



MUNICIPALITY OF HURON EAST

SPECIAL MEETING

TUESDAY, JUNE 18th, 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 Felix Albrecht which affects Lot 32, Concession 13, Grey Ward. The By-Law proposes to change the zoning to ‘General Agriculture – Special Zone (AG1-35)’ from ‘General Agriculture (AG1)’. (encl.) (Pages 2-6)

This rezoning is required to permit a second permanent dwelling to be constructed on Lot 32, Concession 13 provided it remains clustered with the existing buildings on the property.

Comments Received: Report from Senior Planner Sandra Weber dated June 12th, 2013. (encl.) (Pages 7-8)

- 3 b)** Zoning By-Law Amendment Application by Teresa DeWetering which affects Lot 18, Concession 8, Grey Ward. The By-Law proposes to change the zoning to ‘Agriculture Small Holding – Special Zone (AG4-29)’ and ‘Restricted Agriculture (AG2)’ from ‘General Agriculture (AG1)’. (encl.) (Pages 9-13)

This rezoning is a condition of severance application B71/12.

Comments Received: Report from Senior Planner Sandra Weber dated June 12th, 2013. (encl.) (Pages 14-15)

4. **Close Special Meeting**

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

Roll No. 4040 420 013 03600 0000

TAKE NOTICE that Council of the Corporation of the Municipality of Huron East will hold a public meeting on **June 18, 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 May 15th, 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 27th DAY OF MAY, 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 32, Conc. 13, Grey Ward, Municipality of Huron East. The By-law proposes to change the zoning to 'General Agriculture – Special Zone (AG1-35)' from 'General Agriculture (AG1)'.

The entire property (Lots 32 and 33, Conc. 13) is 80.9 hectares (200 acres) with an existing dairy barn, sheds and 2 existing permanent dwellings, including the original farm house and a bungalow dwelling. The applicant is proposing to demolish the original farm dwelling on the property and reconstruct it in a different location in front of the farm buildings. The other bungalow dwelling is required as part of the farming operation and is proposed to remain on the property. The Huron East Zoning By-law permits only one permanent dwelling per lot in an Agricultural zone, and although 2 dwellings already exist, if one is purposefully removed, it is not permitted to be reconstructed. The proposed 'General Agriculture – Special Zone (AG1-35)' permits a second permanent dwelling to be constructed on Lot 32, Conc. 13 provided it remains clustered with the existing buildings on the property. The second permanent dwelling will not be entitled to a severance from the farm parcel. The supplementary dwelling is proposed to be used by family members who are involved in the existing farming operation.

The property is located on 45174 St. Michaels 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 32, Conc. 13, 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 32, Conc. 13, Municipality of Huron East (Grey Ward).
2. By-law 52-2006 is hereby amended by changing 'General Agriculture (AG1)' to 'General Agriculture – Special Zone (AG1-35)', the zone symbol on the lands designated zone change to 'AG1-35' on the attached Schedule A.
3. Section 4.11 is hereby amended by the addition of the following:

AG1-35

Notwithstanding the provisions of Sections 4.1, 4.2, and 4.3, to the contrary, on the lands zoned AG1-35, a second permanent residential dwelling shall be permitted in addition to the permitted uses and structures in the AG1 zone. The second permanent residential dwelling shall be located in a cluster with the existing buildings and will not be entitled to a severance from the farm parcel. All other provisions of the Huron East Zoning By-law 52-2006 shall continue to apply.

4. Key Map 16, Schedule A, By-law 52-2006 is hereby replaced with amended Key Map 16 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 32, Conc. 13, Grey Ward, Municipality of Huron East. The By-law proposes to change the zoning to 'General Agriculture – Special Zone (AG1-35)' from 'General Agriculture (AG1)'.

