

PUBLIC HEARING**MUNICIPALITY OF HURON EAST****Tuesday, November 19th, 2019 – 7:08 P.M.**

Huron East Municipal Council met in the Council Chambers of the Municipal Office, Seaforth on Tuesday, November 19th, 2019 at 7:08 p.m. All members of Council were in attendance.

Also present for the public hearing were:

- Herman Terpstra and Eline Terpstra, applicants of Minor Variance Application A11-2019 on Lot 2, Concession 7, Grey Ward.
- Betty Cardiff, neighbouring property owner of Minor Variance Application A11-2019 on Lot 2, Concession 7, Grey Ward.

CALL TO ORDER & MAYORS REMARKS

Mayor Bernie MacLellan called the meeting to order at 7:08 p.m.

CONFIRMATION OF THE AGENDA

Moved by Ray Chartrand and seconded by Zoey Onn:
That the Agenda for the Public Hearing of the Committee of Adjustment dated November 19th, 2019 be adopted as circulated. Carried.

Adopt Agenda

DISCLOSURE OF PECUNIARY INTEREST**MINOR VARIANCE APPLICATION A10-2019**

The Clerk explained the purpose of the meeting was to consider a minor variance application by Lefor Farms Inc., Peter Lefor on Lot 20, Concession 13, Grey Ward.

CAO/Clerk Brad Knight explained the purpose and intent of the proposed minor variance is to permit a reduced exterior side yard setback from 60 metres to 38 metres for a barn addition to an existing dairy barn.

The Clerk advised that a notice of the Committee of Adjustment public hearing had been circulated to all government agencies and adjoining property owners as provided by the legislation and one reply was received.

Huron County Planning and Development Department

CAO/Clerk Brad Knight reviewed Huron County Planning report to Council concerning the minor variance application on Lot 20, Concession 13, Grey Ward with the following points being highlighted.

The purpose of the application is to permit a reduced exterior side yard setback for a barn addition to an existing dairy barn. The reduction is from the required 60 metres to 38 metres.

The subject property is 100 acres and contains a dwelling, three sheds and a barn and is surrounded by agricultural operations. The property is zoned General Agriculture (AG1) in the Huron East Zoning By-Law. It was noted the existing farm operation on the subject property experienced a fire that burnt down a livestock barn. In order to maintain their operations and livestock hosing needs, the owner is seeking to establish a new addition to the existing dairy barn on the site.

The Planning Department advised the requested variance is considered to be minor and appropriate and maintains the intent of both the Official Plan and Zoning By-Law. The Huron County Planning Department recommended minor variance application be approved.

Moved by Dianne Diehl and seconded by Alvin McLellan:
That Council of the Municipality of Huron East, acting as Committee of Adjustment, has held a public meeting pursuant to Section 45 of the Planning Act, 1990 with respect to minor variance application A10-2019;
AND WHEREAS agency comments were received from the Huron County Planning and Department recommending approval of the application;
AND WHEREAS no public comments were received on this application so there was no effect on the decision;

NOW THEREFORE, the Committee of Adjustment approves the minor variance application A10-2019 by Lefor Farms Inc. – Peter Lefor on Lot 20, Concession 13, Grey Ward to permit the following variance from By-Law 52-2006:

1. Section 4.4. – reduce the exterior side yard depth from 60 metres to 38 metres.
Carried.

MINOR VARIANCE APPLICATION A11-2019

The Clerk explained the purpose of the meeting was to consider a minor variance application by Terpstra Farms Ltd., Herman Terpstra on Lot 2, Concession 7, Grey Ward.

CAO/Clerk Brad Knight explained the purpose and intent of the proposed minor variance is to permit a reduced Minimum Distance Separation (MDS) for a new finishing hog barn to three neighbouring residences.

The Clerk advised that a notice of the Committee of Adjustment public hearing had been circulated to all government agencies and adjoining property owners as provided by the legislation and one reply was received.

Huron County Planning and Development Department

CAO/Clerk Brad Knight reviewed Huron County Planning report to Council concerning the minor variance application on Lot 2, Concession 7, Grey Ward with the following point being highlighted.

The purpose of the application is to permit a reduced Minimum Distance Separation for a new finishing hog barn to three neighbouring residences. The requested variances are as follows:

- To reduce the Minimum Distance Separation setback from 562 metres to 472 metres
- To reduce the Minimum Distance Separation setback from 562 metres to 486 metres
- To reduce the Minimum Distance Separation setback from 562 metres to 559 metres

The subject property is 100 acres and contains three barns, a manure storage facility and a coverall structure. The property is zoned General Agriculture (AG1) and Natural Environment (NE2) in the Huron East Zoning By-Law. It was noted the applicant is proposing to locate the new barn in the existing area of the other barns, which will be able to utilize the existing driveway and minimize the amount of cropped field being removed from production to accommodate the new barn. The application requests a reduction in MDS to a residence to both the east and west of the subject property and directly across Brandon Road to the south.

The Planning Department advised the requested variance is considered to be minor and appropriate and maintains the intent of both the Official Plan and Zoning By-Law. The Huron County Planning Department recommended minor variance application be approved.

Betty Cardiff questioned who the owners were of the three properties that require a reduced Minimum Distance Separation setback to their residences. Mr. Terpstra advised he owns the property to the south and rents out the residence. Mr. Terpstra also noted he has spoken with the owners of the residence to the east and they had no objection to the requested variance. The CAO advised that the distances to the three individual residences are as follows:

- residence to the south – 562 metres to 472 metres
- residence to the west – 562 metres to 486 metres
- residence to the east – 562 metres to 559 metres

Moved by Alvin McLellan and seconded by Dianne Diehl:

That Council of the Municipality of Huron East, acting as Committee of Adjustment, has held a public meeting pursuant to Section 45 of the Planning Act, 1990 with respect to minor variance application A11-2019;

AND WHEREAS agency comments were received from the Huron County Planning and Department recommending approval of the application;

AND WHEREAS no public comments were received on this application so there was no effect on the decision;

NOW THEREFORE, the Committee of Adjustment approves the minor variance application A11-2019 by Terpstra Farms Ltd. – Herman Terpstra on Lot 2, Concession 7, Grey Ward to permit the following variances from By-Law 52-2006:

1. Section 4.5
 - reduce the Minimum Distance Separation setback from 562 metres to 472 metres
 - reduce the Minimum Distance Separation setback from 562 metres to 486 metres
 - reduce the Minimum Distance Separation setback from 562 metres to 559 metres
- Carried.

Moved by John Lowe and seconded by Robert Fisher:
That the Public Hearing for the Committee of Adjustment be closed
at 7:21 p.m. Carried.

Bernie MacLellan, Mayor

Brad Knight, CAO/Clerk