

Corporation of the Municipality of South Huron Agenda - Committee of Adjustment

Monday, October 6, 2025, 5:00 p.m. Hybrid Meeting - South Huron Council Chambers

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Pages

1.	Call	to	Ord	er

Welcome & Roll Call

Members: Chair McLeod-Haggitt, Councillor Neeb and Councillor Dietrich

- 2. Disclosure of Pecuniary Interest and General Nature Thereof
- 3. Approval of Minutes

1

Recommendation:

That South Huron Committee of Adjustment approve the May 5th, 2025 minutes as printed and circulated.

- 4. Purpose of Meeting
- 5. Minor Variance MV05-2025 Rundle
 - 5.1 Application Package

6

5.2 Victor Kloeze - Huron County Planner Report

16

- 5.3 Written Comments Received
- 5.4 Oral Comments Committee Public in Attendance
- 6. Decision

Recommendation:

That Minor Variance MV05-2025 Rundle be ____ as per the attached decision sheet.

7. Adjournment

Recommendation:

That South Huron Committee of Adjustment hereby adjourns at pm.



Corporation of the Municipality of South Huron Minutes-Committee of Adjustment

Monday, May 5, 2025, 5:00 p.m.

Hybrid Meeting - South Huron Council Chambers

Live Video Feed - https://www.southhuron.ca/en/government/agendas-and-minutes.aspx

Members Present: Aaron Neeb, Vice-Chair

Milt Dietrich, Member

Wendy McLeod-Haggitt, Chair

Staff Present: Victor Kloeze, Senior Planner

Mike Rolph, Director of Building and Planning Services/Chief

Building Official

Alex Wolfe, Secretary-Treasurer

Kendra Webster, Administrative Assistant

Others Present: Jason McBride, Applicant

1. Call to Order

Chair McLeod-Haggitt called the meeting to order at 5:00 pm.

2. Disclosure of Pecuniary Interest and General Nature Thereof

None.

3. Approval of Minutes

Motion: COA#06-2025

Moved: M. Dietrich Seconded: A. Neeb

That South Huron Committee of Adjustment approve the February 18th, 2025 minutes as printed and circulated.

Disposition: Carried

4. Purpose of Meeting

The Secretary-Treasurer noted that the purpose of this Public Meeting of the South Huron Committee of Adjustment was to allow the presentation of an application for Minor Variance and to allow interested members of the public the opportunity to ask questions or offer comments with regard to the application. She added that written comments must be submitted to herself, the secretary-treasurer of the Committee and that any members of the public who would like to be notified in writing of the Committee of Adjustment's decision on the application are to contact her directly and provide their name and mailing address to be added to the registry.

5. Minor Variance MV02-2025 McBride

The Notice for minor variance application MV02-2025 McBride was sent on April 10, 2025, to property owners within 60m (200 feet) of the subject property and to agencies requiring notice.

- 5.1 Application Package
- 5.2 Victor Kloeze Huron County Planner Report

Planner Kloeze provided an overview of the application seeking relief from Section 7.5.1 of the Zoning By-Law to allow for the proposed two accessory buildings for livestock in their front yard, to the north of the residence.

Planner Kloeze noted that the application was circulated for comments. There were no objections or concerns. He reviewed the four tests and noted that the requested variance is both minor and appropriate. He recommended approval with the following conditions:

- 1. The proposed accessory buildings be constructed in general conformity with the submitted site plan and elevation drawings, to the satisfaction of the Chief Building Official, and
- 2. The variance approval is valid for a period of 18 months from the date of the Committee's decision.
- 5.3 Written Comments Received

None.

5.4 Oral Comments - Committee - Public in AttendanceNone.

6. **Decision**

The committee noted there were no public comments or agency concerns received on the application so there was no effect on the decision and proposed the above-noted conditions be attached to the decision.

Motion: COA#07-2025

Moved: A. Neeb

Seconded: M. Dietrich

That Minor Variance MV02-2025 McBride be approved as per the attached

decision sheet.

