

**THE TOWNSHIP OF NORTH HURON  
PLANNING ADVISORY COMMITTEE AGENDA**



**Date:** Monday, June 5, 2017  
**Time:** 7:00 p.m.  
**Location:** HELD IN THE TOWNSHIP COUNCIL CHAMBERS

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**Pages**

**1. Call to Order**

**2. Disclosure of Pecuniary Interest**

**3. File**

7

Joint Meeting for:

i) Official Plan Amendment 12 to the North Huron Official Plan  
Part Lot 4, Concession 1, Wingham Ward, Township of North Huron  
(208 Victoria Street East)

ii) Zoning By-law Amendment, Part Lot 4, Concession 1, Wingham  
Ward, Township of North Huron (208 Victoria Street East)

**4. Purpose of this Public Meeting**

The purpose of this public meeting is for the Planning Advisory Committee of the Township of North Huron to consult with the public on i) Official Plan Amendment 12 to the North Huron Official Plan; and ii) the Zoning By-law Amendment identified above.

**5. Requirement for the Public Meeting**

This Public Meeting is required to be held pursuant to Sections 17, 21; 26(9) of The Planning Act, R.S.O. 1990, as amended, and is circulated as directed by Section 3, O. Reg 543/06, Amend O. Reg 467/09 and Section 5, O. Reg. 545/06, Amended O. Reg. 470/09 of The Planning Act, as amended.

**6. Purpose of the Zoning Amendment**

i) This Official Plan Amendment proposes to change the land use designation of 208 Victoria Street East (Part Lot 4, Concession 1, Wingham Ward) from Residential to Community Facility. The property is currently owned by Kevin and Kerri Dunn and is also the subject of a severance application to sever the vacant portion of the property and merge it with the abutting land for the Sacred Heart Catholic Elementary School, owned by the Huron-Perth Catholic District School Board.

ii) This proposed Zoning By-law Amendment affects Lot 4, Concession 1, Wingham Ward, Township of North Huron (208 Victoria Street East). The By-law proposes to change the zoning to 'Community Facility Zone (CF)' from 'Future Development (FD)' on the vacant portion of the subject property to permit community facility uses, specifically an elementary school following the approval of a corresponding severance application to merge the proposed vacant severed lands with the abutting Sacred Heart Catholic Elementary School.

**7. Comments of the Huron County Planner**

Planner is/isn't present to provide verbal comments.

See attached report from the Huron County Planning & Development Department dated May 31, 2017 prepared by Laura Young, Planner.

**8. Comments of the Applicant and/or Agent**

Applicant or Agent is/isn't present to provide verbal and/or written comments.

**9. Comments of Others**

If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of North Huron before the by-law is passed, the person or public body is not entitled to appeal the decision of the Township of North Huron to the Ontario Municipal Board and may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or public body.

Members of the public are asked to provide comment.

i) Are there any comments regarding the Official Plan Amendment 12 to the North Huron Official Plan?

ii) Are there any comments regarding the proposed North Huron Zoning By-law Amendment?

**10. Planning Advisory Committee Members' Questions and/or Comments**

Members of the Planning Advisory Committee are asked for any questions or comments and reminded that a motion for the recommendation of the Committee will be called for toward the end of the public meeting (Agenda item 13).

i) Are there any comments regarding the Official Plan Amendment 12 to the North Huron Official Plan?

ii) Are there any comments regarding the proposed North Huron Zoning By-law Amendment?

## 11. Zoning By-law Procedure Following Public Meeting

- This is a Public Meeting of the Planning Advisory Committee, not a Council Meeting; thus a decision of Council may or may not be made this evening.
- If the By-law is passed by Council, the Clerk is required to send Notice of the Passing of the Zoning By-law and notice of adoption of the Official Plan Amendment to all persons and agencies notified of this Public Meeting.
- There is a 20 day objection period from the time Notice of Passing of the By-law has been mailed by first class post, wherein submissions/letters of objection or support in respect to the passing of the by-law, will be received by the Clerk.
- There is a 20 day appeal period from the day after the Notice of Decision is mailed by the County of Huron for the Official Plan Amendment.
- If an objection is received, an Appeal is lodged with the Ontario Municipal Board (OMB) and at that point the Township no longer has any control over the time factor involved.
- If the by-law is passed and no objections are received within the objection period, the Clerk certifies that the Zoning By-law is in force and of effect as of the date of its passing and Notice is forwarded to the Huron County Planning & Development Department.
- If no appeals are received during the appeal period for the Official Plan Amendment, the County of Huron mails a notice advising that the amendment is in full force and effect to all persons and agencies notified of this Public Meeting.

