



MUNICIPALITY OF HURON EAST
SPECIAL MEETING
TUESDAY, MAY 21st, 2013 – 7:00 P.M.
HURON EAST COUNCIL CHAMBERS

The purpose of the special meeting is to hold a public meeting to consider amendments to the Huron East Zoning By-Law 52-2006.

AGENDA

- 1. Call to Order – Adopt Agenda for Special Meeting**
- 2. Disclosure of Elected Officials – Pecuniary Interest**
- 3. Zoning By-Law Amendment Applications**

Note: 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.

- 3 a) Zoning By-Law Amendment Application by Thelma Steinman which affects Lot 4, Concession 12, Grey Ward. The By-Law proposes to change the zoning to ‘Agricultural Small Holding – Special Zone (AG4-28)’ and ‘Restricted Agriculture (AG2)’ from ‘General Agriculture (AG1)’. (encl.) (Pages 2-6)**

This rezoning is a condition of severance application B5/13.

Comments Received: Report from Senior Planner Sandra Weber dated May 13th, 2013. (encl.) (Page 7)

- 3 b) Zoning By-Law Amendment Application by Jason, Donald and Mary Hulley which affects Part of Park Lots 6 and 7, Reference Plan 22R-5338, Part 3, RP 237, Egmondville, Tuckersmith Ward. The By-Law proposes to change the zoning to ‘Residential Medium Density – Special Zone (R2-15)’ from ‘Residential Low Density – Special Zone (R1-19)’. (encl.) (Pages 8-15)**

This rezoning is required to permit a 4 unit multiple attached dwelling to be constructed on the subject property and to recognize a minimum lot frontage of 14.6 metres (48 feet).

Comments Received:

- Harry and Donna Arts (encl.) (Pages 16-19)
- Report from Senior Planner Sandra Weber dated May 16th, 2013. (encl.) (Pages 20-22)

- 4. Close Special Meeting**

**PUBLIC MEETING
CONCERNING A PROPOSED ZONING BY-LAW AMENDMENT
AFFECTING THE MUNICIPALITY OF HURON EAST**

Roll No. 4040-420-012-00600-0000

TAKE NOTICE that Council of the Corporation of the Municipality of Huron East will hold a public meeting on **May 21, 2013 at 7:00 pm** in the Huron East Council Chambers to consider a proposed zoning by-law amendment under Section 34 of the Planning Act.

BE ADVISED that the Clerk/Council of the Corporation of the Municipality of Huron East considered this application to be complete on **April 25th, 2013**.

ANY PERSON may attend the public meeting and/or make written or verbal representation either in support of, or in opposition to, the proposed zoning by-law amendment.

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 Municipality of Huron East to the Ontario Municipal Board.

IF a person or public body does not make an oral submission 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 before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body.

ADDITIONAL INFORMATION relating to the proposed zoning by-law amendment is available for inspection during regular office hours at the Huron East Municipal Office and the County of Huron Planning and Development Department (519) 524-8394 x 3.

DATED AT THE MUNICIPALITY OF HURON EAST THIS 30th DAY OF APRIL, 2013.

Brad Knight, CAO/Clerk, Municipality of Huron East
72 Main Street South, PO Box 610 Seaforth, Ontario N0K 1W0
Phone: 519-527-0160 1-888-868-7513 (toll free) Fax: 519-527-2561

PURPOSE AND EFFECT

This proposed Zoning By-law Amendment affects Lot 4, Conc. 12, Grey Ward, Municipality of Huron East. The By-law proposes to change the zoning to 'Agricultural Small Holding – Special Zone (AG4-28)' and 'Restricted Agriculture (AG2)' from 'General Agriculture (AG1)'.

This rezoning is a condition of severance application B5/13 which severs a surplus farm dwelling.

The severed lands require a zone change from 'General Agriculture (AG1)' to 'Agricultural Small Holding – Special Zone (AG4-28)'. The area proposed to be severed is 1.5 ha (3.8 ac.) with an existing residence, barns, and a shed. The special zone recognizes the Minimum Distance Separation setback from the residence to the neighbouring barns to the west and is deemed to comply.

The retained lands require a zone change from 'General Agriculture (AG1)' to 'Restricted Agriculture (AG2)' in order to prohibit the construction of new residential buildings as required by the Provincial Policy Statement and the Huron East Official Plan. The retained vacant farm lands are 38.9 ha (96.2 ac.) in size and will continue to be used for agricultural purposes. The natural areas on the property will continue to be zoned Natural Environment (NE1) and (NE2).

The property is located on 42917 Cranbrook Road.

SCHEDULE 1

CORPORATION OF THE MUNICIPALITY OF HURON EAST

GREY WARD

BY-LAW NO. - 2013

BEING a by-law to amend the zoning on Lot 4, Conc. 12, Municipality of Huron East (Grey Ward).

WHEREAS the Corporation of the Municipality of Huron East considers it advisable to amend Zoning By-law 52-2006, as amended.

NOW THEREFORE, the Council of the Corporation of the Municipality of Huron East enacts as follows:

1. This by-law shall apply to Lot 4, Conc. 12, Municipality of Huron East (Grey Ward).
2. By-law 52-2006 is hereby amended by changing 'General Agriculture (AG1)' to 'Agricultural Small Holding - Special Zone (AG4-28)' and 'Restricted Agriculture (AG2)', the zone symbol on the lands designated zone change to 'AG4-28' and 'AG2' on the attached Schedule A.
3. Section 7.8 is hereby amended by the addition of the following:

AG4-28
Notwithstanding the provisions of Section 7.6 to the contrary, on the lands zoned AG4-28, a residence shall be deemed to comply with the Minimum Distance Separation requirements to the neighbouring barns to the west. All other provisions of the Huron East Zoning By-law 52-2006 shall continue to apply.
4. Key Map 13, Schedule A, By-law 52-2006 is hereby replaced with amended Key Map 13 attached hereto, which is declared to be part of the by-law.
5. This by-law shall come into force upon final passing, pursuant to Section 34(21) of the Planning Act, RSO 1990, as amended.

READ A FIRST TIME ON THE	DAY OF	, 2013
READ A SECOND TIME ON THE	DAY OF	, 2013.
READ A THIRD TIME AND PASSED THIS	DAY OF	, 2013.

Bernie MacLellan, Mayor

Brad Knight, Clerk/CAO

SCHEDULE 2

CORPORATION OF THE MUNICIPALITY OF HURON EAST

GREY WARD

BY-LAW - 2013

1. By-law - 2013 has the following purpose and effect:

This proposed Zoning By-law Amendment affects Lot 4, Conc. 12, Grey Ward, Municipality of Huron East. The By-law proposes to change the zoning to 'Agricultural Small Holding – Special Zone (AG4-28)' and 'Restricted Agriculture (AG2)' from 'General Agriculture (AG1)'.

This rezoning is a condition of severance application B5/13 which severs a surplus farm dwelling.

The severed lands require a zone change from 'General Agriculture (AG1)' to 'Agricultural Small Holding – Special Zone (AG4-28)'. The area proposed to be severed is 1.5 ha (3.8 ac.) with an existing residence, barns, and a shed. The special zone recognizes the Minimum Distance Separation setback from the residence to the neighbouring barns to the west and is deemed to comply.

The retained lands require a zone change from 'General Agriculture (AG1)' to 'Restricted Agriculture (AG2)' in order to prohibit the construction of new residential buildings as required by the Provincial Policy Statement and the Huron East Official Plan. The retained vacant farm lands are 38.9 ha (96.2 ac.) in size and will continue to be used for agricultural purposes. The natural areas on the property will continue to be zoned Natural Environment (NE1) and (NE2).

