



## 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](http://www.huroncounty.ca)

### Consent Application Report: File C38-20

Owner: <b>JK Development GP2 (Exeter) Limited</b>	Date: <b>July 31, 2020</b>
Applicant: <b>Zelinka Priamo Ltd. (c/o Harry Froussios)</b>	
Property Address: <b>207 Main Street North, Exeter</b>	
Property Description: <b>Part Lots 926 &amp; 930, Lots 927-929, 931, Plan 376, Exeter Ward, Municipality of South Huron</b>	

**Recommendation:** That provisional consent be:

- ☒ recommended for approval with the attached conditions (and any additional municipal conditions)
- ☐ deferred to allow the applicant to provide additional information
- ☐ recommended for denial (referred to County Council for a decision)

**Purpose:**

- ☒ enlarge abutting lot
- ☐ create new lot
- ☐ surplus farm dwelling
- ☒ right-of-way / easement
- ☐ other:

Area Severed: approx. 2,900 m <sup>2</sup> (0.7 acres)	Official Plan Designation: Highway Commercial
Area Retained: approx. 3,593 m <sup>2</sup> (0.9 acres)	Zoning: Highway Commercial (C3)

**Review:** This application:

- ☒ Is consistent with the Provincial Policy Statement (s. 3(5) Planning Act);
- ☒ Does not require a plan of subdivision for the proper and orderly development of the municipality (s. 53(1) Planning Act);
- ☒ Conforms with section 51(24) of the Planning Act;
- ☒ Conforms to the Huron County Official Plan;
- ☒ Conforms to the South Huron Official Plan, Sections 7.5.4.5, 13.2, & 13.3.4.1;
- ☒ Complies with the South Huron Zoning By-law (or will comply subject to a standard condition of rezoning or minor variance); and
- ☐ Has no unresolved objections/concerns raised (to date) from agencies or the public.

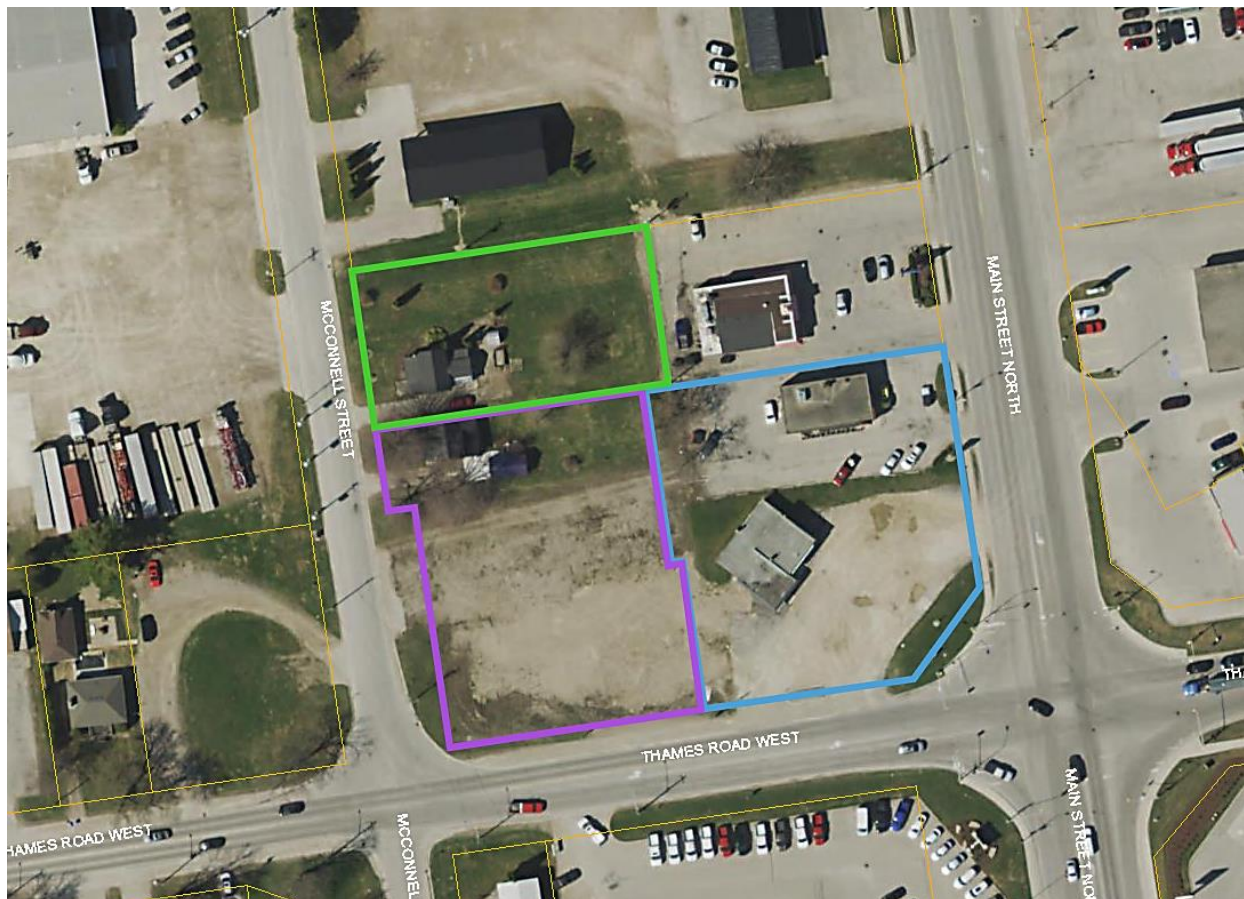
(Applications that are unable to meet all of the foregoing criteria are referred to County Council for a decision)

