

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



Date: Tuesday, July 4, 2017
Time: 7:00 p.m.
Location: HELD IN THE TOWNSHIP COUNCIL CHAMBERS

Pages

1. Call to Order

2. Disclosure of Pecuniary Interest

3. File

5

Temporary Use Zoning By-law Amendment

Part Lot 29, Registered Plan 22R1295 Parts 1 & 2, Concession 1,
East Wawanosh, Township of North Huron (38616 Blyth Road)

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 the zoning amendment identified above.

5. Requirement for the Public Meeting

This Public Meeting is required to be held pursuant to The Planning Act, R.S.O. 1990, as amended, which requires that Council shall hold at least one Public Meeting and that all property owners within 120 metres (400 feet) of the area affected shall be given Notice of the Meeting by the Clerk of the municipality.

Pursuant to The Planning Act, R.S.O. 1990, as amended, Council shall forward to such boards, commissions, authorities, or other agencies as Council considers may have an interest in the proposal sufficient information to enable them to understand it generally.

6. Purpose of the Zoning Amendment

The purpose of the proposed temporary use zoning by-law amendment is to permit a temporary secondary dwelling unit on Part Lot 29 Registered Plan 22R1295 Parts 1 & 2, Concession 1, East Wawanosh Ward, Township of North Huron (38616 Blyth Road). The temporary secondary dwelling unit is permitted to be used by farm employees or farm family who are involved in the farming operation and will be required to be removed at the expense of the owner when it is no longer required or the temporary use by-law expires. The temporary dwelling unit must be either a mobile home or modular home, designed to be moveable, and will have a maximum ground floor area of 130 sq. metres (1400 sq. feet). The temporary dwelling will be clustered with the existing buildings. The temporary dwelling will not be entitled to a severance from the farm parcel. The proposed by-law can be in effect for up to 20 years, with the renewal of the by-law requiring a further public meeting.

This by-law amends Zoning By-law 82-2008, Township of North Huron Zoning By-law, for the duration of the temporary use.

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 June 28, 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.

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).

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 By-law 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.

- 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 Council does not pass the by-law, the applicant may Appeal to the Ontario Municipal Board (OMB).

- If the by-law is passed and no objections are received within the objection period, the Clerk certifies that the 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.

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).

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	Public comments were received on the	Comments were received from

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the decision	issue(s) of _____. Comments were thoroughly considered but the effect did not influence the decision of Council to (approve/deny) the application.	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 the Temporary Use Zoning By-law Amendment, Part Lot 29, Registered Plan 22R1295 Parts 1 & 2, Concession 1, East Wawanosh, Township of North Huron (38616 Blyth Road); be approved.

14. Adjournment

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

To: Reeve and Members of North Huron Council
From: Laura Young, Planner
Date: 28 June 2017
Re: **Temporary Use Zoning By-law Amendment, Part Lot 29, Registered Plan 22R1295 Parts 1 & 2, Concession 1, East Wawanosh, Township of North Huron (38616 Blyth Road)**

RECOMMENDATION

It is recommended that the application for a temporary use zoning by-law be **approved**.

PURPOSE and DESCRIPTION

The purpose of the proposed temporary use zoning by-law amendment is to permit a temporary secondary dwelling unit on Part Lot 29 Registered Plan 22R1295 Parts 1 & 2, Concession 1, East Wawanosh Ward, Township of North Huron (38616 Blyth Road). The temporary secondary dwelling unit is permitted to be used by farm employees or farm family who are involved in the farming operation and will be required to be removed at the expense of the owner when it is no longer required or the temporary use by-law expires. The temporary dwelling unit must be either a mobile home or modular home, designed to be moveable, and will have a maximum ground floor area of 130 sq. metres (1400 sq. feet). The temporary dwelling will be clustered with the existing buildings. The temporary dwelling will not be entitled to a severance from the farm parcel. The proposed by-law can be in effect for up to 20 years, with the renewal of the by-law requiring a further public meeting.

This by-law amends Zoning By-law 82-2008, Township of North Huron Zoning By-law, for the duration of the temporary use.

Figure 1: Photo of subject property from the south



Figure 2: Aerial photo of the subject property outlined in blue; red outline indicates approximate area for garden suite



PLANNING COMMENTS

The Planning Act

Section 39.1 of the Planning Act defines 'garden suite' as: a one-unit detached residential structure containing kitchen and bathroom facilities that is ancillary to an existing residential structure and that is designed to be portable. This section of the Planning Act also authorizes that Council may pass a temporary by-law permitting the use of a garden suite with the condition that an agreement is required for matters related to the temporary use of the garden suite that Council considers necessary or advisable.

North Huron Official Plan

The subject property is designated Agriculture in the North Huron Official Plan. The North Huron Official Plan encourages flexibility for farm operators to engage in differing types, sizes and intensities of agricultural operations. The policies in Section 4.3.2 Residences in Agriculture Areas recognize residences as part of the farm unit that are secondary to the farm and *where the type and size of a farm operation warrants the need for an additional farm residence, one mobile home may be permitted as a secondary residence for the accommodation of farm family or labourers working on the farm operation.*

Requirements in the above policy for a temporary secondary dwelling unit (garden suite) to be permitted include:

- *The temporary secondary dwelling unit is to be removed once the need for the additional farm residence has ceased.* The agreement drafted and the Planning Act state that the use may continue for up to 20 years and after that require a renewal of the temporary use by-law.
- *The temporary secondary dwelling unit shall meet Minimum Distance Separation requirements.* The proposed location of the garden suite satisfies the required MDS from neighbouring livestock facilities.
- *The temporary secondary dwelling unit shall be situated within the existing cluster of buildings, be provided with adequate sewage treatment, and use the existing driveway for access.* The

applicants are proposing to locate the garden suite in close proximity to the existing barn and dwelling and are aware they need to satisfy the Chief Building Official of having adequate septic disposal prior to approval being given. They are not requesting any new additional driveways or entrances onto Blyth Road.

This application is supportive of the goals for Agriculture lands and is supported by the Official Plan policies in Section 4. The application conforms to the North Huron Official Plan and is consistent with the Provincial Policy Statement.

North Huron Zoning By-law

The subject property is zoned AG1- General Agriculture. Section 3.11 Garden Suites of the North Huron Zoning By-law identifies that as a condition to passing a by-law authorizing the temporary use of a garden suite under the Planning Act, the Council may require the owner of the suite or any other person to enter into an agreement with the Township to address matters such as the installation, maintenance, and removal of the garden suite, period of occupancy by the persons named in the agreement, and monetary or other form of security Council may require for actual or potential costs to the Township related to the garden suite.

An agreement for the Township to enter into with the applicants and landowners has been drafted and is recommended to be entered into after the enactment of this by-law and prior to the issuing of a Building Permit for the garden suite.

This application is consistent with the North Huron Zoning By-law.

Figure 3: Subject property from the south



COMMENTS RECEIVED

There were no comments received from the public during the commenting period. Staff agreed with the recommendation for an agreement to be entered into prior to a building permit to be issued. This report was prepared in advance of the Public Meeting and additional planning comments can be provided regarding comments received at the Public Meeting.

Sincerely,

Original Signed By _____

Laura Young, Planner