The property is located on 42917 Cranbrook Road.

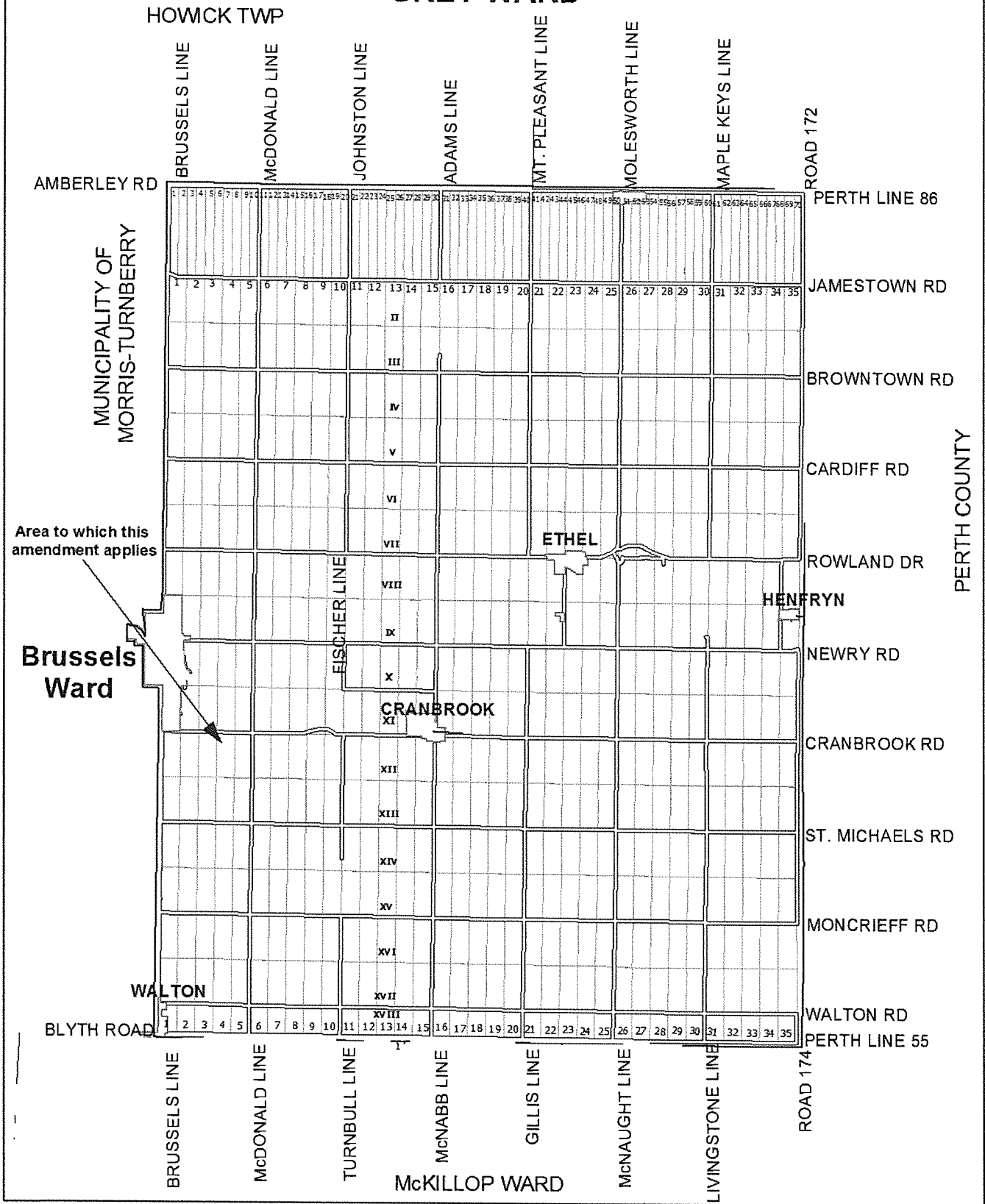
This by-law amends Huron East Zoning By-law # 52-2006.
All other zone provisions apply.

2. A Location Map and Key Map (entitled Schedule 'A') showing the location of the lands to which this by-law applies are shown on the following pages.

