



Corporation of the Municipality of South Huron  
Agenda - Public Meeting

Tuesday, September 5, 2017, 6:00 p.m.  
Council Chambers - Olde Town Hall

Accessibility of Documents:

Documents are available in alternate formats upon request. If you require an accessible format or communication support, please contact the Clerk's Department at 519-235 -0310 or by email at [g.scharback@southhuron.ca](mailto:g.scharback@southhuron.ca) to discuss how best we can meet your needs.

Pages

1. Call to Order
  2. Disclosure of Pecuniary Interest
  3. Purpose of Public Meeting
  4. Zoning By-law Amendment application #D14-07/17 Bajzat (Boere)
    - 4.1 Application #D14-07/17 Bajzat (Boere) 1
    - 4.2 Report S. Smith, Huron County Planner D#14-07/17 13
- Recommendation:**  
That South Huron Council receives the report from S. Smith, Huron County Planner re: Zoning By-Law Amendment D14-07/17 - Bajzat (Boere)
- 4.3 Written Comments Received
  - 4.4 Comments-Council; Public in Attendance
5. Close Public Meeting

**Recommendation:**

That South Huron Council now closes this Public Meeting at \_\_\_\_\_ p.m. and reconvenes the Regular Council meeting.

For office use only	File # <u>DM-07/2017</u>
	Submitted <u>July 24</u> , 20 <u>17</u>
Date Application considered complete _____, 20____	

MUNICIPALITY OF South Huron  
 Application for Official Plan and/or Zoning By-law Amendment

**A. THE AMENDMENT**

1. TYPE OF AMENDMENT?

\_\_\_\_\_ Official Plan [ ] Zoning By-law No. 12-1984 [☒] Both [ ]

a) Name of Official Plan to be amended: \_\_\_\_\_

b) Name of Zoning By-law to be amended: Township of Stephen Consolidated Zoning By-law

2. WHAT IS THE PURPOSE OF AND REASONS FOR THE PROPOSED AMENDMENT(S)?

To change the zoning from AG1 to AG4 so  
that we can build a house and a large shed

**B. GENERAL INFORMATION**

3. APPLICANT INFORMATION

a) Registered Owner's Name(s): Rita Maria Bajzat  
 Address: 96 Bruce St., London, ON  
 Phone: Home ( ) Work ( ) Fax ( )  
 Email: \_\_\_\_\_ Cell ( )

b) Applicant (Agent) Name(s): James J Boere & Susan D Boere  
 Address: 184 Ontario St. S. Grand Bend ON  
 Phone: Home ( ) Work ( ) Fax ( )  
 Email: \_\_\_\_\_ Cell ( )

c) Name, Address, Phone of all persons having any mortgage, charge or encumbrance on the property:

d) Send Correspondence To? Owner [ ] Agent [☒] Other [☒] Applicant (James J Boere)

4. WHAT AREA DOES THE AMENDMENT COVER?

- a) ☒ the "entire" property or  
b) ☐ just a "portion" of the property

5. PROVIDE A DESCRIPTION OF THE ENTIRE PROPERTY:

Municipal Ward: Stephen  
911 Address and Road Name: Gore Rd  
Roll Number (if available): 40-10-040-025-01500-0000  
Concession: B North Lot: Pt L 7 Registered Plan No.: 22 R43 Pt 7+18  
Area: 3.93 ~~acres~~ hectares Depth: 858.6 ~~feet~~ metres Frontage (Width): 200 ft. ~~metres~~

6. IS ANY OF THE LAND IN WELLHEAD PROTECTION AREA C? Yes ☐ No ☒ Unknown ☐

If Yes, please obtain a Restricted Land Use Permit from the Risk Management Official.  
If Unknown, please consult with your Municipal Planner and obtain a Restricted Land Use Permit if necessary.

