

PUBLIC MEETING
MUNICIPALITY OF HURON EAST
Tuesday, April 5th, 2016

Huron East Municipal Council met in the Council Chambers of the Municipal Office, Seaforth on Tuesday, April 5th, 2016 at 7:03 p.m. All members of Council were in attendance.

Also present for the public meeting were:

- Huron County Planning and Development Department Senior Planner Claire Dodds and Student Planner Jeff McArdle
- Jim and Marg Van Bakel, applicants of the proposed rezoning application on Lot 1, Concession 9, HRS, Tuckersmith Ward

CALL TO ORDER

Mayor Bernie MacLellan called the meeting to order at 7:03 p.m.

Moved by John Lowe and seconded by Dianne Diehl:

That the Agenda for the Public Meeting for Zoning By-Law Amendment 22 for 2016 dated April 5th, 2016 be adopted as circulated. Carried.

DISCLOSURE OF ELECTED OFFICIALS – PECUNIARY INTEREST

Deputy Clerk Paula Michiels 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.

Zoning By-Law Amendment

Lot 1, Concession 9, HRS, Tuckersmith Ward, Van Bakel

Deputy Clerk Paula Michiels explained the purpose and intent of the proposed by-law. The by-law proposes to change the zoning from ‘General Agriculture’ (AG1) to ‘Agricultural Small Holding – Special Provisions’ (AG4-33) and ‘Restricted Agriculture’ (AG2).

The Deputy Clerk advised that the zoning was a condition of severance application B81/15 which severs a surplus farm dwelling. She advised that Huron County Senior Planner Claire Dodds and Student Planner Jeff McArdle had provided comments concerning the proposed rezoning in a report to Council dated March 31st, 2016.

Huron County Planning and Development Department

Senior Planner Claire Dodds and Student Planner Jeff McArdle attended before Council to present the report to Council on the proposed zoning amendment with the following points being highlighted.

Student Planner Jeff McArdle advised that the area proposed to be severed is approximately 1.62 hectares (4 acres) with an existing residence, two sheds and a garage. The special provision is to permit a reduced frontage of 17 metres rather than the normal frontage of 23 metres required by the AG4 zone.

The retained lands require a zone change to prohibit the construction of new residential buildings as required by the Provincial Policy Statement and the Huron East Official Plan. The retained parcel includes approximately 38.85 hectares (96 acres) of farmland and bush, approximately 88.5 acres of workable land and approximately 7.5 acres of woodlot. The natural environment zoning on the woodlot is not proposed to change as a result of the application.

The survey for the Van Bakel severance was submitted following circulation of this zoning by-law amendment. The survey demonstrated that the garage on the lot is located closer to the road than the setback required for the main building. As such, the circulated zoning by-law amendment has been updated to recognize that existing buildings and structures on the lot zoned AG4-33 are deemed to comply with the yard and setback requirements of AG4 zone. The change is considered minor and appropriate to include in the AG4-33 zone provision.

Student Planner Jeff McArdle advised the application conforms with the policies of the Huron East Official Plan, Huron County Official Plan and Provincial Policy Statement and the Huron County Planning and Development Department recommended approval of the zoning by-law amendment, subject to the following:

1. Amend the circulated zoning by-law amendment to include the following special Agricultural Small Holding zone provision (AG4-33):
AG4-33
Notwithstanding the provisions of Section 7 to the contrary, the minimum lot frontage is 17m. The existing buildings and structures are deemed to comply with the yard and setback requirements of Section 4.4. All other provisions of this by-law shall apply.
2. 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.

Huron County Health Unit

Correspondence was received from the Huron County Health Unit advising they had no objection to the proposed minor variance application on Lot 1, Concession 9, HRS, Tuckersmith Ward.

Moved by Alvin McLellan and seconded by Brenda Dalton:
That the Public Meeting for Zoning By-Law Amendment No.22 for 2016
be closed at 7:10 p.m. Carried.

Bernie MacLellan, Mayor

Paula Michiels, Deputy Clerk