



## The Corporation of the Township of Huron-Kinloss

### Planning Advisory Committee Meeting Minutes

Council Chambers

September 28<sup>th</sup>, 2015

7:00 p.m.

Mitch Twolan, Mayor	Present.
Wilfred Gamble, Deputy Mayor	Present
Lillian Abbott, Councillor	Present
Jeff Elliott, Councillor	Present
Jim Hanna, Councillor	Absent
Don Murray, Councillor	Present
Carl Sloetjes, Councillor	Present
Mary Rose Walden, Administrator	Present
Sonya Watson, Clerk	Present
Matt Farrell, Chief Building Official	Present

Others Present: Dana Kieffer, David Smith. Pierre Chauvin, Nolan Moss

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#### 1. Call to Order

Mayor Twolan called the meeting to order at 7:00 p.m.

#### 2. Disclosure of Pecuniary Interest

Name: N/A Item: N/A Nature of Interest: N/A

#### 3. Adoption of Minutes

Motion Number: 18

Moved by: Elliott Seconded by: Sloetjes

That the Township of Huron-Kinloss Planning Advisory Committee hereby adopts the [August 24<sup>th</sup>, 2015](#) Planning Advisory Committee minutes as written.  
Carried.

#### 4. Public Meetings Required Under the Planning Act

4.1 Les Bushell and Laurie Schnurr c/o Cuesta Planning Consultants

Official Plan Amendment and Zoning By-Law Amendment

HKOPA # 33-14.11 and Z-3-14.11

1635 and 1647 Bruce Road 1

Park Lots 207 to 209 Plan 240, Less Road Widening, Geographic Township of Kinloss

The purpose of the Huron-Kinloss Official Plan Amendment is to expand the settlement area of the former Hamlet of Kinloss to recognize an existing contractor's yard.

The purpose of the Zoning By-law Amendment is to rezone a portion of the subject lands, +/- 1.24 ha (3.08 ac) from 'AG-General Agriculture' to 'MI-1-General Industrial Special' to permit a contractor's yard and provide relief from the minimum front yard setback.

A Site Plan Control Agreement has been agreed upon and is to be registered on title upon the final disposition of these applications.

[Planning Report](#)

[Official Plan Amendment By-Law](#)

[Zoning By-law](#)

[Site Plan Agreement By-Law 2015-63](#)

Staff Comments: The draft by-law as proposed is still permitting 4 entrances. 2 existing and 2 new off of Bruce Road 1. The Committee was not in favour of this previously so we wish to bring this to the Committee's attention.

Action: Dana Keiffer presented the planning report and outlined details concerning entrances, update of the EP zone and relayed the issues outlined in the letters received. Committee had questions related to the entrances and the need for 2 additional. It was noted that the applicant did not request the additional entrances and had no intention of putting them in but the County had authorized two additional entrances. There were no further concerns noted by the Committee regarding entrances.

The Committee questioned Mr. Bushell on his current practice for the handling of oil. Mr. Bushell outlined his process for handling oil and noted that the current facility has a concrete base. Spill kits are used and the oil is contained in oil jugs. His new facility once built would have an oil inceptor installed.

There was a question from the Committee regarding the disposal of refuse and whether an MOE inspection had been conducted. Mr. Bushell indicated that the MOE has attended his property in the past and he has relayed the information to the Clerk in a letter. The Clerk provided the letter to the Committee members for review. The letter was dated September 24<sup>th</sup>, 2015 written by Mr. Bushell stating there had been inspections by the MOE at the property due to complaints filed. Mr. Bushell indicated he had submitted a form to access the records for his property regarding these inspections. He stated at the meeting that the MOE had not found any infractions. It was clarified by Nolan Moss that Item number 12 a) in the Site Plan Agreement addresses small equipment and refuse storage on the property.

The Committee questioned the number of trucks permitted on the property. The Site Plan Agreement addresses truck storage but it is not specific to trucks plus equipment. It was suggested by staff that an amendment to the Site Plan Agreement could be made since it had not been registered yet to confirm that the Township would only permit 25 trucks and equipment vehicles in total. Not 25 trucks plus equipment.

The Committee questioned how long Mr. Bushell had to complete the work to adhere to the Site Plan Agreement. Staff clarified that Mr. Bushell will have one year to complete the work to adhere to the Site Plan Agreement. Mr. Bushell stated that the berm is existing and the trees will be planted and he maintains an orderly site.

The CBO noted for the Committee that a Septic Inspection is still required and as per item 12. e) suggested Mr. Bushell contact to have that arranged.

Nolan Moss from Cuesta Planning reviewed the details in the Site Plan Agreement for the Committee and detailed Mr. Bushell's proposal for a new building in the future. It was suggested that a new building would be planned for in the summer of 2016.

Alvery Hayes was registered as a delegation to speak in regards to this application.

Alvery Hayes made a verbal presentation. Mr. Hayes stated he owns the area adjacent to this property.

He had 4 questions for the Planner

1. Has the MOE been included in your report and circulation?

Mrs. Kieffer stated that the MOE is circulated through the Province's one window approach. Mrs. Kieffer had since contacted the MOE but they would not release inspection reports for the property. Mr. Bushell has made an FOI request.

2. How many trucks can be parked on the property? Nolan Moss from Cuesta Planning noted that 25 trucks are permitted with priority in the west parking lot.