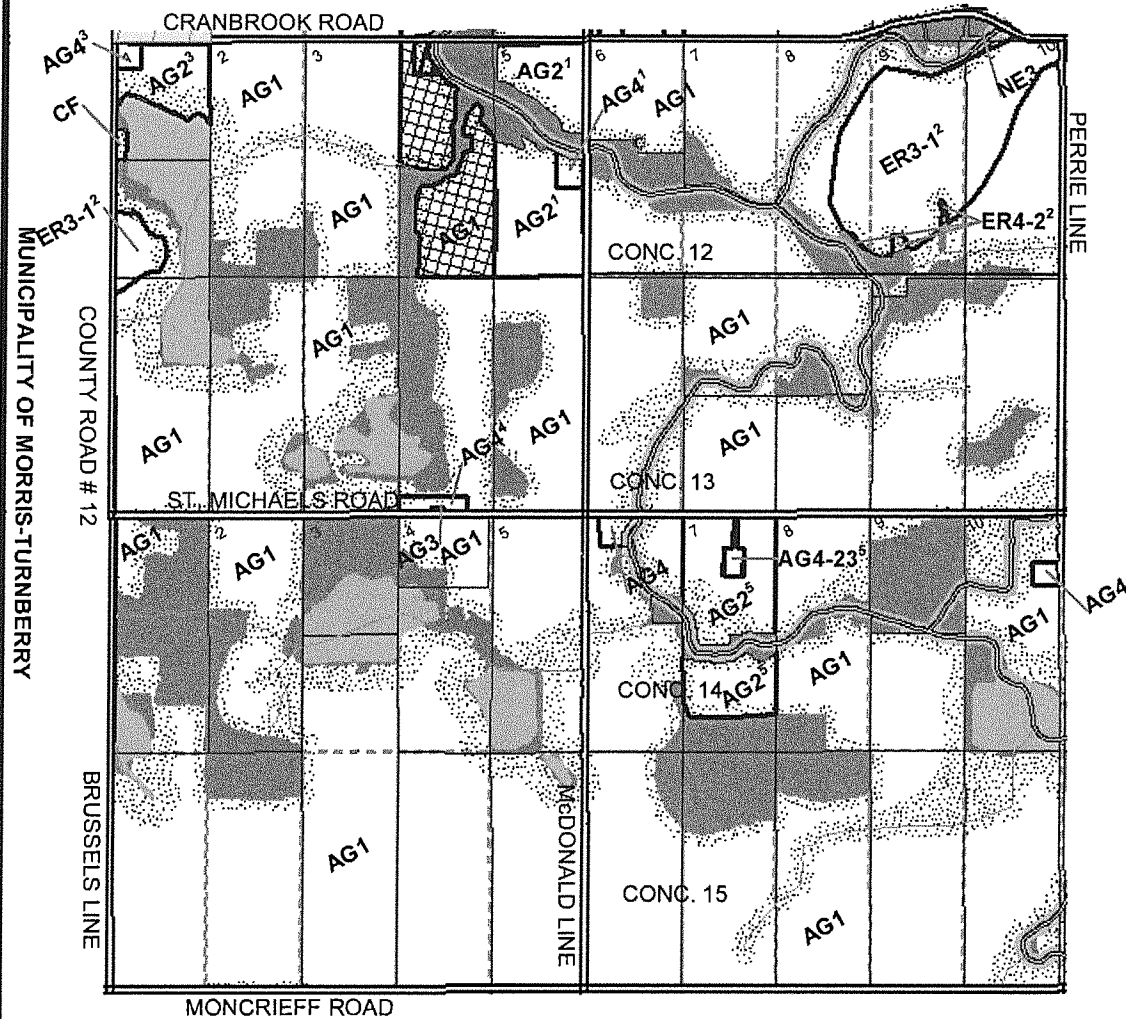
LOCATION MAP

MUNICIPALITY OF HURON EAST

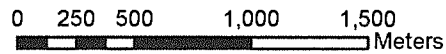
GREY WARD



SEE KEY MAP 9

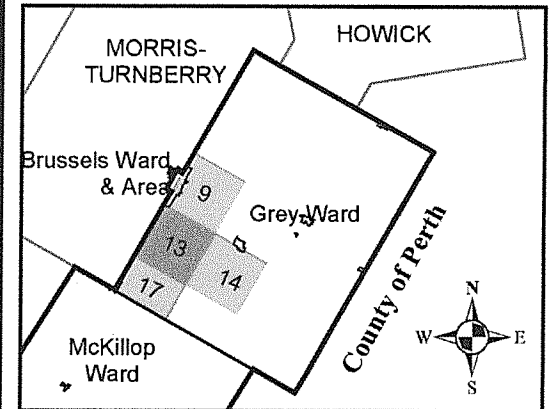


SEE KEY MAP 17

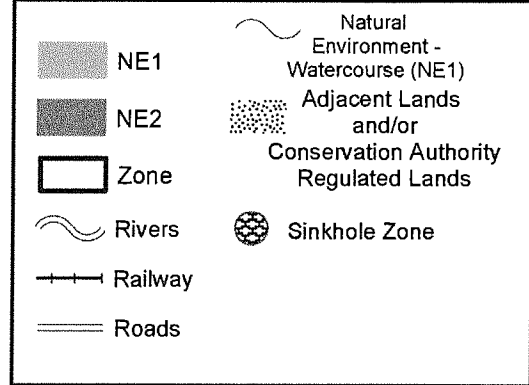


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SCHEDULE 'A' KEY MAP 13 HURON EAST GREY WARD



SEE KEY MAP 14



Amendments

- 1 Amended by By-law 88-2008
- 2 Amended by By-law 85-2009
- 3 Amended by By-law 68-2010
- 4 Temporary Use By-law 19-2011 (Expires February 16, 2014)
- 5 Amended by By-law 22-2012

- Zone change from AG1 (General Agriculture) to AG4-28 (Agricultural Small Holding-Special Zone)
- Zone change from AG1 (General Agriculture) to AG2 (Restricted Agriculture)

REVISION DATE May 3, 2012



PLANNING & DEVELOPMENT

57 Napier Street, Goderich, Ontario N7A 1W2 CANADA

Phone: 519.524.8394 Ext. 3 Fax: 519.524.5677 Toll Free: 1.888.524.8394 Ext. 3

www.huroncounty.ca

Zoning By-law Amendment Report To Huron East Council

Owner:	Thelma Steinman	Date:	May 13, 2013
Property Address:	42853 Cranbrook Road, Brussels		
Property Description:	Lot 4, Concession 12, Municipality of Huron East (Grey Ward)		

RECOMMENDATION

It is recommended that this Zoning By-law Amendment application be **approved**.

PURPOSE AND EFFECT

This proposed Zoning By-law Amendment affects Lot 4, Concession 12, Municipality of Huron East (Grey Ward). The By-law proposes to change the zoning on the subject property from 'General Agriculture' (AG1) to 'Agricultural Small Holding-Special Zone' (AG4-28) and 'Restricted Agriculture' (AG2).

This rezoning is a condition of severance application B5/13, which severs a surplus farm dwelling.

The severed lands require a zone change from 'General Agriculture' (AG1) to 'Agricultural Small Holding – Special Zone' (AG4-28). The area proposed to be severed is 1.5 hectares (3.8 acres) with an existing residence, barns, and a shed. The special zone recognizes the Minimum Distance Separation setback from the residence to the neighbouring barns to the west and is deemed to comply.

The retained lands require a zone change from 'General Agriculture' (AG1) to 'Restricted Agriculture' (AG2) in order to prohibit the construction of new residential buildings as required by the Provincial Policy Statement and the Huron East Official Plan. The retained vacant farm lands are 38.9 hectares (96.2 acres) in size and will continue to be used for agricultural purposes. The natural areas on the property will continue to be zoned Natural Environment (NE1 and NE2).

COMMENTS

The Provincial Policy Statement and the Huron East Official Plan requires the retained lands in a surplus farm dwelling severance be rezoned to prohibit a future dwelling. The Huron East Official Plan (OP) also requires the severed lands to be rezoned to a special agricultural category. This zoning application has two purposes. First, as a condition to severance application B5/13, the applicant is proposing to rezone the retained lands to 'Restricted Agriculture' (AG2) and the severed lands to 'Agricultural Small Holding – Special Zone' (AG4-28).

Second, the special zone (AG4-28) will recognize the Minimum Distance Separation (MDS) distance between the residence and the neighbouring barns to the west as complying. The MDS requires a separation distance of 408 metres (1,339 feet). The actual distance from the neighbouring barn to the proposed lot line is 280 metres (917 feet) and to the surplus dwelling is 340 metres (1,116 feet). The MDS is deficient by approximately 16 percent which is appropriate to recognize through this amendment.

This application conforms with the Provincial Policy Statement and the Huron East OP. The intent of the Huron East Zoning By-law has also been met.

OTHERS CONSULTED

No additional comments were received at the time of writing this report.

Sandra Weber, Senior Planner

Mitchell Avis, Student Planner

**PUBLIC MEETING
CONCERNING A PROPOSED ZONING BY-LAW AMENDMENT
AFFECTING THE MUNICIPALITY OF HURON EAST**

Roll No. 4040-160-030-13100-0000

TAKE NOTICE that Council of the Corporation of the Municipality of Huron East will hold a public meeting on **May 21st, 2013 at 7:00 pm** in the Huron East Council Chambers to consider a proposed zoning by-law amendment under Section 34 of the Planning Act.

BE ADVISED that the Clerk/Council of the Corporation of the Municipality of Huron East considered this application to be complete on April 23rd, 2013.

ANY PERSON may attend the public meeting and/or make written or verbal representation either in support of, or in opposition to, the proposed zoning by-law amendment.

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 Municipality of Huron East to the Ontario Municipal Board.

IF a person or public body does not make an oral submission 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 before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body.

ADDITIONAL INFORMATION relating to the proposed zoning by-law amendment is available for inspection during regular office hours at the Huron East Municipal Office and the County of Huron Planning and Development Department (519) 524-8394 x 3.

DATED AT THE MUNICIPALITY OF HURON EAST THIS 30th DAY OF APRIL, 2013.

Brad Knight, CAO/Clerk, Municipality of Huron East
72 Main Street South, PO Box 610 Seaforth, Ontario N0K 1W0
Phone: 519-527-0160 1-888-868-7513 (toll free) Fax: 519-527-2561

PURPOSE AND EFFECT

This proposed Zoning By-law Amendment affects Part of Park Lots 6 & 7, Reference Plan 22R-5338, Part 3, Registered Plan 237, Municipality of Huron East (Tuckersmith Ward). The subject property fronts onto Nicholson Drive.

