



The Corporation of the Township of Huron-Kinloss

Council Meeting Minutes

Date: January 16, 2023
Time: 2:00 pm
Location: Council Chambers

Members Present Don Murray, Mayor
Jim Hanna, Deputy Mayor
Larry Allison, Councillor
Shari Flett, Councillor
Scott Gibson, Councillor
Ed McGugan, Councillor

Members Absent Carl Sloetjes, Councillor

Staff Present Jennifer White, Manager of Legislative Services/Clerk
Mary Rose Walden, Chief Administrative Officer
Michele Barr, Chief Building Official
Jodi MacArthur, Treasurer

Staff Absent Coreena Smith, Bruce County Planner
Kelly Lush, Deputy Clerk

1. Call to Order

Mayor Murray called the meeting to order at 2:10 pm

2. Disclosure of Pecuniary Interest

None disclosed.

3. Public Meetings Required Under the Planning Act

3.1 Z- 2022 - 115 Snobelen

The purpose of this Application is for the severance of approximately +/- 0.65 hectares of land for a lot enlargement. The lands to be merged are

proposed to be rezoned AG1-25.20 to match the zoning of the recipient property.

The retained lands will be rezoned AG1-H1 in areas of high archaeological potential. If approved, this will facilitate an existing driveway to be added to the Agricultural-Commercial lands that it currently serves. The related Consent file is B-2022-053..

If approved, the application would facilitate the severed lands to be rezoned to General Agricultural Special (AG1-25.20) matching the existing zoning of the recipient agricultural-commercial property. The remnant agricultural lands are also proposed to be rezoned General Agriculture (AG1) to General Agricultural Holding (AG1-H1), requiring an Archaeological Assessment for the lands containing high archaeological potential.

The Planner Benito Russo explained the report and recommendation. Any comments received from Agencies and the Public received by the time of writing the report are in the written report.

Presentations from the Applicant

None.

Presentations from the Public

None.

Questions and Clarifications from Council

Council clarified the buffer requirement for the property.

Resolution No.: 01/16/23 PP - 01

Moved by: Jim Hanna

Seconded by: Shari Flett

That Council approve Zoning By-law Amendment Z-2022-115 as attached to the Planner's report;

AND FURTHER THAT the necessary by-law be forwarded to Council for adoption.

Carried

3.2 Z-2022-117 McClory

The purpose of the application is for a consent for a lot addition.

If approved, the application will facilitate the severance of forested lands from the subject property to merge with an abutting property so the forest can be preserved if the subject property is sold to a new owner. A Zoning By-Law amendment is also proposed to zone the severed lands as Environmental Protection (EP) and remove EP zoning from the retained lands. The related consent file is B-2022-115.

The Planner Monica Walker Bolton explained the report and recommendation. Any comments received from Agencies and the Public received by the time of writing the report are in the written report.

The Planner clarified that issues associated with Zoning and Severance are different issues. The zoning is related to the moving of the EP designation.

Presentations from the Applicant

The applicant spoke about the trees (ash) which had been removed and reasons for their application request.

Presentations from the Public

Tim Palmer a neighbor of the applicant property, raised concerns regarding the tree removal already taken place and inquired about concerns regarding emergency services or fire accessing the property. Palmer also objected to the sharing of his concerns by County Staff with the applicant.

County Staff provided an explanation on the practices regarding providing information to the applicant.

Questions and Clarifications from Council

Council inquired about the retained lot and whether it could be used as a residential lot, and when drainage impacts would be addressed.

Resolution No.: 01/16/23 PP - 02

Moved by: Scott Gibson

Seconded by: Larry Allison

That Council approve Zoning By-law Amendment Z-2023-117 as attached to the Planner's report;

AND FURTHER THAT the necessary by-law be forwarded to Council for adoption.

3.3 L-2022-012 and Z-2022-112 Veranda Property Investments

The purpose of this application is for a Local Official Plan Amendment and Zoning By-law Amendment.

If approved, the application will facilitate the development of two townhouse buildings consisting of fourteen (14) total dwelling units.

The proposed Local Official Plan Amendment changes the designation on a portion of the property from 'Open Space' to 'Residential' to facilitate the construction of one of the townhouse buildings. A portion of this area is affected by flood hazard (flood fringe) and this is reflected in the proposed residential designation.

