

February 14, 2006

A meeting of the Planning and Waterfront Committee was held this afternoon with Councillor O'Neill presiding and all members in attendance with the exception of Councillor Levasseur and Councillor Lafreniere. Staff members in attendance were Terry Lapierre, Chief Administrative Officer, Colleen Sauriol, Manager of Planning and Building, David Unrau, Manager of Works, Engineering and Utilities, and Recording Secretary Dawn Turcotte.

MINUTES

MOTION: Moved by Councillor Lowe
Seconded by Councillor Henderson
THAT the minutes of January 10, 2006 be approved as distributed.

CARRIED.

Deputy-Mayor Scott declared a conflict of interest with item #1 as he lives within 120 metres of the proposed subdivision. Deputy-Mayor Scott also declared a conflict of interest with item #2 as he is an employee of a local real-estate company.

ITEM #1: Planning Advisory Committee Update

Ms. Sauriol informed the committee that the Planning Advisory Committee at its meeting of January 18, 2006 recommended the proposed subdivision off Matheson Drive to Council. This development will create 9 lots for single family dwellings located along a cul-de-sac. Ms. Sauriol is still waiting for comments from agencies regarding the proposed subdivision; the deadline for these comments is February 20, 2006. Once all comments are received then a report will be created containing draft conditions for the proposed Subdivision Agreement. A public meeting will be held on March 7, 2006.

Councillor White inquired if the drainage of the proposed subdivision will be addressed. Ms. Sauriol replied that draft conditions will be made in the proposed Subdivision Agreement and that the developer will have to provide an acceptable drainage plan.

Mayor Jacyno inquired if there are any problems with snowploughing a cul-de-sac as opposed to a street. Ms. Sauriol replied that the Works Department has reviewed the plans for the cul-de-sac and that there is an appropriate radius for snow removal. Mr. Unrau noted that a cul-de-sac does require more work to clear snow than a through street. There is usually more snow at the edge of the driveways which requires extra snow

removal work. Mayor Jacyno wondered why the developer was proposing a cul-de-sac as opposed to a through street. Ms. Sauriol replied that the configuration of the land will not allow a through street as houses back on to the property which is known as Lot 124.

Councillor O'Neill commented that the proposed subdivision is making a maximum use of the land.

ITEM #2: Sydenham Street and Matheson Drive Subdivision Requests

Ms. Sauriol informed the committee that Jef Melamed of Juno Homes has requested that the unopened portion of Melton Street between Sydenham Street and Angus Campbell Drive be renamed, as well as Sydenham Street, to **Sydenham Crescent**. It was the Planning and Waterfront Committee's direction the Melton Street was not to be opened up between O'Brien Street and Sydenham Street. If this portion were to ever be opened up, the portion of Sydenham Crescent between Sydenham Street and Angus Campbell drive could be renamed to Melton Street.

Councillor While noted that the request to change the name does not make sense and that she would not support a name change.

MOTION: Moved by Councillor White
Seconded by Councillor Henderson
THAT the request to rename the unopened portion of Melton Street between Sydenham Street and Angus Campbell Drive, as well as Sydenham Street, to **Sydenham Crescent** be denied.

CARRIED.

Ms. Sauriol noted that the developer has requested that the name of the new subdivision cul-de-sac off of Matheson Drive be called **Foresthill Court**.

MOTION: Moved by Councillor White
Seconded by Councillor Henderson
THAT the request to name the new subdivision cul-de-sac, off of Matheson Drive, **Foresthill Court** be approved.

CARRIED.

The developer would like to give the City a 2.5 by 40 metre strip of land along Matheson Drive behind Lot #9. This land would remain as open space and would allow the owner of Lot #9 to erect a fence that would not cause a visibility issue for motorists or

pedestrians. This strip of land would then be required to be maintained by the City. The developer has proposed to move the postal boxes to this strip of land. It is recommended that the owner of Lot #9 retain ownership of this piece of land and that they be required to maintain it. In regards to erecting a fence, a fence cannot be erected within the sight triangle, as per the requirements of the Zoning By-law, so that visibility is not impeded.

MOTION: Moved by Councillor White
Seconded by Councillor Severin
THAT the City of Pembroke not accept the 2.5 by 40 metre parcel of land and that this parcel of land remain as part of Lot #9.

CARRIED.

Ms. Sauriol noted that the developer wishes to construct a 42" masonry wall section denoting the new subdivision as Foresthill Court. This masonry wall would be located on City property. The concern that the Planning Department has about this wall would be who maintains it in the future since it would be located on City property.

Councillor White suggested that the masonry wall should be located on the developers land and that the developer should be responsible for maintaining the wall. Mayor Jacyno inquired as to who owns the land containing masonry walls for such subdivisions in Kanata and elsewhere. Ms. Sauriol responded that the land is not typically owned by a municipality and that the masonry wall is usually located on a small strip of land owned by the developer.

Councillor Henderson suggested that the City give the land to the developer for the sign and that the developer be responsible for maintaining the masonry wall. The committee members did not agree with this assessment.

MOTION: Moved by Councillor Severin
Seconded by Mayor Jacyno
THAT the City not allow the construction of a masonry wall on City property.

CARRIED.

The developer would still be allowed to construct the masonry wall, but not on City property.

ITEM #3: Encroachment Request – 609 Moffat Street

Ms. Sauriol informed the committee that a request was received from the owners of 609 Moffat Street to allow the encroachment of four existing wooden steps onto City property. The steps do not interfere with the maintenance undertaken by the Works Department. The owners are willing to enter into an encroachment agreement with the City of Pembroke. The encroachment shall state that the owners of 609 Moffat Street shall be responsible for the continued maintenance and repair of the four wooden steps and agree not to hold the city responsible for any damage which may occur to the steps as a result of normal construction and/or maintenance of Moffat Street. The City shall not be held liable in any way for this encroachment and should the City require this land for any purpose, the owner shall remove the encroachment at their own expense and without delay. The Encroachment Agreement will be registered on title and will be binding on future owners of the property. Ms. Sauriol further noted that the Works Department has reviewed this request and has no concerns. It was noted that the furthest the steps encroach onto City property is 1.63 feet.

MOTION: Moved by Deputy-Mayor Scott
Seconded by Councillor Lowe
THAT the Planning and Waterfront Committee approve the request to enter into an Encroachment Agreement with the owners of 609 Moffat Street to allow the encroachment of four existing wooden steps onto City property.

CARRIED.

MOTION: Moved by Councillor White
Seconded by Councillor Lowe
THAT this meeting become a closed meeting to discuss litigation, potential litigation, the receiving of advice that is subject to solicitor-client privilege, labour relations, or the security of the property of the municipality.

CARRIED.

On motion of Councillor White, seconded by Deputy-Mayor Scott, the regular meeting of the Planning and Waterfront Committee adjourned.