



MUNICIPALITY OF HURON EAST
SPECIAL MEETING
TUESDAY, NOVEMBER 5th, 2013 – 7:00 P.M.
HURON EAST COUNCIL CHAMBERS

The purpose of the special meeting is to hold a public meeting to consider an amendment 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 Application**

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 Brad Hutchison and James MacEwan which affects Lot 9, Concession 1, 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 2-6)**

This rezoning is a condition of severance application B23/12.

Comments Received: Report from Senior Planner Sandra Weber dated October 24th, 2013. (encl.) (Pages 7-8)

- 4. Close Special Meeting**

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

Roll No. 4040 420 001 01000 0000

TAKE NOTICE that Council of the Corporation of the Municipality of Huron East will hold a public meeting on **November 5, 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 September 10th, 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.

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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 10th day of October, 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 9, Concession 1, Municipality of Huron East (Grey Ward). The By-law proposes to change the zoning to 'Agricultural Small Holding – Special (AG4-29)' and 'Restricted Agriculture (AG2)' from 'General Agriculture (AG1)'.

This rezoning is a condition of severance application B23/12, which severs a surplus farm dwelling.

The severed lands require a zone change from 'General Agriculture (AG1)' to 'Agricultural Small Holding-Special (AG4-29)' in order to recognize the deficient minimum distance separation from a neighbouring barn. The area proposed to be severed is 0.59 hectares (1.45 acres) containing an existing residence, bank barn and shed.

A portion of the retained lands (Lot 9, Concession 1 only) requires 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, Huron County Official Plan and the Huron East Official Plan. The retained vacant farm lands are 39.88 hectares (98.55 acres) in size and will continue to be used for agricultural purposes.

The property is located at 42992 Jamestown 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 9, Conc. 1, 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 9, Conc. 1, Municipality of Huron East (Grey Ward).
2. By-law 52-2006 is hereby amended by changing 'General Agriculture' (AG1) to 'Agricultural Small Holding - Special (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. Key Map 1, Schedule A, By-law 52-2006 is hereby replaced with amended Key Map 1 attached hereto, which is declared to be part of the by-law.
4. 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 9, Concession 1, Municipality of Huron East (Grey Ward). The By-law proposes to change the zoning to 'Agricultural Small Holding – Special (AG4-29)' and 'Restricted Agriculture (AG2)' from 'General Agriculture (AG1)'.

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The property is located at 42992 Jamestown 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 LINE McDONALD LINE JOHNSTON LINE ADAMS LINE MT. PLEASANT LINE MOLESWORTH LINE MAPLE KEYS LINE ROAD 172