The By-law proposes to change the zoning on the subject property from R1-19 (Residential Low Density – Special Zone) to R2-15 (Residential Medium Density – Special Zone) to permit a 4 unit multiple attached dwelling to be constructed on the subject property and to recognize a minimum lot frontage of 14.6 metres (48 feet).

This rezoning is required to permit a multiple attached dwelling with a maximum of 4 units. The subject property fronts onto Nicholson Drive and has a lot frontage of 14.6 metres (48 feet), a lot depth of 182 metres (600 feet) and a lot area of 0.627 hectares (1.55 acres). The lot is irregular in shape and the single storey multiple attached dwelling will be set back approximately 42 metres (137 feet) from the front lot line with the front of the units facing east. The R2-15 zoning will permit the multiple attached dwelling subject to setback provisions and compliance with the planting strip provisions as a buffer between the proposed development and neighbouring properties. The special zone recognizes the lot frontage and deems the lot frontage per unit to comply with the provisions of the Huron East Zoning By-law.

The units will be serviced with municipal water and a private septic system. A Drainage Plan, Evaluation of Soil and Groundwater Conditions, Site Plan, and an Elevation drawing has been prepared and submitted with the application.

SCHEDULE 1

CORPORATION OF THE MUNICIPALITY OF HURON EAST

TUCKERSMITH WARD

BY-LAW NO. - 2013

BEING a by-law to amend the zoning on Part of Park Lots 6 & 7, Reference Plan 22R-5338, Part 3, Registered Plan 237, Municipality of Huron East (Tuckersmith Ward).

WHEREAS the Corporation of the Municipality of Huron East considers it advisable to amend Zoning By-law 52-2006, as amended.

NOW THEREFORE, the Council of the Corporation of the Municipality of Huron East enacts as follows:

1. This by-law shall apply to Part of Park Lots 6 & 7, Reference Plan 22R-5338, Part 3, Registered Plan 237, Municipality of Huron East (Tuckersmith Ward).
2. By-law 52-2006 is hereby amended by changing 'Residential Low Density – Special Zone' (R1-19) to 'Residential Medium Density – Special Zone (R2-15)', the zone symbol on the lands designated zone change to 'R2-15' on the attached Schedule A.
3. Section 19.10 is hereby amended by the addition of the following:

R2-15

Notwithstanding the provisions of Section 19.5, to the contrary, on the lands zoned R2-15, the lot frontage per unit for the 4 unit multiple attached dwelling shall be deemed to comply and the total lot frontage shall be a minimum of 14.6 metres (48 feet).

All other provisions of the Huron East Zoning By-law 52-2006 shall continue to apply.

Section 18.10 is hereby amended by deleting the following:

R1-19

The lands zoned R1-19 shall have a minimum lot frontage of 14.8 metres. All other applicable provisions apply.

4. Key Map 40C, Schedule A, By-law 52-2006 is hereby replaced with amended Key Map 40C attached hereto, which is declared to be part of the by-law.
5. This by-law shall come into force upon final passing, pursuant to Section 34(21) of the Planning Act, RSO 1990, as amended.

READ A FIRST TIME ON THE _____ DAY OF _____, 2013.

READ A SECOND TIME ON THE _____ DAY OF _____, 2013.

READ A THIRD TIME AND PASSED THIS _____ DAY OF _____, 2013.

Bernie MacLellan, Mayor

Brad Knight, Clerk/CAO

SCHEDULE 2

CORPORATION OF THE MUNICIPALITY OF HURON EAST

TUCKERSMITH WARD

BY-LAW - 2013

1. By-law - 2013 has the following purpose and effect:

This proposed Zoning By-law Amendment affects Part of Park Lots 6 & 7, Reference Plan 22R-5338, Part 3, Registered Plan 237, Municipality of Huron East (Tuckersmith Ward). The subject property fronts onto Nicholson Drive.

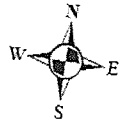
The By-law proposes to change the zoning on the subject property from R1-19 (Residential Low Density – Special Zone) to R2-15 (Residential Medium Density – Special Zone) to permit a 4 unit multiple attached dwelling to be constructed on the subject property and to recognize a minimum lot frontage of 14.6 metres (48 feet).

This rezoning is required to permit a multiple attached dwelling with a maximum of 4 units. The subject property fronts onto Nicholson Drive and has a lot frontage of 14.6 metres (48 feet), a lot depth of 182 metres (600 feet) and a lot area of 0.627 hectares (1.55 acres). The lot is irregular in shape and the single storey multiple attached dwelling will be set back approximately 42 metres (137 feet) from the front lot line with the front of the units facing east. The R2-15 zoning will permit the multiple attached dwelling subject to setback provisions and compliance with the planting strip provisions as a buffer between the proposed development and neighbouring properties. The special zone recognizes the lot frontage and deems the lot frontage per unit to comply with the provisions of the Huron East Zoning By-law.

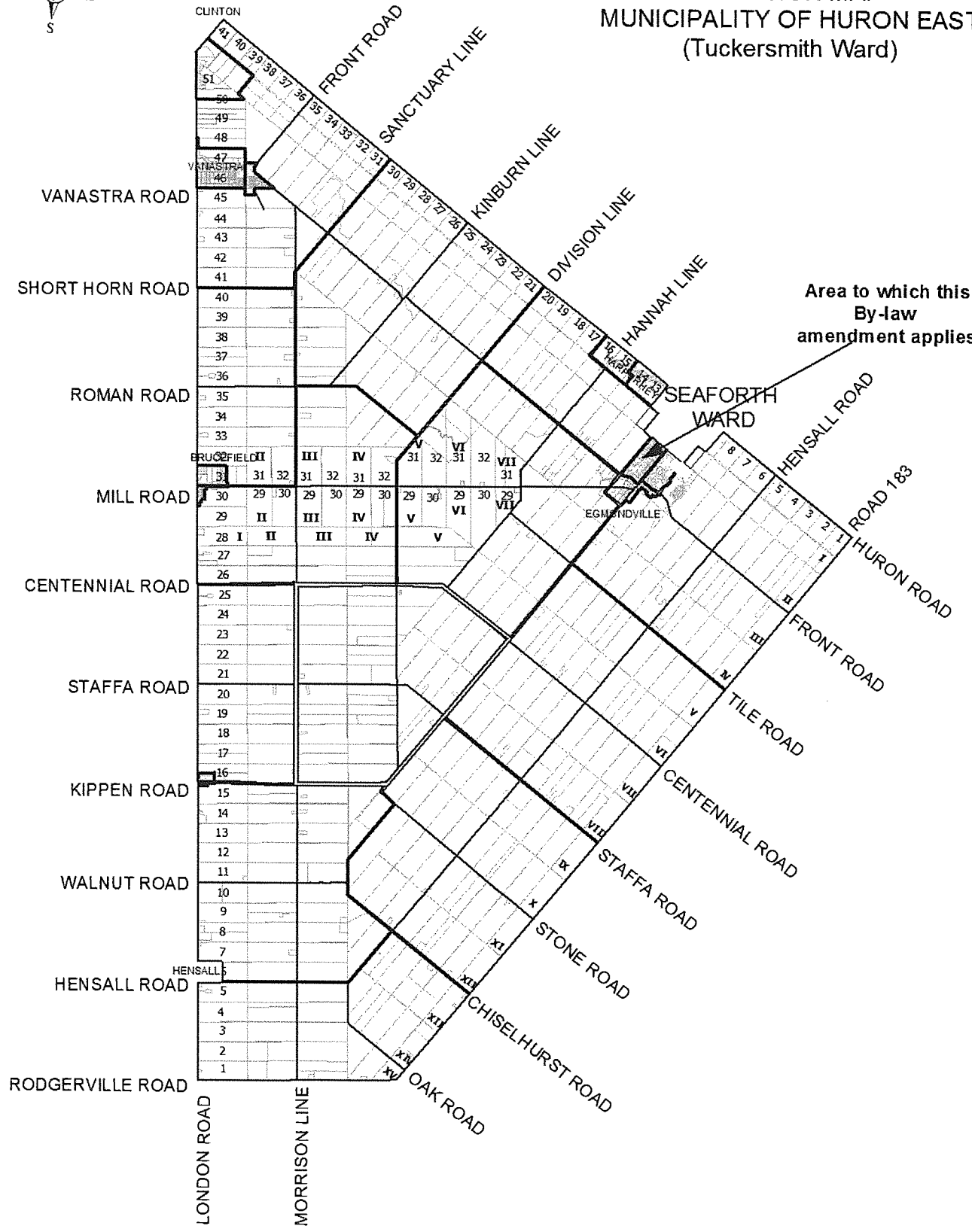
The units will be serviced with municipal water and a private septic system. A Drainage Plan, Evaluation of Soil and Groundwater Conditions, Site Plan, and an Elevation drawing has been prepared and submitted with the application.