The entire property (Lots 32 and 33, Conc. 13) is 80.9 hectares (200 acres) with an existing dairy barn, sheds and 2 existing permanent dwellings, including the original farm house and a bungalow dwelling. The applicant is proposing to demolish the original farm dwelling on the property and reconstruct it in a different location in front of the farm buildings. The other bungalow dwelling is required as part of the farming operation and is proposed to remain on the property. The Huron East Zoning By-law permits only one permanent dwelling per lot in an Agricultural zone, and although 2 dwellings already exist, if one is purposefully removed, it is not permitted to be reconstructed. The proposed 'General Agriculture – Special Zone (AG1-35)' permits a second permanent dwelling to be constructed on Lot 32, Conc. 13 provided it remains clustered with the existing buildings on the property. The second permanent dwelling will not be entitled to a severance from the farm parcel. The supplementary dwelling is proposed to be used by family members who are involved in the existing farming operation.

The property is located on 45174 St. Michaels Road.

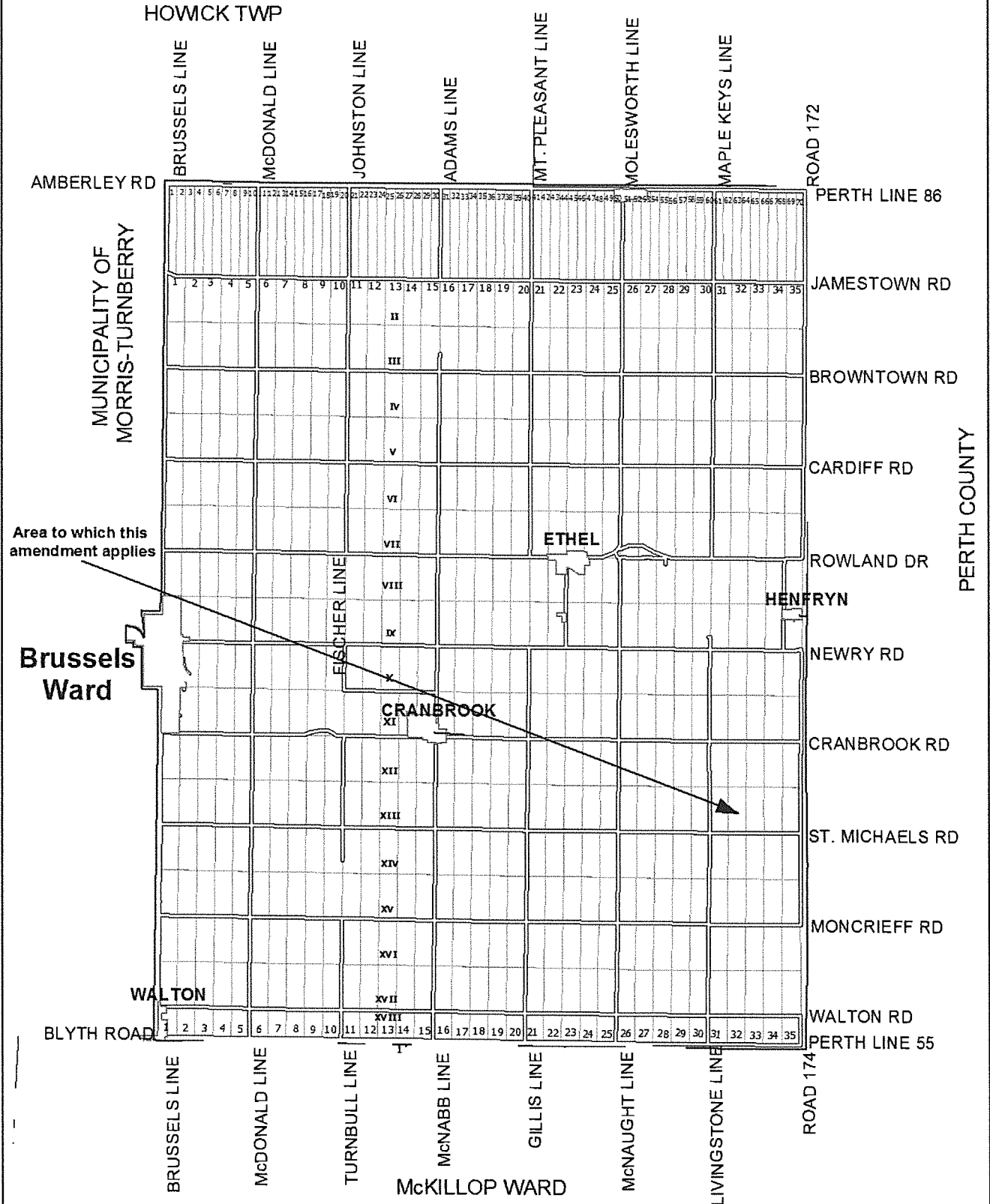
This by-law amends Huron East Zoning By-law # 52-2006.
All other zone provisions apply.

