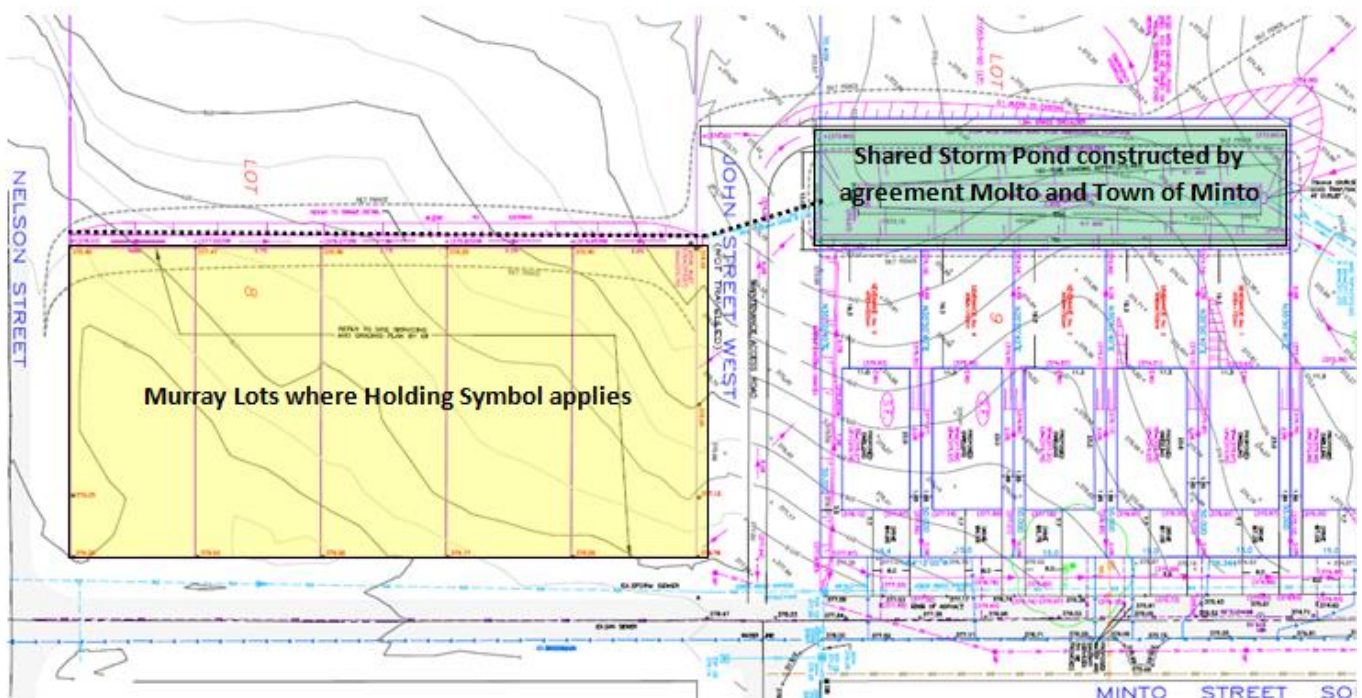


The other bylaw applies to the First G Capital subdivision on Main Street east of White's Road in Palmerston



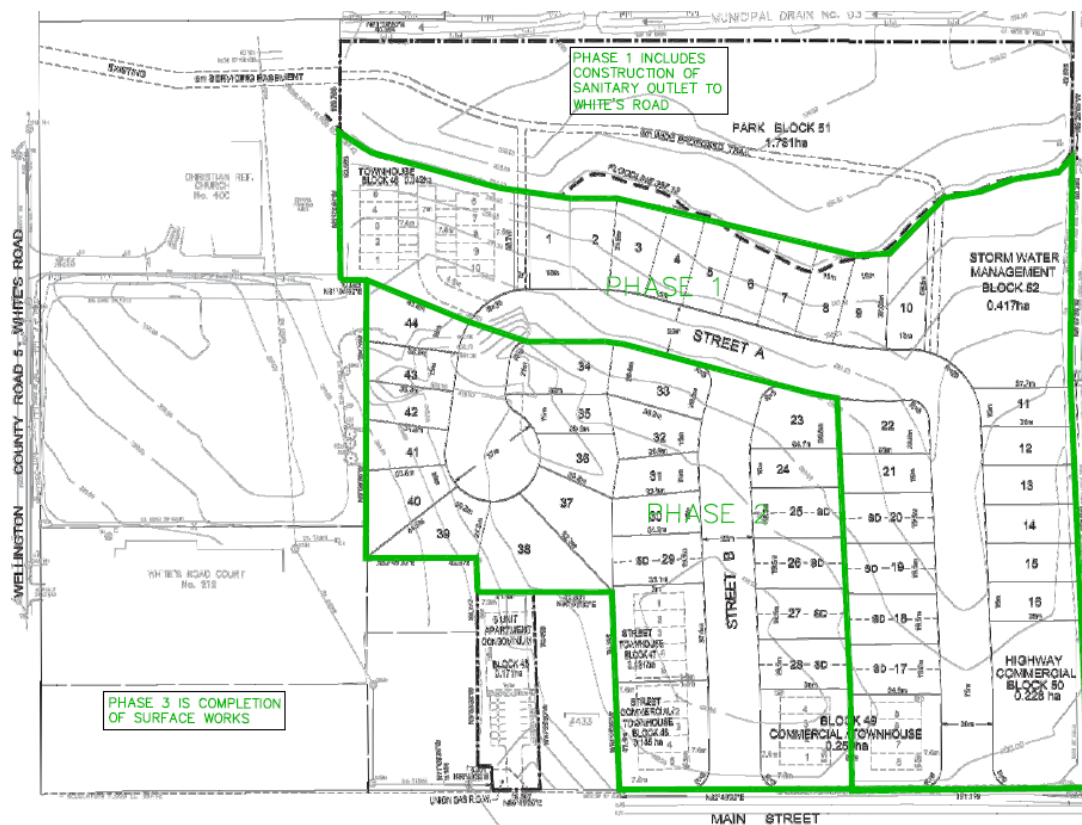
COMMENTS:

The Murray lots in Clifford were created before facilities to collect surface water from the future homes were in place. In 2015 Deborah Molto signed an agreement requiring her to build a pond according to an engineered design to retain storm-water for her property and the Murray lots (see design below).



The pond was built in 2017, inspected by Triton Engineering and is substantially complete. Deborah Molto has confirmed that Rick Murray contributed to the cost of constructing the stormwater pond. The lands and easements for the pond were deeded to the Town. A small amount of work remains to be finished this spring.

Regarding the First G. Capital subdivision when the lands were rezoned and the subdivision application submitted in 2011 there were issues with sanitary sewer capacity in Palmerston. The holding symbol or “H” was placed in the zoning applicable to the property to prohibit development until there was adequate sewage capacity confirmed for the subdivision. Since 2011 the Town has completed inflow and infiltration initiatives to increase capacity in the waste water treatment facility. The sewage use by-law was amended to increase the available capacity of committed and uncommitted units available in Palmerston.



When the subdivision agreement was signed for Phase 1 the developer provided security to ensure water, sanitary sewer, roadway, sidewalks and other services are installed. This work was started in 2017 by Moorefield on behalf of the owner and is on-going. Council has approved model units for the property pursuant to a model home agreement.

RECOMMENDATION:

That Council receives the C.A.O. Clerk's April 5, 2018 report Removing Holding Provisions Bylaws 2018-022 and By-law 2018-023 and considers the by-laws in regular session.

Bill White, C.A.O. Clerk