

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



Date: Tuesday, September 6, 2016
Time: 7:00 p.m.
Location: HELD IN THE TOWNSHIP COUNCIL CHAMBERS

Pages

1. Call to Order

2. Disclosure of Pecuniary Interest

3. File

4

Zoning By-law Amendment

Part Lot 30, Concession 11, as RP 22R4466 Part 3 with Right of Way, East Wawanosh Ward, Township of North Huron (85769 Beecroft Line)

Owner & Applicant: Frogstream Holdings Ltd.

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

This proposed Zoning By-law Amendment affects Part Lot 30, Concession 11, as RP 22R4466 Part 3 with Right of Way, East Wawanosh Ward, Township of North Huron (85769 Beecroft Line). The By-law proposes to change the zoning on a portion of the subject property to 'Agricultural Small Holding- Special Zone (AG4-10)' from 'Natural Environment- Limited Protection (NE2)'.

The subject lands require a zone change to permit a proposed residential dwelling. This application for rezoning is a condition of the severance file B68-15. The severance condition stated that the rezoning must include provisions to satisfy the Maitland Valley Conservation Authority and the Environmental Stewardship Coordinator. The AG4 Special Zone requires a 20 metre setback from the existing NE2 Zone boundary to create a buffer for the natural environment features from development and satisfy the consent approval condition.

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 August 30, 2016 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.

It is recommended that the application for re-zoning be **denied** as it is inconsistent with the Provincial Policy Statement, 2014 and does not conform with the North Huron Official Plan.

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 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.

THAT the Planning Advisory Committee hereby recommends to North Huron Council that the Zoning By-law Amendment, Part Lot 30, Concession 11, as RP 22R4466 Part 3 with Right of Way, East Wawanosh Ward, Township of North Huron (85769 Beecroft Line) Owner & Applicant: Frogstream Holdings Ltd.; be

14. Adjournment

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



PLANNING & DEVELOPMENT

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To: Reeve and Members of North Huron Council
Sharon Chambers, CAO
From: Laura Young, Planner
Date: 30 August 2016
Re: **Zoning By-law Amendment, Part Lot 30, Concession 11, as RP 22R4466 Part 3 with Right of Way, East Wawanosh Ward, Township of North Huron (85769 Beecroft Line)**
Owner & Applicant: Frogstream Holdings Ltd.

RECOMMENDATION

It is recommended that the application for re-zoning be **denied** as it is inconsistent with the Provincial Policy Statement, 2014 and does not conform with the North Huron Official Plan.

PURPOSE and DESCRIPTION

This proposed Zoning By-law Amendment affects Part Lot 30, Concession 11, as RP 22R4466 Part 3 with Right of Way, East Wawanosh Ward, Township of North Huron (85769 Beecroft Line). The By-law proposes to change the zoning on a portion of the subject property to 'Agricultural Small Holding-Special Zone (AG4-10)' from 'Natural Environment- Limited Protection (NE2)'.

The subject lands require a zone change to permit a proposed residential dwelling. This application for rezoning is a condition of the severance file B68-15. The severance condition stated that the rezoning must include provisions to satisfy the Maitland Valley Conservation Authority and the Environmental Stewardship Coordinator. The AG4 Special Zone requires a 20 metre setback from the existing NE2 Zone boundary to create a buffer for the natural environment features from development and satisfy the consent approval condition.

COMMENTS

The subject property is designated Natural Environment and Agriculture in the North Huron Official Plan. The portion of the property subject to the rezoning is designated Agriculture.

The policies for land designated Agriculture in Section 4.3.2 of the North Huron Official Plan state that 'a residence will be allowed provided it is an accessory use to a 'commercial scale farming' operation where the residents of the property will be directly involved in farming.' This application is proposing to permit a residence on Agriculture designated land without being accessory to a farming operation. Section 4.3.4 of the North Huron Official Plan clarifies that 'non-agricultural development shall be directed to locate in the settlement areas.' The proposed rezoning of the Agriculture designated portion of the property is not consistent with the North Huron Official Plan Agriculture policies.

The Provincial Policy Statement, 2014 (PPS) states in Section 2.3.4.1 that 'lot creation in prime agricultural areas is discouraged and may only be permitted for: agricultural uses, agricultural-related uses, a residence surplus to a farming operation, and infrastructure.' Section 2.3.4.3 goes on to explicitly prohibit the creation of new residential lots in prime agricultural areas unless they are a residence

surplus to a farming operation. This application proposes to rezone the subject property to permit a residential use as the result of the creation of a vacant residential lot, and therefore proposes a use not permitted in the PPS. For the severance to create the vacant residential lot to be completed, this property must be rezoned to permit the proposed residential dwelling.

The existing subject property is vacant. The submitted concept drawing was circulated to staff and no concerns were received. Comments from the Maitland Valley Conservation Authority regarding natural hazards were received for this property and also, at the time of the circulation for the severance, comments were received from the Huron County Health Unit regarding appropriate space for a septic system. No concerns were noted.

This application does not conform to the North Huron Official Plan and is inconsistent with the 2014 Provincial Policy Statement and therefore is recommended for denial.

OTHERS CONSULTED

There was one public comment received during the commenting period. A neighbouring landowner, Geoffrey Wall, inquired to receive further details about the subject property. Upon receiving details about where the property is located, the proposed development and its location with regards to the Maitland River and floodplain, he had no objections or concerns needing to be addressed. I will be in attendance at the September 6th public meeting to answer any questions from Council or the public.

Sincerely,

Original Signed By

Laura Young, Planner

PHOTOS OF THE SUBJECT PROPERTY



Figure 1: Portion of property proposing to be rezoned from NE2 to AG4-10



Figure 2: Standing on Beecroft Line looking southwest



Figure 3: Outline of parcel created by Severance B68-15 and proposed area subject to rezoning