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

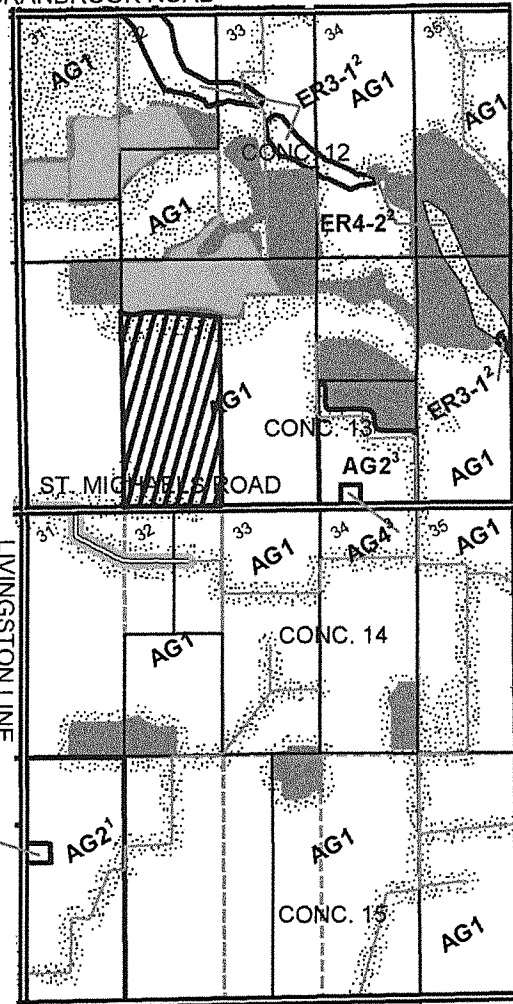
MUNICIPALITY OF HURON EAST

GREY WARD



SEE KEY MAP 12

CRANBROOK ROAD



SEE KEY MAP 15

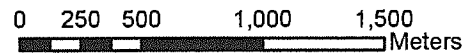
COUNTY OF PERTH

LIVINGSTON LINE

MONCRIEFF ROAD

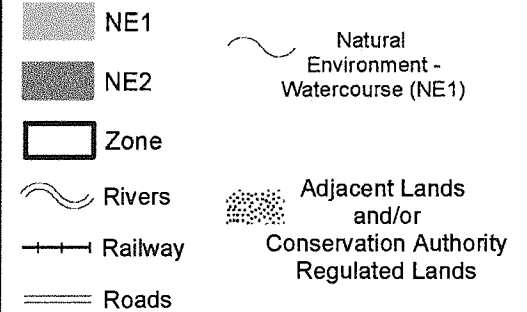
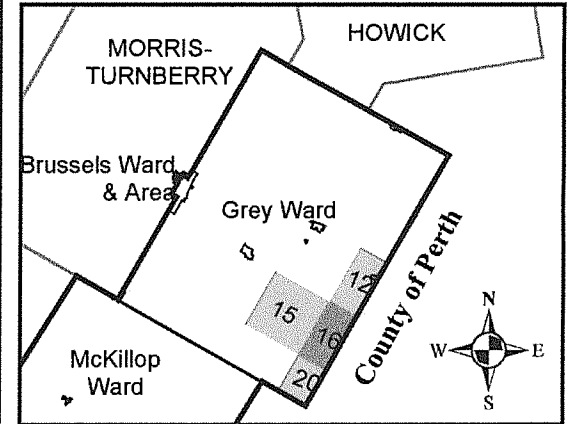
ROAD 173

