

**SPECIAL MEETING
MUNICIPALITY OF HURON EAST
Tuesday, May 6th, 2014**

Huron East Municipal Council met in the Council Chambers of the Municipal Office, Seaforth on Tuesday, May 6th, 2014 at 7:00 p.m. All members of Council were in attendance.

Also present for the special meeting were:

- Huron County Planning and Development Department Senior Planner Claire Dodds
- John Janmaat, owner and applicant of the proposed rezoning application on Lots 159, 160, Part 166, Registered Plan 399, Seaforth Ward

CALL TO ORDER

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

Moved by Frank Stretton and seconded by David Blaney:
That the Agenda for the Special Meeting of Council dated May 6th, 2014 be adopted as circulated. Carried.

DISCLOSURE OF ELECTED OFFICIALS – PECUNIARY INTEREST

Mayor MacLellan declared a conflict of interest and refrained from any discussion on the proposed zoning by-law amendment on Lots 159, 160, Part 166, Registered Plan 399, Seaforth Ward as the trailers proposed to be sold on the property were manufactured by a company that he owned.

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.

Housekeeping Official Plan Amendment No. 7 and Zoning By-Law Amendments

Huron County Senior Planner Claire Dodds attended before Council to review the proposed Official Plan Amendment No. 7 and Zoning By-Law Amendments. Council were advised the purpose of the municipally initiated Housekeeping Official Plan Amendment and Zoning By-Law Amendment is to correct or update policies/provisions and mapping in the Official Plan and Zoning By-Law. The following lists of proposed changes were reviewed in detail with Council:

Housekeeping Official Plan Amendment No. 7 proposes the following changes:

- Update surplus farm residence severance policies to be consistent with Huron County Official Plan.
- Establish surplus farm residence severance policies in an Extractive Resource designation.
- Permit two zone flood plain approach in Henfryn to allow limited development subject to approval by the Conservation Authority and the Municipality.
- Change designation on 43460 Sawmill Rd, McKillop Ward from Extractive Resources/Mineral Aggregates to Agriculture on a rehabilitated portion of a gravel pit.
- Change designation on municipally owned property at the end of Centennial Drive (north west of the hospital), Seaforth from Community Facility to Residential.

Housekeeping Zoning By-law Amendment proposes the following changes:

- Permit a maximum of 8 employees (increase from a maximum of 4) in an accessory building for an existing internet support business at 61-63 Dunedin Dr., Brussels.
- Include zone mapping to implement the two zone flood plain approach in Henfryn.
- Add “Motor Vehicle Inspection Station” to the definition of Motor Vehicle Repair Shop.
- Add Propane Exchange Facility as a permitted use in Highway Commercial (C3) and Fringe Highway Commercial – Seaforth/Brussels (C6) zones.
- Clarify the 550 metre setback from Existing Commercial Scale Wind Energy Facilities applies to residences and institutional uses on separately titled lots and not to those on the same lot as the Commercial Scale Wind Energy Facility.

- Move the R3 (Residential High Density) zoning from the single detached dwelling at 90 Mill Rd, Brucefield to 82 Mill Rd, the abutting lot to the west with an existing 5 unit apartment building.
- Increase maximum height of an accessory building in a Residential zone from 4.5 metres to 5 metres.
- Change zoning on a portion of the Walton Motocross property, from AG1 (General Agriculture) to AG1-38 (General Agriculture-Special Zone) to permit overflow parking and camping for a short period of time in August during the large National TransCanada Motocross and other Recreational events. Overflow parking and camping for these events would be permitted once a year for a maximum of 10 days per year.
- Change zoning on 43460 Sawmill Rd, McKillop Ward from Extractive Resources/Mineral Aggregates (ER1) to Agriculture (AG1) on a rehabilitated portion of a gravel pit.
- Correct zone map for the church & cemetery in Cranbrook from R1 (Residential Low Density) to CF (Community Facility).
- Change zoning on the Brussels Legion from CF (Community Facility) to CF-6 (Community Facility-Special Zone) to recognize a minimum exterior side yard of 5 metres and to permit parking on the Municipal road allowance between the building and the sidewalk.

