

**PUBLIC MEETING
MUNICIPALITY OF HURON EAST
TUESDAY, APRIL 4th, 2017**

Huron East Municipal Council met in the Council Chambers of the Municipal Office, Seaforth on Tuesday, April 4th, 2017 at 7:05 p.m. All members of Council were in attendance with the exception of Deputy Mayor Joseph Steffler.

Also present for the public meeting were:

- Huron County Planning and Development Department Senior Planner Claire Dodds
- Derrick and Sarah VanDriel, applicants of the proposed rezoning application on Plan 205, Lots 6 to 11, Part Lot 5, Closed portion of Dunlop Street and Huron Road, Tuckersmith Ward
- Jim Kelly and Aaron Masse

CALL TO ORDER

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

Moved by Robert Fisher and seconded by Nathan Marshall: Adopt Agenda
That the Agenda for the Public Meeting for Zoning By-Law Amendment 33 for 2017 dated April 4th, 2017 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

Plan 253, Lots 6 to 11, Part Lot 5, Closed portion of Dunlop Street and Huron Road, Tuckersmith Ward (Derrick and Sarah VanDriel)

CAO/Clerk Brad Knight explained the purpose and intent of proposed by-law. The by-law proposes to change the zoning from ‘Village Commercial’ (C1) to ‘Residential – Low Density – Special Provision’ (R1-36) in order to build a single detached house on the property. The special provisions requested is to permit an accessory building (garage) to be constructed in the front yard at a setback of 6m from Harpurhey Road. He advised that Huron County Senior Planner Claire Dodds had provided comments concerning the proposed zoning by-law amendment in a report to Council dated March 30th, 2017.

Huron County Planning and Development Department

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

It was noted the subject property is a 2.26 acre rectangular property oriented north-south fronting on to Harpurhey road, within the urban boundary of Harpurhey. The property is bounded by the Goderich-Exeter Railway to the south. The property is comprised of a number of lots on the plan of subdivision which established Harpurhey, Plan 253, and portions of 2 closed streets. Since purchasing the property, the current owners have been working to clean it up and convert it to a residential use. They have removed the shop that was in poor condition at the front of the property and removed any waste from the commercial business that remained on the property. A Record of Site Condition (RSC) has been issued by the Ministry of Environment and Climate Change on December 29th, 2016. The RSC was required to support this rezoning application as well as a future building permit to construct a house on the subject property. The RSC identified that there is no evidence of contaminants in the soil, ground water or sediment on, in or under the record of site condition property that would interfere with the residential use to which the property will be changed. As such, the Department fully supported the change from Village Commercial to Residential on this property.

The Planning Department recommended the application for the zoning by-law amendment be approved. The application conforms with the policies of the Huron East Official Plan, County Official Plan and Provincial Policy Statement. As the property is comprised of a series of existing lots in the plan of subdivision that established Harpurhey (Plan 253), it is recommended that these lots be deemed not to be lots in a plan of subdivision so they cannot be sold separately. It is recommended Council approve the Deeming By-law in advance of approving the by-law for this Zoning By-Law Amendment.

Moved by Dianne Diehl and seconded by Alvin McLellan:
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 33-2017;
AND WHEREAS no public comments were received on this application;
AND WHEREAS agency comments were received from the Goderich-Exeter Railway referencing recommended residential setbacks in a document entitled *Guidelines for New Development in Proximity to Railway Operations*;
NOW THEREFORE, pursuant to Section 34(18) of the Planning Act, 1990, Council concurs with the March 30th, 2017 Planning Report and recommends By-Law 33-2017 for approval. Carried.

Moved by Dianne Diehl and seconded by Raymond Chartrand:
That the Public Meeting for Zoning By-Law Amendment No.33 for 2017 be closed at 7:17 p.m. Carried.

Bernie MacLellan, Mayor

Brad Knight, CAO/Clerk