

MINUTES OF THE TOWNSHIP OF NORTH HURON
COMMITTEE OF ADJUSTMENT MEETING



Date: Monday, October 17, 2016
Time: 7:26 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 Trevor Seip
Councillor Brock Vodden
Councillor Bill Knott

STAFF PRESENT: Sharon Chambers, CAO
Kathy Adams, Director of Corporate Services / Clerk
Donna White, Director of Finance
Pat Newson, Director of Recreation and Facilities
David Sparling, Director of Fire and Emergency Services
Richard Al, Manager of Employee and Business Services
Kirk Livingston, CBO/Property Standards/Zoning
Laura Young, Planner

OTHERS PRESENT: Denny Scott, Citizen
Jackie Riggs, Advance Times
Jim Snyder, Frank Hallahan, Steve Hallahan, Marian Hallahan, Karen Redmond, Steve Hill, Bob Middleton

1. Call to Order

Reeve Vincent called the meeting to order at 7:26 pm.

2. Disclosure of Pecuniary Interest

None disclosed.

3. Accept or Amend Agenda

COA01/16

MOVED BY: R. Hallahan

SECONDED BY: J. Campbell

THAT the Committee of Adjustment hereby accepts the agenda for the October 17, 2016 hearing as printed and circulated.

CARRIED

4. Committee of Adjustment - Authority

The Council of the Corporation of the Township of North Huron enacted By-law No. 2-2013 authorizing the appointment of the full Council to form the Committee of Adjustment.

Hence, it is by the authority of By-law No. 2-2013 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 enacts the By-law authorizing the appointment of the Clerk as Committee of Adjustment Secretary-Treasurer.

6. Statement of Precedent

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

7. New Business

File D13-01/2016 Minor Variance Application

Concession 5 South Part Lot 40, East Wawanosh Ward, North Huron (39732 Westfield Road)

Applicant/Owners: Marfran Farms- Francis Hallahan, Marian Hallahan and Steven Hallahan

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 AG1- General Agriculture in the North Huron Zoning By-law.

The applicant is proposing to construct a dairy barn in conjunction with the existing operation on the south of the property. The provisions set out in the North Huron Zoning By-law require a front yard setback in the AG1 Zone for a structure to be a minimum of 60 metres (197 feet). The proposed Minor Variance seeks relief for 20 metres (67 feet), as the applicant requests to build the dairy barn at a front yard setback of 40 metres (130 feet).

7.2 Comments of the Huron County Planner

See attached report from Laura Young, Huron County Planner.

Laura Young, Huron County Planner presented a report on Minor Variance Application File D13/2016.

7.3 Comments of the Applicant and/or Agent

Frank Hallahan commented that he would like to continue with the proposed location as the structure would be located in proximity to the other current buildings on the property.

7.4 Comments of Others

7.5 Committee of Adjustment Members' Questions and/or Comments

Councillor Seip inquired about the 60 metre set back requirement.

Deputy Reeve Campbell inquired if there were any comments from the public on this application and as to the timing of a building permit being issued.

7.6 Recommendation of the Huron County Planning & Development Department

Approval recommended as outlined in report from Planner.

7.7 Recommendation to Council from the Committee of Adjustment

COA02/16

MOVED BY: J. Campbell

SECONDED BY: R. Hallahan

THAT the Committee of Adjustment hereby recommends to North Huron Council that the Minor Variance D13-01/2016 as it applies to Concession 5 South Part Lot 40, East Wawanosh Ward, Township of North Huron (39732 Westfield Road) Applicant/Owners: Marfran Farms- Francis Hallahan, Marian Hallahan and Steven Hallahan; be approved.

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

COA03/16

MOVED BY: T. Seip

SECONDED BY: Y. Ritsema-Teeninga

*THAT there being no further business before the Committee of Adjustment,
the Public Hearing be hereby Adjourned at 7:38 pm.*

CARRIED

Neil Vincent, Reeve

Kathy Adams, Clerk