In summary, Senior Planner Clair Dodds advised Council the proposed Official Plan Amendment conforms to the Provincial Policy Statement 2014, the Huron County Official Plan and the Huron East Official Plan and represents good planning. The Huron County Planning and Development Department made the following recommendations to Council:

1. Amend the Official Plan Amendment & related Zoning By-law Amendment that was circulated by replacing the ‘Schedule B’ map for Henfryn and Key Map 12A with the modified maps included in the attached Official Plan Amendment and related Zoning By-law Amendment.
2. Pass a by-law adopting Official Plan Amendment No.7 and direct the Clerk to forward the application and the Clerks Record to the County of Huron.
3. Based on the nature of the proposed amendment to the zoning by-law, it is recommended that no further public notice be given and that Council pass a resolution under Section 34(17) of the Planning Act stating that no further notice is required.
4. Give 1st and 2nd reading to the related Zoning By-law Amendment. It is recommended 3rd reading not be given until the County of Huron has made a decision on Official Plan Amendment No.7.

Senior Planner Claire Dodds advised that no comments or objections were received from the public and one written comment/submission was received from the Maitland Valley Conservation Authority as follows:

Maitland Valley Conservation Authority

The Maitland Valley Conservation Authority (MVCA) had reviewed the proposed housekeeping amendments with regard to natural hazard policies of the Provincial Policy Statement and with respect to MVCA Policies. Based on their review the MVCA had no objection to the proposed Official Plan and Zoning By-Law amendments with respect to a two-zone floodplain policy for Henfryn. However, the MVCA strongly advised the following recommendations be implemented:

- Because residents (existing and future) located within Henfryn, specifically residents located in the floodplain portion of Henfryn, do not have a safe way of entering and exiting the area during times of flooding, they strongly recommended that the Municipality of Huron East develop an evacuation strategy for Henfryn in their emergency response plan to safely evacuate residents prior to and/or during a flooding event. Development and implementation of an evacuation strategy should reduce the risk to public health or safety during times of flooding.
- Modify Schedule “B” Henfryn map to clarify the floodway mapping and modify Key Map 12A for Henfryn to extend the NE1 zone to be consistent with the boundaries of the floodway.

Senior Planner Claire Dodds advised that Schedule “B” Henfryn map and Key Map 12A that were circulated have been modified to address the concerns of the MVCA. It was also noted that based on the nature of the proposed amendments to the zoning by-law, it is recommended that no further public notice be given and that Council pass a resolution under Section 34 (17) of the *Planning Act* stating that no further notice is required.

Zoning By-Law Amendment

Lots 159, 160, Part 166, Registered Plan 399, Seaforth Ward

The Clerk explained the purpose and intent of the proposed by-law. The by-law proposes to change the zoning on the property from ‘Industrial (IND)’ to ‘Industrial – Special Zone (IND-9)’

Senior Planner Claire Dodds advised that the applicant has applied to become a licensed dealer with the Ontario Motor Vehicle Industry Council and needs to demonstrate the property is zoned to permit the sale of motor vehicles. Claire Dodds reviewed her report to Council dated April 30th, 2014 providing comments on the proposed rezoning application. The following points were noted in Ms. Dodd’s report;

The Huron County Planning and Development Department noted that the purpose of the rezoning is to clearly establish the sale and/or service of motor vehicles as a permitted use on the property and to permit the outdoor display of motor vehicles and accessory equipment, such as trailers on the property. The applicant intends to operate a motor vehicle sales business at 21 Birch Street selling forklifts, commercial trucks, trailers, golfing equipment (golf carts) and replacement parts. The subject property is designated Industrial within the Huron East Official Plan. It was noted there are several properties located in the surrounding area which currently permit motor vehicle sales and/or service establishments. The proposed use is of similar nature and does not conflict with surrounding uses; therefore, permitting sales and/or service of motor vehicles is appropriate for the subject property.

The application is consistent with the Provincial Policy Statement and conforms to the intent of the Huron County Official Plan, Huron East Official Plan, and Huron East Zoning By-Law. The Planning Department recommended the Zoning By-Law Amendment be approved.

Moved by David Blaney and seconded by Frank Stretton:

That the Special Meeting for Zoning By-Law Amendments No. 24 and 25 for 2014 and Official Plan Amendment No. 7 be closed at 7:46 p.m.
Carried.

Joseph Steffler, Deputy Mayor

Brad Knight, CAO/Clerk