



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
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July 14, 2016

Bill White, CAO-Clerk
Town of Minto Committee of Adjustment
5941 Highway 89, R.R. #1
Harriston, ON N0G 1Z0

RE: Minor Variance Application A7/15
Part Lot 41, Concession 5
5146 5th Line
Kuipers

We have reviewed the application for minor variance and provide the following comments. Please be advised that these comments were formulated without the benefit of a site visit.

Planning Comments: The variance requested would provide relief from the required exterior side yard setback for livestock buildings, structures and manure storages, as per applicable MDS II requirements for the construction of a liquid manure tank on the subject property. The required exterior side yard setback to the road allowance is 45 m, whereas the applicant has proposed 21.94 m.

We have no concerns with this application for a minor variance. It is our understanding that liquid manure tanks are placed in the best logical place in relation to the farm cluster, which at present exists close to the corner of the lot. We have no concerns with the proposal and we are satisfied that the application maintains the general intent and purpose of the Official Plan and Zoning By-law, and is desirable and appropriate for the development of the subject property.

Provincial Policy Statement (PPS)

The subject property is within an area of prime agricultural land. New or expanding livestock facilities shall comply with the minimum distance separation formulae. Guideline 46 of the MDS Implementation Guidelines states that "minor variances to MDS II distances can be considered based on site specific circumstances. Circumstances that meet the intent, if not the precise distances of MDS II, or mitigate environmental impacts, may warrant further consideration."

Wellington County Official Plan

The subject property is designated PRIMARY AGRICULTURAL and CORE GREENLANDS. The Core Greenlands refers to Hazard Lands. Section 13.7 of the Plan provides consideration for minor

variances provided the general intent of the Official Plan and Zoning By-law are maintained and the variance is minor and desirable for the appropriate development of the land. Consideration shall be given as to whether compliance with the by-law would be unreasonable, undesirable or would pose an undue hardship on the applicant.

Minto Zoning By-law

The subject lands are zoned A (Agricultural) and NE (Natural Environment). The proposed structure is not in close proximity to the NE zoning on the site. The property is currently occupied by a single detached dwelling, farm buildings and an existing liquid manure tank.

The following variances are required in order to facilitate the proposal:

	By-Law (01-86) as amended			
	Allowed	MDS Requirement	Requested	Difference
8.2.5 b) Exterior Side Yard Setback, Minimum	18.3 m (60.0 ft) or applicable MDS requirements, whichever is greater	45.0 m (147.6 ft) from proposed structure to road allowance	21.94 m (72 ft)	23.06 m (75 ft)
6.17.2 New or Expanding Livestock Facilities and Manure Storage Facilities	Notwithstanding any other yard or setback provisions of the By-law to the contrary, no livestock facility or manure storage facility shall be erected or expanded unless it complies with Minimum Distance Separation (MDS II), as amended.			

The location of the proposed tank would minimize the amount of cultivated land being taken out of production as well as allow for the orderly development of a future barn expansion. The adjacent property does not currently have any existing development in close proximity, and any future development would have to meet MDS I distances from the proposal.

A drawing showing the approximate MDS II requirement versus the proposed, is shown on Figure 1, attached.

I trust that these comments will be of assistance to the Committee.

Yours truly,



Elizabeth Martelluzzi, B.URPI
Junior Planner

Attachments: Figure 1, MDS II