Disposition: Carried

7. <u>Adjournment</u>

Motion: COA#08-2025

Moved: A. Neeb

Seconded: M. Dietrich

That South Huron Committee of Adjustment hereby adjourns at 5:07 pm.

Disposition: Carried

Wendy McLeod-Haggitt, Chair Alex Wolfe, Secretary-Treasurer



The Corporation of the Municipality of South Huron

Decision of Committee of Adjustment

Pursuant to Section 45 of *The Planning Act*, R.S.O. 1990

Re: Minor Variance Application File #SHu MV02-2025

Location: 40377 Kirkton Rd (USBORNE CON 2 PT LOT 10 RP;22R6329

PART 1)

Applicant/Owner: Jason McBride

Purpose and Effect

The applicant is seeking relief from Section 7.5.1 of the South Huron Zoning By-law, which requires that an accessory structure containing livestock be located in a rear or interior side yard. If approved, the applicant will be permitted to construct two accessory buildings for livestock in their front yard, to the north of the residence. The applicant is proposing to construct a horse barn and horse shelter.

Decision and Reasons of the Committee

It is the decision of the Committee of Adjustment to approve this variance application with the below conditions for the following reasons:

- The variance is minor in nature;
- The proposed minor variance represents appropriate use of the subject property;
- The requested variance conforms to the general intent and purpose of the South Huron Official Plan;
- The requested variance conforms to the general intent and purpose of the Municipality of South Huron Comprehensive Zoning By-law #69-2018.

This Decision has been made subject to the following conditions:

- The proposed accessory buildings be constructed in general conformity with the submitted site plan and elevation drawings, to the satisfaction of the Chief Building Official, and
- 2. The variance approval is valid for a period of 18 months from the date of the Committee's decision.

Effect of Public and Agency Comments on Decision of Committee of Adjustment

No public or agency comments were received in relation to this application, so there was no effect on the decision.

Dated this 5th day of May, 2025

"Aaron Neeb"

"Wendy McLeod-Haggitt"

Certification of the Committee's Decision

I, Alex Wolfe, being the Secretary- Treasurer of the Committee of Adjustment for the Corporation of the Municipality of South Huron, certify that this is a true copy of the Committee's Decision.

"Alex Wolfe"

Secretary-Treasurer

May 5th, 2025 Date

Appeals

Members of the public do not have the right to appeal the decision; only the applicant, the Minister of Municipal Affairs and Housing, a specified person under the Planning Act or public body that has an interest in the matter, may appeal the decision. Please refer to the County of Huron website for details about appeal rights. Any appeals of the decision of the Committee of Adjustment must be filed with the Secretary-Treasurer of the Committee setting out the reasons for the appeal **not later than the 25**th **day of May, 2025**. A payment of \$400.00 to the Minister of Finance is required. A copy of the appeal form is available from the Ontario Land Tribunal website.

If no appeal is received before the date above, a Notice of No Appeal will be sent to the Applicant.

Additional Information

Additional information related to this minor variance may be obtained at the South Huron Municipal office or by contacting Vanessa Polselli, Planning Coordinator at 519-235-0310, between the hours of 8:30 a.m. and 4:30 p.m. (Monday to Friday). Information may also be posted on our website (www.southhuron.ca).

COMMITTEE OF ADJUSTMENT AGENDA RECORD

The following applications are scheduled to be heard by the Committee of Adjustment on Monday, October 6, 2025, at 5:00 P.M. at the following location and in the order stated below.

LOCATION:

Hybrid.

MEETING DESCRIPTION:

ITEM	ROLL#	PERMIT NUMBER	APPLICANTS	ADDRESS	DESCRIPTION
1	4010010019036000000	Shu-MV5-2025	Rundle Farms Ltd. (Larry Rundle) Rundle Farms Ltd. (Jane Rundle)	70053 ROAD 164	The applicant is seeking relief from Section 3.17 of the South Huron Zoning By-law, which requires a new or expanding agricultural building to comply with Minimum Distance Separation (MDS) setbacks, which for the proposed chicken layer barn would be 238 metres for a Type B setback from a settlement area boundary (Woodham). If approved, the applicant would be permitted to construct a new chicken layer barn at a reduced Minimum Distance Separation (MDS) Type B setback from the Woodham settlement area of 209 metres.

