



Staff Report

Report To: Dan Best, Chief Administrative Officer
From: **Dwayne McNab, Chief Building Official**
Date: June 25 2018
Report: CBO 2018.03
Subject: Limiting Distance Agreement between Tom Hayter, Hayter's Turkey Farm Ltd, and the Municipality of South Huron, pursuant to Section 3.2.3.1 of the 2012 Ontario Building Code Compendium

Recommendations:

That South Huron Council receive this report from D. McNab, Development Services Manager re: Limiting Distance Agreement between Tom Hayter, Hayter's Turkey Farm Ltd, and the Municipality of South Huron be received for information purposes.

Purpose:

Information

Background and Analysis:

A building permit application (#2018-095) was received for a 1,769m² cold storage facility. The subject lands are known municipally as 37451 Dashwood Rd, in the Stephen Ward. The lands are designated Agricultural under the South Huron Official Plan. The lands are zoned Restricted Agricultural – AG2 in the former Township of Stephen Zoning By-law #12-1984. On March 5, 2018 (File #B05-2018) a consent, along with a rezoning (By-Law 22-2018), was granted on the lands that will be the site for the construction of the cold storage facility structure.

During the prescreening review process, it was noted that, due to the proposed construction materials, a Limiting Distance Agreement would be required. The Agreement binds Tom Hayter and Hayter's Turkey Farm Ltd

the owner of the abutting lands, restricting Hayter's Turkey Farm Ltd from building any above-ground building or structure within predetermined distances from the proposed facility. As per the Agreement, Tom Hayter will not erect any building or structure on the Tom Hayter Lands that is located closer than 30 metres to an imaginary line from the eastern exposed building face of the Building and any future proposed building or structure on the Tom Hayter Lands.

The Agreement is proposed pursuant to Section 3.2.3.1.(11) of the 2012 Ontario Building Code Compendium and its approval is a condition of any subsequent building permit.

Further, it is a condition of the Code that the Agreement be registered against the title of the properties to which it applies. A by-law will be forwarded to Council as the mechanism for execution and registration of the Agreement.

Operational Considerations:

As this report is being presented for information purposes only, no alternatives are presented.

South Huron's Strategic Plan:

The recommendation(s) included in this Staff Report are not specifically related to the goals identified in the 2015-2019 Council Strategic Plan.

Financial Impact:

There are no financial implications for the Corporation resulting from the proposed recommendation.

Legal Impact:

There are no legal implications for the Corporation resulting from the proposed recommendation.

Staffing Impact:

There are no staffing implications for the Corporation resulting from the proposed recommendation.

Policies/Legislation:

Consent File B05-2018
By-Law 22-2018
Township of Stephen Zoning By-Law #12-1984

Related Documents:

Limiting Distance Agreement between Tom Hayter, Hayter's Turkey Farm Ltd, and the Municipality of South Huron

Respectfully submitted,

Dwayne McNab, Chief Building Official