## 12. Recommendation of the Huron County Planning & Development Department

Planner states recommendation. In the absence of the Planner the recommendation is read from the attached report from the Huron County Planning and Development Department.

## 13. Recommendation to Council from the Planning Advisory Committee

Note: (Only one of the following recommendations can be made by the Planning Advisory Committee - the wording of the possible recommendations are generic and may be augmented by the Planning Advisory Committee).

### 13.1 Official Plan Amendment

- A.) That the Official Plan Amendment be adopted.
- B.) That the Official Plan Amendment be deferred.
  - a. more information; or
  - b. confirmation that a particular standard has been met; or
  - c. notice that a related planning application has been passed by the County of Huron.
- C.) That the Official Plan Amendment be denied.

WITH the effect of public and agency comments on the decision of Council as per **\*\*Choose number (1-8) and letter(s) (A or B) from the chart for received comments\*\***

Effect of Public and Agency Comments on Decision of Council to the Planning application (Pursuant to Sections 17, 22, 34, 35, 45, 51 and 53 of the Planning Act, RSO, 1990, as amended)

	A. Effect of Public Comments on Decision of Council	B. Effect of Agency Comments on Decision of Council (e.g. Planning, Public Works, Health Unit)
1. Council agrees with effects of input as contained in the planning report	Council concurs with the planning report regarding the effect of public and agency comments on the decision.	Council concurs with the planning report regarding the effect of public and agency comments on the decision.
2. No comments received	No public comments were received on this application so there was no effect on the decision.	No agency comments were received on this application so there was no effect on the decision.
3. Supportive comments received	Public comments were received in support of the application, the effect of which resulted in a decision to approve the application.	Agency comments were received in support of the application, the effect of which resulted in a decision to approve the application.
4. Concerns raised were addressed through conditions to approval or changes to mapping or text amendment	Public comments were received on the issue(s) of _____. The comments were address through (conditions to approval/changes to the mapping or text of the amendment).	Comments were received from agencies on the issue(s) of _____. The comments were address through (conditions to approval/changes to the mapping or text of the amendment).
5. Concerns raised did not influence the decision	Public comments were received on the issue(s) of _____. Comments were thoroughly considered but the effect did not influence the decision of Council to (approve/deny) the application.	Comments were received from agencies identifying the issue(s) of _____. Comments were thoroughly considered but the effect did not influence the decision of Council to (approve/deny) the application.
6. Concerns raised did influence the decision	Public comments were received on the issue(s) of _____, the effect of which influenced the decision of Council to (approve/deny) the application.	Comments were received from agencies identifying the issue(s) of _____. Comments were thoroughly considered but the effect did not influence the decision of Council to (approve/deny) the application.
7. Comments received in support and opposition to the application	Options from above 1A/3A/4A/5A/6A	Options from above 1B/3B/4B/5B/6B
8. Other	Additional wording deemed appropriate by Council	Additional wording deemed appropriate by Council

THAT the Planning Advisory Committee hereby recommends to North Huron Council that Amendment No. 12 to the Official Plan of the Township of North Huron as it applies to Part Lot 4, Concession 1, Wingham Ward, Township of North Huron (208 Victoria Street East), be adopted.

13.2 Zoning By-law Amendment

A.) That the Zoning Amendment be approved.

- B.) That the Zoning Amendment be deferred.
 

a. more information; or
   
 b. confirmation that a particular standard has been met; or
   
 c. notice that a related planning application has been passed by the County of Huron.
- C.) That the Zoning Amendment be denied.

WITH the effect of public and agency comments on the decision of Council as per **\*\*Choose number (1-8) and letter(s) (A or B) from the chart for received comments\*\***

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7. Comments received in support and opposition to the application	Options from above 1A/3A/4A/5A/6A	Options from above 1B/3B/4B/5B/6B
8. Other	Additional wording deemed appropriate by Council	Additional wording deemed appropriate by Council

*THAT the Planning Advisory Committee hereby recommends to North Huron Council that the amendment to the zoning on Part Lot 4, Concession 1, Wingham Ward, Township of North Huron (208 Victoria Street East), be approved.*

**14. Adjournment**

*THAT there being no further business before the Planning Advisory Committee, the Public Meeting be hereby Adjourned at ... pm.*

# Official Plan Amendment No. 12 & Zoning By-law Amendment

*Joint Public Meeting*

*June 5, 2017*



# Background to OPA 12 and ZBLA

*208 Victoria Street East, Wingham Ward*

Subject to an application for an Official Plan Amendment and a Zoning By-law Amendment, the property is currently owned by Kevin and Kerri Dunn. It is also the subject of a severance application to sever the vacant portion of the property and merge it with the abutting land for the Sacred Heart Catholic Elementary School, owned by the Huron-Perth Catholic District School Board.