Subject land information					Page 7
Names and addresses of any mortgages, holders FCC Farm Credit Canada	s, charges or otl	ner enc	umbrances:		
Nature and extent of relief applied for: Requesting a reduction in distance required from to the southeast of the proposed barn (South Hur required; this is a reduction of ~ 29 metres.					
Why is not possible to comply with the provisions It is not possible to comply with the MDS setback (lay) of the land is not conducive to moving the p excavation costs, due to a further 10 feet of drop of the land north of the existing layer barn holds are not able to move the proposed barn closer to with respect to disease free maintenance restrict avian pathogens)	measurement roposed barn fo off beyond the similar restriction the existing lay	provision proposons with prer barr	vest - this westerly a a significar a, as that wo	ould involve a sig border of the bar at drop off on that uld cause a signif	nificant increase to n. Similarly, the topography northern most boundary. We ficant bio-security hazard,
Is any of the subject land in Wellhead Protection	Area C?				
Property access by Provincial Highway					
Will this proposal result in adding or changing the ☐ Yes ✓ No	e location of any	y drivev	vay/accesse	d/entrances?	
Dimensions of Land affected:	Frontage		Area	Depth	Width of Street
	336		41.8	614	23
Particulars of all buildings and structures on or width, length, height, etc.)	proposed for th	ne subj	ect land (spe	ecify ground floo	r area, number of storeys,
Existing see site map of existing landmark features			osed layer barn 4	6'x310'	
Location of all buildings and structures on or prolines)	oposed for the	subjec	t land (spec	ify distance from	side, rear, and front lot
Existing please see attached site map of existing feature measurements	es and			hed site map for p	proposed layer barn
Date of construction of all buildings and structure land various dates throughout the lifetime of ownerships Family	-		· ·	ion of subject land	d
Existing uses of the subject property agriculture and farm owner's residence		4 si	des of abutti		es agriculture and also, oodham to the southeast
Length of time the existing uses of subject prope over 100 years	rty have contin	ued			

Municipal services available (check all tha	t apply)		Page 8
Water - Connected	Public owned	✓	Privately owned
Communal well	Lake		Sewage disposal - Connected
Sanitary Sewers	Septic system		Privy
Storm drainage - Connected	Storm sewer		Ditches
Swales	[Other	
Is the property assessed to a Municipal Dr	ain?		
Is there a tile drain loan for this property of last 90 days? Yes • No	r has an application for	a tile drain loan been su	omitted to the Municipality within the
Present Official Plan provisions applying to unknown	the land		
Present Zoning By-law provisions applying unknown	g to the land		
Has the owner previously applied for relief Yes No	in respect of the subje	ct property?	
If the answer is yes, please describe briefl 26 years ago, when we built a layer barn v	-	ariance at that time as w	ell.
Applicants are strongly encouraged to cor an application for information.	tact the County and sp	eak/meet with the Plann	er to the Municipality before submitting
Date of Applicant's consultation meeting v Sept 2, 2025	vith County Planner		ed the Applicant that this application by the Huron County Biologist for Heritage matters?
		Yes - Please subn	nit a fee of \$220.00 made payable to unty of Huron
		№ No	
Is the subject property the subject of a cur consent or plan of subdivision under the P			
☐ Yes ✔ No			
Instructions			

Each copy of this application must be accompanied by a plan showing the dimensions of the subject land and all abutting land; the location, size and type of all existing and proposed buildings and structures on the subject land indicating the distance of the buildings from the lot lines; approximate location of all natural and artificial features on the subject and adjacent lands; location, width and name of roads; location of easements; and use of adjacent lands. The Committee of Adjustment may require that the plan be signed by an Ontario Land Surveyor.



