

**MINUTES OF THE TOWNSHIP OF NORTH HURON**  
**COMMITTEE OF ADJUSTMENT**



**Date:** Monday, January 15, 2018  
**Time:** 7:07 p.m.  
**Location:** HELD IN THE TOWNSHIP COUNCIL CHAMBERS

**MEMBERS PRESENT:** Reeve Neil Vincent  
Deputy Reeve James Campbell  
Councillor Ray Hallahan  
Councillor Yolanda Ritsema-Teeninga  
Councillor Brock Vodden  
Councillor Bill Knott

**STAFF PRESENT:** Dwayne Evans, CAO  
Richard Al, Clerk/Manager of Information Technology  
Donna White, Director of Finance  
Pat Newson, Director of Recreation and Facilities  
Sean McGhee, Director of Public Works  
Kirk Livingston, Chief Building Official  
Chad Kregar, Deputy Chief, FDNH  
Matt Townsend, Deputy Chief FDNH  
Laura Young, Huron County Planner  
Laura Schreiner, Huron County Planner

**OTHERS PRESENT:** Denny Scott, Citizen  
Adam Bell, CKNX  
Art Versteeg, Reeve, Howick Township  
Ron Davidson, Ron Davidson Land Use Planning Consulting Ltd.  
Gary Rutledge, GJAJ Holdings Ltd.  
Joe Hallahan, Murray Souch, Graham Jackson, Peter Uyl,  
Linda Uyl, Irene Kellins, Patty Kellins, Brenda Gordon,  
Brenda Linton, Dave Linton, Ernest Dow.

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**1. Call to Order**

Reeve Vincent called the meeting to order at 7:07 pm.

**2. Disclosure of Pecuniary Interest**

None disclosed.

**3. Accept or Amend Agenda**

**COA01/18**

**MOVED BY:** R. Hallahan

**SECONDED BY:** Y. Ritsema-Teeninga

*THAT the Committee of Adjustment hereby accepts the agenda for the January 15, 2018 hearing as presented.*

**CARRIED**

**4. Committee of Adjustment - Authority**

The Council of the Corporation of the Township of North Huron enacted By-law No. 05-2017 authorizing the appointment of the full Council to form the Committee of Adjustment.

Hence, it is by the authority of By-law No. 05-2017 and The Planning Act, R.S.O. 1990, as amended, that his Committee of Adjustment shall perform its responsibilities.

**5. Appoint Secretary-Treasurer**

The Council of the Corporation of the Township of North Huron hereby authorizes the appointment of the Clerk as Committee of Adjustment Secretary-Treasurer.

**COA02/18**

**MOVED BY:** J. Campbell

**SECONDED BY:** B. Knott

*THAT the Committee of Adjustment hereby authorizes the appointment of the Clerk as Committee of Adjustment Secretary-Treasurer.*

**CARRIED**

**6. Statement of Precedent**

“That any decision reached by this Committee tonight can not be used to set a precedent.”

**7. New Business**

File A04-2017

Location: Concession 4 Part North Part of Lot 31; West Part of Lot 32, East Wawanosh Ward, North Huron (38917 Westfield Road)

Applicant/Owners: Tonnie and Anita van Hittersum / Rolling Lands Farms Ltd.

#### 7.1 Purpose and Description

The purpose of this application is to seek relief from Zoning By-law 82-2008 for the Township of North Huron. The subject property is designated Agriculture in the North Huron Official Plan and zoned General Agriculture (AG1) in the North Huron Zoning By-law.

The applicant is proposing to construct a new free stall dairy barn on the property, which currently contains another free stall dairy barn, other barns and agricultural structures, and a residence. The proposed Minor Variance would allow the new barn to be constructed at a setback of 15 metres from the eastern property line, rather than the 30 metres that would otherwise be required by the Zoning By-law. Specifically, this request requires a Minor Variance of:

1. the side yard requirement for livestock barns (Section 4.4) from 30 metres to 15 metres; and
2. the Minimum Distance Separation (MDS) setback from side lot lines (Section 4.5) from 26 metres to 15 metres.

(For clarity, the new barn will still be required to meet MDS distances from nearby buildings.)

#### 7.2 Comments of the Huron County Planner

Laura Schreiner, Huron County Planner presented details regarding File A04-2017.

L. Schreiner explained that the file is regarding a proposed minor variance and noted that the application aligns with the North Huron Official Plan as well as the North Huron Zoning By-law.

#### 7.3 Comments of the Applicant and/or Agent

No additional comments were received.

