

**SPECIAL MEETING
MUNICIPALITY OF HURON EAST
Tuesday, May 7th, 2013**

Huron East Municipal Council met in the Council Chambers of the Municipal Office, Seaforth on Tuesday, May 7th, 2103 at 7:00 p.m. All members of Council were in attendance with the exception of Councillor William Siemon.

Also present for the special meeting were:

- Huron County Planning and Development Department Senior Planner Sandra Weber
- Rob VandenHengel, owner of property subject to the proposed amendment on Lot 23, Concession 3, McKillop Ward.
- Gerry and Elaine VandenHengel attended to hear the discussion on the proposed amendment on Lot 23, Concession 3, McKillop Ward.
- Robert Bowman, owner of the property subject to the proposed amendment on Part Lot 40, Plan 133, Vanastra, Tuckersmith Ward.

CALL TO ORDER

Deputy Mayor Joseph Steffler called the meeting to order at 7:00 pm.

Moved by Frank Stretton and seconded by Dianne Diehl:

That the Agenda for the Special Meeting of Council dated May 7th, 2013 be adopted as circulated. Carried.

DISCLOSURE OF ELECTED OFFICIALS – PECUNIARY INTEREST – nil

The Clerk advised that the following provisions are contained in Ontario Regulation 545/06, Section 5(11) 5;

- i. If a person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of Huron East before the by-law is passed, the person or public body is not entitled to appeal the decision of the Council of the Municipality of Huron East to the Ontario Municipal Board.
- ii. If a person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of Huron East before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal to the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to do so.

Zoning By-Law Amendment
Lot 23, Concession 3, McKillop Ward

The Clerk explained the purpose and intent of the proposed by-law. The by-law proposes to change the zoning to ‘General Agriculture – Special Zone (AG1-33)’ from ‘General Agriculture (AG1)’.

Senior Planner Sandra Weber reviewed her report to Council dated April 30th, 2013 and the following points were noted.

The Huron County Planning and Development Department noted the subject property is 40.5 hectares (100 acres) with an existing residence, shed, barns, silos and manure storage tank. The applicant is proposing to construct a new dairy barn and liquid manure storage tank on the property. The rezoning is required to recognize a minimum setback of 30 metres (98.4 feet) from an open municipal drain to permit the construction of a liquid manure storage tank.

The applicant is proposing to construct a berm between the manure storage tank and the open municipal drain which would create a 60 metres (197 feet) flow path as a mitigation measure. In addition, there is a farm lane and a row of trees between the tank and the drain.

OMAFRA staff was satisfied that the construction of a berm to create a 60 metre flow path is a suitable mitigation measure to permit construction of the liquid manure tank at a 30 metre setback to the open drain.

The Ausable Bayfield Conservation Authority indicated they had no objection to the amendment although the development is within a regulated area and the application will be required to obtain a permit from the Authority.

The application conforms to the Huron East Official Plan and is consistent with the Provincial Policy Statement. The Planning Department recommended the Zoning By-Law Amendment be approved.

Councillor Flowers questioned what would happen to the existing liquid manure tank located on the property. Mr. VandenHengel advised it would remain and will continue to be used for runoff from the solid manure storage.

Zoning By-Law Amendment

Part Lot 40, Registered Plan 133, Vanastra, Tuckersmith Ward

The Clerk explained the purpose and intent of the proposed by-law. The by-law proposes to change the zoning to 'Industrial – Special Zone (IND-8)' from 'Vanastra Commercial Zone (C5)'.

Senior Planner Sandra Weber reviewed her report to Council dated April 30th, 2013 and the following points were noted.

The Huron County Planning and Development Department noted the subject property has a frontage of 65.5 metres (215 feet), a lot depth of 67.3 metres (220.8 feet), and a lot area of 0.44 hectares (1.09 acres). There is an existing wood frame metal clad building (50 feet x 140 feet) with an additional area at the front with 3 loading docks, and a steel building (27 feet x 28 feet) on the property. The property is a through lot abutting both Vanastra Road and 1st Avenue, with access to the property from 1st Avenue only.

The applicant requested the zone change to Industrial to permit uses that are more suited for the type of buildings on the property, such as a contractor's yard or woodworking shop. The special zone deems the existing buildings, loading docks and parking to comply with the provisions of the IND (Industrial Zone). An Industrial zoning on the property would be compatible with the surrounding Industrial properties to the north and east, and the types of Commercial uses on the properties to the west.

The application conforms to the Huron East Official Plan and is consistent with the Provincial Policy Statement. The Planning Department recommended the Zoning By-Law Amendment be approved, although recommended the Municipality consider placing the property under Site Plan Control to regulate the details of the Industrial use such as parking, outside storage, etc.

Moved by Dianne Diehl and seconded by Frank Stretton:

That the Special Meeting for Zoning By-Law Amendments No. 25 and 26 for 2013 be closed at 7:12 p.m. Carried.

Joseph Steffler, Deputy Mayor

Brad Knight, CAO/Clerk