**208 Victoria Street East**

# Comments Received

- Comments from Township staff had no objection to the proposed amendments.
- Comments from members of the public were received that identified concerns for the proposed amendments regarding:
  - Requiring fencing for subject property from abutting residential properties.
  - Possible increased noise
  - Negative effect on neighbouring residential property values

# OPA 12 to the North Huron Official Plan

Zoning: FD- Future Development

Designation: Residential

Proposed land use designation change: Community Facility

- This proposed Amendment will change the land use designation to permit community facility uses, specifically for the abutting Sacred Heart Catholic Elementary School.
- The proposed change in land use would add a community facility use close to existing similar uses and built-up residential neighbourhood and at a location where residential development is not an ideal development proposal.



## Subject Property







## Subject Property

# Proposed Zoning By-law Amendment

Zoning: FD- Future Development

Designation: Residential

Proposed Zone change: CF- Community Facility

- This proposed Amendment will change the zone to permit community facility uses for the proposed elementary school
- Existing abutting community facility uses, supportive of infill development and efficiently using vacant land that is otherwise inaccessible for future development





## **Subject Property**



# Planning Recommendations

- It is recommended that Official Plan Amendment No. 12 is adopted
- It is recommended that the proposed Zoning By-law Amendment is approved
- Plus statement from Council to be included for comments received



	A. Effect of Public Comments on Decision of Council	B. Effect of Agency Comments on Decision of Council (e.g. Planning, Public Works, Health Unit)
1. Council agrees with effects of input as contained in the planning report	Council concurs with the planning report regarding the effect of public and agency comments on the decision.	
2. No comments received	No public comments were received on this application so there was no effect on the decision.	No agency comments were received on this application so there was no effect on the decision.
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7. Comments received in support and opposition to the application	Options from above 1A/3A/4A/5A/6A Page 17	Options from above 1B/3B/4B/5B/6B

To: Reeve and Members of North Huron Council  
Sharon Chambers, CAO

From: Laura Young, Planner

Date: 31 May 2017

Re: **Official Plan Amendment 12 to the North Huron Official Plan and Zoning By-law  
Amendment to the North Huron Zoning By-law**

**Part Lot 4, Concession 1, Wingham Ward, Township of North Huron (208 Victoria Street East)**

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### OFFICIAL PLAN AMENDMENT 12

#### RECOMMENDATION

It is recommended that Official Plan Amendment No 12 to the North Huron Official Plan be **adopted**.

#### BACKGROUND AND PURPOSE

The North Huron Official Plan land use designation for the subject property is Residential and the current Zone of the vacant portion is Future Development (FD). This Official Plan Amendment proposes to change the land use designation of 208 Victoria Street East (Part Lot 4, Concession 1, Wingham Ward) from Residential to Community Facility. The property is currently owned by Kevin and Kerri Dunn and is also the subject of a severance application to sever the vacant portion of the property and merge it with the abutting land for the Sacred Heart Catholic Elementary School, owned by the Huron-Perth Catholic District School Board.

The Notice of Public Meeting for the Official Plan Amendment and Zoning By-law Amendment was circulated May 11th, 2017.

This Official Plan Amendment application was made with a concurrently submitted Zoning Amendment application to change the zoning on the property from Future Development Zone (FD) to Community Facility Zone (CF). The Public Meeting for the Zoning Amendment is also to be held on June 5<sup>th</sup> 2017.

**Figure 1: Photo of subject property from Victoria Street East showing existing house**



**Figure 2: Aerial photo of subject property: red outline is area subject to OPA 12 and ZBLA**



#### **COMMENTS**

This proposed Amendment will change the land use designation for 208 Victoria Street East from Residential to Community Facility to permit community facility use, specifically for an elementary school as an expansion of the play yard area for the abutting Sacred Heart Catholic Elementary School. There is a corresponding Zoning Amendment application to change the zone from Future Development (FD) to Community Facility (CF) and also a corresponding severance application to be considered after the proposed Official Plan Amendment and Zoning Amendment come into effect.

#### *North Huron Official Plan*

The Urban Settlement Areas section (Section 6) in the North Huron Official Plan identifies Wingham as a Primary Settlement Area: a location encouraged for infill development where services are available (6.2.4). The Official Plan identifies a school use as a social and administrative community facility and states that North Huron will encourage locating social and administrative facilities where they best serve the public and are compatible with the surrounding land uses. Community facility development on the subject property is appropriate by utilizing the existing school location and remaining in close proximity to another abutting school land use. The two properties that would benefit the most from changing the land use designation of the subject property to Community Facility would be either of the two abutting schools to add more land to their yard; the municipal boundary for North Huron and the Primary Settlement Area of Wingham ends at the eastern limit of the Sacred Heart Catholic Elementary School and alternative lot enlargements would be challenging.

