



**MUNICIPALITY OF HURON EAST**  
**SPECIAL MEETING**  
**TUESDAY, MAY 7<sup>th</sup>, 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 Rob VandenHengel which affects Lot 23, Concession 3, McKillop Ward. The By-Law proposes to change the zoning to ‘General Agriculture – Special Zone (AG1-33)’ from ‘General Agriculture (AG1)’. (encl.)

This rezoning is required to recognize a minimum setback of 30 metres (98.4 feet) from an open municipal drain to permit the construction of the liquid manure storage tank.

Comments Received: Report from Senior Planner Sandra Weber dated April 30<sup>th</sup>, 2013. (encl.)

- 3 b)** Zoning By-Law Amendment Application by Bowman/Neeley which affects Part Lot 40, Plan 133, Vanastra, Tuckersmith Ward. The By-Law proposes to change the zoning to ‘Industrial – Special Zone (IND-8)’ from ‘Vanastra Commercial Zone (C5)’. (encl.)

This rezoning is required to permit uses that are more suited for the type of buildings on the property.

Comments Received: Report from Senior Planner Sandra Weber dated April 30<sup>th</sup>, 2013. (encl.)

- 4. Close Special Meeting**

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

**Roll No. 4040 380 003 02900 0000**

**TAKE NOTICE** that Council of the Corporation of the Municipality of Huron East will hold a public meeting on **May 7, 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 5<sup>th</sup>, 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 16th day of April, 2013.**

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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 23, Conc. 3, Municipality of Huron East (McKillop Ward). The By-law proposes to change the zoning to 'General Agriculture – Special Zone (AG1-33)' from 'General Agriculture (AG1)'.

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. This rezoning is required to recognize a minimum setback of 30 metres (98.4 feet) from an open municipal drain to permit the construction of the 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 metre (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.

The property is located on 43030 Hydro Line Road.

**SCHEDULE 1**

**CORPORATION OF THE MUNICIPALITY OF HURON EAST**

**McKILLOP WARD**

**BY-LAW NO. - 2013**

**BEING** a by-law to amend the zoning on Lot 23, Conc. 3, Municipality of Huron East (McKillop 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 23, Conc. 3, Municipality of Huron East (McKillop Ward).
2. By-law 52-2006 is hereby amended by changing 'General Agriculture' (AG1)' to 'General Agriculture – Special Zone (AG1-33)', the zone symbol on the lands designated zone change to 'AG1-33' on the attached Schedule A.
3. Section 4.11 is hereby amended by the addition of the following:  
  
AG1-33  
*Notwithstanding the provisions of Section 3.34.4, to the contrary, on the lands zoned AG1-33, the setback from a liquid manure storage tank to an open municipal drain shall be a minimum of 30 metres (98.4 feet) with a minimum 60 metre (196.8 feet) flow path. All other provisions of the Huron East Zoning By-law 52-2006 shall continue to apply.*
4. Key Map 34, Schedule A, By-law 52-2006 is hereby replaced with amended Key Map 34 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

#### McKILLOP WARD

#### BY-LAW - 2013

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

This proposed Zoning By-law Amendment affects Lot 23, Conc. 3, Municipality of Huron East (McKillop Ward). The By-law proposes to change the zoning to 'General Agriculture – Special Zone (AG1-33)' from 'General Agriculture (AG1)'.

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. This rezoning is required to recognize a minimum setback of 30 metres (98.4 feet) from an open municipal drain to permit the construction of the 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 metre (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.

The property is located on 43030 Hydro Line Road.