#### 7.4 Comments of Others

No additional comments were received.

7.5 Committee of Adjustment Members' Questions and/or Comments

No additional comments were received.

7.6 Recommendation of the Huron County Planning & Development Department

Approval (with conditions) is recommended as outlined in the report from Laura Schreiner, Huron County Planner.

7.7 Recommendation to Council from the Committee of Adjustment

	A. Effect of Public Comments on Decision of Council	B. Effect of Agency Comments on Decision of Council (e.g. Planning, Public Works, Health Unit)
1. Council agrees with effects of input as contained in the planning report	Council concurs with the planning report regarding the effect of public and agency comments on the decision.	Council concurs with the planning report regarding the effect of public and agency comments on the decision.
2. No comments received	No public comments were received on this application so there was no effect on the decision.	No agency comments were received on this application so there was no effect on the decision.
3. Supportive comments received	Public comments were received in support of the application, the effect of which resulted in a decision to approve the application.	Agency comments were received in support of the application, the effect of which resulted in a decision to approve the application.
4. Concerns raised were addressed through conditions to approval or changes to mapping or text amendment	Public comments were received on the issue(s) of _____. The comments were address through (conditions to approval/changes to the mapping or text of the amendment).	Comments were received from agencies on the issue(s) of _____. The comments were address through (conditions to approval/changes to the mapping or text of the amendment).
5. Concerns raised did not influence the decision	Public comments were received on the issue(s) of _____. Comments were thoroughly considered but the effect did not influence the decision of Council to (approve/deny) the application.	Comments were received from agencies identifying the issue(s) of _____. Comments were thoroughly considered but the effect did not influence the decision of Council to (approve/deny) the application.

6. Concerns raised did influence the decision	Public comments were received on the issue(s) of _____, the effect of which influenced the decision of Council to (approve/deny) the application.	Comments were received from agencies identifying the issue(s) of _____. Comments were thoroughly considered but the effect did not influence the decision of Council to (approve/deny) the application.
7. Comments received in support and opposition to the application	Options from above 1A/3A/4A/5A/6A	Options from above 1B/3B/4B/5B/6B
8. Other	Additional wording deemed appropriate by Council	Additional wording deemed appropriate by Council

Council selected 2A and 4B from the chart.

**COA03/18**

**MOVED BY:** R. Hallahan

**SECONDED BY:** J. Campbell

*THAT the Committee of Adjustment hereby recommends to North Huron Council that the Minor Variance File #A04-2017 as it applies to Concession 4 Part North Part of Lot 31; West Part of Lot 32, East Wawanosh Ward, North Huron (38917 Westfield Road) Applicant / Owners: Tonnie and Anita van Hittersum / Rolling Lands Farms Ltd.; be approved with the following conditions:*

- 1. The barn be located within the footprint contained on the sketch submitted by the applicant to the Municipality;*
- 2. The barn be as shown in the elevation drawings submitted by the applicant to the Municipality; and*
- 3. The variance approval is valid for a period of 18 months from the date of the Committee’s decision.*

**CARRIED**

**8. Ruling of the Committee of Adjustment**

Minor Variance Procedure Following Public Meeting  
The Secretary-Treasurer sends within 10 days a certified copy of the decision indicating the last day of Appealing to the Ontario Municipal Board (OMB) to:  
(a) The Applicant.  
(b) The Minister of Municipal Affairs & Housing, if requested.  
(c) Each person who appeared in person or by counsel at the Hearing

and who filed with the Secretary-Treasurer a written request for Notice of the Decision.

**IF NO APPEAL LODGED:**

After the 20 day objection period has expired and no Appeal has been lodged, the decision of the Committee of Adjustment is final and binding. The Secretary-Treasurer shall notify the applicant.

**IF A NOTICE OF APPEAL IS LODGED:**

If within 20 days of the Committee of Adjustment making a decision, an Appeal is lodged with the Secretary-Treasurer outlining the reasons for such an Appeal and said Appeal is accompanied by the required fee of \$300.00, the Committee of Adjustment no longer retains jurisdiction over the application.

If a proper Appeal is lodged the Secretary-Treasurer is required to provide proper Notice to the Ontario Municipal Board (OMB).

**9. Adjournment**

**COA04/18**

**MOVED BY:** B. Vodden

**SECONDED BY:** B. Knott

*THAT there being no further business before the Committee of Adjustment, the Public Hearing be hereby Adjourned at 7:22 pm.*

**CARRIED**

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Neil Vincent, Reeve

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Richard Al, Clerk