The zoning by-law amendment proposes to rezone the subject lands from "Residential One (R1)", "Residential Three (R3)", and "Open Space (OS)" to a site-specific, special regulation "Residential Three (R3-25-172 and R3-25-172(f))" zone. Special provisions include:

- A parking rate of 1.9 spaces per unit; whereas 2.0 spaces per unit is permitted;
- A lot frontage of 12.1 m; whereas 15 m is permitted;
- An interior side yard setback of 0.5 m; whereas 2.5 m is permitted; and,
- A rear yard setback of 4.5m; whereas 7.5m is permitted.

The Planner Monica Walker Bolton explained the report and recommendation. Any comments received from Agencies and the Public received by the time of writing the report are in the written report.

Presentations from the Applicant

The planner representing the applicant, was in attendance to listen and address any comments from the public.

Presentations from the Public

Punya Sagar , the Planning Consultant for 736 Campbell Street spoke on behalf of that developer. They are generally supportive and would like to work in collaboration with the proposed development, regarding access to a commercial area, relocation of infrastructure etc.

Questions and Clarifications from Council

Council requested more information on side-yard setbacks, particularly the southernmost building rear yard setback. County Staff referred to the site plan attached to the report, and asked the planner for the applicant to address this question. The reduced setback request is just for an existing building, and not for the new proposed buildings. The applicant will be providing an engineering report for drainage and storm water management at the site plan approval stage.

Council inquired about whether this is meant to be attainable housing or what type of resident is being targeted. Council inquired about the privacy infringement for the Ross Street properties, and planning staff indicated that a landscape plan would be included at the site plan stage.

Resolution No.: 01/16/23 PP - 03

Moved by: Larry Allison

Seconded by: Ed McGugan

That Council adopt Official Plan Amendment Number L-2022-012 and the necessary by-law be forwarded to the County of Bruce for approval.

Carried

Resolution No.: 01/16/23 PP - 04

Moved by: Jim Hanna

Seconded by: Shari Flett

That Council approve Zoning By-law Amendment Z-2022-112 as attached to the Planner's report;

AND FURTHER THAT the necessary by-law be forwarded to Council for adoption.

Carried

3.4 L-2022-010 and Z-2022-064 Lucknow Kinsmen

The purpose of these applications is for a local Official Plan Amendment and Zoning By-Law Amendment.

If approved, these applications would expand the current permitted uses for the existing special policy area and special zones. The subject lands

are proposed to be used for special events including camping, with a maximum of four (4) events to be held annually.

The Planner Monica Walker Bolton explained the report and recommendation. Any comments received from Agencies and the Public received by the time of writing the report are in the written report.

Presentations from the Applicant

On behalf of the Lucknow Kinsmen, Paul Zinn clarified that the Summerfest should be stricken from the application and the fourth event to be included would be the Lucknow Reunion.

Lyndon Johnson co-chair of Dunganon Superpull, addressed Council regarding the opportunity for it to be a community fundraiser for various organizations. Mr. Johnson provided an update on several items including the Kinsmen desire to relocate the maple trees, rather than remove them. As well, they indicated that the demolition derby is moving north of the railway tracks in the latest proposal for the event site plan.

The Kinsmen expressed an interest to address concerns regarding traffic at the end of the event, and spill/environmental concerns with the tractor pull and derby.

Rob Searson, other co-chair of the Pull will be the contact and coordinating with neighbors to continue addressing concerns that may arise.

Presentations from the Public

Heather, Washington Street resident expressed concerns about the traffic impacts and difficulties entering and leaving their own property during events. Heather also indicated there were sanitation concerns from the north side campers during past events.

Susan Irwin, Washington Street resident is concerned about the security of their property during events, access to their property and the impact to enjoying their property during events. Irwin inquired about the impact of a Tractor Pull on the Township's climate action plan.

Kendra Clark addressed Council on behalf of her mother, a neighboring resident and requested from the Kinsmen that the addressing on the property be updated to reflect correct addressing. Clark indicated there was a concern previous, which had been addressed with moving the location of the Derby within the new siteplan.

Rick McMurray, organizer Music in the Fields, offered to create a security plan to address neighbors concerns with property safety and security.

Cliff Mann, addressed Council and indicated that they are not a direct neighbor, as there is a creek between the properties. Mann acknowledged the good of the event for the community, but acknowledged that it isn't ideal for neighbors to this property. Mann raised concerns that changes in the club could impact the event plans and therefore the impact to neighbors. They requested information on how the Township could ensure continuity in process and that current commitments were maintained.