SEE KEY MAP 20




1:28,000

SCHEDULE 'A'
KEY MAP 16
HURON EAST
 GREY WARD



Amendments

- 1 Amended by By-law 39-2008
- 2 Amended by By-law 85-2009
- 3 Amended by By-law 50-2012

 Zone change from AG1 (General Agriculture) to AG1-35 (General Agriculture-Special Zone)

REVISION DATE August 15, 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:	Lotti Albrecht	Date:	June 12, 2013
Applicant:	Felix Albrecht		
Property Address:	45174 St. Michaels Road		
Property Description:	Lot 32, Concession 13, Municipality of Huron East (Grey Ward)		

RECOMMENDATION

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

PURPOSE AND EFFECT

This proposed Zoning By-law Amendment affects Lot 32, Conc. 13, Grey Ward, Municipality of Huron East. The By-law proposes to change the zoning to 'General Agriculture – Special Zone (AG1-35)' from 'General Agriculture (AG1)'.

The entire property (Lots 32 and 33, Conc. 13) is 80.9 hectares (200 acres) with an existing dairy barn, sheds and 2 existing permanent dwellings, including the original farm house and a bungalow dwelling. The applicant is proposing to demolish the original farm dwelling on the property and reconstruct it in a different location in front of the farm buildings. The other bungalow dwelling is required as part of the farming operation and is proposed to remain on the property.

The Huron East Zoning By-law permits only one permanent dwelling per lot in an Agricultural zone, and although 2 dwellings already exist, if one is purposefully removed, it is not permitted to be reconstructed. The proposed 'General Agriculture – Special Zone (AG1-35)' permits a second permanent dwelling to be constructed on Lot 32, Conc. 13 provided it remains clustered with the existing buildings on the property. The second permanent dwelling will also not be entitled to a severance from the farm parcel. The supplementary dwelling is proposed to be used by family members who are involved in the existing farming operation.

COMMENTS

The subject property is designated Agriculture in the Huron East Official Plan (OP) and is zoned 'General Agriculture' (AG1) in the Huron East Zoning By-law. In the Agriculture designation the primary type of development permitted is the farm unit, which consists of the farm residence, residences and accessory buildings required for additional labour, and barns and additional buildings that support the farm operation.

In the 'General Agriculture' zone only "one detached residential dwelling, and/or one mobile home (single or double-wide) accessory to an agriculture use" are permitted. There are currently two existing permanent dwellings located on the property – an original farm house and a bungalow. Therefore, these uses are non-conforming with the Zoning By-law. The applicant is proposing to demolish the original farm dwelling and reconstruct it in a different location on the property. Section 3.25.4.3. of the Zoning By-law does not permit the reconstruction of a non-conforming structure after it has been purposefully removed.

Section 13.1.2.v. of the Huron East Official Plan does allow non-conforming structures to be replaced without an Official Plan Amendment subject to approval of a Zoning By-law Amendment and a review of whether the replacement of the use is appropriate. The Official Plan also states that the Temporary Dwelling policies for Agricultural areas shall not limit the construction of a second permanent dwelling as

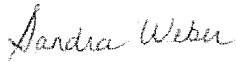
part of a farm unit where one dwelling is occupied by a farmer and the other dwelling is occupied by a farm labourer.

Both dwellings on the property are, and will continue to be occupied by family members who are actively involved in the farming operation. The special zone requires the second dwelling to be clustered with the other existing buildings on the property and does not permit the dwelling to be severed.