7. PROVIDE A DESCRIPTION OF THE AREA TO BE AMENDED IF ONLY A 'PORTION' OF THE PROPERTY:

Area:                      ~~hectares~~ Depth:                      ~~metres~~ Frontage (Width):                      ~~metres~~

8. WHAT IS THE CURRENT PLANNING STATUS?

Official Plan Designation: Agriculture  
Zoning: AG1

9. LIST LAND USES THAT ARE PERMITTED BY CURRENT OFFICIAL PLAN DESIGNATION:

Agriculture

**C. EXISTING AND PROPOSED LAND USES AND BUILDINGS**

10. WHAT IS THE "EXISTING" USE OF THE LAND?

Agricultural

How long have the existing uses continued on the subject land:                     

11. WHAT IS THE "PROPOSED" USE OF THE LAND?

Residential

**PROVIDE THE FOLLOWING DETAILS FOR ALL BUILDINGS: (Use a separate page if necessary)**

Are any buildings proposed to be built on the subject land:

Yes ☒ No ☐

	<u>Existing</u>	<u>Proposed</u>
a) Type of Building(s)	_____	<u>to be determined</u>
b) Main Building Height _____ (m)	_____ (m)	_____ (m)
c) % Lot Coverage _____	_____	_____
d) # of Parking Spaces _____	_____	_____
e) # of Loading Spaces _____	_____	_____
f) Number of Floors _____	_____	<u>1</u>
g) Total Floor Area _____ (sq. m)	_____ (sq. m)	_____ (sq. m)
h) Ground Floor Area (exclude basement) _____	_____	_____
i) Building Dimensions _____	_____	_____
j) Date of Construction _____	_____	_____
k) Setback from Buildings to:		
Front of Lot Line _____		
Rear of Lot Line _____		
Side of Lot Line _____		

**D. EXISTING AND PROPOSED SERVICES**

**12. INDICATE THE APPLICABLE WATER SUPPLY AND SEWAGE DISPOSAL:**

	<u>Municipal Water</u>	<u>Communal Water</u>	<u>Private Well</u>	<u>Municipal Sewers</u>	<u>Communal Sewers</u>	<u>Private Septic</u>
a) Existing	[ ]	[ ]	[ ]	[ ]	[ ]	[ ]
b) Proposed	[ <input checked="" type="checkbox"/> ]	[ ]	[ ]	[ ]	[ ]	[ <input checked="" type="checkbox"/> ]
c) If the requested amendment would permit development on a privately owned and operated individual or communal septic system and more than 4500 litres of effluent would be produced per day as a result of the development being completed, the applicant must submit:						
	[ ] a servicing options report; and					
	[ ] a hydrogeological report.					

13. Will storm drainage be provided by:

Sewers	[ ]	
Ditches	[ ]	
Swales	[ <input checked="" type="checkbox"/> ]	
Other	[ ]	Specify _____

Is storm drainage present or will it be constructed constructed

**14. TYPE OF ACCESS (CHECK APPROPRIATE SPACE)**

- ☐ provincial highway  
☐ county roads  
☒ municipal roads, maintained all year  
☐ municipal road, seasonally maintained  
☐ right of way  
☐ water access

**E. OFFICIAL PLAN AMENDMENT**

(Proceed to Section F) if an Official Plan Amendment is not proposed).

**15. DOES THE PROPOSED OFFICIAL PLAN AMENDMENT DO THE FOLLOWING?**

Add a Land Use designation in the Official Plan	Yes [ <input type="checkbox"/> ]	No [ <input type="checkbox"/> ]	Unknown [ <input type="checkbox"/> ]
Change a Land Use designation in the Official Plan	Yes [ <input type="checkbox"/> ]	No [ <input type="checkbox"/> ]	Unknown [ <input type="checkbox"/> ]
Change a policy in the Official Plan	Yes [ <input type="checkbox"/> ]	No [ <input type="checkbox"/> ]	Unknown [ <input type="checkbox"/> ]
Replace a policy in the Official Plan	Yes [ <input type="checkbox"/> ]	No [ <input type="checkbox"/> ]	Unknown [ <input type="checkbox"/> ]
Delete a policy in the Official Plan	Yes [ <input type="checkbox"/> ]	No [ <input type="checkbox"/> ]	Unknown [ <input type="checkbox"/> ]
Add a policy in the Official Plan	Yes [ <input type="checkbox"/> ]	No [ <input type="checkbox"/> ]	Unknown [ <input type="checkbox"/> ]

