Corporation of the Municipality of South Huron
Minutes-Committee of Adjustment

Monday, December 16, 2019, 5:00 p.m.
Council Chambers - Olde Town Hall

Members Present: Jim Dietrich, Chair
                Aaron Neeb, Member
                Ted Oke - Vice-Chair

Staff Present:  Rebekah Msuya-Collison, Secretary Treasurer
                Sarah Smith, Huron County Planner

Others Present: Meghan Tydd-Hrynyk, ABCA Planning and Regulations Officer
                Claude Poirier, Applicant
                Dan Best, CAO/Deputy Clerk
                Dwayne McNab, Development Services Manager/CBO

1. Call to Order
   Chair Dietrich called the meeting to order at 5:00 p.m.

2. Disclosure of Pecuniary Interest and General Nature Thereof
   None.

3. Approval of Minutes
   Motion: COA#19-2019
   Moved: A. Neeb
   Seconded: T. Oke

   That South Huron Committee of Adjustment approve the October 21, 2019
   minutes as printed and circulated.

   Disposition: Carried
4. **Purpose of Meeting**

The Clerk acting as Secretary Treasurer advised that the purpose of this meeting is to allow the presentation of an application for Minor Variance and to allow interested members of the public the opportunity to ask questions or offer comments with regard to the application. A registry was provided for any member of the public that would like to be notified in writing of the decision, or advised of a Local Planning Appeal Tribunal hearing if the decision is appealed.

Notice of this meeting for Minor Variance D13-MV06-2019 was sent on November 27, 2019.

5. **Minor Variance #D13-MV06-2019 - Wettlaufer (Poirier)**

5.1 **Application**

5.2 **S. Smith, Huron County Planner - Report**

Planner Smith presented an overview and noted that the purpose of the application is to permit a reduced top of bank setback to Lake Huron for a proposed addition to an existing cottage. She noted that the existing cottage has a legal non-complying setback of 18.9 metres from Lake Huron; the applicant requests a further setback from the required 30 metres to 13.5 metres. The reduction sought through this variance is a reduction of 5.4 metres to the current non-complying setback.

Planner Smith noted that the Committee has on their desk additional correspondence from a committee member referencing the Shoreline Management Plan. Planner Smith reviewed the four tests for minor variance and recommended that the application for minor variance be denied.

5.2.1 **Updated Site Plan**

5.3 **Written Comments Received**

5.3.1 **Ausable Bayfield Conservation Authority**

5.3.2 **Barbara Prevedello**

5.4 **Comments - Committee - Public in Attendance**

Mr. Poirier, agent for the applicant, said that he had received correspondence dated November 14, 2019 from the ABCA attached to the application which noted that it didn’t appear that the proposed new works fell within the area regulated by the ABCA. He added since then he has received further correspondence from the ABCA dated December 3, 2019.
which notes that while not in the regulated area, the authority did not recommend construction closer to the shoreline. He added that he wished he had known the ABCA had issues with the construction earlier.

There were no further comments from the public.

Member Oke noted the two correspondences from ABCA and added that he would like confirmation on whether the area noted on the Shoreline map does allow additions and buildings to be built. He added that a house next door to the subject property was built last year and that this addition appeared to have similar setbacks from the water as the neighbouring house.

Planner Smith noted that South Huron does not regulate the Shoreline Management Plan and map that is done by the ABCA. She added that the building on the neighbouring property was not planning related and a different parcel than the subject property.

Member Oke asked whether the new house that was built went through the planning department for setbacks. Planner Smith said that plans are submitted to the building department and if there are any issues noted, planning is brought in. She added she is not aware of planning issues on the neighbouring property, just on the subject property.

Member Neeb noted concern with shoreline erosion. He added that the effects of climate change will probably affect the shoreline management plan and noted that the municipality may be put at risk with a decision to build on this area.

Planner Smith added if the committee does recommend the build then it is a municipal decision under the Committee of Adjustment.

Member Oke noted that the Shoreline Management Plan is a guiding document and he would like clarification on the lines on the map.

Chair Dietrich invited Regulations Officer M. Tydd-Hrnyyk to speak to the Shoreline Management Plan. She noted that the blue line is the 100 year lake level set in 1988 and added with changing lake levels the area could exceed that record. She added that if the 100 year lake level changes, the ABCA Shoreline Management Plan setbacks will increase. She noted the effects of climate change are unknown and the ABCA is of the opinion that they do not want to put anyone at undue risk and that construction on the hazard side is not recommended.
Member Oke asked for further clarification on map lines and Regulations Officer Tydd-Hrynyk responded that the ABCA regulates to the extent of the green line.

Member Oke asked whether the construction of this addition gets close to green area. Regulations Officer Tydd-Hrynyk responded that it is not regulated but that the ABCA does not recommend people build closer to a hazardous area.

There were no further comments from the Committee or the Public in attendance.

6. Decision
The Committee considered the application.

Motion: COA#20-2019
Moved: T. Oke
Seconded: J. Dietrich

That Minor Variance D13-MV06-2019 Wettlaufer (Poirier) be approved as per the attached decision sheet.

Disposition: Carried

7. Discussion
7.1 2020 Membership
Chair Dietrich noted he will step down from the committee and Members Neeb and Oke advised they are willing to stand as members for the 2020 South Huron Committee of Adjustment.

8. Adjournment
The South Huron Committee of Adjustment adjourned at 5:25 p.m.

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Jim Dietrich, Chair                                    Rebekah Msuya-Collison, Secretary-
Treasurer