This application meets the intent of the Provincial Policy Statement, the Huron County Official Plan and the Huron East Official Plan.

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 420 008 01800 0000

TAKE NOTICE that Council of the Corporation of the Municipality of Huron East will hold a public meeting on **June 18, 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 **May 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 27th DAY OF MAY, 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 18, Conc. 8, Grey Ward, Municipality of Huron East. The By-law proposes to change the zoning to 'Agricultural Small Holding – Special Zone (AG4-29)' and 'Restricted Agriculture (AG2)' from 'General Agriculture (AG1)'.

This rezoning is a condition of severance application B71/12 which severs a surplus farm dwelling.

The severed lands require a zone change from 'General Agriculture (AG1)' to 'Agricultural Small Holding – Special Zone (AG4-29)'. The area proposed to be severed is 1.6 ha (3.95 ac.) with an existing residence, shed and grain bins. The special zone recognizes the Minimum Distance Separation setback from the residence to the neighbouring barns 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 38.8 ha (96 ac.) in size and will continue to be used for agricultural purposes. The natural area on the property will continue to be zoned Natural Environment (NE2).

The property is located on 44017 Brandon 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 18, Conc. 8, 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 18, Conc. 8, 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 (AG4-29)' and 'Restricted Agriculture (AG2)', the zone symbol on the lands designated zone change to 'AG4-29' and 'AG2' on the attached Schedule A.
3. Section 7.8 is hereby amended by the addition of the following:

AG4-29

Notwithstanding the provisions of Section 7.6, to the contrary, on the lands zoned AG4-29, a residence shall be deemed to comply with the Minimum Distance Separation requirements to the neighbouring barns. All other provisions of the Huron East Zoning By-law 52-2006 shall continue to apply.

4. Key Map 10, Schedule A, By-law 52-2006 is hereby replaced with amended Key Map 10 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 18, Conc. 8, Grey Ward, Municipality of Huron East. The By-law proposes to change the zoning to 'Agricultural Small Holding – Special Zone (AG4-29)' and 'Restricted Agriculture (AG2)' from 'General Agriculture (AG1)'.

This rezoning is a condition of severance application B71/12 which severs a surplus farm dwelling.

The severed lands require a zone change from 'General Agriculture (AG1)' to 'Agricultural Small Holding – Special Zone (AG4-29)'. The area proposed to be severed is 1.6 ha (3.95 ac.) with an existing residence, shed and grain bins. The special zone recognizes the Minimum Distance Separation setback from the residence to the neighbouring barns 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 38.8 ha (96 ac.) in size and will continue to be used for agricultural purposes. The natural area on the property will continue to be zoned Natural Environment (NE2).

The property is located on 44017 Brandon Road.