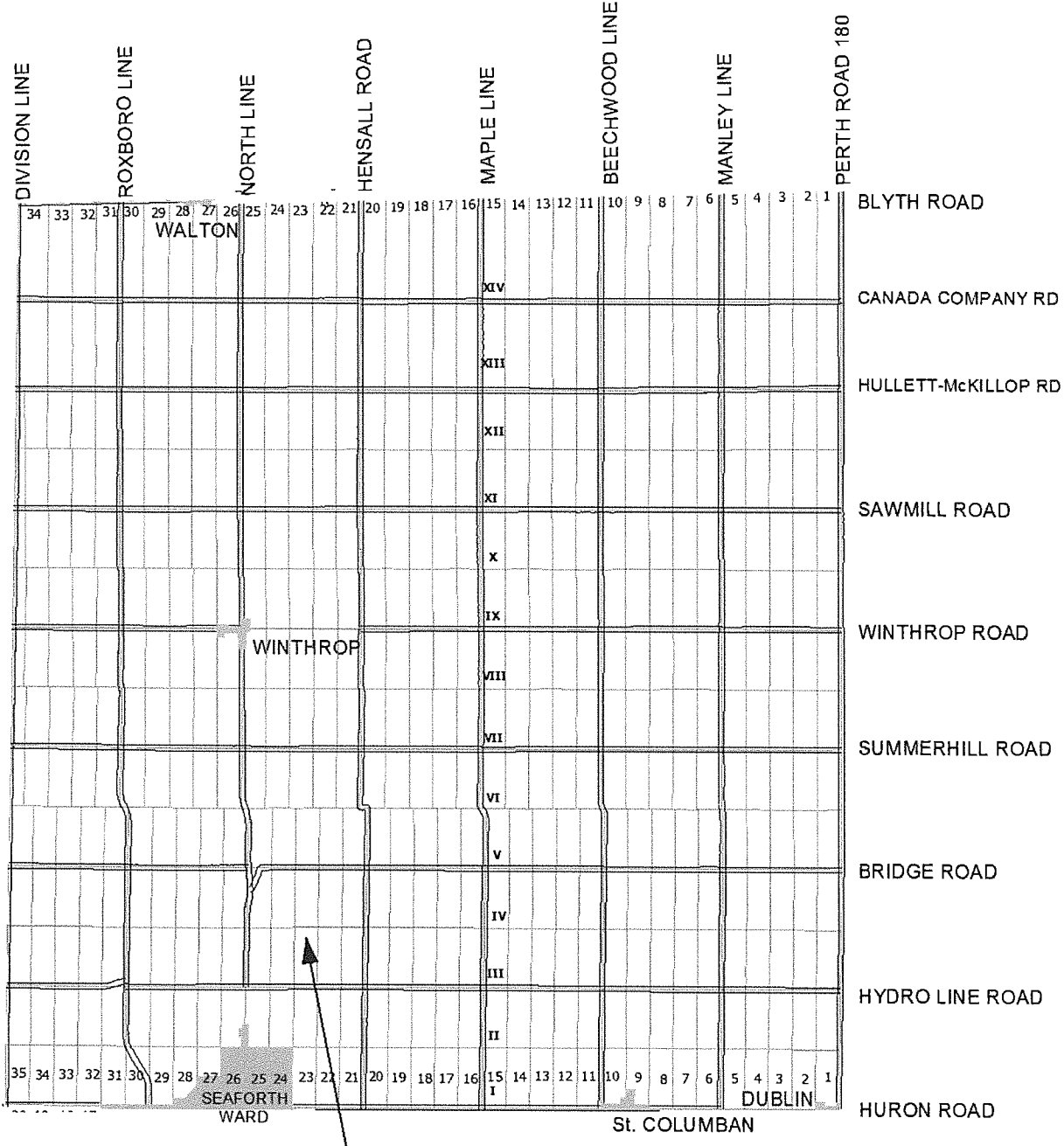
This by-law amends Huron East Zoning By-law # 52-2006.  
All other zone provisions apply.

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

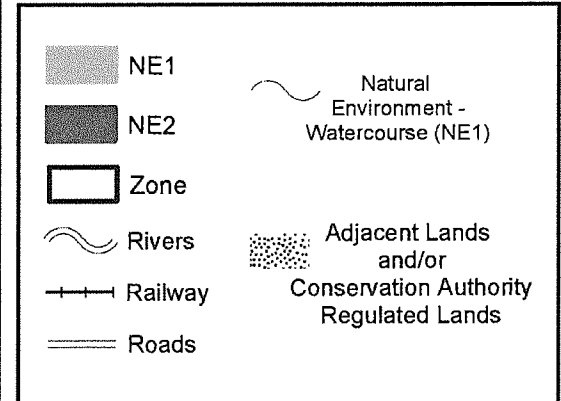
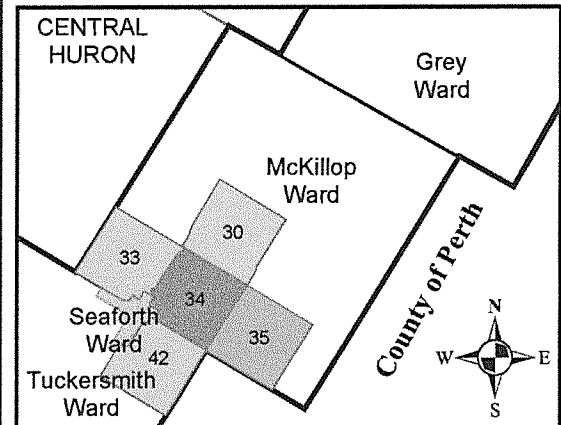
## MUNICIPALITY OF HURON EAST

