

**PUBLIC MEETING  
MUNICIPALITY OF HURON EAST  
Tuesday, June 12<sup>th</sup>, 2018**

Huron East Municipal Council met in the Council Chambers of the Municipal Office, Seaforth on Tuesday, June 12<sup>th</sup>, 2018 at 7:03 p.m. All members of Council were in attendance with the exception of Councillor John Lowe.

Also present for the public meeting were:

- Huron County Planning and Development Department Senior Planner Denise Van Amersfoort
- Don Harrison and Sandy Harrison, applicants of the proposed rezoning application on Part Lots 31 and 32, Concession 16, Grey Ward
- Andrew Coghlin and Ron Coghlin, applicants of the proposed rezoning application on Part Lot 53 and 54, Concession 1, Grey Ward

**CALL TO ORDER**

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

*Moved* by Joseph Steffler and seconded by Larry McGrath:  
That the Agenda for the Public Meeting for Zoning By-Law Amendments  
41 and 42 for 2018 be adopted as circulated.

Adopt Agenda

Carried.

**DISCLOSURE OF ELECTED OFFICIALS – PECUNIARY INTEREST**

**ZONING BY-LAW AMENDMENTS**

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 would otherwise have an ability to appeal the decision of the Council of the Municipality of Huron East to the Local Planning Appeal Tribunal but the person or public body does not make oral submissions at the 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.
- 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 Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

**Part Lots 31 and 32, Concession 16, Grey Ward – (Don and Sandy Harrison)  
45163 Moncrieff Road**

Deputy Clerk Paula Michiels explained the purpose and intent of the proposed zoning by-law amendment. The Zoning By-Law proposes to permit as a temporary use, the existing second dwelling (one-storey bungalow) on the severed property for a period of up to twenty (20) years, noting the structure is considered a garden suite under Section 39(1) of the Planning Act.

She advised that Huron County Senior Planner Denise Van Amersfoort had provided comments concerning the proposed rezoning in a report to Council dated June 6<sup>th</sup>, 2018.

**Huron County Planning and Development Department**

Senior Planner Denise Van Amersfoort attended before Council to present her report to Council on the proposed temporary use zoning by-law amendment application on Part Lots 31 and 32, Concession 16, Grey Ward, known as 45163 Moncrieff Road.

Ms. Van Amersfoort advised the property was subject to a recent consent application (C19/18) to sever the two existing residences from the farmland as a surplus farm dwelling severance. The consent specified that the applicants were to obtain a temporary use by-law for the recognition of the second dwelling unit and that the conversion of the severed property's zoning from AG1 to AG4 and AG1-25 would occur by automatic re-zoning. The re-zoning of the farmland to AG1-25 will continue to occur by automatic re-zoning but to ensure the temporary use by-law is not overwritten, the AG4 zoning is recommended to be put in place by this By-law.

The applicant has requested the temporary use zoning amendment to permit an existing second dwelling (one-storey bungalow) on the severed property for a period of up to twenty (20) years. The structure is considered a garden suite under Section 39(1) of the Planning Act. A permanent residential dwelling (two-storey brick residence) also exists on the severed property.

The Planning Act 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
- c) security that council may require for actual or potential costs to the municipality related to the garden suite.

Comments were received from the Huron County Health Unit and are the same comments received at the time of the consent: “because the drilled well does not meet the minimum 15 metre clearance from the existing septic bed, it is recommended that the well be tested regularly to ensure the water is potable”.

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 temporary use zoning by-law amendment subject to the following:

1. Approve the temporary zoning by-law amendment for a period of 20 years;
2. Enter into an agreement with the owners of the subject property and the occupant of the garden suite which outlines the placement, maintenance and removal of the garden suite and that said agreement be registered on title; and
3. Amend the zoning on the severed parcel to AG4 at this time as opposed to by automatic re-zoning following the registering of the deeds and that Council pass a motion under Section 34(17) of the Planning Act deeming this to be a minor change which does not require further clarification.