**16. IF APPLICABLE AND KNOWN AT TIME OF APPLICATION, PROVIDE THE FOLLOWING:**

- a) Section Number(s) of Policy to be Changed \_\_\_\_\_
- b) Text of the proposed new policy attached on a separate page? Yes [ ☐ ] No [ ☐ ]
- c) New designation name: \_\_\_\_\_
- d) Map of proposed new Schedule attached on a separate page? Yes [ ☐ ] No [ ☐ ]

**17. LIST PURPOSE OF AMENDMENT AND LAND USES THAT WOULD BE PERMITTED BY THE PROPOSED AMENDMENT:**

\_\_\_\_\_

**18. Does the requested amendment alter all or any part of the boundary of an area of settlement in a municipality or establish a new area of settlement in a municipality?**

Yes [ ☐ ] No [ ☐ ]

If yes: Attach the current official plan policies, if any, dealing with the alteration or establishment of an area of settlement.

**19. Does the requested amendment remove the subject land from any area of employment?**

Yes [ ☐ ] No [ ☐ ]

If yes: Attach the current official plan policies, if any, dealing with the removal of land from an area of employment.

**20. Is the requested amendment consistent with the Provincial Policy Statement issued under Section 3 (1) of the Planning Act.**

Yes [ ☐ ] No [ ☐ ] Unknown [ ☐ ]

## F. ZONING BY-LAW AMENDMENT

(Proceed to Question 29 (Drawing) if a Zoning By-law Amendment is not proposed).

### 21. DOES THE PROPOSED ZONING BY-LAW AMENDMENT DO THE FOLLOWING?

Add or change zoning designation in the Zoning By-law	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	Unknown <input type="checkbox"/>
Change a zoning provision in the Zoning By-law	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Unknown <input type="checkbox"/>
Replace a zoning provision in the Zoning By-law	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Unknown <input type="checkbox"/>
Delete a zoning provision in the Zoning By-law	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Unknown <input type="checkbox"/>
Add a zoning provision in the Zoning By-law	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	Unknown <input type="checkbox"/>

### 22. IF APPLICABLE AND KNOWN AT TIME OF ZONING APPLICATION, PROVIDE THE FOLLOWING:

- a) Section Number(s) of provisions to be changed AG1 to AG4
- b) Text of the proposed new provision attached on a separate page? Yes ☐ No ☒
- c) New zone name: AG4
- d) Map of proposed new Key Map attached on a separate page? Yes ☒ No ☐

### 23. LIST LAND USES PROPOSED BY ZONING AMENDMENT.

Dwelling + accessory shed

- date the current owner acquired the subject land unknown

### 24. HAS THERE BEEN A PREVIOUS APPLICATION FOR REZONING UNDER SECTION 34 OF THE PLANNING ACT AFFECTING THE SUBJECT PROPERTY:

Yes ☐ No ☒

### 25. Is the intent of this application to implement an alteration to the boundary of an area of settlement or to implement a new area of settlement?

Yes ☐ No ☒

If yes: Attach details of the official plan or official plan amendment that deals with the matter.

### 26. Is the intent of this application to remove land from an area of employment?

Yes ☐ No ☒

If yes: Attach details of the official plan or official plan amendment that deals with the matter.

### 27. Is the application for an amendment to the zoning by-law consistent with provincial policy statement issued under Section 3 (1) of the Planning Act.

Yes ☒ No ☐ Unknown ☐

## **G. SKETCH CHECKLIST**

- 28. ACCURATE, TO SCALE, DRAWING OR PROPOSAL:** (In the space below or on a separate page(s), please provide drawing of the proposal, preferably prepared by a qualified professional. In some cases, it may be more appropriate to prepare additional drawings at varying scales to better illustrate the proposal).

The application shall be accompanied by a clean, legible sketch sharing the following information. Failure to supply this information will result in a delay in processing the application.