AMBERLEY RD

PERTH LINE 86

MUNICIPALITY OF MORRIS-TURNBERRY

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35

JAMESTOWN RD

BROWNTOWN RD

Area to which this amendment applies

CARDIFF RD

ETHEL

ROWLAND DR

HENFRYN

NEWRY RD

Brussels Ward

FISCHER LINE

CRANBROOK

CRANBROOK RD

ST. MICHAELS RD

MONCRIEFF RD

WALTON

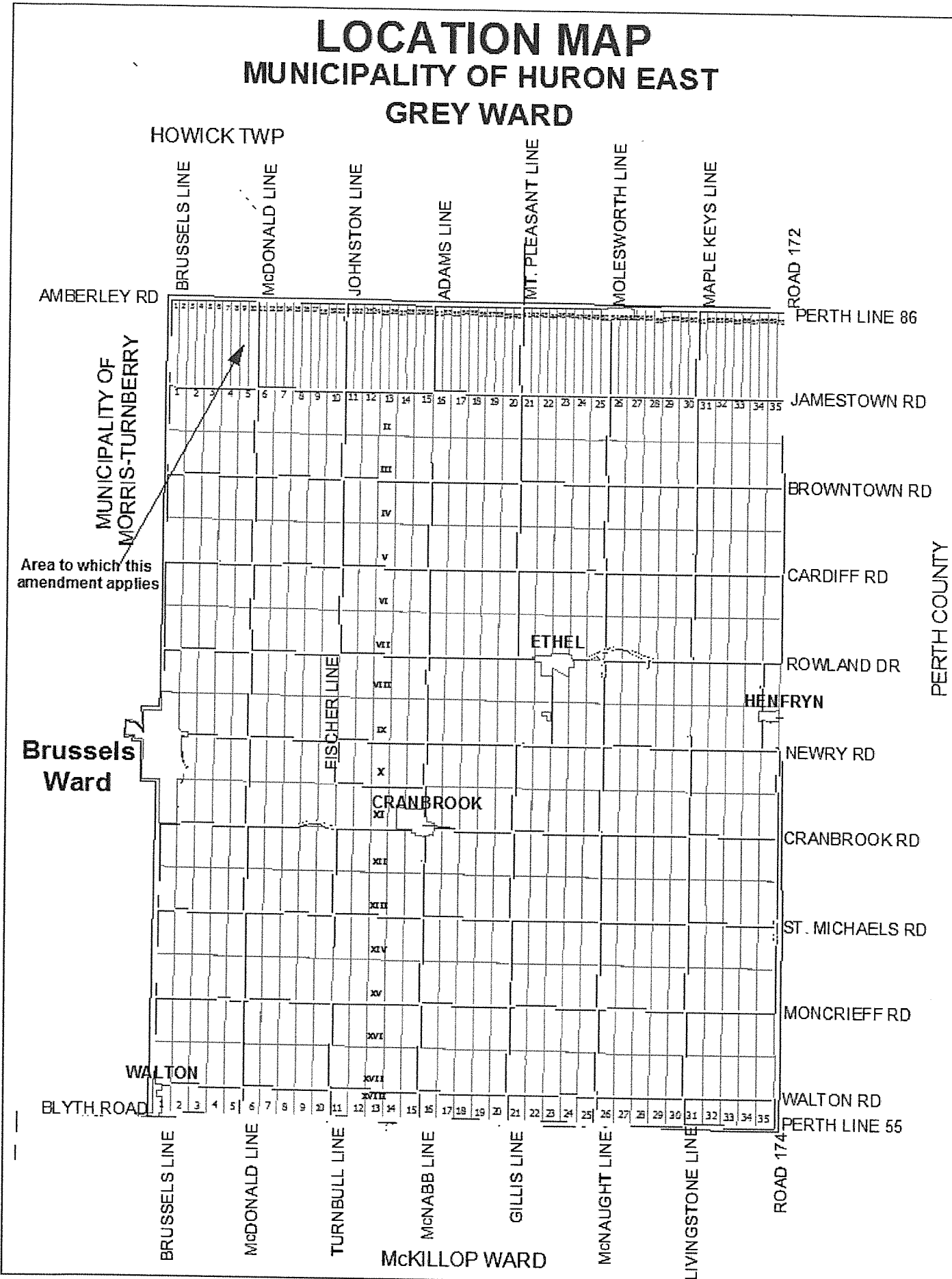
BLYTH ROAD

BRUSSELS LINE McDONALD LINE TURNBULL LINE McNABB LINE GILLIS LINE McNAUGHT LINE LIVINGSTONE LINE ROAD 174

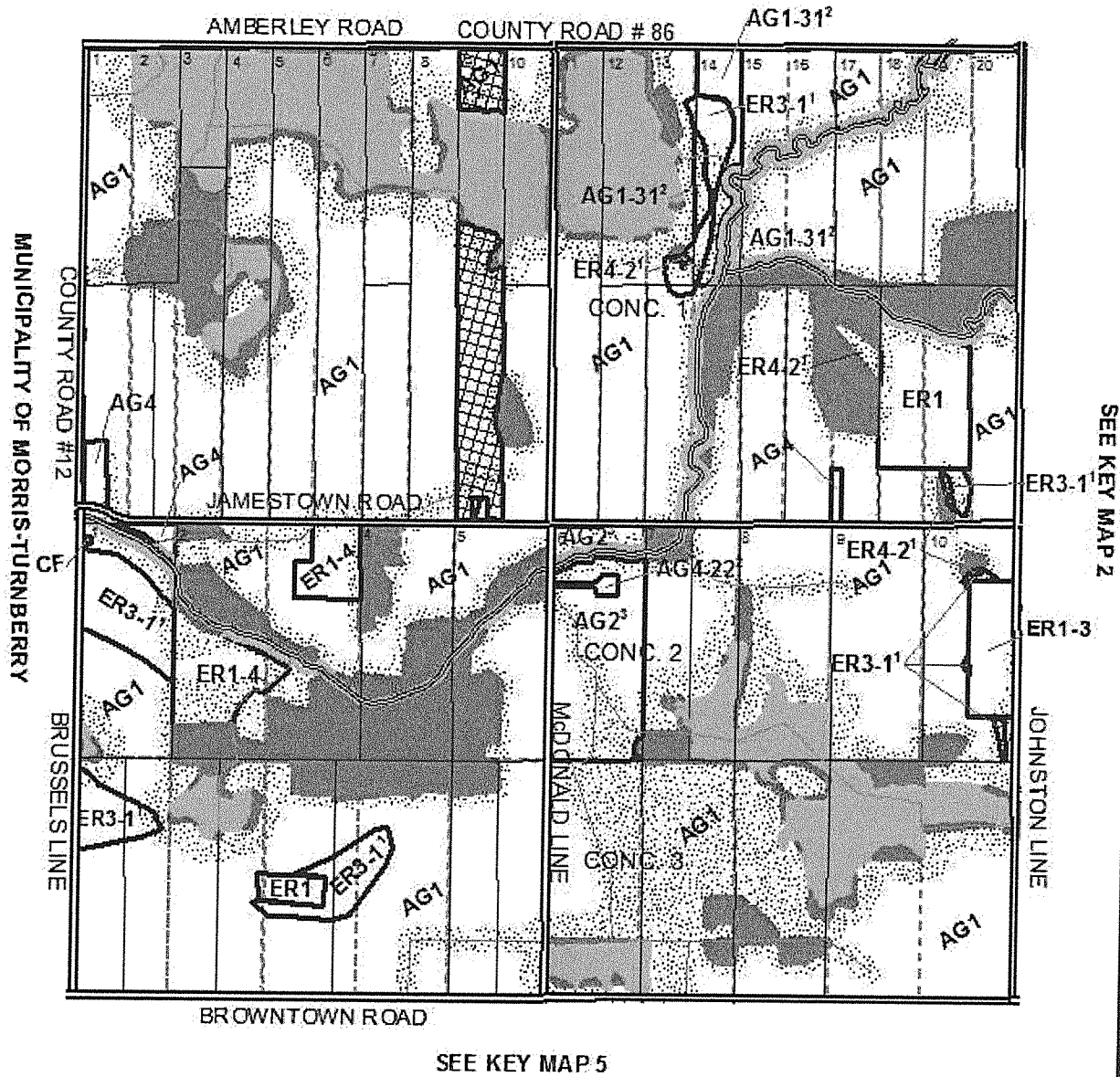
WALTON RD
PERTH LINE 55

MCKILLOP WARD

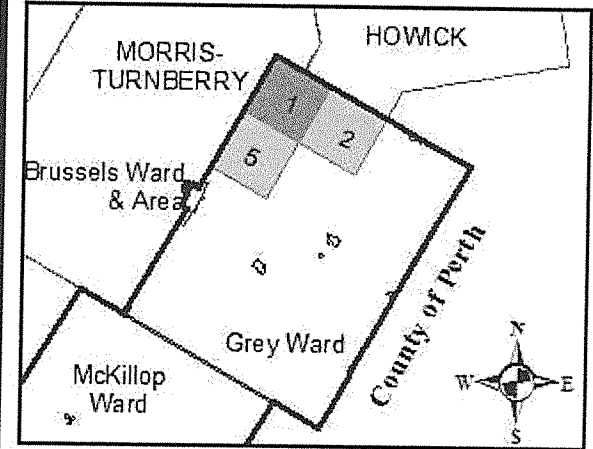
PERTH COUNTY



TOWNSHIP OF HOWICK



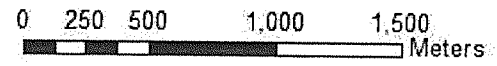
SCHEDULE 'A'
KEY MAP 1
HURON EAST
 GREY WARD



- NE1
- NE2
- Zone
- Rivers
- Railway
- Roads
- Natural Environment - Watercourse (NE 1)
- Adjacent Lands and/or Conservation Authority Regulated Lands

Amendments

- 1 Amended by By-law 85-2009
- 2 Amended by By-law 73-2011
- 3 Amended by By-law 24-2012
- Zone change from AG1 (General Agriculture) to AG-4-29 (Agricultural Small Holding - Special Zones)
- Zone change from AG1 (General Agriculture) to AG2 (Restricted Agriculture)



1:28,000

REVISION DATE October 03, 2013



PLANNING & DEVELOPMENT

57 Napier Street, Goderich, Ontario N7A 1W2 CANADA

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Zoning By-law Amendment Report To Huron East Council

Owners: Applicant:	Brad Hutchison & James MacEwen James MacEwen	Date: October 24, 2013
Property Address:	42992 Jamestown Road	
