

**SPECIAL MEETING
MUNICIPALITY OF HURON EAST
Tuesday, November 18th, 2014**

Huron East Municipal Council met in the Council Chambers of the Municipal Office, Seaforth on Tuesday, November 18th, 2014 at 7:00 p.m. All members of Council were in attendance with the exception of Councillor Andrew Flowers.

Also present for the special meeting was Rein vandenHeuvel, applicant of the proposed minor variance on 20 Main Street North, Lot 10, Plan 385, Seaforth Ward.

CALL TO ORDER

Mayor Bernie MacLellan called the meeting to order at 7:00 pm.

Moved by Dianne Diehl and seconded by Frank Stretton:
That the Agenda for the Special Meeting of Council dated November 18th, 2014 be adopted as circulated. Carried.

DISCLOSURE OF ELECTED OFFICIALS – PECUNIARY INTEREST – nil

MINOR VARIANCE APPLICATION

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.

A1-14 (Murray McDonald)
South ½ of 290 Turnberry Street, Plan 192, East Part Lot 333, Brussels Ward

The Clerk advised a notice of the Committee of Adjustment public meeting had been circulated to all government agencies and adjoining property owners as provided by the legislation and one reply was received:

1. Huron County Planning and Development Department

The Clerk explained the purpose of the meeting was to consider a minor variance application by Murray McDonald, owner of the south half of 290 Turnberry Street, Plan 192, East Part Lot 333, Brussels Ward, to allow for adjustments conditional of severance application B32/14 for the retained parcel to recognize any setback deficiencies caused by the legal lot frontage being changed from Queen Street to Turnberry Street.

The Clerk reviewed the application requesting relief from Huron East Zoning By-Law 52-2006 as follows: To provide relief from Sections 3.2.2.3, Accessory Uses – Location; Section 3.6 Encroachment in Yards; and 18.4 Zone Regulations of the Huron East Zoning By-Law No. 52-2006, as amended, and to permit the following variances:

1. Rear yard setback from 1 metre to 0.52 metres to the lot line for an existing accessory structure (garage).
2. Exterior side yard setback from 6 metres to 1.83 metres for the existing dwelling from a municipal road.
3. Exterior side lot line from 1.5 metres to within 0.85 metres for the projection of an existing porch.

Huron County Planning and Development Department

The Clerk advised that Huron County Senior Planner Claire Dodds had provided comments concerning the proposed minor variance in a report to Council dated November 13th, 2014. The following points were noted in Ms. Dodd's report.

The County of Huron gave conditional approval to severance application B32/2014 to sever a large residential lot at 290 Turnberry Street, Brussels. The effect of the severance was the creation of a vacant infill residential lot.

An existing house and garage that were constructed dating back to 1890 are located on the south half of the property. The vacant severed parcel complies with the Residential Low Density (R1) zoning provisions however the house and garage on the retained parcel do not meet the setbacks in the current Zoning By-Law. A condition of the severance application is that a minor variance be obtained for the retained parcel to recognize any setback deficiencies caused by the legal lot frontage being changed from Queen Street to Turnberry Street. The variances are required to recognize a rear yard setback of 0.52 metres for an existing garage, to recognize an exterior side yard setback of 1.83 metres for the existing dwelling, and to permit the existing porch to project to within 0.85 metres of the exterior side lot line.

The minor variances are minor and appropriate as the dwelling has been located with these setbacks for over 120 years. The variances meet the intent of the Official Plan and Zoning By-Law. The Huron County Planning and Development Department recommended this minor variance application be approved.

Moved by David Blaney and seconded by Frank Stretton:

The Committee of Adjustment recommend to Huron East Council that the Minor Variance application of Murray McDonald on the south half of 290 Turnberry Street, Plan 192, East Part Lot 333, Brussels Ward, requesting relief from By-Law 52-2006 be approved as follows:

To provide relief from Sections 3.2.2.3, Accessory Uses – Location; Section 3.6 Encroachment in Yards; and 18.4 Zone Regulations of the Huron East Zoning By-Law No. 52-2006, as amended, and to permit the following variances:

1. Rear yard setback from 1 metre to 0.52 metres to the lot line for an existing accessory structure (garage).
2. Exterior side yard setback from 6 metres to 1.83 metres for the existing dwelling from a municipal road.
3. Exterior side lot line from 1.5 metres to within 0.85 metres for the projection of an existing porch.

Carried.

A2-14 (Rein and Cheryl vanden Heuvel)
20 Main Street North, Lot 10, Plan 385, Seaforth Ward

The Clerk advised a notice of the Committee of Adjustment public meeting had been circulated to all government agencies and adjoining property owners as provided by the legislation and one reply was received:

1. Huron County Planning and Development Department

The Clerk explained the purpose of the meeting was to consider a minor variance application by Rein and Cheryl vanden Heuvel, owners of 20 Main Street North, Lot 10, Plan 385, Seaforth Ward, to allow for a reduced interior frontage for a semi-detached dwelling.

The Clerk reviewed the application requesting relief from Huron East Zoning By-Law 52-2006, Section 19.5 to permit a reduced interior frontage for a semi-detached dwelling from 10 metres to 9.1 metres per unit.

Huron County Planning and Development Department

The Clerk advised that Huron County Senior Planner Claire Dodds had provided comments concerning the proposed minor variance in a report to Council dated November 13th, 2014. The following points were noted in Ms. Dodd's report.

The subject property is an existing lot of record that currently contains a single detached dwelling. The owners propose to remove the existing single detached dwelling and construct a semi-detached dwelling, containing two ground floor oriented rental apartment units geared to seniors. The subject property is zoned Residential-Medium Density (R2) in the Huron East Zoning By-Law.

The Huron East Zoning By-Law requires each unit of a semi-detached dwelling to have a minimum frontage of 10 metres. The total subject property has a frontage of 18.2 metres, and each unit is proposed to have a frontage of 9.1 metres. The variance to permit a 0.8 metre reduction in frontage for each unit is considered minor as the proposed residential use is able to

accommodate off-street parking in front of each unit and maintain the required 1.5 metre side yard requirements. The proposed semi-detached dwelling is able to meet all other provisions of the R2 zone for semi-detached dwellings.

The minor variance application is minor, appropriate and maintains the intent of the Official Plan and Zoning By-Law. The Huron County Planning and Development Department recommended this minor variance application be approved.

Moved by Nathan Marshall and seconded by Robert Fisher:

The Committee of Adjustment recommend to Huron East Council that the Minor Variance application of Rein and Cheryl vanden Heuvel on 20 Main Street North, Lot 10, Plan 385, Seaforth Ward, requesting relief from By-Law 52-2006, Section 19.5 to permit a reduced interior frontage for a semi-detached dwelling from 10 metres to 9.1 metres per unit be approved. Carried.

Moved by Les Falconer and seconded by Larry McGrath:

The Special Meeting for minor variance application A01/14 on south half of 290 Turnberry Street, Plan 192, East Part Lot 333, Brussels Ward and A 02/2014 on 20 Main Street North, Lot 10, Plan 385, Seaforth Ward be closed at 7:12 p.m. Carried.

Bernie MacLellan, Mayor

Brad Knight, CAO/Clerk