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

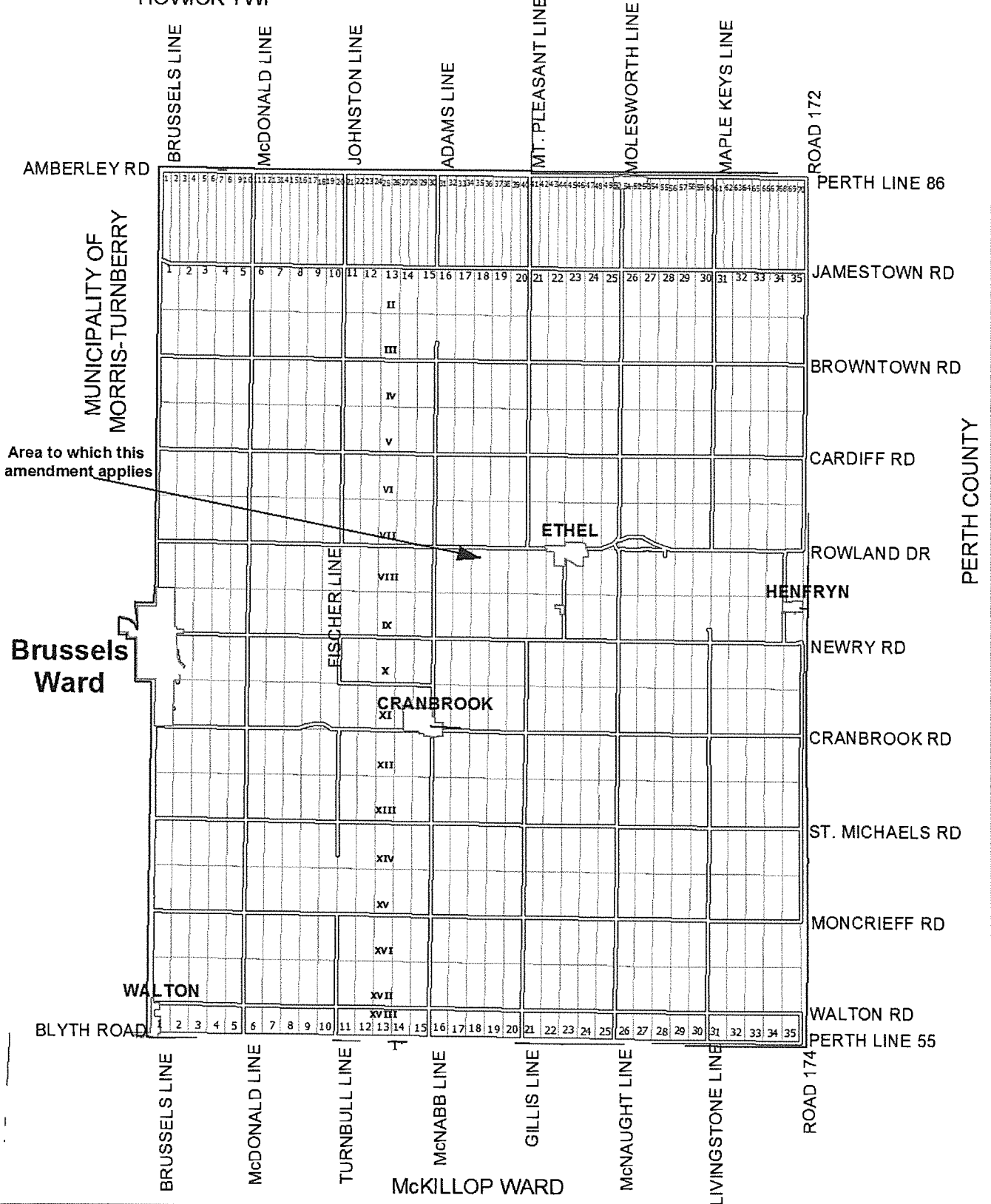
2. A Location Map and Key Map (entitled Schedule 'A') showing the location of the lands to which this by-law applies are shown on the following pages.

