



Committee of Adjustment Agenda

May 5, 2026, 9:00 a.m.

The purpose of the Public Hearing is to hold a Committee of Adjustment to consider Minor Variances to Zoning By-Law 32-2008.

Township of Ashfield-Colborne-Wawanosh Council will meet in the Council Chambers at 82133 Council Line, Ashfield-Colborne-Wawanosh and can be live streamed at www.acwtownship.ca/government/agendas-minutes.

Pages

1. **CALL TO ORDER**

Meetings of Council are live streamed on the Township's Official Website in accordance with the Live Streaming and Virtual Participation of Meetings Policy.

2. **DISCLOSURE OF PECUNIARY INTEREST / POTENTIAL CONFLICT OF INTEREST**

3. **APPLICATIONS FOR MINOR VARIANCE**

3.1 **Minor Variance Application File ACW MV01-2026 Miller**

1

We have provided Council with a copy of the report prepared by the County Planner, Meghan Tydd-Hrynyk, regarding this application. The Planner will review the application with the Committee of Adjustment.

STAFF COMMENTS: That this application for minor variance be approved subject to the following conditions:

- The proposed structure be constructed consistently with the site plan and elevation drawings submitted with the application to the satisfaction of the Township's Chief Building Official and
- The variance's approval be valid for a period of 18 months from the date of the Committee's decision.

PUBLIC COMMENTS:

APPLICANT COMMENTS:

COUNCIL COMMENTS:

MOTION

Moved by _____

Seconded by _____

THAT Ashfield-Colborne-Wawanosh Committee of Adjustment approve Minor Variance Application MV01-2026 Miller on the basis that the proposed amendment supports

agriculture related uses while maintaining compatibility with sensitive uses;

AND FURTHER THAT the variance be subject to the following conditions.

- The proposed structure be constructed consistently with the site plan and elevation drawings submitted with the application to the satisfaction of the Township's Chief Building Official and
- The variance's approval be valid for a period of 18 months from the date of the Committee's decision.

Effect of Public and Agency Comments on the Decision

4. ADJOURNMENT

MOTION

Moved by _____

Seconded by _____

THAT Ashfield-Colborne-Wawanosh Township Council closes the Committee of Adjustment.



PLANNING & 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

To: Township of Ashfield-Colborne-Wawanosh, Mayor and Members of Council
From: Meghan Tydd-Hrynyk, Planner
Date: May 5th, 2026
Re: **Minor Variance File MV01-2026**
Concession 10, North Pt Lot 19; RP 22R1381 Part 2, Wawanosh, Ashfield-Colborne-
Wawanosh
Address: 37735 Belfast Road
Owners/Applicants: Joseph Miller c/o Edward Miller

RECOMMENDATION

It is recommended that Minor Variance application MV01-2026 be approved subject to the following conditions:

1. The proposed structure be constructed consistently with the site plan and elevation drawings submitted with the application to the satisfaction of the Township's Chief Building Official and
2. The variance's approval be valid for a period of 18 months from the date of the Committee's decision.

PURPOSE

The purpose of this application, that if approved, would grant one variance from the ACW zoning by-law in order to construct an agricultural livestock building within the required setback from the settlement boundary of St. Helens.