A sketch showing in metric units:

- a) the boundaries and dimensions of the subject land;
- b) the location, size and type of all existing and proposed buildings and structures on the subject land, indicating their distance from the front lot line, rear lot line and side lot lines;
- c) the approximate location of all natural and artificial features (for example, buildings, railways, roads, watercourses, drainage ditches, banks of rivers or streams, wetlands, wooded areas, wells and septic tanks) that,
  - i) are located on the subject land and on land that is adjacent to it, and
  - ii) in the applicant's opinion may affect the application;
- d) the current uses of land that is adjacent to the subject land;
- e) the location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public traveled road, a private road or a right of way;
- f) if access to the subject land will be by water only, the location of the parking and docking facilities to be used;
- g) the location and nature of any easement affecting the subject land

The drawing(s) should show (please use a survey if available):

- Property boundaries and dimensions
- Dimensions of area of amendment
- Distance from structures to lot lines
- Easements or restrictive covenants
- Building dimensions & location
- Neighbouring adjacent land uses
- Parking and loading areas
- Use of Neighbouring properties
- Public roads, allowances, rights of way
- Municipal Drains/Award Drains
- Wetlands, floodplain, wet areas
- Woodlots, forested areas, ANSI's, ESA's
- Driveways and lanes
- Other features (bridges, wells, railways, septic systems, springs, slopes, gravel pits)
- Natural watercourses
- North arrow

## **H. OTHER RELATED PLANNING APPLICATIONS**

- 29. HAS THE APPLICANT OR OWNER MADE APPLICATION FOR ANY OF THE FOLLOWING, EITHER ON OR WITHIN 120 METRES OF THE SUBJECT LAND?**

Official Plan Amendment	Yes [ ]	No [✓]
Zoning By-law Amendment	Yes [ ]	No [✓]
Minor Variance	Yes [ ]	No [✓]
Plan of Subdivision	Yes [ ]	No [✓]
Consent (Severance)	Yes [ ]	No [✓]
Site Plan Control	Yes [ ]	No [✓]

**30. IF THE ANSWER TO QUESTION 29 (above) IS YES, PLEASE PROVIDE THE FOLLOWING INFORMATION:**

File No. of Application: \_\_\_\_\_  
Approval Authority: \_\_\_\_\_  
Lands Subject to Application: \_\_\_\_\_  
Purpose of Application: \_\_\_\_\_  
Status of Application: \_\_\_\_\_  
Effect on the Current Application for Amendment: \_\_\_\_\_

**I. OTHER SUPPORTING INFORMATION**

**32. PLEASE LIST THE TITLES OF ANY SUPPORTING OR ATTACHED DOCUMENTS:**

*(e.g. Environmental Impacts Study, Hydrogeological Report, Traffic Study, Market Area Study, Aggregate License Report, Stormwater Management Report etc. It is recognized that the applicant meet with planning staff to attempt to determine the supporting documents that will be required).*

See sketch  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**J. PUBLIC CONSULTATION STRATEGY**

**33. PLEASE OUTLINE YOUR PROPOSED STRATEGY FOR CONSULTING WITH THE PUBLIC WITH RESPECT TO THIS AMENDMENT REQUEST:**

*(e.g. individual contact, hold a neighbourhood meeting, telephone conversation, letter explaining proposal & inviting questions/comments, website/internet, etc.).*

I will approach the neighbour to the west.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



**K. AUTHORIZATION FOR AGENT/SOLICITOR TO ACT FOR OWNER:**(If affidavit (K) is signed by an Agent/Solicitor on Owner's behalf, the Owner's written authorization below must be completed).I (we) Rita Bajzat of the Municipality of South Huron County/Regionof Huron do hereby authorize James J Boere to act as my agent in the application. \*Rita Bajzat  
Rita Bajzat (Jul 12, 2017)  
Signature of Owner(s)July 17/17  
Date**L. APPLICANT'S DECLARATION**(This must be completed by the Person Filing the Application for the proposed development site.)I, James J. Boere of the Grand Bend  
(Name of Applicant) (Name of Town, Township, etc.)In the Region/County/District Lambton Shores solemnly declare that all of the statements contained in this application and supporting documentation are true and complete, and I make this solemn declaration conscientiously believing it to be true, and knowing that it is of the same force and effect as if made under oath, and by virtue of the "Canada Evidence Act."