LOCATION MAP

MUNICIPALITY OF HURON EAST

GREY WARD

HOWICK TWP



Brussels Ward

PERTH COUNTY

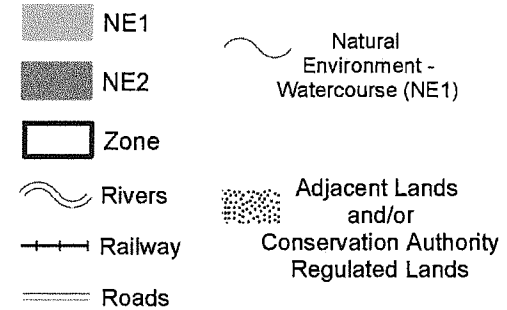
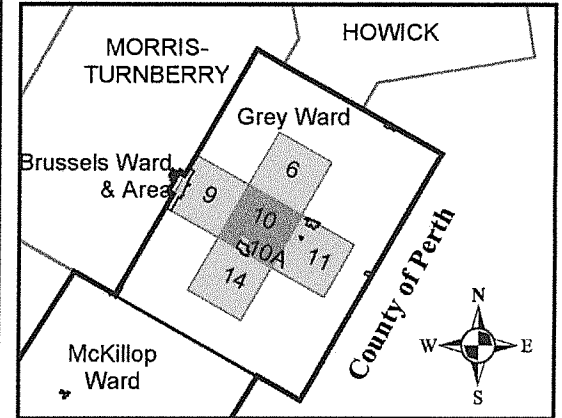
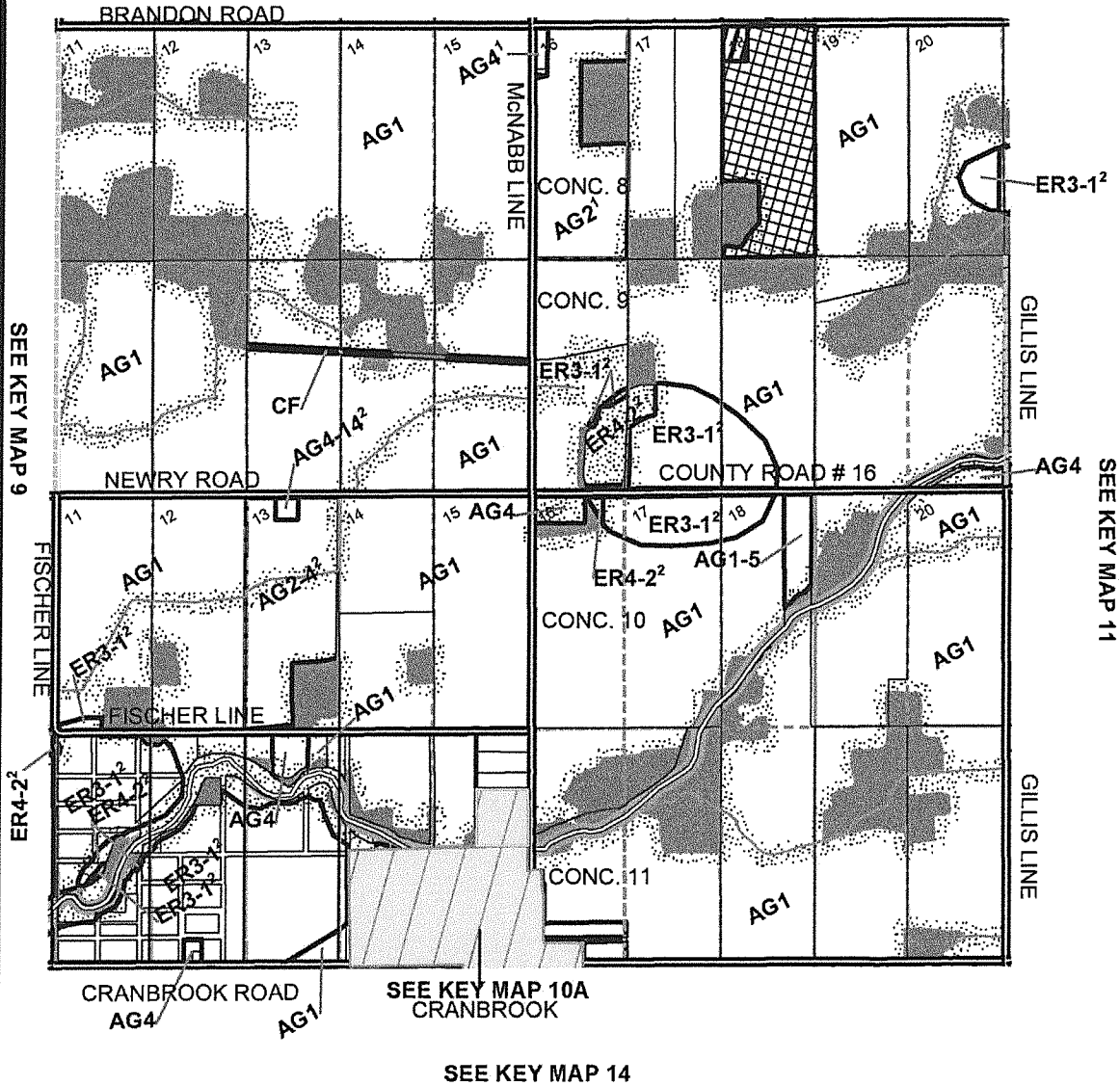
McKILLOP WARD