MDS II

General information

Application date Jul 25, 2025

Applicant contact information Larry Rundle Rundle Farms Ltd ON Municipal file number

Location of subject livestock facilities County of Huron Municipality of South Huron STEPHEN Concession SOUTHERN BOUNDARY , Lot 12 Roll number: 401001001903600

Livestock/manure summary

Manure Form	Type of livestock/manure	Existing maximum	Total after alteration	Estimated livestock barn area
Solid	Beef, Cows, including calves to weaning (all breeds), Confinement	50 (50 <u>NU</u>)	50 (50 <u>NU</u>)	5000 <u>ft²</u>
Solid	Chickens, Layer hens (for eating eggs; after transfer from pullet barn), Cages	15000 (100 <u>NU</u>)	15000 (100 <u>NU</u>)	<u>NA</u>
Solid	Chickens, Layer pullets (day olds until transferred into layer barn), Cages	0 (0 <u>NU</u>)	15000 (30 <u>NU</u>)	4500 <u>ft²</u>

Setback summary

Existing manure storage

V2. Solid, outside, covered

Existing design capacity

150 NU

Design capacity after alteration 180 NU

Factor A (odour potential)
Factor C (orderly expansion)

0.7 0.624 Factor B (design capacity)

387.87

Factor D (manure type)

0.7

Building base distance 'F' (A x B x C x D) (minimum distance from livestock barn)

119 m (390 ft)

Storage base distance 'S' (minimum distance from manure storage)

119 m (390 ft)

Setback distance summary

Description	Building setbacks	Storage setbacks
Type A land uses	Minimum 119 (390 <u>ft</u>)	Minimum 119 <u>m</u> (390 <u>f</u> t)
	Actual NA	Actual NA
Type B land uses	Minimum 238 (781 <u>ft</u>)	Minimum 238 <u>m</u> (781 <u>ft</u>)
	Actual NA	Actual NA
Nearest lot line (side or rear)	Minimum 12 (39 <u>ft</u>)	Minimum 12 <u>m</u> (39 <u>ft</u>)
	Actual NA	Actual NA
Nearest road allowance	Minimum 24 (78 <u>ft</u>)	Minimum 24 <u>m</u> (78 <u>ft</u>)
	Actual <u>NA</u>	Actual NA

Preparer signoff & disclaimer

Preparer contact information Amanda Nowell Municipality of South Huron 322 Main St. S. P.O. Box 759 Exeter, ON NOM 1S6 519-235-0310