REVIEW

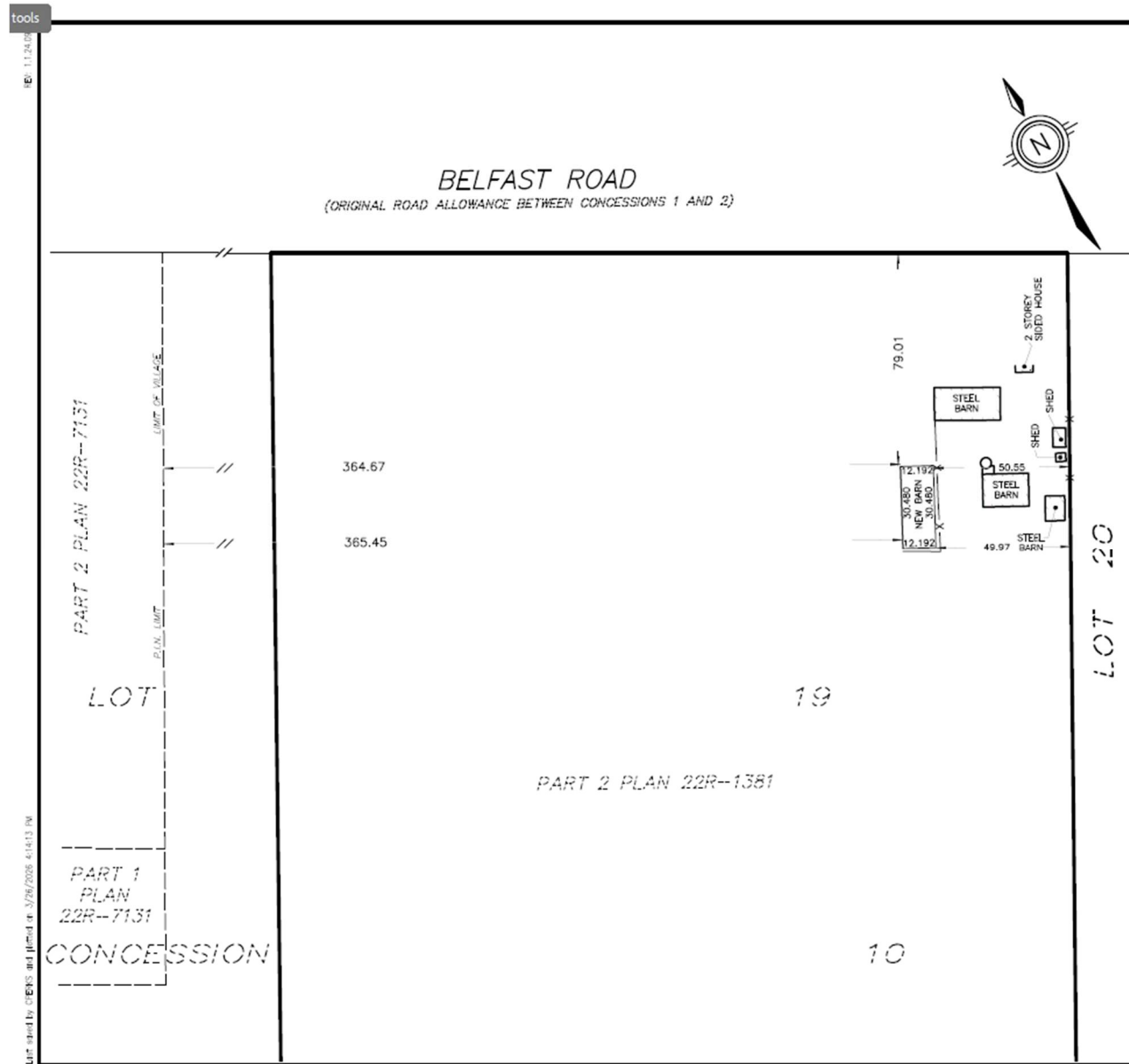
Notice was given for a variance to construct a new 40 ft x 100 ft livestock barn to expand the existing farm operation to include swine. Section 3.45 and 4.4.4 of the ACW Zoning By-law stipulates that no new or expanding livestock facility may be established unless it complies with the minimum distance separation formulae (MDS II). The minimum required setback to a settlement boundary is 398m (1,306 ft). The proposed barn location would provide a setback of 364m (1,194 ft). Therefore, relief is required to permit a decreased setback of 34m (111 ft) resulting in an approximate 9% reduction from the required setback. The property currently contains an existing dwelling, shed and livestock barn for cattle.

The subject property is designated Agriculture and Natural Environment in the ACW Official Plan. It is zoned AG1 (General Agriculture), NE1 (Natural Environment) and NE5 (Natural Environment) in the ACW Zoning By-law.

Figure 1. 2020 Aerial Image of Subject Property (Subject Property outlined in orange)



Figure 2. Proposed Site Plan (showing the existing two storey house, steel barns, sheds and proposed location of new barn)



Map made by DEKS and filed at 3/28/2025 4:14:13 PM

COMMENTS

No comments were received from neighbours as a result of the application.

ACW staff have reviewed the proposal with regards to the construction of the barn and have no concerns.

Maitland Valley Conservation Authority provided comments that a portion of the property is considered regulated due to the presence of a wetland and its associated buffer on an adjacent property. All proposed development is outside of the Regulation Limit and therefore no concerns were raised.

PLANNING REVIEW

Section 3.4.10 of the ACW Official Plan requires development to comply with the Minimum Distance Separation (MDS) I and II formulae. Section 45(1) of the Planning Act provides the following four tests of a minor variances:

- Is the variance minor?
- Is the variance considered to be desirable for the appropriate development of the land, building or structure?
- Does the development maintain the intent of the ACW Zoning By-law?
- Does the development maintain the intent of the ACW Official Plan?