WALTON

BLYTH ROAD

SEE KEY MAP 6

SCHEDULE 'A'
KEY MAP 10
HURON EAST
GREY WARD



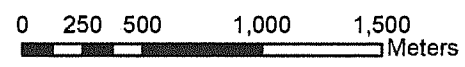
Amendments

1 Amended by By-law 74-2007
2 Amended by By-law 85-2009

Zone change form AG1 (General Agriculture) to AG4-29 (Agricultural Small Holding-Special Zone)

Zone change form AG1 (General Agriculture) to AG2 (Restricted Agriculture)

REVISION DATE October 25, 2010



1:28,000

SEE KEY MAP 9

SEE KEY MAP 11

SEE KEY MAP 10A
CRANBROOK

SEE KEY MAP 14



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:	1568577 Ontario Limited.	Date:	June 12, 2013
Applicant:	Teresa Ann De Wetering		
Property Address:	44017 Cranbrook Road		
Property Description:	Lot 18, Concession 8, Municipality of Huron East (Grey Ward)		

RECOMMENDATION

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

PURPOSE AND EFFECT

This proposed Zoning By-law Amendment affects Lot 18, Conc. 8, Grey Ward, Municipality of Huron East. The By-law proposes to change the zoning from 'General Agriculture (AG1)' to 'Agricultural Small Holding – Special Zone (AG4-29)' and 'Restricted Agriculture (AG2)'.

This rezoning is a condition of severance application B71/12 which severs a surplus farm dwelling and was approved with conditions by the County of Huron.

The severed lands require a zone change from 'General Agriculture (AG1)' to 'Agricultural Small Holding – Special Zone (AG4-29)'. The area proposed to be severed is 1.6 ha (3.95 ac.) with an existing residence, shed and grain bins. The special zone recognizes the Minimum Distance Separation setback from the residence to the neighbouring barns and is deemed to comply with the Huron East Zoning By-law.

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 38.8 ha (96 ac.) in size and will continue to be used for agricultural purposes. The natural area on the property will continue to be zoned Natural Environment (NE2).

COMMENTS

The Provincial Policy Statement and the Huron East Official Plan require the retained lands in a surplus farm dwelling severance to be rezoned to prohibit a future dwelling. The Huron East Official Plan also requires the severed lands to be rezoned to a special agricultural category. The special zone (AG4-29) deems the Minimum Distance Separation (MDS) to comply between the proposed residence to be severed and two existing bank barns to the west and north. The required MDS to the bank barn to the west (owned by the proposed purchaser of the surplus dwelling) is 204 metres (671 feet). The actual distance to the proposed lot line is 130 metres (427 feet) and to the surplus dwelling is 187.5 metres (615 feet). The MDS is deficient by approximately 8% to the existing residence. The required MDS to the bank barn to the north is 217.6 metres (714 feet). The actual distance to the proposed lot line is 158.5 metres (520 feet) and to the surplus dwelling is 211.5 metres (694 feet). The MDS is deficient by approximately 3% to the existing residence. Both of these MDS deficiencies are within an appropriate range to be recognized through this amendment process.

This application conforms with the Provincial Policy Statement and the Huron East Official Plan.

OTHERS CONSULTED

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

Sandra Weber

Sandra Weber, Senior Planner



Mitchell Avis, Student Planner