

**SPECIAL MEETING
MUNICIPALITY OF HURON EAST
Tuesday, October 1st, 2013**

Huron East Municipal Council met in the Council Chambers of the Municipal Office, Seaforth on Tuesday, October 1st, 2103 at 7:00 p.m. All members of Council were in attendance.

Also present for the special meeting:

- John Calderwood, owner of property subject to the proposed amendment on Lot 5, Concession 12, HRS, Tuckersmith Ward

CALL TO ORDER

Deputy Mayor Joseph Steffler called the meeting to order at 7:00 pm.

Moved by Frank Stretton and seconded by Dianne Diehl:
That the Agenda for the Special Meeting of Council dated October 1st, 2013 be adopted as circulated. Carried.

DISCLOSURE OF ELECTED OFFICIALS – PECUNIARY INTEREST

The Clerk advised that 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.

Zoning By-Law Amendment

Lots 21 and 22, Concessions 1 and 2, HRS. Tuckersmith Ward

The Clerk explained the purpose and intent of the proposed by-law. The by-law proposes to change the zoning on part of the property to ‘General Agriculture – Special Zone (AG1-36)’ from ‘General Agriculture (AG1)’.

The Clerk advised that the zoning was a condition of severance application B39/13 which severs a surplus farm dwelling and the consent condition for rezoning only applies to the retained lands. He advised that Huron County Senior Planner Sandra Weber had provided comments concerning the proposed rezoning in a report to Council dated September 24th, 2013. The following points were noted in Ms. Weber’s report.

The Huron County Planning and Development Department noted that the area proposed to be severed is 18.1 hectares (44.7 acres) of agricultural lands and will be merged with abutting agricultural land. The retained area is 79 hectares (195.2 acres) and contains three sheds and a barn. No new buildings are proposed on the retained lands. The special zone recognizes a reduced rear yard setback for an existing barn on the subject property from a rear lot line created by the consent application. As a result of the severance, both farm parcels will be squared off and the subject property will resemble the original lot fabric.

Minimum Distance Separation calculations show that the proposed rezoning will not restrict the ability for a house to be built on the severed lands and there is still a sufficient building envelope. All other provisions of the Huron East Zoning By-Law have been met and the application conforms to the Huron East Official Plan.

The Planning Department recommended the Zoning By-law Amendment be approved.

Zoning By-Law Amendment
Lot 5, Concession 12, HRS, Tuckersmith Township

The Clerk explained the purpose and intent of the proposed by-law. The by-law proposes to change the zoning to ‘Agricultural Small Holding – Special Zone (AG4-29)’ and ‘Restricted Agriculture (AG2)’ from ‘General Agriculture (AG1)’.

The Clerk advised that the zoning was a condition of severance application B18/13 which severs a surplus farm dwelling. He advised that Huron County Senior Planner Sandra Weber had provided comments concerning the proposed rezoning in a report to Council dated September 24th, 2013. The following points were noted in Ms. Weber’s report.

The Huron County Planning and Development Department noted that the area proposed to be severed is 0.76 hectares (1.88 acres) with an existing residence and accessory shed. The special zone recognizes the Minimum Distance Separation setback from the residence to the neighbouring barn. The retained lands require a zone change 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 39.71 hectares (98.12 acres) in size and will continue to be used for agricultural purposes.

It was noted the Minimum Distance Separation (MDS) requirements are deficient by approximately 38% to the existing residence and 68% to the proposed new lot line. The surplus severance policies in the Huron County Official Plan are now in full force and effect and do not require the surplus residence to meet MDS requirements from barns with a capacity to house 100 or fewer nutrient units, which is the case for this neighbouring barn. The application would be supportable if the Municipality of Huron East were to adopt a similar policy through an amendment to their Official Plan.

The Planning Department recommended the Zoning By-law Amendment be deferred to allow Huron East to amend their Official Plan policies to address the Minimum Distance Separation requirements.

Moved by Dianne Diehl and seconded by Frank Stretton:
That the Special Meeting for Zoning By-Law Amendments No. 67 and 68 for 2013
be closed at 7:07 p.m. Carried.

Joseph Steffler, Deputy Mayor

Brad Knight, CAO/Clerk