This by-law amends Huron East Zoning By-law # 52-2006. All other zone provisions apply.

2. A Location Map and Key Map (entitled Schedule 'A') showing the location of the lands to which this by-law applies are shown on the following pages.



SCHEDULE 'A' LOCATION MAP MUNICIPALITY OF HURON EAST (Tuckersmith Ward)



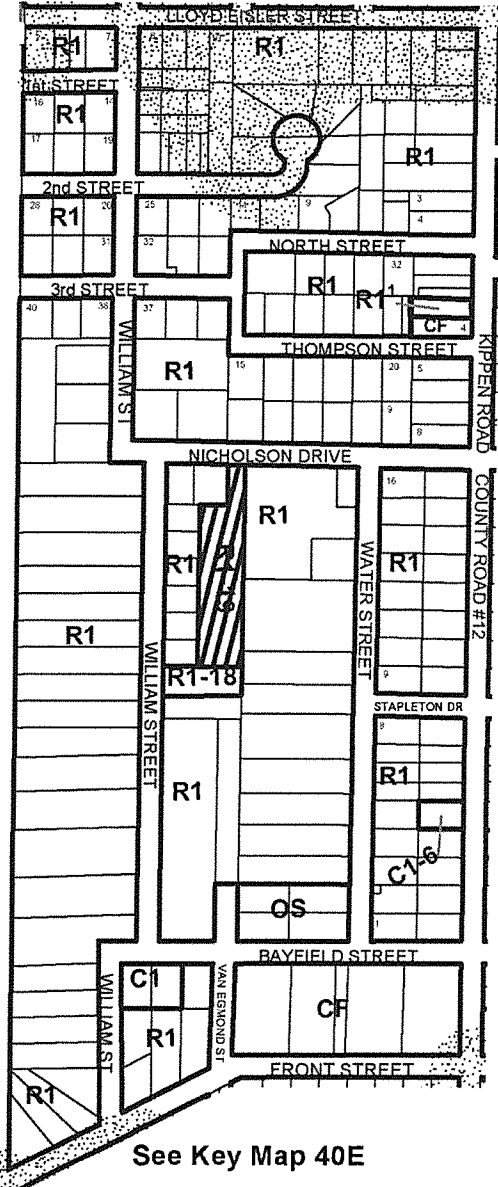
Area to which this
By-law
amendment applies

SEAFORTH
WARD

EGMONDVILLE

SEAFORTH WARD
See Key Map 65

SEAFORTH WARD
See Key Map 66

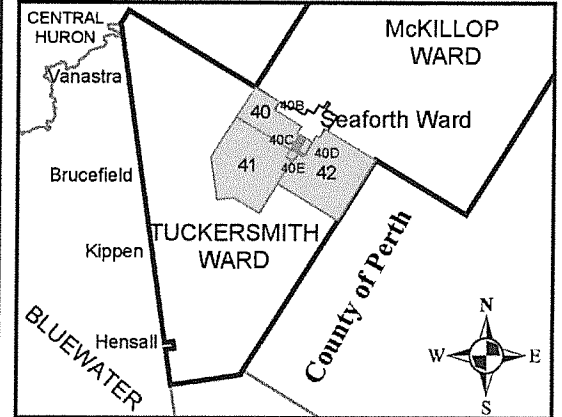


See Key Map 40

See Key Map 40D

See Key Map 40E

SCHEDULE 'A'
KEY MAP 40C
HURON EAST
TUCKERSMITH WARD
EGMONDVILLE

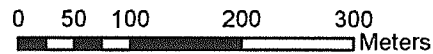


- NE1
- NE2
- Zone
- Rivers
- Railway
- Roads
- Natural Environment - Watercourse (NE1)
- Adjacent Lands and/or Conservation Authority Regulated Lands

Amendments

1 Amended by By-law 85-2009

- Zone change from R1-19 (Residential Low Density-Special Zone) to R2-15 (Residential Medium Density-Special Zone)



1:6,003

REVISION DATE May 11, 2010



MUNICIPALITY OF HURON EAST

PO Box 610, 72 Main Street South, Seaford Ontario N0K 1W0

Tel: 519-527-0160

Fax: 519-527-2561

1- 888-868-7513

www.huroneast.com

Brad Knight, BA, CAO/Clerk Paula Michiels, CGA, Treasurer-Finance Manager
bknight@huroneast.com pmichiels@huroneast.com

MEMO

DATE: May 2nd, 2013

RE: Application to change the Zoning on Part of Park Lots 6 & 7, Reference Plan 22R-5338, Part 3, Registered Plan 237, Municipality of Huron East (Tuckersmith Ward) – Nicholson Drive, Egmondville

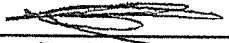
DETAILS:

You recently received Notice of a Public Meeting for the above-noted application. The Elevations and the Main Floor Plan provided with the original notice have been revised.

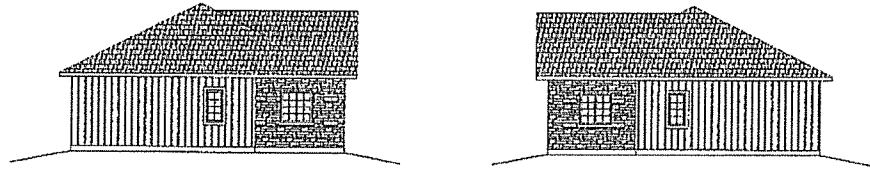
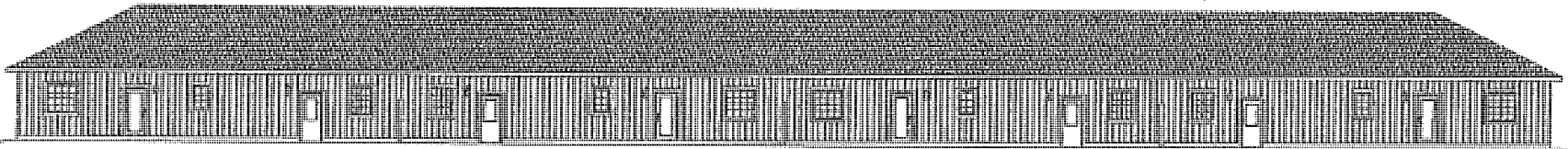
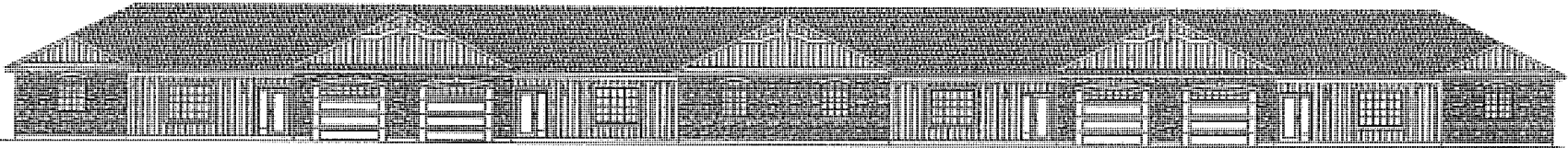
Please find attached the current Elevations – Sheet A2 (dated April 16th, 2013) and Main Floor Plan – Sheet A1 (dated April 4th, 2013). Also included for your reference is the first page of the original notice sent April 30th, 2013.