**Agency/Public Comments:**

	Not Received	No Concerns	Comments
Municipal Staff		✓	<ul style="list-style-type: none"><li>• No concerns.</li></ul>
County Public Works		✓	<ul style="list-style-type: none"><li>• Shared access onto Thames Road (County Road 83) is acceptable but no new entrances will be permitted.</li><li>• Traffic assessment will be required for development of enlarged severed parcel.</li></ul>
Neighbours: Don & Joanne Cooper			<ul style="list-style-type: none"><li>• Concerns regarding traffic impact of apartment development, garbage from existing commercial use, noise, and dust from construction. (see attached email)</li></ul>

**Figure 1: 2015 Air Photo of Subject Property**

(Purple = Severed, Blue = Retained, Green = Lands severed is to merge with)



Note: Air Photo was taken in 2015 so does not reflect 2018 development of commercial building and gas bar on retained parcel and parking lot on severed parcel.

[illegible]

Retained parcel: looking north from Thames Road



Severed parcel: looking north from Thames Road



Subject lands:  
looking northeast from intersection of McConnell Street & Thames Road

### **Additional Comments**

- This application is to separate the existing western undeveloped portion of a highway commercial property at the northwest corner of Thames Road and Main Street North in Exeter and merge it with the abutting parcel to the north in preparation for a new development on the enlarged lands. The application also proposes to create easements on the severed and retained parcels for shared access, parking, and servicing connections.
- The land to be severed is approximately 2,000 m<sup>2</sup> (0.7 acres) has no buildings or structures but does have a parking lot on its southern half. The land to be retained is approximately 3,593 m<sup>2</sup> (0.9 acres) and includes a 3 unit commercial building and a gas bar. Both the severed and retained parcels are zoned C3 (Highway Commercial).
- The subject lands are designated Highway Commercial in the South Huron Official Plan (OP). Sections 13.2 and 13.3.4.1 of the South Huron OP outlines the land division policies, including those for Highway Commercial designated properties such as this. The OP does permit lot enlargements and the assembling of land for future

development. The new lot and easements proposed by this application meets these policies. The consent application conforms to the South Huron Official Plan.