Please be advised the responsibility for filing a complete application rests solely with the owner/applicant. Anything not requested or applied for in this application and subsequently found to be necessary (which may require another application(s) and fee(s)) are the sole responsibility of the owner/applicant. The County/Municipality will address only the application as applied for, and any items that are not included in the application are not the responsibility of the County/Municipality.

All studies required to support this application shall be at the expense of the applicant and included at the time of submission as a complete application. Where the County/Municipality incurs costs for the peer review of any consultants' reports or fees for legal opinions, the County/Municipality will be reimbursed such costs by the applicant.

In the event of third-party appeals to applications approved by the County/Municipality, the applicant may be responsible for some or all of the legal and other costs incurred by the County/Municipality, at the discretion of the County/Municipality.

DECLARED before me at:

Region/County/District COUNTY OF HURONIn the Municipality of Town of GodolphinX [Signature]  
SignatureThis 20th day of July, 2017  
(Day) (Month) (Year)X James J Boere  
Please Print name of Applicant[Signature]  
Commissioner of OathsSenga Smith, a Commissioner, etc.,  
County of Huron, for the  
Corporation of the County of Huron  
Expires February 24, 2018

**M. OWNER/APPLICANT'S CONSENT DECLARATION**

In accordance with the provisions of the Planning Act, it is the policy of the County Planning Department to provide the public access to all development applications and supporting documentation.

In submitting this development application and supporting documentation, I Rita Bajzat the owner/the authorized applicant, hereby acknowledge the above-noted policy and provide my consent, in accordance with the provisions of the Municipal Freedom of Information and Protection of Privacy Act, that the information on this application and any supporting documentation provided by myself, my agents, consultants and solicitors, will be part of the public record and will also be available to the general public.

I hereby authorize the County of Huron staff, Municipal staff and council members of the decision making authority to access to the subject site for purposes of evaluation of the subject application.

Rita Bajzat  
Rita Bajzat (Jul 12, 2017)  
Signature

JUL 17 / 17.  
Date

APPLICATION AND FEE OF \$ 1836.00 - RECEIVED BY THE MUNICIPALITY

Serge Smith  
Signature of Commissioner

JUL 20 / 17  
Date

**Serge Smith, a Commissioner, etc.,  
County of Huron, for the  
Corporation of the County of Huron  
Expires February 24, 2018**

## COMPLETE THIS FORM TO DETERMINE IF HEALTH UNIT COMMENTS ARE REQUIRED ON YOUR PLANNING APPLICATION

For certain planning applications, comments are required from the Huron County Health Unit to assist the municipality in its decision on your application. This sheet will determine if comments are required from the Health Unit, and if some, the appropriate fee\* must be submitted with your application and paid to the municipality (\*based on the Health Unit's User Fee Schedule).

Name of Applicant: \_\_\_\_\_

Name of Owner (if different from the applicant): \_\_\_\_\_

Location of Property (Lot, Concession or Registered Plan, and Municipality):  
\_\_\_\_\_

Type of Planning Application(s) submitted with this form:

- |  |  |
|--|--|
| <input type="checkbox"/> Consent (severance)     | <input type="checkbox"/> Minor Variance                  |
| <input type="checkbox"/> Zoning By-Law Amendment | <input type="checkbox"/> Plan of Subdivision/Condominium |
| <input type="checkbox"/> Official Plan Amendment |  |

Please answer **Section A OR Section B**, depending on the type of servicing available. In the following question, "property" means the subject property or, in the case of a severance, each of the resulting lots.

**Section A - Where SANITARY SEWERS are available.**

Is the property within 183 metres (600 feet) of an abattoir (slaughter house)?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
--	------------------------------	-----------------------------

**Section B - Where SEPTIC SYSTEMS are required.**

The application is for the creation of a new lot for which the primary use will be a new dwelling (other than a new dwelling on a farm).	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the property less than .4 hectares (1 acre) in area?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Does the property have less than .2 hectares (1/2 acre) of "useable land" for a septic tank and tile bed? See definition of "useable land" below.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
I am uncertain of the location of the existing septic tank and tile bed on the property.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
There will be more than one dwelling unit on each lot.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
An industrial or commercial use is proposed which will require a septic system.	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Is the property with 183 metres (600 feet) of an abattoir (slaughter house)?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
The application is for a new Plan of Subdivision/Condominium	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Proceed to <b>Section C</b> .		

