

**PUBLIC MEETING
MUNICIPALITY OF HURON EAST
Tuesday, December 6th, 2016**

Huron East Municipal Council met in the Council Chambers of the Municipal Office, Seaforth on Tuesday, December 6th, 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
- Mark Horst, applicant of the proposed rezoning application on north part Lots 69 and 70, Concession 1, Grey Ward

CALL TO ORDER

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

Moved by John Lowe and seconded by Kevin Wilbee:

That the Agenda for the Public Meeting for Zoning By-Law Amendment 90 for 2016 dated December 6th, 2016 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.

Zoning By-Law Amendment

North Part Lots 69 and 70, Concession 1, Grey Ward (Mark Horst/KML Horst Holdings Inc.)

CAO/Clerk Brad Knight explained the purpose and intent of the proposed by-law. The by-law proposes to change the zoning on a portion of the property from ‘General Agriculture (AG1)’ to ‘Agricultural Commercial/Industrial-Special Provisions zone (AG3-11)’ to limit the uses on the 21.75 acres (8.8 hectares) site to the manufacture of farm machinery. The retained lands will be rezoned ‘General Agriculture-Special Provisions (AG1-41)’ to recognize reduced lot area of 25.7 acres (10.4 hectares) and to continue to permit a range of general agricultural uses.

The Clerk advised that the zoning was a condition of severance application B45/16. He advised that Huron County Senior Planner Claire Dodds had provided comments concerning the proposed rezoning in a report to Council dated December 1st, 2016 and was in attendance to review the report and answer any questions concerning the application. The CAO/Clerk also advised that

written comments were also received from the Maitland Valley Conservation Authority.

Huron County Planning & Development Department

Senior Planner Claire Dodds attended before Council to review the report on the proposed zoning amendment with the following points being noted:

The Huron County Planning and Development Department noted that the area proposed to be severed will reflect the new use of the property. The AG3-11 zone will limit the agricultural commercial industrial uses on the 8.8 hectare site to the manufacture of farm machinery. The AG3-11 zone will also recognize a reduced MDS setback from the required 223 metres to 163 metres. The applicant has requested that the AG3-11 zone prohibit the construction of a house on the severed parcel to mitigate the impact of permitting this facility to be constructed with a reduced MDS setback. In order to protect the natural environment features onsite, a 15 metre setback from the dripline of the trees to the nearest soil disturbance will be required in the AG3-11 zone.

The retained farm parcel contains a house garage and workable land south of an existing drain which splits the property. The retained lands will be rezoned to recognize a reduced lot area and to continue to permit a range of general agricultural uses. Nothing in this application proposes to change the Natural Environment (NE2) zoning on either the severed or retained parcels.

The Huron County Planning and Development Department advised the application conforms with the policies of the Huron East Official Plan, Huron County Official Plan and Provincial Policy Statement and recommended approval of the zoning by-law amendment as circulated.

The CAO/Clerk advised that comments were received from the Maitland Valley Conservation Authority.

Maitland Valley Conservation Authority

The Maitland Valley Conservation Authority had no objection to the proposed by-law amendment and advised the application is in conformance with the Natural Hazard policies contained within the Provincial Policy Statement, 2014. The subject property features a watercourse and it was noted that pursuant to *Ontario Regulation 164/06* that the MVCA must review and approve proposed development (construction, reconstruction, filling and site grading), alternation and interference within Authority regulated lands, prior to undertaking the work. Based on their review of the site plans submitted with the Consent application B45/16, the proposed building on the severed parcel is not located within the MVCA regulated area.

The CAO/Clerk advised that no written or verbal comments have been received from the public.

Moved by Brenda Dalton and seconded by Dianne Diehl:

THAT WHEREAS the Council of the Municipality of Huron East has held a public meeting pursuant to Section 34(12) of the Planning Act, 1990, with respect to a proposed zoning by-law 90-2016;

AND WHEREAS no public comments were received on this application;

AND WHEREAS agency comments were received as outlined in Planner Claire Dodds report dated December 1st, 2016 and the Agency comments did not object to the proposed rezoning;

NOW THEREFORE, pursuant to Section 34(18) of the Planning Act, 1990, Council concurs with the December 1st, 2016 Planning Report and recommends By-Law 90-2016 for approval. Carried.

Moved by David Blaney and seconded by Brenda Dalton:

That the Public Meeting for Zoning By-Law Amendments No. 90 for 2016 be closed at 7:17 p.m. Carried.

Bernie MacLellan, Mayor

Brad Knight, CAO/Clerk