- The Huron County Official Plan encourages large settlement areas, such as Exeter, as the primary location for growth and commercial development in the County due to the availability of full municipal services. The proposed consent furthers this policy direction and therefore the application conforms to the Huron County Official Plan.
- The *Provincial Policy Statement, 2020* (PPS) also directs development to settlement areas as the focus of growth and development, with an emphasis on fully-serviced settlement areas. The PPS encourages intensification which includes the development of underutilized lots such as the subject property. The proposed consent is consistent with the PPS.
- Municipal staff have no objections or concerns with the application. Huron County Public Works has indicated that the shared access onto Thames Road (County Road 83) is acceptable but no new entrances will be permitted onto this street and also that a traffic brief will be required for development of the enlarged severed parcel.
- Comments were received in opposition to the application from Don & Joanne Cooper and are appended to this report. A representative of the developer was in contact with the Coopers to address their concerns but the Coopers' objections remain. Staff attempted to contact the Coopers to arrange a telephone discussion however a suitable date/time was unable to be arranged before this report was due for submission.
- The Coopers' concerns centre around traffic for the proposed apartment building, garbage from the existing development, and dust during construction. Overall, their primary concern is directed toward the proposal for an apartment building. The apartment building is not part of the subject consent application. For the apartment building development to proceed, both an official plan amendment and a rezoning is required and it is during the consideration of those applications that the Coopers' concerns are more appropriately addressed and considered. The subject consent application meets the policies of the various planning document regardless whether the apartment building proceeds or the future development is entirely commercial.
- As the Coopers' objections remain, this application is considered a "disputed" consent and will be referred to Huron County Council for a decision.
- Based on the review contained in the report, it is recommended that this application be recommended to Huron County Council for approval with the following conditions:

### **Recommended Conditions**

*Note: The list below may not contain all Municipal conditions and should be reviewed by the Municipality.*

#### **Expiry Period**

1. Conditions imposed must be met within one year of the date of notice of decision, as required by Section 53(41) of the Planning Act, RSO 1990, as amended. If conditions are not fulfilled as prescribed within one year, the application shall be deemed to be refused. Provided the conditions are fulfilled within one year, the application is valid for two years from the date of notice of decision.

### **Municipal Requirements**

2. All municipal requirements, financial or otherwise, be met to the satisfaction of the Municipality (for example: servicing connections, cash-in-lieu of park dedication, property maintenance, compliance with zoning by-law provisions for structures).
3. 911 addressing for the subject lands be dealt with to the satisfaction of the Municipality.

### **Survey/Reference Plan**

4. Provide to the satisfaction of the County and the Municipality:
  - a) a survey showing the lot lines of the severed parcel and the location of any buildings thereon, and
  - b) a reference plan based on an approved survey.

### **Zoning**

5. Where a violation of any municipal zoning by-law is evident, the appropriate minor variance or rezoning be obtained to the satisfaction of the Municipality.

### **Note:**

The applicant is advised that Huron County Public Works has indicated that no new entrances will be permitted onto County Road 83 (Thames Road).

### **Effect of Public & Agency Comments:**

In preparing this report, there were no objections expressed by staff or agencies and the public's comments did not impact the recommendation that the application be approved.

Sincerely,

  
\_\_\_\_\_  
Craig Metzger  
Senior Planner

**From:** [Joanne Cooper](#)  
**To:** [Lisa Finch](#)  
**Subject:** File #38-2020  
**Date:** Wednesday, June 10, 2020 7:48:27 PM

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**CAUTION:** This email originated outside of County of Huron.

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This email is to indicate to the town our displeasure of this apartment complex being built. We do not want any merger of another property to have this apartment building go up!

The traffic now is horrendous! A constant of trucks, cars & tractors. With Wendy's etc. we have a lot of trucks that park on McConnell Street during the day to "run into Convenience Store or Wendy's". At times it is very difficult to access Post Office Boxes for trucks parking in front and not to mention the street is not that wide and other trucks/cars trying to get past & getting down the street.

I can only imagine what the traffic will be like! Cars parking on the street etc. visiting people in the apartment complex. We pick up a lot of garbage on our property or street from people who just throw it out either items from convenience store or Wendy's. When Pizza Hut opens, again, a constant of traffic. not to mention the noise and more garbage!

Last year it was very difficult for any of us who lived in the area. The dust was unbelievable from construction with the mini strip mall.....The South end of town has car dealerships etc. I think the town definitely needs this but might be a better idea where there is more space & not a lot of residential property. Because everything has now congregated at the North End of town, as I said, the traffic is really awful....can take 5 minutes just to get out of the driveways! Just trying to get out of Home Hardware can be a real challenge.....

Hope for consideration...  
Don & Joanne Cooper