### McKILLOP WARD



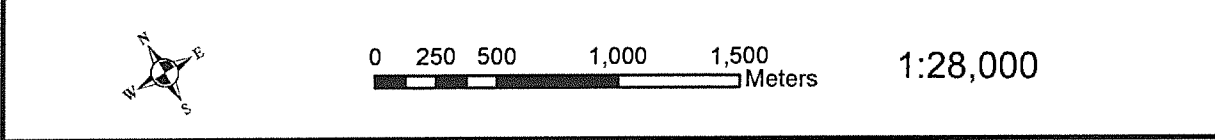
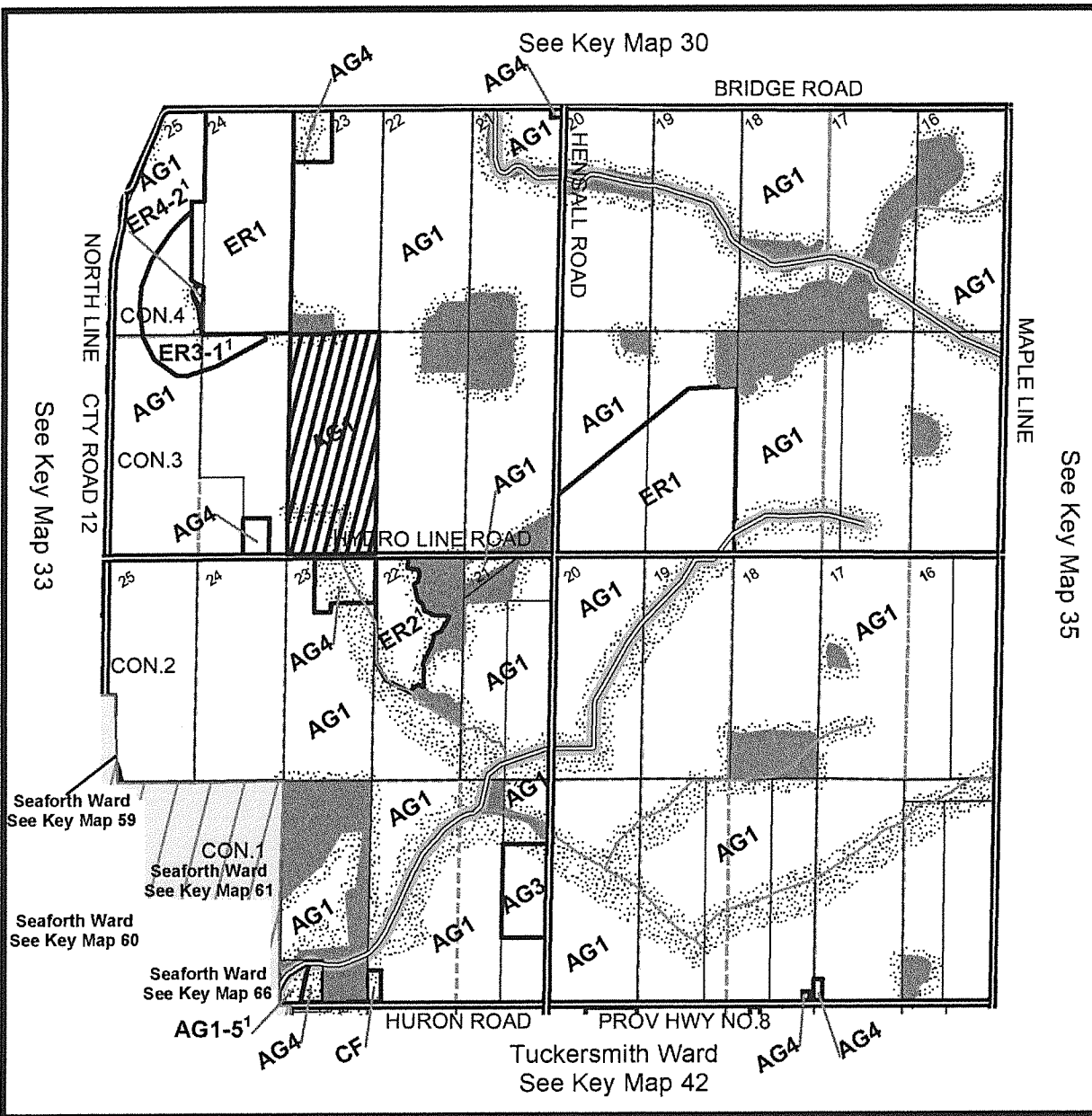
Area to which this By-law amendment applies

