



LANNING & 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

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

Re: Zoning By-law Amendment Application (#D14-12/17)
Zoning By-law Amendment from General Agriculture (AG1) to Agricultural Small Holding (AG4)

Location: Conc B N PT Lot 7 AS RP 22R43; Part 10 Part 15, Stephen Ward
Applicant: Kevin Plume
Owner: Frank Karvas

This report is submitted to South Huron Council for the Public Meeting on November 20, 2017

RECOMMENDATION

It is recommended rezoning application (#D14-12/17) **be approved.**

PURPOSE AND EFFECT

This rezoning application and By-law affects the property known legally as Conc B N PT Lot 7 AS RP 22R43, Part 10 Part 15, Stephen Ward. The subject lands front on the south side of Gore Road in the Township of Stephen, Municipality of South Huron. The property is currently zoned General Agriculture (AG1) which permits a range of agricultural uses including livestock and crop production.

The purpose of this rezoning application is to change the zoning from General Agriculture to Agricultural Small Holding (AG4) to recognize a residential use as the main permitted use. It is the intent of the applicant to construct a future residential dwelling on the subject lands.

This By-law amends Zoning By-law #12-1984 of the former Township of Stephen. Maps showing the property to which this Zoning By-law amendment applies are shown on the following pages.

Figure 1: Aerial Photo of Subject Property.



Figure 2 and 3: View of subject lands. Adjacent vacant parcels.



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 3.91 acres (1.58 hectares) in size.

Under Section 4.4.3 in the South Huron Official Plan, policies are set out for residential uses on 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 for siting the dwelling as a portion of the lands are regulated (notice of application was given to this agency, no comments received at time of writing the report), 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. A new residential development on a pre-existing small parcel should have limited to 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 future single residential 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 unpractical 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 future residential dwelling will be required to meet AG4 zoning provisions. It is recommended this rezoning application **be approved**.

Sincerely,

“original signed by”

Sarah Smith, BES
Planner