All other details of the original notice and proposed by-law remain the same.

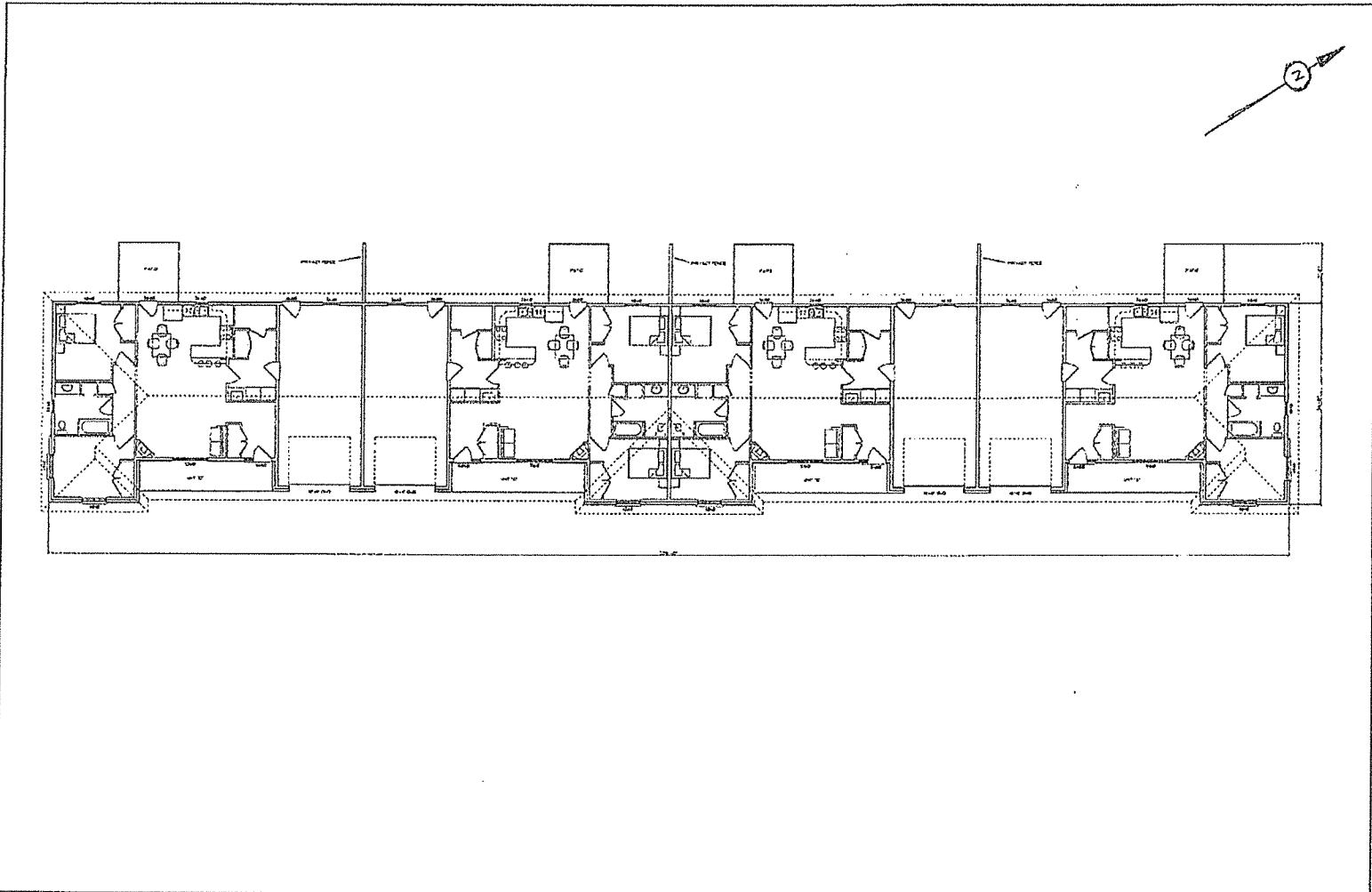
Larger copies of the elevations, main floor plan, site plan and lot grading plan are available for viewing at the Municipal Office.



Brad Knight, CAO/Clerk



TRUE NORTH	PROJECT NORTH	DRAWN BY: CHRIS BLAKE	BLAKESTYLE DESIGN & DRAFTING INC. CHRIS BLAKE RR7 BRUSSELS ON. NOG 140 (519) 881-8102 (519) 855-2343	ALL WINDOW & DOOR SIZES MUST BE CHECKED AND VERIFIED WITH THE GENERAL CONTRACTOR AND/OR HOMEOWNER AND EXACT SIZES AND RSO'S MUST BE UPDATED ON THE DRAWINGS AND GIVEN TO ALL NECESSARY TRADES	PROJECT: HULLEY 4-PLEX PART 3 REGISTERED PLAN NO. 237 EGMONDVILLE, ON.	DRAWING: ELEVATIONS	A2
		DATE: APRIL 16/13					
		SCALE: N.T.S.					
		REGISTERED DESIGNER FIRM BCIN: 31069					
		DRAWN BY CHRIS BLAKE PERSONAL BCIN: 71926					



TRUE NORTH	PROJECT NORTH	DRAWN BY:	CHRIS BLAKE	BLAKESTYLE DESIGN & DRAFTING INC. CHRIS BLAKE RRT# BRUSSELS ON REG #40 (519) 887-8197 (519) 885-7343	ALL WINDOW & DOOR SIZES MUST BE CHECKED AND VERIFIED WITH THE GENERAL CONTRACTOR AND/OR HOMEOWNER AND EXACT SIZES AND REG'S MUST BE UPDATED ON THE DRAWINGS AND GIVEN TO ALL NECESSARY TRADES	PROJECT:	HULLEY 4-PLEX PART 3 REGISTERED PLAN NO. 2371 EGMONDVILLE, ON.	DRAWING:	MAIN FLOOR PLAN A1
		DATE:	APRIL 04/13						
		SCALE:	N.T.S.						
		REGISTERED DESIGNER FIRM BCN: JIC49							
DRAWN BY CHRIS BLAKE PERSONAL BCN: 7286									

Sandra,

Having discussed the matter with some of our neighbours, the attached document details many of our collective objections, comments, etc. to the proposed zoning change of the Hulley property.

As discussed earlier, our intention is that some of our neighbours and ourselves will go around and collect signatures in support of this document and have those signatures ready to hand in prior to or at next Tuesday night's meeting.