The vacant portion of the property would not be ideal to be developed as a plan of subdivision with the current Residential designation because of the spatial constraints: at the widest point of the vacant portion of the lot, it is approximately 37 metres wide. The development of a local municipal road generally requires a minimum right of way width of 20 metres. The remaining width available for residential lots fronting along a new public road would create lot depths of approximately 17 metres, which is deficient for the minimum lot depth required for Residential Zones in the North Huron Zoning By-law. For example, the R1 Residential Low Density zone provision for minimum lot depth is 30 metres. There could be consideration given to the feasibility of a plan of condominium on a private road, but

there is also the existing house on the subject property to consider as an obstacle for the vacant portion of the property to access or front onto a public road.

#### *Huron County Official Plan*

In the Huron County Official Plan, policies encourage increased intensification through infilling and that intensification will respect and be compatible with existing neighbourhood characteristics, such as the existing Catholic elementary school and abutting public high school. In the Community Services section, it also acknowledges the importance of schools to local communities and that the presence of schools, especially in Settlement Areas such as Wingham, are encouraged to continue.

#### *Provincial Policy Statement*

The 2014 Provincial Policy Statement includes policies for settlement areas that direct planning for new development to maximize land consumption and shall allow for the efficient use of land, infrastructure and public service facilities. The proposed change in land use of the subject property would efficiently use a currently vacant property not feasible for additional residential development in an existing built-up neighbourhood and is proposing to address the current and future needs for this community facility.

**Figure 3: Photo of vacant portion of subject property, facing north**



## **ZONING BY-LAW AMENDMENT**

### **RECOMMENDATION**

It is recommended that the application for re-zoning be **approved**.

### **PURPOSE and DESCRIPTION**

This proposed Zoning By-law Amendment affects Lot 4, Concession 1, Wingham Ward, Township of North Huron (208 Victoria Street East). The By-law proposes to change the zoning to 'Community Facility Zone (CF)' from 'Future Development (FD)' on the vacant portion of the subject property to permit community facility uses, specifically an elementary school following the approval of a corresponding severance application to merge the proposed vacant severed lands with the abutting Sacred Heart Catholic Elementary School.

This Zoning Amendment application was made with a concurrently submitted Official Plan Amendment application to change the land use designation on the property of 208 Victoria St East from Residential to Community Facility Zone. The Public Meeting for the Official Plan Amendment is also to be held on June 5<sup>th</sup> 2017.



## PLANNING COMMENTS

The North Huron Official Plan encourages efficient, compatible and accessible locations for community facilities and directs them to be located in an urban area where they can best serve the public.

Addressing the above policies from the Official Plan: the existing portion of the subject property subject to this Amendment is vacant and at the time of this application, there is not a plan for any structures or buildings other than possible playground equipment. The majority of the residential zoning to the west of the subject property is R1 with mostly single detached houses. This application is supportive of the primary settlement area goals of intensification and is supported by the Official Plan policies in Section 6.7 for Community Facilities. The application conforms to the North Huron Official Plan and is consistent with the Provincial Policy Statement.

## COMMENTS RECEIVED

During the public notice posting and circulation period for Official Plan Amendment 12, comments from the public were received that stated concerns with the proposed change in land use. Comments from Vanessa Reinhardt identified concern with the lack of fencing or buffering between the residential properties along Carling Terrace and backing onto the vacant portion of the subject property. A representative for the Huron Perth Catholic District School Board stated that a fence is planned for along the abutting residential properties. Comments from Jeff MacIntosh also stated concern with possible increased noise and a negative effect on neighbouring property values. Considering noise impacts for the proposed amendments: noise would be limited to during school hours unless there was an established use such as a soccer field for example, and would not be expected to be significantly more than if a residential development was being proposed for the subject property. Comments from Township staff were received and there were no concerns with the proposed Official Plan Amendment.

**Figure 4: Photo of subject property from house, facing south**



## SUMMARY

This report was prepared in advance of the Public Meeting and additional planning comments can be provided regarding comments received at the Public Meeting. Official Plan Amendment Number 12 and the application for a re-zoning for 208 Victoria Street East (Part Lot 4, Concession 1, Wingham Ward) is consistent with the Provincial Policy Statement, conforms to the Huron County Official Plan and North Huron Official Plan and are recommended to be adopted and approved.

Sincerely,

'original signed by'

Laura Young, Planner