



PLANNING & DEVELOPMENT

57 Napier Street, Goderich, Ontario N7A 1W2 CANADA

Phone: 519.524.8394 Ext. 3 Fax: 519.524.5677 Toll Free: 1.888.524.8394 Ext. 3

www.huroncounty.ca

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