

PUBLIC HEARING
MUNICIPALITY OF HURON EAST
Tuesday, May 7th, 2019 – 7:03 P.M.

Huron East Municipal Council met in the Council Chambers of the Municipal Office, Seaforth on Tuesday, May 7th, 2019 at 7:03 p.m. All members of Council were in attendance.

Also present for the public hearing were:

- Julie McCall and Matt McCall, applicants of the proposed Minor Variance Application A02-2019 on Lots 172, 173 and Part Lots 174, 160 and 161, Plan 192, Brussels Ward

CALL TO ORDER & MAYORS REMARKS

Mayor Bernie MacLellan called the meeting to order at 7:03 p.m.

CONFIRMATION OF THE AGENDA

Moved by Gloria Wilbee and seconded by Raymond Chartrand:
 That the Agenda for the Public Hearing of the Committee of Adjustment dated May 7th, 2019 be adopted as circulated. Carried.

Adopt Agenda

DISCLOSURE OF PECUNIARY INTEREST – None declared.

MINOR VARIANCE APPLICATION A03/2018

The Clerk explained the purpose of the meeting was to consider a minor variance application by Matthew McCall on Lots 172, 173 and Part Lots 174, 160 and 161 Plan 192, Brussels Ward.

CAO/Clerk Brad Knight explained the purpose and intent of the proposed minor variance is to permit a reduced top of bank setback to the Maitland River for a new attached garage from 30 metres to 15 metres. The existing residence has a legal non-complying setback of 21.5 metres from the Maitland River. The requested variance would permit the attached garage at a setback of 15 metres from the Maitland River top of bank, a reduction of 6.5 metres in the current non-complying setback.

The Clerk advised that a notice of the Committee of Adjustment public hearing had been circulated to all government agencies and adjoining property owners as provided by the legislation and the following two replies were received.

Huron County Planning and Development Department

The CAO advised that Huron County Planner Denise Van Amersfoort had provided comments concerning the proposed minor variance in a report to Council dated May 2nd, 2019. The following points were noted in Ms. Van Amersfoorts report.

The purpose of the application is to permit a reduced top of bank setback to the Maitland River for a new attached garage from 30 metres to 15 metres. The existing residence has a legal non-complying setback of 21.5 metres from the Maitland River. The requested variance would permit the attached garage at a setback of 15 metres from the Maitland River top of bank, a reduction of 6.5 metres in the current non-complying setback.

The subject lands are designated Residential and Urban Natural Environment in the Huron East Official Plan and zoned Residential Low Density (R1) and Floodway (FW) in the Huron East Zoning By-Law. The subject property is 0.7 acres in size and contains a residence and small shed and is surrounded by community facility recreational uses.

The Planning Department advised the variance requested is minor and appropriate and maintains the intent of both the Official Plan and Zoning By-Law and recommended approval of the variance with the following condition:

- 1) *That variance approval is valid for a period of 18 months from the date of the Committee's decision.*

Maitland Valley Conservation Authority

The CAO advised that comments were received from the Maitland Valley Conservation Authority dated May 2nd, 2019. The MVCA advised that a site plan was submitted and details of the proposal were reviewed. It was noted that the attached garage infringes on the 15 meter flood hazard buffer only, and is not located within the currently mapped floodplain.

MVCA staff advised that based on the submitted information, a formal permit application to the Conservation authority would not be required for the proposed addition. The MVCA has no objection to application MV02-2019 and considers the reduction in the setback to be reasonable. The application is in general conformance with Section 3.1, Natural Hazard Policies of the Provincial Policy Statement, 2014.

Moved by Zoey Onn and seconded by Dianne Diehl:

Council of the Municipality of Huron East, acting as Committee of Adjustment, has held a public meeting pursuant to Section 45 of the Planning Act, 1990 with respect to minor variance application A02/2019;

AND WHEREAS agency comments were received from the Huron County Planning Department recommending approval of the application;

AND WHEREAS agency comments were received from the Maitland Valley Conservation Authority and has no objection to approval of the application;

NOW THEREFORE, the Committee of Adjustment approves minor variance application A02/2019 by Matthew McCall on 623 Sports Drive, Lots 172, 173 and Part Lots 174, 160 and 161 Plan 192, Brussels Ward to permit the following variance from By-Law 52-2006:

1. Section 3.34.2 – Reduce the top of bank of a natural watercourse setback from 30 metres to 15 metres for a new attached garage.

Carried.

Moved by John Lowe and seconded by Dianne Diehl:

That the Public Hearing for the Committee of Adjustment be closed at 7:08 p.m. Carried.

Bernie MacLellan, Mayor

Brad Knight, CAO/Clerk