Thanks so much.
Harry and Donna Arts

RECEIVED

MAY 15 2013

MUNICIPALITY OF HURON EAST

Many of the neighbours of the “Hulley property” have concerns, comments and/or outright objections to the proposed rezoning of the property from R1 to R2. The following outlines these issues:

1. This is a well established R-1 community ... equating to privately owned homes. R-2 zoned areas create a different atmosphere and look to any neighbourhood – a rental community does not have the same stature and may attract a different demographic. This is not the type of residence that some established or new neighbours care to have in their immediate neighbourhood.
2. There are concerns about there being no guarantee that the units will be rented by seniors, as proposed by the Hulleys ... either upon initial completion or in the future. A neighbour was told by the Hulleys that Jason may occupy one of the four units ... an early indication that the building may not be solely for seniors.
3. As the building ages, there are concerns that these units may be occupied by low-income renters and there are concerns regarding the impact this would have on this neighbourhood. (This has occurred in a rental unit in Seaforth that was intended for seniors.)
4. There are concerns about ownership of the quadruplex ... if the ownership changes in the future, there is no guarantee that the building will be maintained in a manner that befits the neighbourhood.
5. The property already has a “deficit driveway” (the property was already given a special zoning to R1-19). Are the limits now being pushed? ... is the initially granted special zoning (R1-19) that provided for the deficit driveway being pushed beyond acceptable limits to include further special allowances/rezoning?
The rezoning to R-2 will also require the special addition for the deficit driveway ... how many “specials” are to be allowed on this one given property, especially in light of neighbours objecting? How many exceptions to the rule will be tolerated?
6. This deficit driveway under the current proposal would become a virtual “street”, due to its length (120’ plus road allowance) and due to the traffic it may incur. This “street” will see increased traffic, noise, dust, night headlights & reduced privacy for neighbouring properties. Each unit in the proposed quadruplex could potentially have at least 2 vehicles each (2 bedroom units), resulting in a possible eight vehicles or more routinely using this long so called “driveway”. Plus if it is a seniors accommodation, there could be additional routine traffic (personal care workers, routine family care visits, etc.).
Is it acceptable to make what has already been recognized as a deficit driveway into a “street”?
7. The Huron East Zoning By-Laws, 19-7 Multiple Attached Dwelling Zone Provisions clearly indicates “Full Services (Public Water & Public Sewer)” ... not Septic Systems. The proposed septic system already seems contrary to the established restrictions within the current By-Laws.
8. There are major concerns about the septic system that would be required to service the quadruplex. In a village that many already feel has septic issues, should we be allowing further strain on the area?
9. Some neighbours are worried about the impact the quadruplex’s septic system will have on their existing septic systems.

10. Neighbours are concerned that renters may not respect the fact that the units use a septic system and they could abuse the system, creating septic issues for the property and for the neighbouring properties. Owners of an R-1 dwelling would have pride and responsibility of ownership and as such would have much more incentive to respect their septic system.

11. The location of the septic test locations has been questioned. Were the samples taken in the proper locations? ... Were the samples taken in areas that are representative of where a septic system would actually be installed? And has the natural waterway cutting through the property been considered?

12. There are concerns that this long, uninterrupted stretch of building will greatly restrict the views from neighbouring properties. An R-1 residence on this property would not likely have the same impact.

13. As currently zoned (R-1), the likelihood of someone wanting to build an R-1 residence in the same corner of this lot, or right along the west lot line of the property (and so close to neighbouring dwellings), and with as many residents, is highly unlikely ... it is more likely that someone who wants to build an R-1 residence would want their own privacy from the existing neighbours and would want to build a single dwelling residence away from the lot lines ... which would be far more acceptable to the existing neighbours. As such, keeping a R-1 zoning is highly desired by neighbours.

14. There are concerns about neighbouring property values decreasing, especially for those that would directly neighbour this proposed multiple attached dwelling. Multiple dwelling buildings are not a good fit for this specific neighbourhood and do not reflect good residential planning. Plus, many of the other concerns listed here could easily impact the value of neighbouring properties.

15. There will be a significant reduction in green space, as most of the northern/front ~2/3 of the property would be either hard surfaces or buildings. This would create a huge visual change to the area and certainly would not be as pleasing ... either to current homeowners, to prospective homeowners or to the neighbourhood as a whole.

The proposed plan, with so much hard surfaces, would also be quite contrary to what one typically sees in most R-1 zoned properties in the neighbourhood – the proposal would not make a good fit.

16. A planting strip would take years to get established and to provide the “promised” effect. And fences too are not the norm in this neighbourhood nor would they lend the type of open, welcoming atmosphere that this neighbourhood is used to or wants.

17. There are concerns about the maintenance of the units’ back yards and the condition that such a multiple dwelling might end up in ... clutter, storage units, garbage bins, etc. and the possible lack of maintenance or enforcement of imposed regulations, resulting in poor aesthetics that reflects on the entire neighbourhood.

18. This change in zoning would set a precedent for rezoning in the rest of the village.

19. Re. a seniors dwelling ... many, including seniors, have already expressed concerns, questioning why a senior would want to live so far from uptown; ie. it would not be convenient for seniors. If this was found to be the case, the owners would presumably have no choice but to rent to others. Also, with the opening of Maplewood and soon the Commercial, will there be additional demand for seniors accommodations? There is no guarantee that it will be in fact seniors renting the proposed dwellings.

20. In the winter, such a long driveway/"street" may require a lot of snow-blowing on a continual basis ... if this is not continually maintained, in the event of a fire at the quadruplex would firetrucks have access? and if not, this could not only pose risks to the tenants but to the neighbouring properties as well.

21. If anyone *thinks* that this proposed rezoning "won't impact the immediate neighbours" ... you must realize that it would be much different looking out at a neighbouring single dwelling home versus a big long fourplex building with multiple cars, pavement, traffic and noise. The proposal for rezoning will definitely have a negative impact on neighbours.

22. The Hulley's intentions may be good but bear in mind that everyone's definition of neat and tidy may differ and who do the neighbours look to to enforce changes or upgrades if it does not live up to the "promise", by the Hulleys or future owners?

We certainly hope that you will carefully consider our objections and concerns, and therefore conclude that a multiple home dwelling/Residential Medium Density zone is not a good fit for our neighbourhood at all and decide to decline the application to rezone the Huiley property to R-2.

Thank you.



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MAY 15 2013

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www.huroncounty.ca

Zoning By-law Amendment Report To Huron East Council

Owner:	Jason D. Hulley, Donald W. Hulley, & Mary M. Hulley	Date: May 16, 2013
Property Address:	Nicholson Drive, Egmondville	
Property Description:	Part of Park Lots 6 & 7, Registered Plan Number 22R 5338 Part 3, Municipality of Huron East (Tuckersmith Ward)	

RECOMMENDATION

It is recommended that this Zoning By-law Amendment application be **deferred**. This would allow the applicant time to address the design compatibility issues identified in this report and the concerns of the neighbours.

PURPOSE AND EFFECT

This proposed Zoning By-law Amendment affects Part of Park Lots 6 & 7, Registered Plan Number 22R 5338 Part 3, Municipality of Huron East (Tuckersmith Ward). The vacant subject property fronts on Nicholson Drive but does not yet have a 911 address.

This By-law amendment proposes to change the zoning on the subject property from 'Residential Low Density Zone – Special Zone' (R1-19) to 'Residential Medium Density Zone – Special Zone' (R2-15). The special zone would permit a 4 unit multiple attached dwelling on partial services (public water and private communal septic) to be constructed on the subject property and to recognize a minimum lot frontage of 14.6 metres (48 feet).

