

**PUBLIC MEETING
MUNICIPALITY OF HURON EAST
Tuesday, November 3rd, 2015**

Huron East Municipal Council met in the Council Chambers of the Municipal Office, Seaforth on Tuesday, November 3rd, 2015 at 7:02 p.m. All members of Council were in attendance.

Also present for the public meeting were:

- Claire Dodds, Senior Planner, Huron County Planning & Development Department
- Doug Ward, applicant of the proposed temporary use zoning amendment on Part Lot 1, Concession 14, McKillop Ward
- Terry Ward and Robert Underwood, garden suite occupants on the subject property

CALL TO ORDER

Mayor Bernie MacLellan called the meeting to order at 7:05 p.m.

Moved by Brenda Dalton and seconded by Joseph Steffler:

That the Agenda for the Public Meeting for Zoning By-Law Amendment 71 for 2015 dated November 3rd, 2015 be adopted as circulated. Carried.

DISCLOSURE OF ELECTED OFFICIALS – PECUNIARY INTEREST

CAO/Clerk Brad Knight 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.

Temporary Use Zoning By-Law Amendment

Part Lot 1, Concession 14, McKillop Ward, Douglas Ward and Elizabeth Ward

CAO/Clerk Brad Knight explained the purpose and intent of the proposed temporary use by-law. The temporary use by-law proposes to allow the construction of a garden suite to provide additional housing for family members. He advised that Huron County Senior Planner Claire Dodds had provided comments concerning the proposed temporary use zoning by-law amendment in a report to Council dated October 29th, 2015.

Huron County Planning and Development Department

Senior Planner Claire Dodds attended before Council to present her report to Council on the proposed temporary use by-law amendment with the following points being highlighted.

It was noted the subject property is zoned NE3 (Natural Environment – Development Permitted), NE2 (Natural Environment – Limited Protection), NE1 (Natural Environment – Full Protection) and AG1 (General Agriculture). The subject property has an area of approximately 25.4 hectares (62.7 acres) and the temporary use by-law is proposed to only apply to a portion of the area (approximately 1.82 hectares (4.5 acres) zoned NE3.

The temporary use by-law proposes to allow the construction of a garden suite to provide additional housing for family members. A garden suite is a one-unit detached residential structure that is ancillary to an existing residential structure and is designed to be portable. A permanent residential dwelling exists on the property within the area zoned NE3. The Huron East Official Plan includes policies which allow Council to permit a garden suite on agricultural properties, subject to obtaining a temporary use zoning by-law amendment. The Planning Act permits Council to approve a garden suite for a period of up to 20 years at the time of initial approval. The Planning Act also permits Council to require the owner of the garden suite to enter into an agreement with the Municipality dealing with such matters including:

- a) the installation, maintenance and removal of the garden suite;
- b) the period of occupancy of the garden suite; and
- c) security that Council may require for actual or potential costs to the Municipality related to the garden suite.

The temporary rezoning proposed restricts the placement of the garden suite to the area on the property zoned Natural Environment – Development Permitted (NE3). The rezoning also limits the floor area of the garden suite to 98.5 square metres (1056 square feet). The placement of the garden suite is further defined by a site plan included in the agreement. The garden suite will be placed on the property to the east of the main dwelling. It will use the same driveway, septic system, well and hydro service as the main dwelling. The garden suite is proposed to be occupied by relatives of the owners of the property.

As the proposed location of the garden suite is adjacent to a woodlot, the application was reviewed by Rachel White, the Huron Stewardship Coordinator. Ms. White recommended the garden suite be located no closer to the drip line of the trees than 15m. It was also recommended the woodlot adjacent to the garden suite be actively managed to avoid any hazard to the structure. The agreement includes clauses regarding the placement of the garden suite at a distance of 15m from the drip line of the surrounding trees.

Council were advised the type of construction, size and portability of the log home was reviewed by staff including the Chief Building Official and they are satisfied that the log home proposed is designed to be portable and meets the definition of a garden suite. It is also proposed that the garden suite will be constructed on a 4 foot frost wall and that frost wall shall be designed to accommodate beam placement to assist in the eventual removal of the log home.

The Planning Department recommended the application for temporary zoning by-law amended for a period of 20 years be approved. The application conforms with the policies of the Huron Eats Official Plan, County Official Plan and Provincial Policy Statement. It was also recommended that the owners of the subject property and the occupants of the garden suite enter into an agreement with the Municipality regarding the placement, maintenance and removal of the garden suite and such agreement be registered on title.

The CAO/Clerk advised that comments were received from the Huron County Health Unit and the Maitland Valley Conservation Authority.

Huron County Health Unit

The Huron County Health Unit had no objection to the proposed temporary zoning by-law amendment. The Health Unit noted that the existing on-site sewage disposal system will have to be addressed as it is nearly at its capacity for daily sewage flow without the additional flow created by the garden suite.

Maitland Valley Conservation Authority

The Maitland Valley Conservation Authority had no concerns for the proposed temporary zoning by-law amendment. It was noted that the proposed structure is located adjacent to a wetland and requires permission from the MVCA, pursuant to *Ontario Regulation 164/06* prior to construction.

Moved by Dianne Diehl and seconded by Brenda Dalton:
That the Public Meeting for Temporary Use Zoning By-Law Amendments No. 71 for 2015 be closed at 7:21 p.m. Carried.

Bernie MacLellan, Mayor

Brad Knight, CAO/Clerk