



## Township of Southgate Committee of Adjustment

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### Notice of Decision for Minor Variance

**Application No. A7-24**

**Owner Name: Marvin and Ella Bearinger**

**Applicant: Marvin and Ella Bearinger**

**In the matter** of an application to the Committee of Adjustment of the Township of Southgate under Section 53 of the Planning Act of Ontario, R.S.O. 1990, c.P. 13, as amended for lands known municipally as 391311 Grey Road 109 and legally described as Con 3 S, Pt Lot 62 Lot 62, former Township of Egremont, now in the Township of Southgate. Roll 42-07-060-005-05100.

**Decision:** That the Committee of Adjustment, having given consideration to the applicable provisions of Section 45 of the Planning Act, the Official Plan of the Township of Southgate, the characteristics of the subject land and its surroundings as addressed in the Planning Report on the subject application dated August 28, 2024, the correspondence received, and information presented at the hearing held on August 28, 2024, and the discussion on the matter, hereby **APPROVE** application **A7-24** as applied for to permit expansion of the existing farm cluster to include a 1,901 square metre dairy barn, 1,115.08 square metre storage bunker, and 423.34 square metre solid manure storage subject the following conditions:

- a. That the number of nutrient units (NU) on-site not exceed 118 such that the ratio of nutrient units to tillable acres is less than 3.3:1.
- b. The Minimum Distance Separation requirements and all regulations in the Agricultural-1 zone (applicable to the A2 zone) and other provisions of the Zoning By-law are met.

**Date of Decision**

**August 28, 2024**

**The Last Day for Appeal is**

**September 18, 2024**

Additional information regarding the application is available for inspection in the Planning Department at the Township of Southgate Administration Office, 185667 Grey County Road 9, Dundalk ON N0C 1B0, during regular office hours, Monday to Friday, 8:30 a.m. to 4:00 p.m.

### Appeal of a Decision

The applicant, the Minister or any other person or public body who has an interest in this matter may within 20 days of the making of the decision appeal to the Tribunal against the decision of the Committee by filing with the secretary-treasurer of the Committee a notice of appeal setting out the objection to the decision and the reasons in support of the objection accompanied by payment to the secretary-treasurer of the fee prescribed by the Ontario Land Tribunal as payable on an appeal from a committee of adjustment to the Tribunal. Any party interested in this application should take legal advice regarding their eligibility to appeal.

The secretary-treasurer of a committee, upon receipt of a notice of appeal filed under subsection (12), shall forthwith forward the notice of appeal and the amount of the fee mentioned in subsection (12) to the Tribunal by registered mail together with all papers and documents filed with the committee of adjustment relating to the matter appealed from and such other documents and papers as may be required by the Tribunal.

If within such 20 days no notice of appeal is given, the decision of the committee is final and binding, and the secretary-treasurer shall notify the applicant and shall file a certified copy of the decision with the clerk of the municipality.

The applicant, or any other person or public body who has an interest in this matter that wishes to appeal to the Ontario Land Tribunal can obtain a copy of the appeal form from the Ontario Land Tribunal website at <https://olt.gov.on.ca/appeals-process/forms/> or by calling 1-866-448-2248. The form, together with the appropriate fee, are to be sent by:

**Registered Mail or Personal Delivery To:  
The Secretary-Treasurer, Committee of Adjustment  
Township of Southgate  
185667 Grey County Road 9, Dundalk, ON N0C 1B0**

A certified true copy of this notice of decision has been given to the applicant.

**Dated** this 29<sup>th</sup> day of August 2024.



Elisha Milne  
Secretary-Treasurer  
Committee of Adjustment

This Decision may be signed in counterparts without affecting the validity of the Decision.



Brian Milne



Barbara Dobreen



Jason Rice



Martin Shipston

Absent  
Jim Ferguson



Joan John



Monica Singh Soares