



Municipality of Huron East
Committee of Adjustment – Public Hearing Agenda
Tuesday, December 17, 2024 at 6:00 P.M.
Council Chamber
2nd Floor, 72 Main Street South, Seaforth, ON

The purpose of the public hearing of the Committee of Adjustment is to consider an application and decision for proposed minor variance to the Huron East Zoning By-law 52-2006.

- 1. Call to Order**
- 2. Confirmation of the Agenda**
- 3. Disclosure of Pecuniary Interest**
- 4. Minor Variance Applications**
 - 4.1 [Planning Report](#) re: Minor Variance Application MV05-2024**

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- 5. Adjournment**



PLANNING & DEVELOPMENT

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To: Mayor and Members of the Committee of Adjustment
From: Shae Stoll, Planner
Date: December 17, 2024

Re: Application for Minor Variance: MV05-2024

Concession 3 London Road survey, Part Lot 11, Tuckersmith Ward, Municipality of Huron East (40504 Walnut Road)

Owner/Applicant: Tom Bender

Recommendation

It is recommended that minor variance application MV05-24 be **approved** with the following conditions:

1. The variance approval is valid for a period of 18 months from the date of the Committee's decision.
2. The proposed structure be constructed as per the site plan submitted with the application to the satisfaction of the Chief Building Official.

Purpose

The purpose of this application is to seek relief from Zoning By-Law 52-2006 for the Municipality of Huron East to reduce the required Minimum Distance Separation (MDS) II setback to facilitate the development of a new swine barn on the property.

Two minor variances are being requested for this development:

- Reduce the required MDS II setback for a new barn from 597m to 525m to the house to the northeast of the proposed barn.
- Reduce the required MDS II setback for a new barn from 597m to 507m to the house to the west of the proposed barn.

Figure 1: Aerial photograph showing subject property outlined in orange.



Figure 2: Proposed Location. Sketch of property showing proposed barn location (red), abutting residences and proposed setbacks (blue) and required MDS II buffers (purple).



Figure 3: Site plan drawing submitted by applicant. Sketch details the dimensions of the proposed barn and setback from Walnut Road.

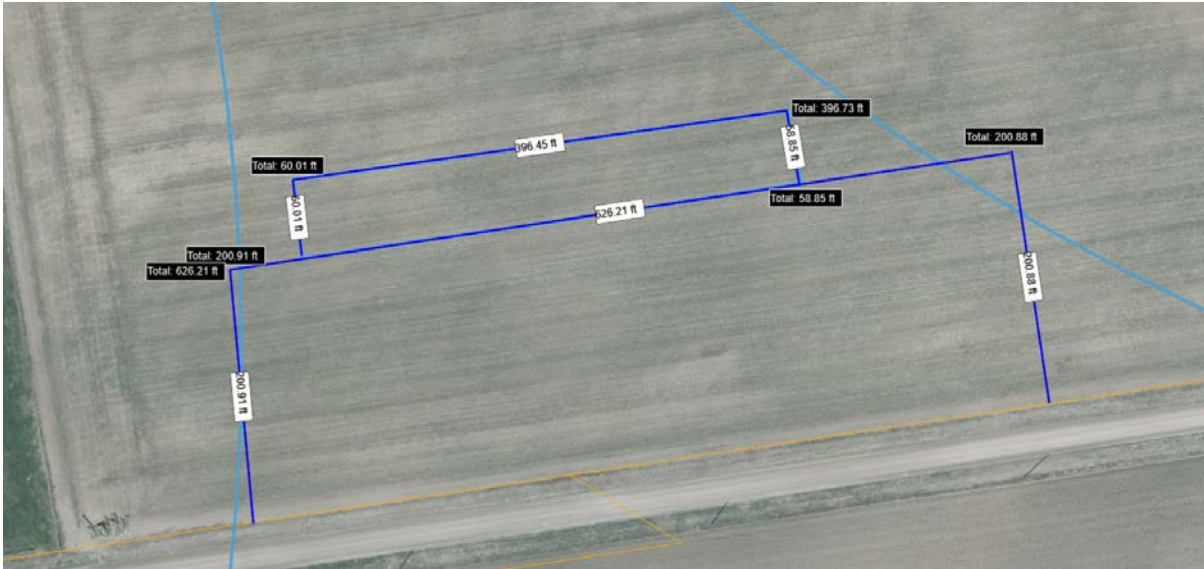


Figure 4: Site photo.



Comments Received

At the time of report submission, one phone call was received from the neighbour to the west. The neighbour had some questions around the purpose and extent of the requested variance and potential for impacts to their property. No concerns were received from Municipal staff or other agencies.

This report was prepared in advance of the Public Meeting. Additional comments may be presented at the Public Hearing for consideration by the Committee.

Review

The subject property is zoned AG1 (General Agriculture), NE1 and NE2 (Natural Environment) on Key Map 48 of the Huron East Zoning By-law and is designated Agriculture and Natural Environment in the Huron East Official Plan. The subject property is approximately 79 acres in size and consists of vacant farmland. The owner is seeking to construct a 2500 head swine barn on the property.

Each minor variance application must satisfy four tests set out under Section 45 of the Planning Act (1990), as amended. This minor variance application:

Meets the intent of the Huron East Official Plan

The subject property is designated Agriculture. The development of a livestock barn is considered a permitted use within the Agriculture designation. The proposal meets the goals and policies for the Agriculture designation in the Huron East Official Plan (4.3 & 4.4). As such, the proposal meets the intent of the policies in the Huron East Official Plan.

Meets the intent of the Huron East Zoning By-law

The property is zoned AG1 in the Huron East Zoning by-law, which allows for the construction of new livestock facilities. The proposal as shown, otherwise meets the applicable Zoning by-law provisions. The request meets the intent of the Huron East Zoning by-law.

Is desirable for the appropriate development of the lands in question & is minor in nature

The application requests to reduce MDS II setback to two neighbouring residences. A reduction from 597m to 525m from the residence to the northeast of the proposed barn is requested which represents a reduction of approximately 12%. A reduction from 597m to 507m to the residence to the west of the proposed barn is requested representing approximately a 15% reduction. All other applicable setbacks and zone provisions will be met. The barn is proposed to be located on the southeast corner of the farm parcel which is bordered by a woodland thicket along the Municipal drain on the property. The forested area will serve as a physical buffer between the livestock barn and the two nearest residences which is likely to further mitigate impacts. The requested variances are minor in nature and it is not anticipated there will be adverse impacts on surrounding residences. As such, the proposal is considered desirable for the appropriate development of the lands and minor in nature.

Conclusion

The variances requested are minor and appropriate and maintains the intent of both the Official Plan and Zoning By-law. It is recommended that the variance be approved with the included conditions.

Please note this report is prepared without the benefit of input from the public as may be obtained through the public meeting. Council should carefully consider any comments and/or concerns expressed at the public meeting prior to making their decision on this application.

‘Original signed by’

Shae Stoll

Planner

Site inspection: December 10, 2024