

PUBLIC HEARING
MUNICIPALITY OF HURON EAST
Tuesday, June 18th, 2019 – 7:03 P.M.

Huron East Municipal Council met in the Council Chambers of the Municipal Office, Seaforth on Tuesday, June 18th, 2019 at 7:00 p.m. All members of Council were in attendance with the exception of Councillors John Lowe, Zoey Onn and Joseph Steffler.

Also present for the public hearing were:

- Huron County Planning and Development Department Senior Planner Denise Van Amersfoort
- Joe Dekroon, Scott Dekroon and Kyle Bennewies, applicants of the minor variance application A07/2019
- Eric Miles, MPL, MHBC Planning Urban Design & Landscape Architecture – Planner for the applicant of the minor variance application
- John Kerr, GM BluePlan Engineering – Municipal Engineer
- Claude Stewart, neighbouring property owner
- Bill Embling, Cody Joudry and Donna Blanchard

CALL TO ORDER & MAYORS REMARKS

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

CONFIRMATION OF THE AGENDA

Moved by Alvin McLellan and seconded by Larry McGrath:
 That the Agenda for the Public Hearing of the Committee of Adjustment dated June 18th, 2019 be adopted as circulated. Carried.

Adopt Agenda

DISCLOSURE OF PECUNIARY INTEREST

MINOR VARIANCE APPLICATION A07/2019

The Clerk explained the purpose of the meeting was to consider a minor variance application by Tripod Properties (c/o Joe Dekroon) on Ord Street, Lots 221 and 222, Plan 386, Seaforth Ward.

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 replies were received from the Huron County Planning and Development Department and MHBC Planning Urban Design & Landscape Architecture. Comments were also received on related consent application C24/19 from Craig Metzger, Karen Cronin and Claude Stewart.

MHBC Planning Urban Design & Landscape Architecture

Eric Miles, MPL, Planner for the applicant, attended before Council and reviewed a powerpoint presentation outlining the location of the properties, consents requested, existing zoning and proposed variances seeking. Mr. Miles concluded the presentation noting the following:

- variances are minor in nature
- desirable for the appropriate use and development of the site given the existing policy framework of the County of Huron and Huron East Official Plans, and Huron East Zoning By-Law
- maintains the intent of the Zoning By-Law – proposed 4 unit, multiple-attached dwellings are permitted, and the proposed building forms are permitted under the R-2 Zone;
- maintains the intent of the Official Plan – Medium Density uses are permitted as proposed, and infill development is a primary policy objective for the Municipality and the County

Huron County Planning and Development Department

Huron County Senior Planner Denise Van Amersfoort reviewed her report to Council dated June 14th, 2019 concerning the minor variance application on Ord Street, Lots 221 and 222, Plan 386, Seaforth Ward with the following points being highlighted.

Ms. Van Amersfoort advised that the purpose of the application is to permit the construction of two, multiple attached dwellings containing four (4) dwellings each fronting onto Huron Street. There is an associated deeming by-law and severance application related to the development. Three minor variances are being requested for this development:

- reduce the minimum lot depth from 38 metres to 35 metres
- reduce the minimum exterior side yard from 6 metres to 4.5 metres
- reduce the interior side yards from 3 metres to 2.5 metres

Ms. Van Amersfoort noted that the subject property is vacant and is surrounded by low and medium density residential uses to the west, north and east. To the south, the property abuts an industrial area which includes the railway. It is zoned R2 (Residential Medium Density) in the Huron East Zoning By-Law and is designated Residential in the Huron East Official Plan. The original lots were recently deemed and now form a single lot approximately 2600 m² (0.66 acres) in size; the lot is proposed to be severed into two, equally sized lots.

Ms. Van Amersfoort advised Section 19.7 of the Zoning By-law sets out the requirements for multiple-attached dwellings in Medium Density Residential (R2) zones. The subject property has insufficient depth to meet the requirements for multiple attached units when measured from Huron Street (requiring a reduction of 3 metres from 38 metres to 35 metres). The exterior side yard requirement (which applies to the unit proposed closest to the Ord and Huron intersection) is located 4.5 metres from the Ord Street road allowance where the Zoning By-Law requires that it be located 6 metres. The distance between the two dwellings (which are proposed to be located on separate properties through consent or severance application C24/19) is proposed to be 2.5 metres on each side where the Zoning By-law requires 3 metres. The overall development meets the intent and direction of the Huron East Official Plan in that it supports residential intensification, increased diversity in the housing stock and affordability. The specific building design, however, does not meet the direction for residential intensification in established neighbourhoods.

