

MINUTES OF THE TOWNSHIP OF NORTH HURON
COMMITTEE OF ADJUSTMENT



Date: Monday, June 5, 2017
Time: 7:25 p.m.
Location: HELD IN THE TOWNSHIP COUNCIL CHAMBERS

MEMBERS PRESENT: Reeve Neil Vincent
Deputy Reeve James Campbell
Councillor Ray Hallahan
Councillor Yolanda Ritsema-Teeninga
Councillor Trevor Seip
Councillor Brock Vodden
Councillor Bill Knott

STAFF PRESENT: Sharon Chambers, CAO
Kathy Adams, Director of Corporate Services / Clerk
Donna White, Director of Finance
Pat Newson, Director of Recreation and Facilities
Jeff Molenhuis, Director of Public Works
Connie Goodall, Economic Development Officer
Richard Al, Manager of Employee and Business Services
Laura Young, Huron County Planner

OTHERS PRESENT: Denny Scott, Citizen
Kelsey Dunbar, Advance Times
Adam Bell, CKNX
Nathan Swartz, Amanda Swartz, Transfigured Town Inc.
Matt Jackson, Brian Roberts, Union Gas
Greg Stewart, Municipal Solicitor
Joan Vincent, Kevin Dunn, Kerri Dunn, Beverley Noble, Larry Caswell, John Frieburger, Doug Culbert

1. Call to Order

Reeve Vincent called the meeting to order at 7:25 pm.

2. Disclosure of Pecuniary Interest

None disclosed.

3. Accept or Amend Agenda

COA07/17

MOVED BY: B. Vodden

SECONDED BY: T. Seip

THAT the Committee of Adjustment hereby accepts the agenda for the June 5, 2017 hearing as presented.

CARRIED

4. Committee of Adjustment - Authority

The Council of the Corporation of the Township of North Huron enacted By-law No. 05-2017 authorizing the appointment of the full Council to form the Committee of Adjustment.

Hence, it is by the authority of By-law No. 05-2017 and The Planning Act, R.S.O. 1990, as amended, that his Committee of Adjustment shall perform its responsibilities.

5. Appoint Secretary-Treasurer

The Council of the Corporation of the Township of North Huron hereby enacts By-law 05-2017 authorizing the appointment of the Clerk as Committee of Adjustment Secretary-Treasurer.

COA08/17

MOVED BY: J. Campbell

SECONDED BY: T. Seip

THAT the Committee of Adjustment hereby enacts By-law 05-2017, authorizing the appointment of the Clerk as Committee of Adjustment Secretary-Treasurer.

CARRIED

6. Statement of Precedent

“That any decision reached by this Committee tonight cannot be used to set a precedent.”

7. New Business

File A03-2017

Plan 410 Part Block B Plan 413; Part Lot 21, Wingham Ward, North Huron
(78 Victoria Street West)

Applicant/Owners: 1347706 Ontario Inc./John Frieburger

7.1 Purpose and Description

The purpose of this application is to seek relief from Zoning By-law 82-2008 for the Township of North Huron. The subject property is designated Residential in the North Huron Official Plan and zoned R2- Residential Medium Density in the North Huron Zoning By-law.

The applicant is proposing to construct a single detached residential dwelling on the currently vacant lot. The provisions set out in the North Huron Zoning By-law for the R2 Zone require an interior side yard setback for a single-detached to be a minimum of 3 metres from the interior yard line. The proposed Minor Variance seeks relief for 1 metre for the interior yard setback as the applicant requests to build the structure at an interior yard setback of 2 metres. The proposed Minor Variance also seeks relief from Section 3.21.5 of the North Huron Zoning By-law, which states that if a non-complying building is removed or destroyed, it may be reconstructed within 24 months from the date of destruction. The applicant seeks relief from the 24 month time limit and requests an extension to 30 months to reconstruct the removed non-complying building.

7.2 Comments of the Huron County Planner

Laura Young, Huron County Planner presented details regarding the Minor Variance Application.

7.3 Comments of the Applicant and/or Agent

No comments were received.

7.4 Comments of Others

No comments were received.

7.5 Committee of Adjustment Members' Questions and/or Comments

Councillor Seip noted that a previous application was received earlier this year and inquired as to what has changed from the original application. Laura Young, Planner, explained that the application received earlier this year was for two units however the current application is for a single unit.

7.6 Recommendation of the Huron County Planning & Development Department

Approval (with conditions) is recommended as outlined in the report from Laura Young, Huron County Planner.

7.7 Recommendation to Council from the Committee of Adjustment

	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

Council selected options 2A and 2B from the chart.

COA09/17

MOVED BY: J. Campbell

SECONDED BY: R. Hallahan

THAT the Committee of Adjustment hereby recommends to North Huron Council that the Minor Variance A03/2017 as it applies to Plan 410 Part Block B Plan 413; Part Lot 21, Wingham Ward, North Huron (78 Victoria Street West) Applicant/Owners: 1347706 Ontario Inc./John Frieburger; be approved with the following conditions:

- 1. The residence be located within the footprint contained on the sketch that accompanied the application;*
- 2. The residence be as shown in the elevation drawings that accompanied the application;*
- 3. The driveway is maintained at 1 metre away from the east property line; and*
- 4. The variance approval is valid for a period of 18 months from the date of the Committee’s decision.*

CARRIED

8. Ruling of the Committee of Adjustment

Minor Variance Procedure Following Public Meeting
The Secretary-Treasurer sends within 10 days a certified copy of the decision indicating the last day of Appealing to the Ontario Municipal Board (OMB) to:
(a) The Applicant.
(b) The Minister of Municipal Affairs & Housing, if requested.
(c) Each person who appeared in person or by counsel at the Hearing and who filed with the Secretary-Treasurer a written request for Notice of the Decision.

IF NO APPEAL LODGED:

After the 20 day objection period has expired and no Appeal has been lodged, the decision of the Committee of Adjustment is final and binding. The Secretary-Treasurer shall notify the applicant.

IF A NOTICE OF APPEAL IS LODGED:

If within 20 days of the Committee of Adjustment making a decision, an Appeal is lodged with the Secretary-Treasurer outlining the reasons for such an Appeal and said Appeal is accompanied by the required fee of \$300.00, the Committee of Adjustment no longer retains jurisdiction over the application.

If a proper Appeal is lodged the Secretary-Treasurer is required to provide proper Notice to the Ontario Municipal Board (OMB).

9. Adjournment

COA10/17

MOVED BY: T. Seip

SECONDED BY: Y. Ritsema-Teeninga

THAT there being no further business before the Committee of Adjustment, the Public Hearing be hereby Adjourned at 7:37 pm.

CARRIED

Neil Vincent, Reeve

Kathy Adams, Clerk