Committee agreed the Site Plan Agreement should be clearer and only permit 25 vehicles to include all trucks and equipment. Mr. Bushell agreed to a handwritten amendment as underlined in the Site Plan Agreement to note "A MAXIMUM OF 25 TRUCKS AND EQUIPMENT MAY BE PARKED IN AREAS "B" and "C". The amendment was agreed upon and initialed by Mr. Bushell. This will be brought forward to Council on October 19<sup>th</sup>, 2015 for final authorization.

3. Why is the water runoff being directed to the EP and Hazard area?

It was noted that water is directed to the ditch and the site plan notes the appropriate grading for the property. Mr. Hayes questioned whether Silver

Lake water was still tested. Staff clarified it was no longer tested for the results in the past were clean and testing was no longer needed.

4. Where does the fuel storage area drain to?

Nolan Moss from Cuesta Planning stated Mr. Bushell has agreed to grade the property so the water flow would not affect Silver Lake adversely. He reiterated that he uses spill kits. He stated that Mr. Bushell is interested in building a new shed and once proper zoning is in place his Financial Institution has indicated he could obtain financing and move ahead with a new structure.

The Committee noted again that they required the septic to be inspected as part of cycle one of the Septic Inspection Program and this should be done prior to the October 19<sup>th</sup>, 2015 Council meeting when the Zoning and Official Plan Amendment By-laws would be considered. The applicant agreed to move ahead with a septic inspection.

Alvery Hayes stated that in May 27, 2002 his solicitor sent a letter regarding the by-laws of this property? He questioned why did this take 14 years to get to where we are now? Mr. Hayes felt he had provided adequate reasons to not approve this application. He stated if the Committee approves the re-zoning on this property the Township would be responsible to ensure all levels of government laws are being adhered to.

Mayor Twolan thanked Mr. Hayes for his comments. Mayor Twolan summed up the discussion and stated that the Township has been working with Mr. Bushell for a number of years and this Site Plan Agreement has established controls for the property and was the best path forward. The Mayor reiterated Council wants the septic inspection completed by October 19<sup>th</sup>, 2015 or the by-law will be deferred.

Motion Number: 19

Moved by: Murray Seconded by: Abbott

That the Township of Huron-Kinloss Planning Advisory Committee hereby recommends to the Township of Huron-Kinloss Council that the proposed Official Plan Amendment HKOPA#33-14.11 and Zoning By-Law Amendment Z-3-14.11 **Be Approved** in accordance with the draft site-specific by-laws.

Carried.

5. Other Planning Related Matters

5.1 Review of Rural and Agricultural Policies

David Smith will review the Rural and Agricultural Policies for both the County and Huron-Kinloss Official Plan. Pierre Chauvin from MHBC Planning Consultants has also reviewed the Rural and Agriculture Policies in the Official Plan and will provide comment on removing the policies from the Huron –Kinloss Official Plan.

## Chart

Action: The Committee questioned the surplus farm severance policies. David Smith commented that the County does take a broad approach to surplus farm severances and what constitutes a farmer. The Township could establish specific criteria for Huron-Kinloss within the County OP should they wish.

The Committee discussed the Secondary Housing Policies. David Smith clarified that currently a second home is only permitted for a farm business in the County OP.

The Committee also discussed farm severances and the size of lots permitted. David Smith clarified that in the rural area 100 acres can be split into two 50 acre parcels or to an 80 acre parcel and two 10 acre parcels.

The Committee requested Pierre Chauvin from MHBC provide comment on the County OP policies in relation to the Huron-Kinloss plan. Mr. Chauvin suggested the County Policies are more detailed than in the Huron-Kinloss plan. Any decision has to conform to the County OP. So essentially having two different policy documents is cumbersome and unnecessary.

He noted that the Intensive Livestock policies that are in the Township OP are not in the County OP but now with the MDS policies they are not required. The County OP will have to also be updated at some point to conform to the Provincial Policy Statement. Mr. Chauvin noted he could look at any specific policies the Committee may have concern with.

The Consultant will proceed with removal of the agricultural policies from the OP but final confirmation will be obtained at a future planning meeting.

## 6. Official Plan Growth and Development in Huron-Kinloss

Pierre Chauvin from MHBC Planning Consultants will consult with the Committee on the Official Plan with respect to Growth and Development in Huron-Kinloss and the urban areas.

Action: Pierre Chauvin did a power point presentation for the Committee. He presented an overview of the lands currently designated as residential and the number of lots that represented. The summary reveals that Lucknow and Ripley and even the lakeshore have an abundance of lands designated residential. The vacant land inventory would have to drastically be reduced in order to justify the expansion of the residential areas at the lakeshore. He felt it would be difficult to justify to the Province that removing lands from the fully serviced areas of Ripley

& Lucknow to the partially serviced areas of the lakeshore made sense. He stated that services (sewer and water) would have to be developed or expanded in the lakeshore area or extended from Kincardine to accompany the expansion of the residential area. Minor rounding out and infilling can occur on the vacant lots at the lakeshore on septic but any expansion of the residential area boundaries would require full municipal services.

Further discussion will take place regarding the Official Plan at a future meeting.

#### 7. Adjournment

Motion Number: 20

Moved by: Murray    Seconded by: Abbott

That the Township of Huron-Kinloss Planning Advisory Committee does now adjourn.

Carried.

Original Signed by Mitch Twolan

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Mayor

Original Signed by Sonya Watson

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Clerk