SCHEDULE 'A'  
**KEY MAP 34**  
**HURON EAST**  
 McKillop Ward



**Amendments**  
 1 Amended by By-law 85-2009  
 Zone change from AG1 (General Agriculture) to AG1-33 (General Agriculture - Special Zone)

REVISION DATE May 7, 2010



1:28,000



## 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: Rob Vanden Hengel	Date: April 30, 2013
Property Address: 43030 Hydro Line Road	
Property Description: Lot 23, Conc. 3, Municipality of Huron East (McKillop 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 23, Conc. 3, Municipality of Huron East (McKillop Ward). The By-law proposes to change the zoning to 'General Agriculture – Special Zone (AG1-33)' from 'General Agriculture (AG1)'.

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. This rezoning is required to recognize a minimum setback of 30 metres (98.4 feet) from an open municipal drain to permit the construction of the 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 metre (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.

#### COMMENTS

The subject property is designated Agriculture in the Huron East Official Plan and is zoned AG1 (General Agriculture) in the Huron East Zoning By-law. The AG1 (General Agriculture) zone permits general agricultural uses such as the proposed barn and manure storage facility but establishes a minimum setback requirement of 60 metres from an open ditch. The Zoning Amendment is required to permit the manure storage tank to be constructed at minimum setback of 30 metres from the open drain. The applicant is proposing to construct a berm between the manure storage tank and the open municipal drain which would create a 60 metre (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. The application conforms to the Huron East Official Plan and is consistent with the Provincial Policy Statement.

#### OTHERS CONSULTED

Paul Josling, Huron East Chief Building Official – Consulted with OMAFRA staff who are 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.

Ausable Bayfield Conservation Authority – Written comments were not available at the time of writing this report, however, Geoff Cade, Planner with the Conservation Authority verbally indicated that they have no objection to the amendment as there are no natural hazard or heritage issues, but the development is within a regulated area and the applicant will be required to obtain a permit from the Authority.

*Sandra Weber*

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Sandra Weber, Senior Planner



Bowman/Neeley  
#26-2013

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

**Roll No. 4040 160 031 25420 0000**

**TAKE NOTICE** that Council of the Corporation of the Municipality of Huron East will hold a public meeting on **May 7, 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 **March 22nd, 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 16th day of April, 2013.**

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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 Lot 40, Registered Plan 133, Vanastra, Municipality of Huron East (Tuckersmith Ward). The By-law proposes to change the zoning to 'Industrial – Special Zone (IND-8)' from 'Vanastra Commercial Zone (C5)'.

The subject property has a lot 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 1<sup>st</sup> Avenue, with access to the property from 1<sup>st</sup> Avenue only.

The applicant is requesting a 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).

The property is located at 41 1st Avenue, Vanastra.

**SCHEDULE 1**

**CORPORATION OF THE MUNICIPALITY OF HURON EAST**

**McKILLOP WARD**

**BY-LAW NO. - 2013**

**BEING** a by-law to amend the zoning on Part Lot 40, Registered Plan 133, Vanastra, 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 Lot 40, Registered Plan 133, Vanastra, Municipality of Huron East (Tuckersmith Ward).
2. By-law 52-2006 is hereby amended by changing 'Vanastra Commercial Zone (C5)' to 'Industrial – Special Zone (IND-8)', the zone symbol on the lands designated zone change to 'IND-8' on the attached Schedule A.
3. Section 32.5 is hereby amended by the addition of the following:

IND-8

*Notwithstanding the provisions of Section 32.3 and 32.4, to the contrary, on the lands zoned IND-8, the existing buildings, loading facilities, and parking is deemed to comply. All other provisions of the Huron East Zoning By-law 52-2006 shall continue to apply.*

4. Key Map 38, Schedule A, By-law 52-2006 is hereby replaced with amended Key Map 38 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 Lot 40, Registered Plan 133, Vanastra, Municipality of Huron East (Tuckersmith Ward). The By-law proposes to change the zoning to 'Industrial – Special Zone (IND-8)' from 'Vanastra Commercial Zone (C5)'.