"Useable Land" means an area of land with suitable original soil for the installation of a Class 4 subsurface sewage disposal system, free of any buildings, structures swimming pools, etc. and such land is or will be used solely for a septic tank and tile bed and any future replacement of the tile bed, and which area is at least 3 metres (10 feet from any property line, at least 15 metres (15 feet) from a top-of-bank of a watercourse or lake, not located in a flood plain, not located in an environmentally sensitive area, and does not contain field tile or other artificial drainage. (other restrictions may apply according to legislation.)

### Section C - HEALTH UNIT FEES

If the answer to any question in Section A or B is "Yes", then Health Unit comments will be required and the appropriate fee must be submitted with your application, as follows:

Type of Application	Health Unit Fee (To be added to the application fee)	Any required Health Unit fee should be added to the application fee and submitted in one payment to the municipality. Where two applications are being processed together (such as a severance and a rezoning) only one fee will apply, being the higher of the two fees.
Official Plan Amendment	\$177.25	
Rezoning	\$124.75	
Minor Variance	\$124.75	
Severance resulting in 2 lots or fewer	\$262.65	
Severance resulting in 3 lots or more	\$499.00	
Plan of Subdivision/Condominium	\$1037.45	

**Note:** Regardless of the results from Section A or B, some applications may require comments from the Health Unit as identified through the planning process. In these cases, the relevant fee shall apply.

\_\_\_\_\_  
*Name of Owner or Designated Agent*

\_\_\_\_\_  
*Signature and Date*

*To be completed by Municipal Clerk: Has the Health Unit Fee been collected from the applicant?*

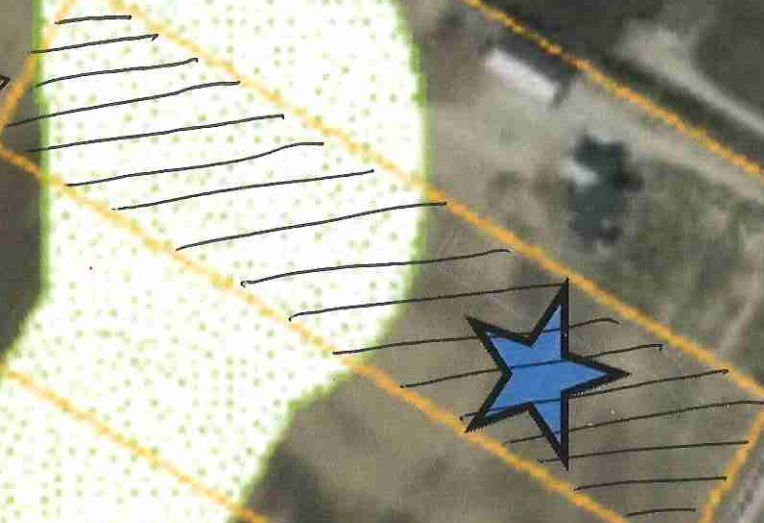
☐ Yes

☐ No

Amount: \_\_\_\_\_

\_\_\_\_\_  
Name of Clerk-Treasurer

AG 1 to  
AG 4





## PLANNING & DEVELOPMENT

57 Napier Street, Goderich, Ontario N7A 1W2 CANADA

**Phone:** 519.524.8394 Ext. 3 **Fax:** 519.524.5677 **Toll Free:** 1.888.524.8394 Ext. 3

[www.huroncounty.ca](http://www.huroncounty.ca)

### **Zoning By-law Amendment Report to Municipality of South Huron Council**

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Re: Zoning By-law Amendment Application (#D14-07/17)  
Zoning By-law Amendment from General Agriculture (AG1) to Agricultural Small Holding (AG4)