Ms. Van Amersfoort summarized her report noting there are many merits to the application including the provision of a different form of housing, creating affordability in the housing market, and being located in walking proximity to the downtown. However, the building and site design suggests that the site is at the risk of being overbuilt and the impact of the variances would not be minor, appropriate or maintaining the intent of the Official Plan or Zoning By-Law if approved as currently presented. If altered, as suggested through the recommended conditions, the variances may be supportable.

Council were advised the applicants have completed a noise study that concluded no remediation efforts are recommended. A servicing study was also completed noting services will be through the rear yard and the developer will be responsible for all costs including costs associated with the required easements. Once services are completed to the satisfaction of the Municipality a 5 metre easement will be established. The existing easement on the westerly boundary for drainage will remain.

Ms. Van Amersfoort advised that comments were received from the following members of the public:

Karen Cronin (75 Ord Street):

→ written comments, would be supportive of development if it was a single storey

Theresa Dietrich (84-96 Louisa Street):

→ verbal comments, concerned regarding two storey height and the number of vehicles (limited parking)

Craig Metzger (67 Ord Street):

→ written comments, concerned regarding how existing drainage easement will be addressed by development and why a more compatible building design wasn't considered

Claude Stewart (71 Ord Street):

→ verbal comments, concerned about the changing of the overall neighbourhood design; feels a maximum of six units, geared to seniors and single storey (low profile) design would be more appropriate

→ inquired about truck traffic on Huron Street including parking

→ would like to see significant landscaping and a well maintained property

→ no accessory buildings in rear yards

Claude Stewart was in attendance at the meeting and requested Ms. Van Amersfoort read his comments on his behalf. Ms. Van Amersfoort read the comments submitted as follows:

→ location, location, making the most out of nothing

→ first thing that came to mind is landscaping, with a lot of thought many trees and shrubs

→ two storey structure would overwhelm area, especially 8 units in a small area leaving no room to make area inviting

→ low profile, 8 foot walls, keep it simple to match area, no more than two bedroom's or one bedroom plus den

→ made up a few sketches to give idea's that might work to fit the area.

Ms. Van Amersfoort advised Council they could consider deferring a decision to allow for revised materials to be provided or could approve with conditions as follows:

1. That the building elevations be altered to the satisfaction of the Municipality such that:
 - a. There is variety between the two proposed buildings;
 - b. A wrap-around porch is incorporated into the Unit 1 on Lot B to create visual interest at the corner and create a connection between the proposed building and the Ord Street streetscape. The porch design should be connected to window placement;
 - c. The east elevation of Unit 1 on Lot B should be further articulated to create more visual interest and connection to the Ord Street streetscape;
 - d. The rear elevations of both buildings should be further articulated to reduce the impact of the reduced spatial separation between the buildings.
 - e. The overall massing is reduced through the incorporation of small elements which articulate the façade. This could include:
 - i. Variation in rooflines;
 - ii. Stepping down the outer two units to single storey (Note: Based on the floor plans submitted, a reduction to single storey will likely reduce the number of units proposed).
 - iii. Projections and/or recesses of forms and/or wall planes;
 - iv. Variation in building materials and colours.
2. That a landscaping plan to be submitted to the satisfaction of the Municipality;
3. Confirmation that the parking design will sufficiently meet the demand of the target market, recognizing that on-street parking on Huron is not an option, including visitors; and
4. The variance approval is valid for a period of 18 months from the date of the Committee's decision.

Ms. Van Amersfoort noted the developer has shown a willingness to address some of the concerns identified and deferral of a decision would allow for options to be considered.

Moved by Dianne Diehl and seconded by Raymond Chartrand:
That Council of the Municipality of Huron East, acting as Committee of Adjustment, acknowledge the recommendation of the Huron County Planning Department and defer minor variance application A07/2019 by Tripod Properties (c/o Joe Dekroon) on Ord Street, Lots 221 and 222, Plan 386, Seaforth Ward to the next regular meeting of Council to allow the Planner to investigate further the public comments received and provide an updated planning report for consideration by Council.
Carried.

Moved by Larry McGrath and seconded by Alvin McLellan:
That the Public Hearing for the Committee of Adjustment be closed at 7:46 p.m. Carried.

Bernie MacLellan, Mayor

Brad Knight, CAO/Clerk