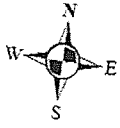
The subject property has a lot frontage of 65.5 metres (215 feet), a lot depth of 67.3 metres (220.8 feet), and a lot area of 0.44 hectares (1.09 acres). There is an existing wood frame metal clad building (50 feet x 140 feet) with an additional area at the front with 3 loading docks, and a steel building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

The applicant is requesting a 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).

The property is located at 41 1st Avenue, Vanastra.

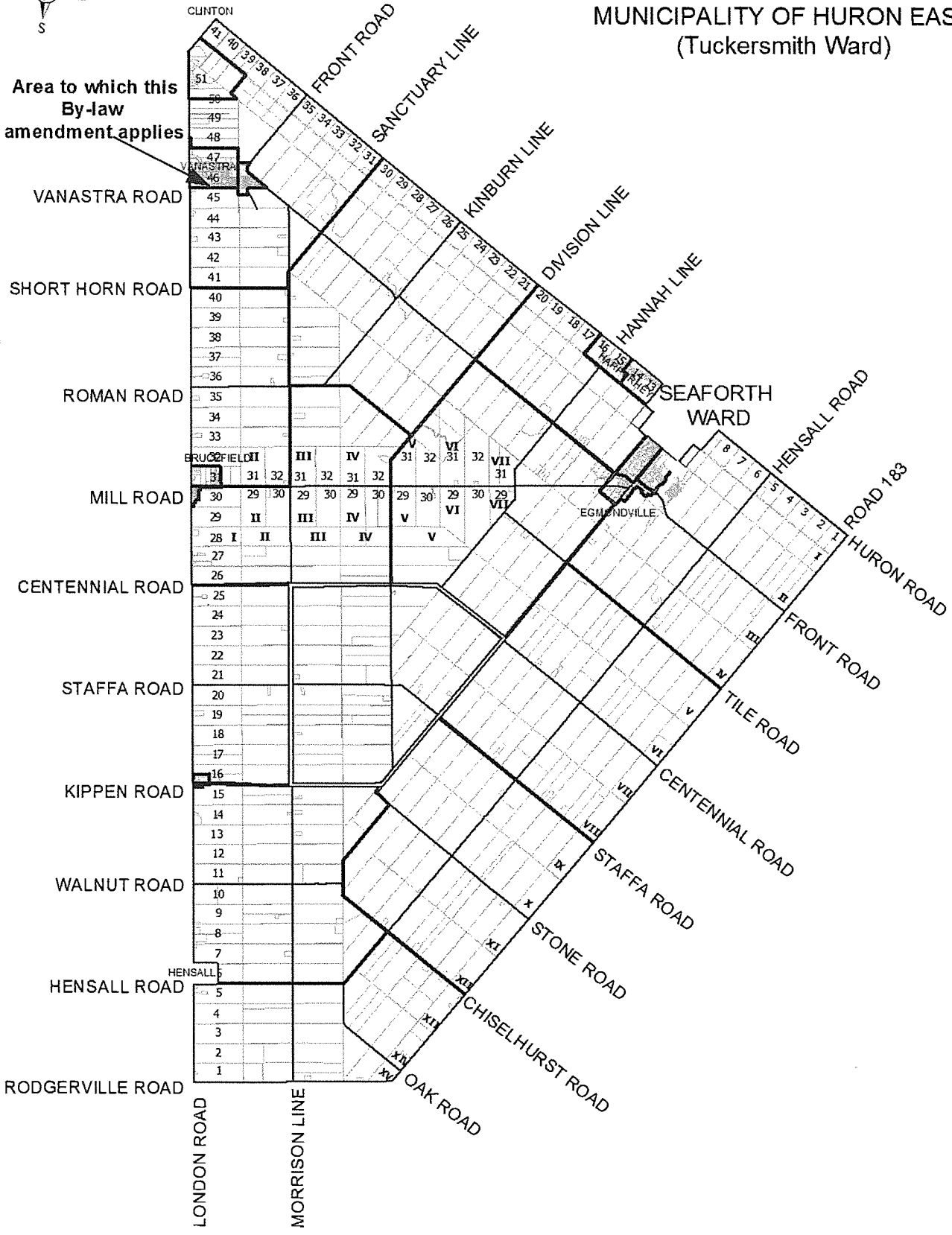
This by-law amends Huron East Zoning By-law # 52-2006.  
All other zone provisions apply.