Signature of preparer

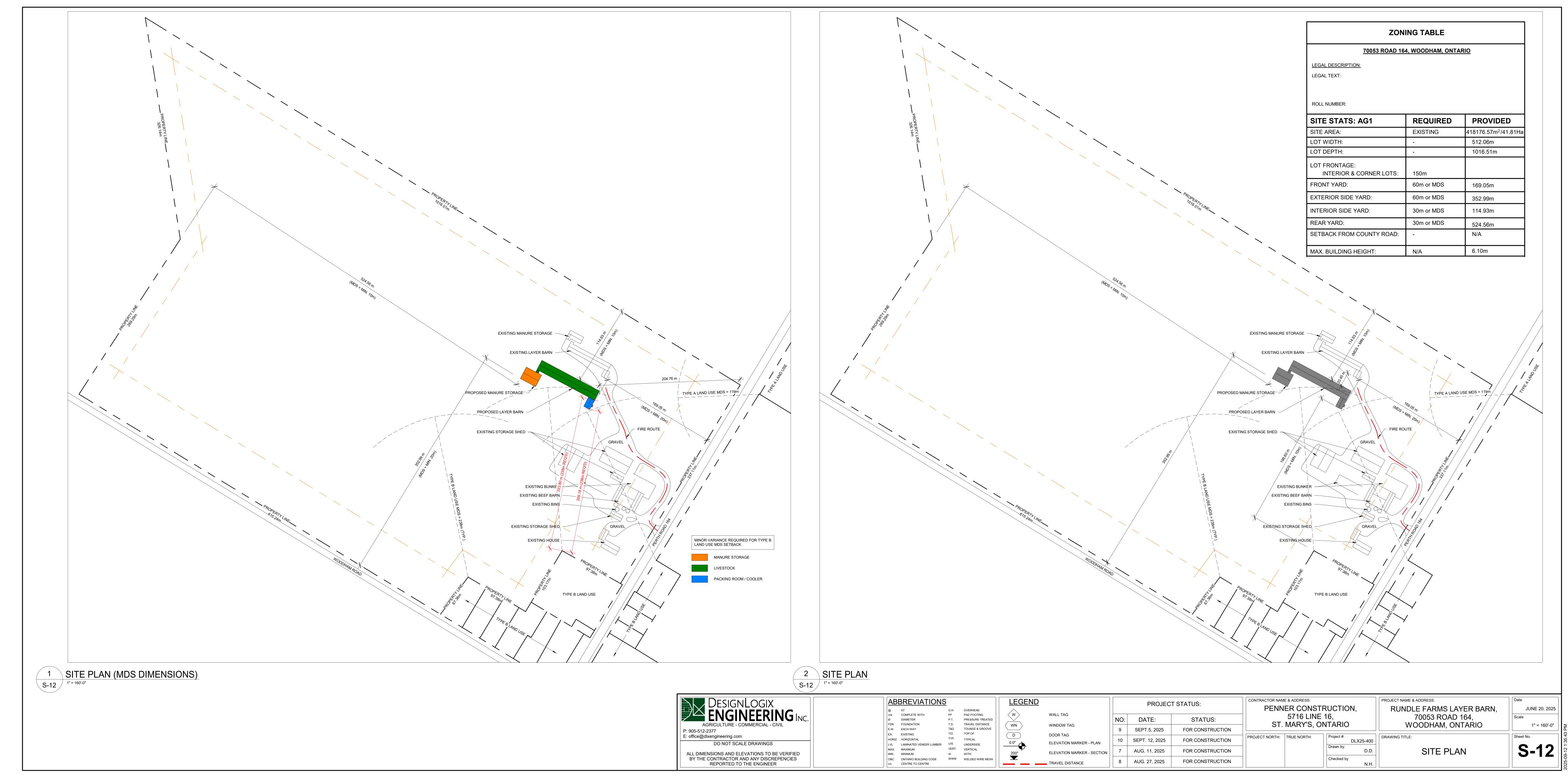
anowell@southhuron.ca

Amanda Nowell , Plans Examiner		
Date (mmm-dd-yyyy)		

Note to the user

The Ontario Ministry of Agriculture, Food and Agribusiness (OMAFA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFA will be considered to be the official version for purposes of calculating MDS. OMAFA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.

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PLANNING & DEVELOPMENT

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www.huroncounty.ca

To: Municipality of South Huron Committee of Adjustment

From: Victor Kloeze, Senior Planner

Date: September 25th, 2025

Re: Application SHU MV05-2025

CON SOUTHEAST BDY PT LOT 12, Usborne Ward, Municipality of South Huron

Address: 70053 ROAD 164

Owner/Applicant: Rundle Farms Ltd. (Larry & Jane Rundle)

RECOMMENDATION

It is recommended that the application MV05-2025 be **approved**, subject to the following conditions:

- 1. The proposed agricultural building be constructed in general conformity with the submitted site plan drawings, to the satisfaction of the Chief Building Official,
- 2. That the ventilation system for the agricultural building be designed to exhaust to the north, to the satisfaction of the Chief Building Official, and
- 3. The variance approval is valid for a period of 18 months from the date of the Committee's decision.

PURPOSE AND DESCRIPTION

The applicant is seeking relief from Section 3.17 of the South Huron Zoning By-law, which requires a new or expanding agricultural building to comply with Minimum Distance Separation (MDS) setbacks, which for the proposed chicken layer barn would be 238 metres for a Type B setback from a settlement area boundary (Woodham).