Location: Conc B N PT Lot 7 AS RP 22R43; Part 7 Part 18, Stephen Ward  
Applicant: James Boere  
Owner: Rita Bajzat

This report is submitted to South Huron Council for the Public Meeting on September 5, 2017

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### **RECOMMENDATION**

It is recommended rezoning application (#D14-07/17) **be approved.**

### **PURPOSE AND EFFECT**

This rezoning application affects the property known legally as Conc B N PT lot 7 AS RP 22R43; Part 7 Part 18, Stephen Ward. The property is currently zoned AG1 (General Agriculture) which permits a range of agricultural uses and agricultural related uses.

The purpose of this rezoning application is to change the zoning from AG1 to AG4 (Agricultural Small Holding) to recognize a single detached dwelling as the main permitted use. The subject lands are currently vacant; the applicant wishes to construct a residential dwelling on the subject lands and use the parcel for residential purposes.

This By-law amends Zoning By-law #12-1984 of the former Township of Stephen. The effect of this application if approved would permit the use of the site for residential purposes as the main permitted use.



**Figure 1: Aerial Photo of Subject Property.**



**Figure 2: View of subject lands.**



## COMMENTS

### South Huron Official Plan

The South Huron Official Plan designates the property as Agriculture. Agricultural areas predominate in the Municipality of South Huron and the primary use of this land is for farming of all types, sizes and intensities, including related uses and on farm diversified

uses. Residential uses in this designation are permitted accessory to a farming operation and promote agriculture and farm activity, or on a rural residential lot in the Municipality.

The subject lands are an existing lot of record and are currently vacant. The applicant is interested in building a residential dwelling on the property which is approximately 3.93 acres (1.5 hectares) in size. Under Policy 4.4.3 in the South Huron Official Plan, policies are set out for residential uses in lands designated agriculture. The plan states that existing lots less than 4 hectares in size may be permitted a residence subject to a rezoning to an agricultural small holding zone (i.e. AG4 as is requested by the applicant through this application) permitting one dwelling and limiting the number of nutrient units on the property.

Under this policy, the applicant will also have to demonstrate and/or seek approvals from the Municipality for public and/or private services, approval from the Ausable Bayfield Conservation Authority (notice of application was given to this agency, no comments received at time of writing the report) for siting the dwelling as a portion of the lands are regulated, and must obtain safe access onto an open public road. The lands are deemed suitable for residential development, and some of the parcels surrounding this property have also received previous approval for conversion from AG1 to AG4 to permit a residential use. The proposed dwelling should also have limited to no impact on Minimum Distance Separation Setback (MDS) for livestock operations as the group of dwellings existing in this area would already be considered a Type A land use that must be considered and appropriate setback provided (See neighboring dwelling in Figure 2 above). A new residential development on a pre-existing small agricultural parcel should have no negative impacts on the surrounding agricultural area.

#### *Township of Stephen Zoning By-law (#12-1984)*

The applicant would like to be able to construct a single-dwelling on the property. Currently the AG1 zoning on the property requires that a single-family dwelling must be accessory to an agricultural use, whereas the AG4 zoning permits one single family detached dwelling as a primary use. Due to the size of the property, it is impractical to consider that a dwelling could be considered accessory to agriculture.

In siting a building on this property the applicant must meet zone provisions in the AG4 zone for building setbacks, lot coverage and related provisions for accessory buildings and structures. The applicant will be required to submit a formal building permit application for proposed development on this site.

### **STAFF AND AGENCY COMMENTS**

This report has been prepared in advance of the public meeting. At the time of preparation, no formal comments were received from any circulated agencies or the public. Comments may arise at the public meeting.



I will be in attendance at the public meeting to answer questions of Council and the public on this Zoning By-law amendment.

**SUMMARY**

The proposed zoning by-law amendment conforms to the South Huron Official Plan and reflects surrounding rural residential uses in this area. The proposed dwelling will be required to maintain AG4 zone provisions. It is recommended this rezoning application **be approved.**

Sincerely,

“original signed by”

Sarah Smith, BES  
Planner