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)

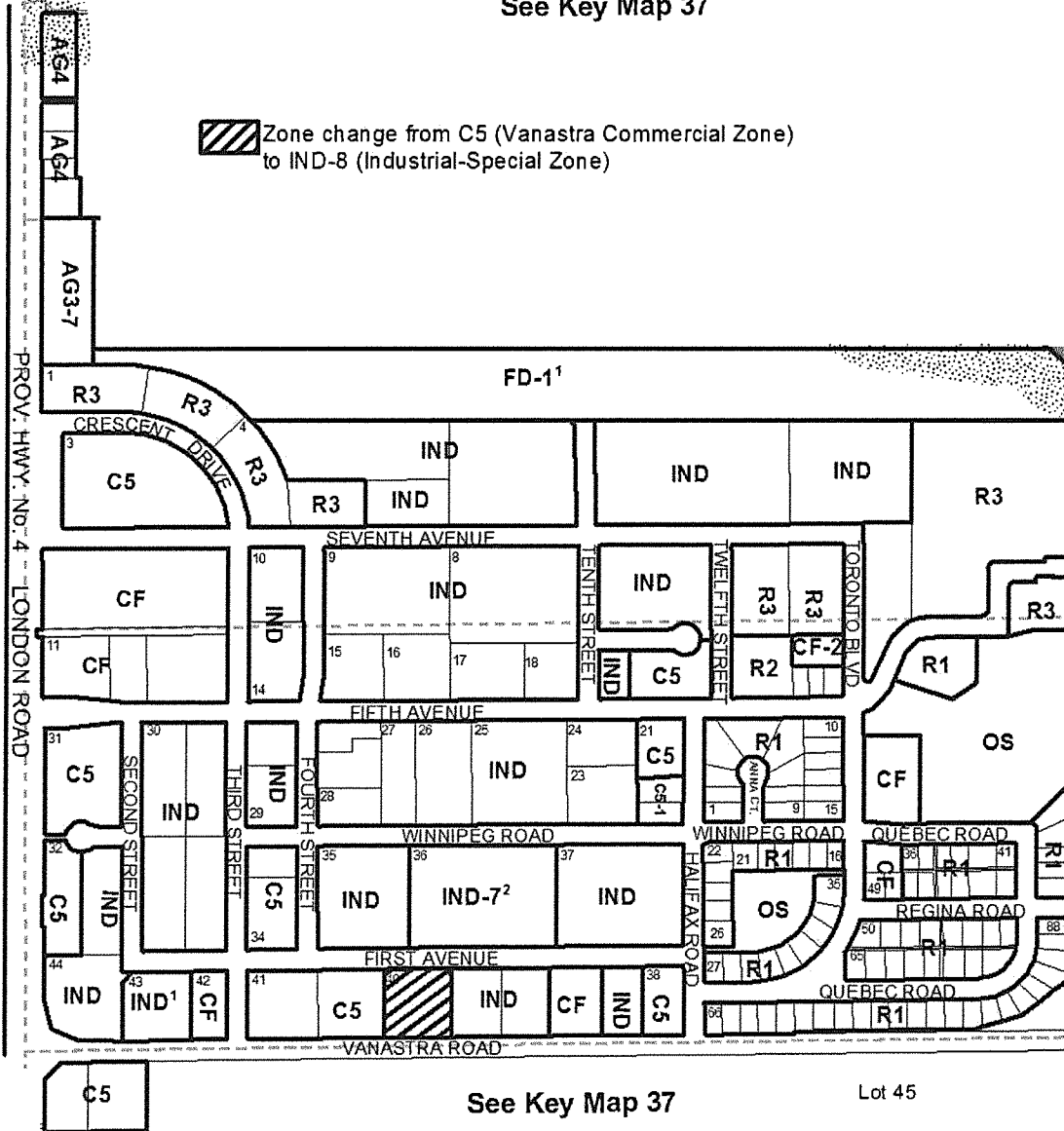
Area to which this  
By-law  
amendment applies