Property Description:	Lot 9, Concession 1, 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 9, Concession 1, Municipality of Huron East (Grey Ward). The By-law proposes to change the zoning to 'Agricultural Small Holding – Special (AG4-29)' and 'Restricted Agriculture (AG2)' from 'General Agriculture (AG1)'.

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The property is located at 42992 Jamestown Road.

COMMENTS

The Provincial Policy Statement and the Huron East Official Plan require the retained lands in a surplus farm dwelling severance be rezoned to prohibit a future dwelling. The Huron East Official Plan also requires that the severed lands be rezoned to a special agricultural category.

This zoning application has two purposes. First, as a condition to severance application B23/12, the applicant is proposing to rezone the retained lands to 'Restricted Agriculture' (AG2), therefore prohibiting a future residence, and the severed lands to 'Agricultural Small Holding – Special Zone' (AG4-29).

Second, the special zone (AG4-29) will recognize the Minimum Distance Separation (MDS) distance between the proposed severed residence and a bank barn across the road to the south as complying. The MDS requires a separation distance of 206 metres (676 feet). The actual distance from the bank barn to the proposed lot line is 182.3 metres (598 feet) and to the surplus dwelling is 220.6 metres (724 feet). Therefore the MDS is deficient by approximately 12 per cent to the proposed lot line; however, it does meet the required distance to the surplus residence. This MDS deficiency is within the appropriate range to be supported through a zoning by-law 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.



Mitchell Avis, Planner



Sandra Weber, Senior Planner