The Deputy Clerk advised that no written or verbal comments have been received from the public or any agencies.

North Part Lot 53 and 54, Concession 1, Grey Ward – (Howard Mitchell/Molesworth Farm Supply)  
44845 Amberley Road

Deputy Clerk Paula Michiels explained the purpose and intent of the proposed zoning by-law amendment. The Zoning By-Law proposes to change the zoning from ‘General Agriculture (AG1)’ to ‘Agriculture Commercial Industrial – Special Zone (AG3-12)’. She advised that Huron County Senior Planner Denise Van Amersfoort had provided comments concerning the proposed rezoning in a report to Council dated June 6<sup>th</sup>, 2018.

Huron County Planning and Development Department

Senior Planner Denise Van Amersfoort attended before Council to present her report to Council on the proposed zoning by-law amendment application on North Part Lot 53 and 54, Concession 1, Grey Ward. Ms. Van Amersfoort reviewed the report with the following points being noted:

The proposed zoning changes are a condition of surplus farm dwelling severance B88/17 which is a lot addition severance.

The By-Law proposes to change the zoning from ‘General Agriculture (AG1)’ to ‘Agriculture Commercial Industrial – Special Zone (AG3-12)’. The proposed use of this property is an agricultural feed mill. The purpose of the special zone is to establish interior side yard setbacks which accommodate the proposed structure. The AG3 zone requires a minimum interior side yard setback of 15 metres or half the height of the proposed building or structure, whichever is greater. The applicants have requested relief from this requirement due to the height of the proposed structure (approximately 83 metres or 272 feet) and the fact the subject land is set to merge with the existing Molesworth Farm Supply property which abuts to the west (zoned C1). The proposed by-law will remove the requirement for a buffer strip at the rear of the property as this is the location of the proposed stormwater management facility.

It was noted that prior to issuing a building permit, an Environmental Compliance Approval will need to be submitted by the applicants. This approval is issued by the Ministry of Environment and Climate Change and will address the noise and dust emitted by the facility. The ECA process involves on-going monitoring and reporting to ensure that the proposed feed mill continues to operate within MOECC thresholds for emissions, discharges and wastes.

The County Biologist had advised the development is proposed within adjacent lands of natural environment feature to the east and that no further assessment is required if development does not occur within 10 metres of the dripline.

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.

#### Maitland Valley Conservation Authority

Comments were received by the Maitland Valley Conservation Authority dated June 4<sup>th</sup>, 2018. In general, the MVCA has no objection to the application however they must be circulated the site plan, grading plan and stormwater management plan for review. At that time, the MVCA will require all development be located outside the flooding hazard. A MVCA permit for development within MVCA regulated areas will be required.

Provided MVCA is consulted on the final site plan, grading plan and stormwater management plan, it is their opinion the application will be in compliance with the natural hazard policies of the PPS, 20145; and further that, development will be in compliance with MVCA's policies under *Ontario Regulation 164/06*.

#### Andrew Coughlin – Molesworth Farm Supply

Andrew Coughlin, President of Molesworth Farm Supply, attended before Council and advised the re-zoning would provide an opportunity to grow the business and continue to supply feed into the local agricultural industry. Over the last 40 years the business has grown to the point the current mill is basically at production capacity and they are outsourcing sales to other local mills. There is a need for another production mill to meet the requirements of customers and to provide certain traded type of feed products including the organic industry which requires segregated lines to produce. It is also anticipated that with the new capacity there will be a reduction of production hours of service. The number of shifts will be reduced allowing more down time within the area.

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

**Moved** by David Blaney and seconded by Brenda Dalton:  
That the Public Meeting for Zoning By-Law Amendments No. 41 and 42 for 2018 be closed at 7:24 p.m. Carried.

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Bernie MacLellan, Mayor

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Paula Michiels, Deputy Clerk