See Key Map 37

 Zone change from C5 (Vanastra Commercial Zone) to IND-8 (Industrial-Special Zone)

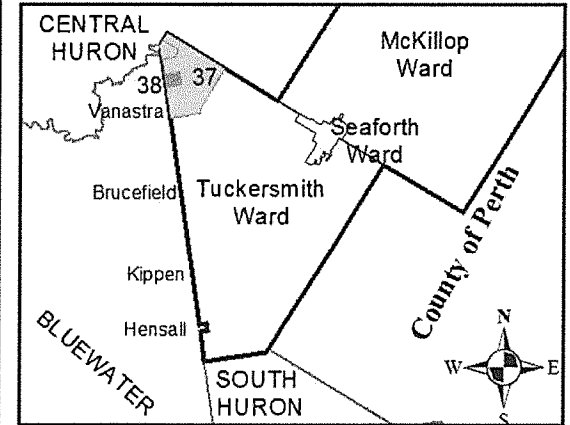
Municipality of Bluewater



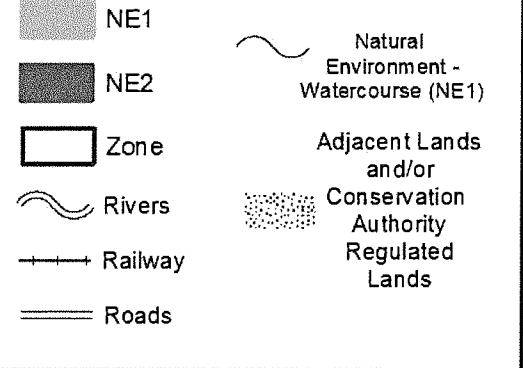
See Key Map 37

Lot 45

SCHEDULE 'A'  
**KEY MAP 38**  
**HURON EAST**  
**TUCKERSMITH WARD**  
**VANASTRA**



See Key Map 38A



**Amendments**

- 1 Amended by By-law 85-2009
- 2 Amended by By-law 11-2010

REVISION DATE March 26, 2010



## 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

<b>Owner:</b> Craig Neely	<b>Date:</b> April 30, 2013
<b>Applicant:</b> Robert Bowman	
<b>Property Address:</b> 41 First Avenue	
<b>Property Description:</b> Part Lot 40, R.P. 133, Municipality of Huron East (Tuckersmith Ward)	

#### RECOMMENDATION

It is recommended that this Zoning By-law Amendment application be **approved**. This report is written in advance of the public meeting and issues raised by the public should be addressed prior to approval.

#### PURPOSE AND EFFECT

This proposed Zoning By-law Amendment affects Part Lot 40, Registered Plan 133, Vanastra, Municipality of Huron East (Tuckersmith Ward). The By-law proposes to change the zoning to 'Industrial – Special Zone (IND-8)' from 'Vanastra Commercial Zone (C5)'.

The subject property has a lot 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 1<sup>st</sup> Avenue, with access to the property from 1<sup>st</sup> Avenue only.

The applicant is requesting a 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).

#### COMMENTS

The subject property is designated Commercial/Industrial in the Huron East Official Plan and is zoned C5 (Vanastra Commercial Zone) in the Huron East Zoning By-law. The Huron East Official Plan states that in Vanastra Commercial/Industrial designations, commercial and industrial uses may establish and intermix without amendment to the Plan. Prior to establishing a new industrial use or where an industrial use replaces a commercial use, an amendment to the Zoning By-law will be required and the following policies shall apply:

- i) All industrial and commercial uses shall have adequate off-street parking and loading facilities;
- ii) The Municipality shall enter into agreements with new industrial or commercial uses, for site plans and full municipal services;
- iii) All industries will comply with effluent and emission standards established by the Ministry of the Environment.

The applicant is requesting a 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. 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. An Industrial zoning on this property would be compatible with the surrounding Industrial properties to the north and east, and the types of Commercial uses (glass replacement business, etc.) on the properties to the west.

The property is currently in the process of being cleaned up. Although there are no new buildings being proposed for the subject property, the Municipality should consider placing the property under Site Plan Control to regulate the details of the Industrial use such as parking, outside storage, etc. The application conforms to the Huron East Official Plan and is consistent with the Provincial Policy Statement.

#### **OTHERS CONSULTED**

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



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Sandra Weber, Senior Planner