

PUBLIC HEARING
MUNICIPALITY OF HURON EAST
Tuesday, September 8th, 2015

Huron East Municipal Council met in the Council Chambers of the Municipal Office, Seaforth on Tuesday, September 8th, 2015 at 7:05 p.m. All members of Council were in attendance with the exception of Councillor David Blaney.

Also present for the public meeting were:

- Huron County Planning and Development Department Senior Planner Claire Dodds
- applicant of the proposed minor variance Ken Hines, Design Concrete Systems Ltd.
- agent Ian Seddon of Ian Seddon Planning Services

CALL TO ORDER

Minor Variance Application – A01-2015 – Design Concrete Systems Ltd.
Lots 223, 224, 225 and Part Lots 219-222, Part of Maple Street Closed, Plan 399, Seaforth Ward

Moved by Brenda Dalton and seconded by Alvin McLellan:
That the Agenda for the Public Hearing of the Committee of Adjustment dated September 8th, 2015 be adopted as circulated. Carried.

Moved by Raymond Chartrand and seconded by Nathan Marshall:
That the Public Hearing of the Committee of Adjustment for a minor variance amendment application on 63 Birch Street, Lots 223, 224, 225 and Part Lots 219-222, Part of Maple Street closed, Plan 388, Seaforth Ward, Design Concrete Systems Ltd. be opened with Mayor MacLellan acting as Chair. Carried.

The Clerk explained the purpose of the meeting was to consider a minor variance application by Design Concrete Systems Ltd., owner of 63 Birch Street, Lots 223, 224, 225 and Part Lots 219-222, Part of Maple Street closed, Plan 388, Seaforth Ward. It was noted that at the August 25th, 2015 public hearing the Committee of Adjustment deferred a decision on the original minor variance to allow the applicant to provide in writing the required modifications to the minor variance application. The modified minor variance will allow for a reduction of the westerly interior side yard to be reduced from the required 3 metres to 1.34 metres to permit construction of an addition to the company's 'Wetcast Building'. The Clerk advised that a notice of the Committee of Adjustment public hearing had been circulated to all government agencies and adjoining property owners as provided by the legislation and one reply was received:

Ian Seddon, Ian Seddon Planning Services

Ian Seddon, on behalf of Design Concrete Systems Ltd., attended before Council to provide background information on the proposed variance and related site plan control application with the following points being noted:

- survey work is being conducted for a related site plan control application
- noise study has been completed
- discussions have commenced with adjacent property owners regarding location of noise barrier
- storm water study and site grading/drainage plan has been prepared by GM Blue Plan Engineering (copy of plan provided to Council)

Huron County Planning and Development Department

Huron County Planner Claire Dodds advised that the applicant is requesting a reduction in the westerly side lot line from 3 metres to 1.34 metres to permit construction of an addition to the company's wetcast building. The requested variance is 55% deficient from the setback established in the zoning by-law. Ms. Dodds noted that provided the applicant demonstrates through the site plan process that drainage can be adequately managed within the reduced side yard or be redirected around the building, this variance is minor. A noise study has been prepared by Corey Kinnart of HGC Engineering using analysis to predict the potential impact of sound sources on the Design Concrete site and the planned expansion with respect to operating within the sound level limits required by the Ontario Ministry of the Environment. As Design Concrete expands and as the Bridges development moves closer to Design Concrete, the noise generated on-site must be mitigated in order to stay within the Ministry of Environment sound level limits. Design Concrete has been advised by their acoustical engineer that a 4.5 metres noise barrier (concrete wall) must be constructed along the west/south/east sides of the wetcast plan once the Bridges development reaches/crosses the 50dBA line. It was recommended that a condition of this variance is that the timing and construction of the noise barrier be outlined in the site plan agreement to the satisfaction of the Municipality.

It was noted that the comprehensive site plan control by-law that was passed in May of 2014 placed this property under site plan control. A pre-consultation meeting for the site plan application occurred on August 18th, 2015 with the owner of Design Concrete and his consultants. By conditioning site plan approval on this application it ensures that the intent of the Official Plan is being maintained. The Zoning By-Law already recognizes the clustering together of compatible industrial uses by permitting a reduced side yard setback (3m) between industrial uses relative to a 15m setback from other land uses, such as residential.

The Huron County Planning and Development Department advised the application conforms with the intent of the Official Plan and Zoning By-Law and represents appropriate planning for the subject site and recommended approval of the minor variance subject to the following conditions:

1. Design Concrete Systems Ltd. obtain site plan approval from Huron East Council for the proposed expansion of the ‘Wetcast’ Building at 63 Birch Street to address parking, access, drainage and servicing.
2. Design Concrete Systems Ltd. enter into a site plan agreement with the Municipality of Huron East that addresses the timing and construction of the noise barrier between Design Concrete and the Bridges residential development to the south.
3. The end of the expanded building facing the westerly side lot line between Design Concrete Systems Ltd. and W. H. Smith Construction Ltd. be designed so there are no openings.

Moved by Nathan Marshall and seconded by Robert Fisher:

That Council of the Municipality of Huron East, acting as Committee of Adjustment, accept the recommendation of the Huron County Planning Department and approve minor variance application A01/2015 by Design Concrete Systems Ltd. on 63 Birch Street, Lots 223, 224, 225 and Part Lots 219-222, Part of Maple Street closed, Plan 399, Seaforth Ward, to permit a variance from the westerly interior side yard requirement of 3 metres to 1.34 metres, subject to the following conditions:

1. Design Concrete Systems Ltd. obtain site plan approval from Huron East Council for the proposed expansion of the ‘Wetcast’ Building at 63 Birch Street to address parking, access, drainage and servicing.
2. Design Concrete Systems Ltd. enter into a site plan agreement with the Municipality of Huron East that addresses the timing and construction of the noise barrier between Design Concrete and the Bridges residential development to the south.
3. The end of the expanded building facing the westerly side lot line between Design Concrete Systems Ltd. and W. H. Smith Construction Ltd. be designed so there are no openings.

Carried.

Moved by Larry McGrath and seconded by Brenda Dalton:

That the Public Hearing for the Committee of Adjustment be closed at 7:20 p.m.

Carried.

Bernie MacLellan, Mayor

Brad Knight, CAO/Clerk