If approved, the applicant would be permitted to construct a new chicken layer barn at a reduced Minimum Distance Separation (MDS) Type B setback from the Woodham settlement area of 209 metres.

REVIEW

The subject property is designated Agriculture in the South Huron Official Plan. It is zoned General Agriculture (AG1) and Future Development (D) in the South Huron Zoning By-Law.



Figure 1. Subject Lands – 2020 Air Photo (outlined in orange)



Figure 2. Site Plan, showing manure storage in orange, livestock areas in green, and non livestock areas in blue

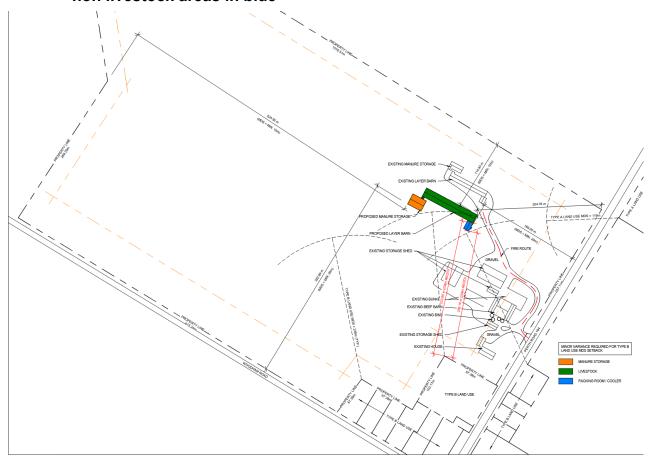


Figure 3. Image of Subject Property (looking north from Perth Road 164 at existing barn)



COMMENTS RECIEVED

At the time of writing, municipal staff and the Upper Thames River Conservation Authority have confirmed they have no concerns with the proposal. No comments were received from any members of the public.

PLANNING REVIEW

Minor variances are required to satisfy four tests under the *Planning Act* before they can be approved. To be approved the requested variance must:

- 1) be minor,
- 2) be desirable for the appropriate development or use of the land, building or structure,
- 3) maintain the general intent and purpose of the Zoning By-law, and
- 4) maintain the general intent of the Official Plan.

The variance can be considered minor when the scale and type of development is considered. The variance can be considered desirable for the appropriate development or use of the land, building or structure and maintains the general intent of the Zoning By-law and Official Plan.

The current Zoning By-law provisions require new agricultural buildings to meet the minimum setbacks of the By-law, as well as the minimum setbacks under the Provincial MDS guidelines. The MDS guidelines are designed to prevent land use conflicts and minimize nuisance complaints from odour. In the case of the subject property, higher MDS setbacks (Type B) are required between the proposed new chicken barn and the Woodham settlement area.

In discussions with the applicant, they have indicated that the new barn is required to meet enhanced livestock housing requirements, and not because of an increase in total livestock and thus odour being produced. The barn is not proposed to meet the full MDS Type B setback to Woodham, for two primary reasons – biosecurity and topography. The applicants indicate they are attempting to keep a 20 metre setback between the two barns to reduce biosecurity hazards, preventing them from moving the barn any closer to the existing barn. They further indicate that the drop in elevation to the north and west of the existing barn would have major cost impacts and complicate the construction of the buildings if they were moved further.

The barn meets the MDS Type B setback to the entire settlement area except for the eastmost residential lot. The proposal would meet the lower MDS Type A setback to all of the Woodham lands if they were isolated residential properties in the countryside, or the MDS Type B setback if it was measured to the residence, not the settlement area boundary; reducing the potential for odour impacts in living spaces. While there are also lands zoned for future development on the subject property, they are no longer designated as part of the Woodham settlement area and will likely be proposed for rezoning to an appropriate agricultural zone in a future Zoning update.

