



Corporation of the Municipality of South Huron

Minutes-Public Meeting

Monday, October 19, 2020, 6:00 p.m.

Remote Electronic Meeting South Huron Council Chambers

Live Video Feed - <https://www.southhuron.ca/en/government/agendas-and-minutes.aspx>

Members Present: George Finch, Mayor
Jim Dietrich, Deputy Mayor
Dianne Faubert, Councillor - Ward 1
Marissa Vaughan, Councillor - Ward 1
Aaron Neeb, Councillor - Ward 2
Barb Willard, Councillor - Ward 2
Ted Oke, Councillor - Ward 3

Staff Present: Dan Best, Chief Administrative Officer/Deputy Clerk
Sandy Becker, Director of Finance/Treasurer
Julia Roberts, Deputy Treasurer
Jeremy Becker, Emergency Services Manager/Fire Chief
Justin Finkbeiner, Administrative Assistant
Alex Wolfe, Deputy Clerk
Rebekah Msuya-Collison, Director of Legislative Services/Clerk

Others Present: Craig Metzger, Senior Planner
Z09-1010
Dawn Rasenberg, Agent for the Applicant, Greg Young, Thames
Road Veterinary Clinic
Z10-2020
Barbara Rosser, Planner for the Applicant, Eddie Zakaria,
Owner, Jerry Zakaria, Owner
Z07-2020
James Corrocan, Lakeshore EcoNetwork, Mike Ondrejka, South
Huron resident, Pat O'Rourke, South Huron resident

1. Call to Order

The meeting was called to Order at 6:04 p.m.

2. Disclosure of Pecuniary Interest

None.

3. Purpose of Public Meeting

The Clerk noted that purpose of this Public Meeting of the Council of the Corporation of the Municipality of South Huron is to consider and review the proposed Zoning By-law amendments under Section 34 of the Planning Act and to allow interested members of the public the opportunity to ask questions or offer comments with regard to the applications.

She noted that Council will not make a decision on the proposed amendments at this Public Meeting but that based on the recommendations and information received at this Public Meeting, the proposed amendments will be presented for approval at a regular Council meeting. The Clerk added that if any member of the public would like to speak in favour or against any application they would unmute and state name and address for the record and if any member of the public wanted to be notified in writing of the decision on the application they would need to provide name and mailing address

The Clerk noted that a person or public body may appeal the decision if they have made an oral submission at this public meeting or a written submission to Council prior to the passing of the By-law. She added that correspondence that was received following publishing of the meeting had been attached to the agenda on the website under additional documents and circulated to Council via email.

4. Application for Z09-2020 Rasenberg

4.1 C. Metzger, Huron County Planner - Report

Planner Metzger provided an overview of his report and noted the purpose is to permit a veterinary clinic use on the property as the current location and building does not meet the needs of the growing practice of the Thames Road Veterinary Clinic. The subject lands are currently zoned M1 (Light Industrial) in the South Huron Zoning By-law and are proposed to be rezoned to M1-1 (Light Industrial – Special Zone).

Planner Metzger confirmed that the use of the property would be consistent with the Huron County Official Plan, South Huron Official Plan and Provincial Policy and recommended approval.

Motion: PL#14-2020

Moved: A. Neeb

Seconded: T. Oke

That South Huron Council receives the report from C. Metzger, Huron County Planner re Zoning By-Law Amendment D14-Z09-2020 Rasenberg.

Disposition: Carried (7 to 0)

4.2 Written Comments Received

There were no written comments received.

4.3 Comments-Council; Public in Attendance

There were no comments from the Public or from Council on the application.

5. Application for Z10-2020 Rosser

5.1 C. Metzger, Huron County Planner - Report

Planner Metzger provided an overview of the application and noted that the purpose of the zoning by-law amendment is to reflect the use of the property for a commercial greenhouse and permit the development of permanent seasonal worker housing that is intended to be inhabited on a yearly basis. He noted that there is no change is proposed to part of the property that is zoned as NE1 (Natural Environment).

Planner Metzger added that the bunk house will be occupied year round and given the scale of investment and in recognition of need for workers for labour support that the agriculturally related use is more appropriate zoning. He added that the application is consistent with the Provincial Policy Statement, 2020 and conforms to both the Huron County and South Huron Official Plans and recommends approval of the application.

Motion: PL#15-2020

Moved: B. Willard

Seconded: A. Neeb

That South Huron Council receives the report from C. Metzger, Huron County Planner re Zoning By-Law Amendment D14-Z10-2020 Rosser.

Disposition: Carried (7 to 0)

5.2 Written Comments Received

There were no written comments received.

5.3 Comments - Council; Public in Attendance

Councillor Faubert inquired who the residence is for if not for seasonal workers and Planner Metzger noted that the proposed floor plan is consistent with a 3 bedroom residential facility.

Mayor Finch asked how many people would live in the bunkhouse. Mr. Eddie Zakaria added that the two storey house is for the farm manager and he is on site 24/7 and the bunk house is being built for fifty workers. There were no further comments from the public.

6. Zoning Housekeeping By-law Amendment

6.1 C. Metzger, Huron County Planner - Report

Planner Metzger provided an overview of the application to remove top of bank (TOB) setbacks within the Municipality of South Huron Zoning Bylaw and includes setback requirements for buildings and structures from municipal drains, sink holes, natural watercourses, and Lake Huron. He added that the Municipality will defer to the local Conservation Authorities' regulations (Ausable Bayfield Conservation Authority and Upper Thames Conservation Authority) for all development within their regulated lands. He confirmed that development in proximity to the various top-of-banks would still be regulated by the Conservation Authority and their requirements would still need to be met. He added that anyone who wants to put a structure on Conservation Authority lands will still require a permit.