This rezoning is required to permit a multiple attached dwelling with a maximum of 4 units. The subject property fronts onto Nicholson Drive and has a lot frontage of 14.6 metres (48 feet), a lot depth of 182 metres (600 feet) and a lot area of 0.627 hectares (1.55 acres). The lot is irregular in shape and the proposed single storey multiple attached dwelling will be set back approximately 42 metres (137 feet) from the front lot line with the front of the units facing east. The R2-15 zoning will permit the multiple attached dwelling on partial services (municipal water and private communal septic system) subject to setback provisions of the R2 zone and compliance with the planting strip provisions as a buffer between the proposed development and neighbouring properties. The special zone also recognizes the lot frontage and deems the lot frontage to comply with the provisions of the Huron East Zoning By-law.

The units will be serviced with municipal water and a private communal septic system. A Drainage Plan, Evaluation of Soil and Groundwater Conditions, Site Plan, and an Elevation drawing has been prepared and submitted with the application.

COMMENTS

Background

The subject property was created by Consent in 2004 when the applicant's residence and another vacant building lot facing William St. were severed from this 0.627 hectares (1.55 acre) parcel which fronts onto Nicholson Drive. Although the lot frontage of this parcel was deficient from the Zoning By-law requirements, it was determined that there was sufficient area for a lane to service future residential development which would be required to be built further north where the lot widens. The historical development pattern of this entire block with houses facing William St., Nicholson Drive and Water St., leaving a larger vacant interior block creates challenges from a development pattern standpoint.

Policy Review

The Provincial Policy Statement (PPS) supports development through intensification, which includes the development of vacant and/or underutilized lots within previously developed areas taking into account servicing requirements. It also promotes a mix of housing types and densities to meet projected requirements of current and future residents. The PPS does state that municipal sewers and water are the preferred form of servicing for settlement areas and should be promoted wherever feasible. However, the PPS does permit the use of private communal septic systems where municipal sewers are not available, provided they can be sustained by the water resources on which the services rely, comply with regulatory requirements and protect human health and the natural environment.

The Huron County Official Plan identifies Egmondville as a secondary settlement area with partial services. This area is intended to accommodate a limited amount of residential growth, new community facilities and employment uses on full municipal water and sewage services or private communal water and sewage services. Limited infilling or rounding out of existing development may occur provided the sewage from the development can be properly disposed of, and site conditions are suitable for the long-term provision of such services.

The subject property is designated 'Urban' in the Huron East Official Plan (OP) and is considered to be a Hamlet under Section 6.4. Hamlets are considered to consist of a residential focus of primarily single-detached dwellings. The Plan states that:

"Change of land uses in the hamlets will not require an amendment to this Plan but will be controlled by means of a Zoning By-law subject to the following:

- *"other residential use types will be allowed subject to design compatibility with the surrounding area, adequate servicing capacity and conformity with the Zoning By-law provisions."*

The applicants have submitted an elevation drawing of the dwelling with their application. The proposed multiple attached dwelling consists of 4 units and is a single storey building. The design includes a mix of building materials including brick and siding and includes gable roofing over the garages. The rear yards of each unit will be separated by privacy fencing. The Huron East Zoning By-law requires a 1.5 metre high continuous planting strip or fence where a multiple attached dwelling abuts lands zoned or use for single detached dwellings. The property will be subject to Site Plan Control.

The Huron East Official Plan requires the applicants to demonstrate design compatibility with the surrounding area. The character of the surrounding neighbourhood is low density with predominantly single storey bungalows. There is a range of lot sizes with the subject property being one of the largest in the area. The location of the subject parcel in the interior of this block with no opportunity for development along Nicholson Drive does create challenges for compatibility. The rear of the proposed units will abut the rear of the lots facing William Street which is a typical residential development pattern. However, the front of the units with the garages and parking will also face the rear yards of the lots facing Water Street which is not a typical development pattern. Due to the irregular shape of the lot and it's location in the interior of a block, compatibility is an important consideration when determining if this proposal fits in with the character of the neighbourhood. The proposed low building profile, mixture of building materials and change in roof lines at the front of the building does attempt to address compatibility. However, the current elevation plans and design of the dwelling with an approximately 61 metre (200 feet) long straight roof line at the back of the units is not a design that is compatible with the surrounding low density area. It is recommended that the application be deferred to allow the applicant the opportunity to investigate design options that would be more in keeping with the neighbourhood.

The subject property has a lot area of 0.627 hectares (1.55 acres). It is proposed that this development will be serviced with partial services (municipal water and a private septic system), as municipal sewers are currently not available in Egmondville. The applicants have provided an Evaluation of Shallow Soil and Groundwater Conditions, prepared by Wilson Associates, Consulting Hydrologists. A seasonal high water table was observed at 1.0 metre below grade. The report included the recommended design criteria for a septic system which should include a 13,200L tank and a filter bed area of 272m² (2,928 ft²). The Huron County Health Unit has reviewed the application and the study and indicated there is adequate land base for the sewage disposal and they have no objections to the zoning amendment.

The property fronts onto Nicholson Drive with an existing lot frontage of 14.6 metres (48 feet). The lot is irregular in shape and the proposed single storey multiple attached dwelling will be set back approximately 42 metres (137 feet) from the front lot line with the front of the units facing east. The amending by-law as drafted permits the multiple attached dwelling and recognizes the lot frontage. The by-law should be amended to clarify that the development is permitted on partial services (municipal water and private communal septic system) subject to the setbacks of Section 19.7, until such time as full municipal services are available. A resolution would be required to be passed under Section 34(17) of the Planning Act to indicate that a minor change has been made after the holding of a public meeting and no further notice is required.

Concerns Raised By Neighbouring Property Owner

A letter of objection has been received signed by Harry and Donna Aarts who are abutting property owners and residents to the west of the entrance to the subject property on Nicholson Drive. They indicate that many of the neighbours, including themselves have concerns, comments or outright objections to the proposed rezoning.

The letter expresses numerous concerns regarding compatibility of increased density, rental housing in a well established low density residential community; concerns about the units being rented to those other than seniors; change of ownership of the dwelling in the future and ensuring the building will be maintained in a manner that benefits the neighbourhood; reduced lot frontage and proposed laneway that will become a busy street; 4 multiple attached units being permitted on a septic system in an area that may already have septic issues and impact on neighbouring septic systems; location of septic system test pits and drainage issues; privacy for neighbours; design of a long, uninterrupted stretch of building creating a much different look from the existing single detached dwellings; decreased property values; establishment of an adequate planting strip or fences which are not typical in this neighbourhood; setting a precedent for rezoning in the rest of the Village; distance of development from downtown services; and adequate access for fire trucks.

It is recommended that the application be deferred to allow the applicant time to address the concerns of the neighbours including design compatibility issues.

OTHER CONSULTED


Barry Mills, Public Works Manager – a reassessment of the Drainage Report prepared by Burnside Engineering for the Papple Drainage Works is required prior to the issuance of a building permit.

Huron County Health Unit – have reviewed and attended the site and determined that there is sufficient land base available for a sewage disposal system as per the site plan received with the application, and has no objection to the rezoning.

Marty Bedard, Huron East Fire Chief – The only concern from the Fire Department is the confined space to drive a fire truck into the property. It would only be able to accommodate one truck which could not turn around. In the case of a fire, the trucks would be set up at the entrance of the property which is possible, however, traffic in and out of the property would be blocked during that time.



Sandra Weber, Senior Planner



Mitchell Avis, Student Planner