In discussions with the applicants to minimize potential impacts of the new barn, they have already agreed to move it further from the settlement area than the first proposal, minimizing the variance needed in the application being considered. They have also proposed to locate their packing room / cooler within the area closest to the settlement area, increasing the proposed provided MDS Type B setback from 209 metres to 223 metres, or meeting 94% of the required setback instead of 88%. Finally, the applicants have proposed to have the new barn exhaust to the north, further from the settlement area, to minimize potential odour impacts on residences in Woodham. These measures have reduced the potential impact. Allowing this new barn to support the ongoing agricultural livestock use of the property with the recommended conditions meets the intent of the Official Plan and Zoning By-law, is desirable for the appropriate development of the subject lands, and is minor both in terms of the scale of the reduction and the low potential for impact on surrounding land uses.

The requested variance meets the four tests of a minor variance. It is recommended that the application be approved subject to the recommended conditions, which would require that the proposed agricultural building be built in general conformity to the submitted site plan drawing, that the ventilation system for the agricultural building be designed to exhaust to the north, and to the variance being valid for a period of 18 months.

Please note this report is prepared without the benefit of input from the public that may be provided at the hearing. The Committee should carefully consider any comments and/or concerns expressed at the hearing prior to making their decision on this application.

Sincerely:

Victor Kloeze,∕\$enior Planner

RPP MCIP

Minor Variance Application

File MV05-2025

Location: CON SOUTHEAST BDY PT LOT 12, Usborne Ward,

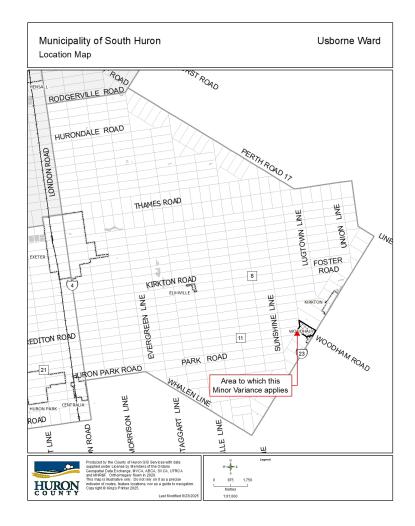
Municipality of South Huron

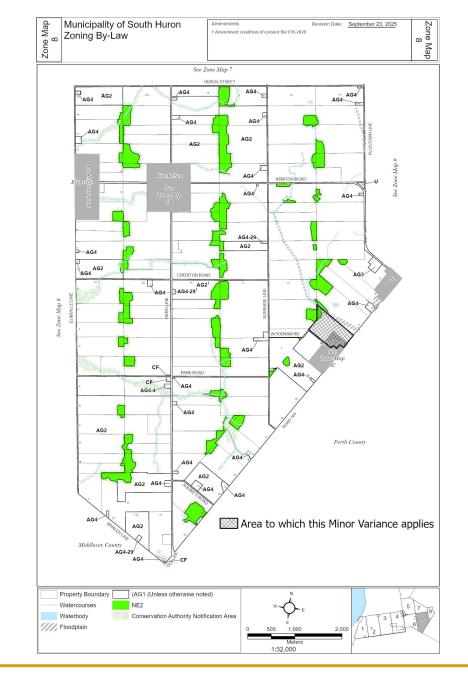
Address: 70053 ROAD 164

Owner/Applicant: Rundle Farms Ltd. (Larry & Jane Rundle)