He noted that municipal staff indicated some concern with removing the setback from closed municipal drains as those setbacks are not regulated. He noted that he consulted the municipal drainage engineer who felt that 10 metres would be appropriate and this concern has been incorporated into the draft By-law.

Mr. Metzger noted that he received comments from the Conservation Authority subsequent to the writing of his report and noted that both Conservation Authorities did not support the amendment however neither Authority objected. He added that ABCA did say they would like to see a recognition that those Conservation Authority regulations still apply and

that section is added to the draft By-law. He added that the Upper Thames Conservation Authority comments spoke to vegetation and that public comments received have been included with the material before Council.

Planner Metzger noted that both the Huron County and South Huron Official Plan and Provincial Policy Statement speak to natural hazards but is not designed to revegetate a buffer on watercourses. He added that the lands cannot be built on but does not require lands to be revegetated. He added that both the Provincial Policy Statement and both Official plans require buildings outside of hazard area, one way could be through top-of-bank requirement but this can also be done through the Conservation Authority permitting function. He noted that top of bank setbacks is an overlapping second layer of restriction as the permit requirement is met through the Conservation Authorities and their regulations.

Planner Metzger recommended approval of the amendment as it is consistent with the Provincial Policy Statement, 2020 and conforms to the Huron County and South Huron Official Plans.

Motion: PL#16-2020

Moved: T. Oke

Seconded: B. Willard

That South Huron Council receives the report from C. Metzger, Huron County Planner re Zoning By-Law Amendment D14-Z07-2020 Top of Bank Setbacks.

Disposition: Carried (7 to 0)

6.2 Written Comments Received

6.2.1 T. Chapman

6.2.2 Lakeshore EcoNetwork/James Corcoran

6.2.3 Ausable Bayfield Conservation Authority

6.3 Comments - Council; Public in Attendance

Councillor Vaughan asked whether the term natural watercourse has been removed from the new proposed sections of this by-law and asked whether the Conservation Authority regulates all water courses within South Huron. Planner Metzger noted that yes between the two Authorities they regulate natural or channelized and open municipal

drains. Councillor Vaughan asked whether regulation includes every creek and stream in South Huron. Planner Metzger noted that it would have to be of a size to fall under the regulation for concern. Councillor Vaughan asked if all municipal drains are covered under the Drainage Act or whether there open municipal drains that may not be managed by the municipality. Planner Metzger noted that drains covered under the Drainage Act are managed by the municipality but this does not include private drains. Councillor Vaughan asked if there is a creek that is not officially a creek but is prone to flooding how is it covered under the amendment. Planner Metzger responded that it would not be covered however if it was subject to flooding it would be managed by the Conservation Authority.

Councillor Oke asked whether under the building permit process would people still follow the rules for Conservation Authority regulations and Planner Metzger confirm that there will be no changes to building permit process as development is required to meet all applicable law.

Councillor Neeb asked where the numbers came for the original setbacks. Planner Metzger noted that these are common numbers across the County and were in place for quite a long time and that at this time there are processes to provide more site specific work.

Deputy Mayor Dietrich asked whether the only reason for this amendment is to avoid duplication and Planner Metzger noted that the primary impetus is to avoid having people go through minor variance process and added that people still require a permit from the Conservation Authority.

James Corocoran of Lakeshore EcoNetwork outlined the reasons for objection to the amendment under general category of natural heritage and not protection of natural hazards. He added that natural heritage is not regulated by the Conservation Authority and the amendment is a step in wrong direction. He noted that in the north there is work towards reforestation and that watercourse buffers in the north support biodiversity for the environment. He added that temperature affects fisheries and genetic diversity. He noted that access for humans to nature is increasingly important and that the thirty metre buffer is an international standard. He added that revegetation of the area would be best and to close gap by revegetating watercourses in municipality. He added that Council is paving new territory by adopting this amendment.

Mike Ondreijkj noted that there was a change in the zoning by-law from 2017 to when the Hazelton development started development that

enacted the 30m zone and now people are being asked to go to Ausable Bayfield on the subdivision that has already been built. He noted that with respect to natural habitat in the development it is not going beyond natural habitat as this is on farmland growing back into shrubbery and is being done so that people are not asked to go to minor variance process.

Pat O'Rourke noted that the development is a long way down to the river when considering the thirty metres and it was farmed closer to river than what is being proposed today. He added that conservation regulations will control any issues that will arise for erosion.

CAO Best noted that when the three former ward zoning by-laws were merged, it was never intended to have the top of bank setback in the urban centre. He noted that the setback had been previously included for Osborne and Stephen. He added that what is proposed is looking overall and has considered natural heritage implications and Conservation Authorities. He noted that every minor variance has been approved and that the duplication added cost for those individuals that are developing in South Huron.

7. Close Public Meeting

Motion: PL#17-2020

Moved: J. Dietrich

Seconded: D. Faubert

That South Huron Council now closes this Public Meeting at 6:51 p.m. and reconvenes the Regular Council meeting.

Disposition: Carried (7 to 0)

George Finch, Mayor

Rebekah Msuya-Collison, Clerk