Questions and Clarifications from Council

Council acknowledged the impact to neighbors and the benefit to the Community.

Council inquired about the amount of camping which infringed on the hazard area.

Council inquired about what tools are available to ensure that there are controls in place to address comments from neighbors.

County staff indicated that the Official Plan and Zoning Amendments do not have these mechanisms, and the application would need to be deferred by Council until they were satisfied that the commitments raised were satisfied. They also provided information on other mechanisms or approval steps which could be utilized to achieve the same purpose. Staff confirmed that once Council passed these amendments, there is a commitment or intent for events to go forward on the property, however there are areas to allow control at the Staff level.

Council inquiry regarding the 4th event permitted in the zoning by-law and whether it should be removed with the expression that the Summerfest should not be included. The Kinsmen indicated that maintaining inclusion of the fourth event provides flexibility to add additional community events as requested without a new application. The current By-law amendment proposal is for four events, the Kinsmen indicated those events would be MITF, Kiting Event, Superpull, annually and the Lucknow Reunion every decade.

Resolution No.: 01/16/23 PP - 05

Moved by: Scott Gibson

Seconded by: Larry Allison

That Council adopt Official Plan Amendment Number L-2022-010 and the necessary by-law be forwarded to the County of Bruce for approval.

Carried

Resolution No.: 01/16/23 PP - 06

Moved by: Ed McGugan

Seconded by: Jim Hanna

That Committee approve Zoning By-law Amendment Z-2022-064 as attached to the Planner's report;

AND FURTHER THAT the necessary by-law be forwarded to Council for adoption.

Carried

3.5 Z-2022-097 Eadie

The purpose of the application is for a consent for a severance. If approved, the application will facilitate the recreation of two lots which have merged. A zoning by-law amendment is required to recognize the reduced lot areas of the lots of 25.3 hectares and 24 hectares.

The Planner Monica Walker Bolton explained the report and recommendation. Any comments received from Agencies and the Public received by the time of writing the report are in the written report.

Presentations from the Applicant

The Planner for the Applicant, Don Scott, provided comments on behalf of the applicant. Scott provided comments on the historical lot sizes, history of the property and discussed their justification for these lots as original township lots and preservation of the agricultural uses.

Anne Eadie, provided comments on the application and a history of the farmland. Eadie indicate that the lots were unintentionally merged and would like to create separate farmlands for estate purposes and is not intending to change the use of the land.

Presentations from the Public

None.

Questions and Clarifications from Council

Council inquired about the severance of the house lot, and discussed current and historic farm lot sizes. Council inquired on the consequences should there be a difference in the Township zoning from the County plan.

Resolution No.: 01/16/23 PP - 07

Moved by: Jim Hanna

Seconded by: Larry Allison

That Council not approve the Planners report;

AND FURTHER THAT Council Zoning By-law Amendment Z-2022-097 and the necessary by-law be forwarded to Council for adoption.

Carried

4. By-Laws and Agreements

Recommended By-laws from planning applications will be considered at a February meeting of Council.

5. Closed Meeting

Resolution No.: 01/16/23 PP - 08

Moved by: Scott Gibson

Seconded by: Shari Flett

THAT Council move into closed meeting at 4:24 p.m. for the purpose of considering a proposed or pending acquisition or disposition of land by the Township or Local Board (Ripley Industrial Park), pursuant to Section 239(2) of the *Municipal Act, 2001*, as amended;

AND FURTHER THAT Council return to regular open meeting upon completion.

Carried

6. Matters Arising From Closed Meeting

The Mayor reported that a closed meeting had been held to consider a pending sale of land and direction had been provided to Staff.

7. Confirming By-Law

Resolution No.: 01/16/23 PP - 09

Moved by: Jim Hanna

Seconded by: Larry Allison

THAT the "Confirmatory January 2023" By-law be deemed to be read a first, second, third time and finally passed and numbered as By-law No. 2023 - 08.

Carried

8. Adjournment

Resolution No.: 01/16/23 PP - 10

Moved by: Ed McGugan

Seconded by: Shari Flett

THAT the Township of Huron-Kinloss Council hereby adjourn at 4:51 p.m.

Mayor

Clerk