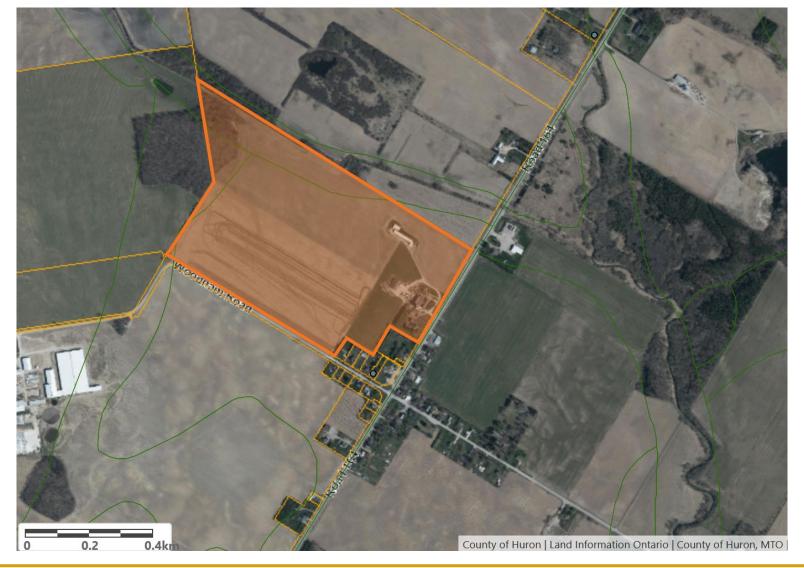
Location Maps







2020 Air Photo (subject lands outlined in orange)



Purpose

The applicant is seeking relief from Section 3.17 of the South Huron Zoning By-law, which requires a new or expanding agricultural building to comply with Minimum Distance Separation (MDS) setbacks (238 metres for a Type B setback from a settlement area boundary).

If approved, the applicant would be permitted to construct a new chicken layer barn at a reduced Minimum Distance Separation (MDS) Type B setback (209 metres from the Woodham settlement area boundary.)



Site Plan

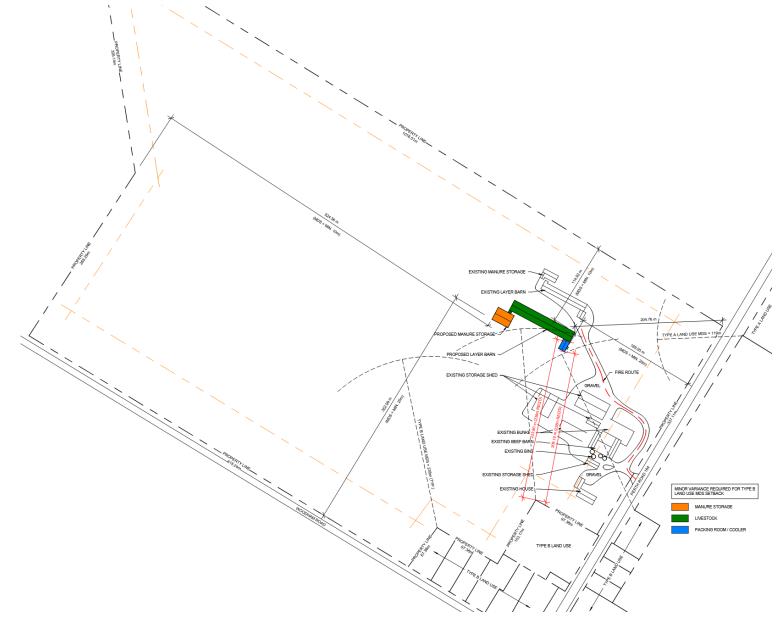




Image of Subject Lands (looking North from Perth Road 164)





Staff, Agency, & Public Comments

Public

No comments received.

Agencies

- Municipal staff: no concerns.
- UTRCA: no objections.
- Bell Canada: no comments.



Planning Review

Minor variances are required to satisfy four tests under the *Planning Act* before they can be approved. To be approved the requested variance must:

- 1) be minor,
- 2) be desirable for the appropriate development or use of the land, building or structure,
- 3) maintain the general intent and purpose of the zoning bylaw, and
- 4) maintain the general intent of the official plan.



Recommendation

It is recommended that the application MV05-2025 be **approved** with the following conditions:

- The proposed agricultural building be constructed in general conformity with the submitted site plan drawings, to the satisfaction of the Chief Building Official,
- 2. That the ventilation system for the agricultural building be designed to exhaust to the north, to the satisfaction of the Chief Building Official, and
- 3. The variance approval is valid for a period of 18 months from the date of the Committee's decision.