The subject property is an established agricultural parcel that currently contains a single detached dwelling, a shed, and an existing livestock barn used for cattle. The surrounding area is characterized by active agricultural uses. The applicant is proposing to construct a new 40 ft x 100 ft livestock barn to expand the operation to include swine. The barn is proposed to be located within the existing farmstead area in a manner that supports the efficient use and function of the agricultural operation while maintaining separation from surrounding land uses.

The proposal can be seen as minor in nature as the variance for the proposed setback is a 34m decrease from the required 398m setback which is an approximate 9% reduction. The proposed location maintains significant separation from the settlement boundary and continues to provide a buffer between the livestock facility and potential sensitive land uses.

The variance can be considered appropriate for the subject site and the surrounding area. The proposed location is a logical and functional siting of the barn within the existing farming operation, allowing efficient use of the property while maintaining appropriate separation from surrounding uses. Supporting the viability and growth of existing farm operations is desirable and consistent with agricultural land use objectives.

The development maintains the intent of the ACW Official Plan and Zoning By-law. The reduced distance continues to provide separation from the settlement boundary and achieves the underlying purpose of the regulation by limiting potential impacts such as odour, noise and nuisance. The variance supports the long-term viability of the agricultural operation while maintaining a separation from sensitive uses, thereby balancing agricultural growth with compatibility considerations and maintaining the general intent and purpose of both the Zoning By-law and the Official Plan.

SUMMARY

The application can be considered to meet the criteria for minor variances as contained in the Planning Act. It is recommending that MV01-2026 be **approved**, subject to the following conditions:

1. The proposed structure be constructed consistently with the site plan drawings submitted with the application to the satisfaction of the Township’s Chief Building Official; and
2. The variance’s approval be valid for a period of 18 months from the date of the Committee’s decision.

Sincerely,



Meghan Tydd-Hrynyk
 Planner

**Effect of Public and Agency Comments on Decision of Council to the Planning application
 (Pursuant to Sections 17, 22, 34, 35, 45, 51 and 53 of the Planning Act, RSO, 1990, as amended)**

	A. Effect of Public Comments on Decision of Council	B. Effect of Agency Comments on Decision of Council (e.g. Planning, Public Works, Health Unit)
1. Council agrees with effects of input as contained in the planning report	Council concurs with the planning report regarding the effect of public and agency comments on the decision.	
2. No comments received	No public comments were received on this application so there was no effect on the decision.	No agency comments were received on this application so there was no effect on the decision.
3. Supportive comments received	Public comments were received in support of the application, the effect of which resulted in a decision to approve the application.	Agency comments were received in support of the application, the effect of which resulted in a decision to approve the application.
4. Concerns raised were addressed through conditions to approval or changes to mapping or text amendment	Public comments were received on the issue(s) of _____. The comments were address through (conditions to approval/changes to the mapping or text of the amendment).	Comments were received from agencies on the issues of _____. The comments were addressed through (conditions to approval/changes to the mapping or text of the amendment).
5. Concerns raised did not influence the decision	Public comments were received on the issue(s) of _____. Comments were thoroughly considered but the effect did not influence the decision of Council to (approve/deny) the application.	Comments were received from agencies identifying the issue(s) of _____. Comments were thoroughly considered but the effect did not influence the decision of Council to (approve/deny) the application.
6. Concerns raised did influence the decision	Public comments were received on the issue(s) of _____, the effect of which influenced the decision of Council to (approve/deny) the application.	Agency comments were received on the issue(s) of _____, the effect of which influenced the decision of Council to (approve/deny) the application.
7. Comments received in support and opposition to the application	Options from above 1A/3A/4A/5A/6A	Options from above 1B/3B/4B/5B/6B
8. Other	Additional wording deemed appropriate by Council	Additional wording deemed appropriate by Council



Notice of Public Hearing

For a Proposed Minor Variance to Zoning By-law 32-2008
Planning Act, R.S.O. 1990, cP. 13., S. 45 (5)

www.acwtownship.ca 519-524-4669 82133 Council Line, RR5 Goderich, ON N7A 3Y2

FILE: MV01-2026 Miller

You are invited to participate in a **Public Hearing on Tuesday, May 5, 2026 at 9:00 a.m.**

To consider a Minor Variance to the Zoning By-Law. During this time, the Township Committee of Adjustment will consider the change.

OWNER/APPLICANT:

Joseph Miller c/o Edward Miller

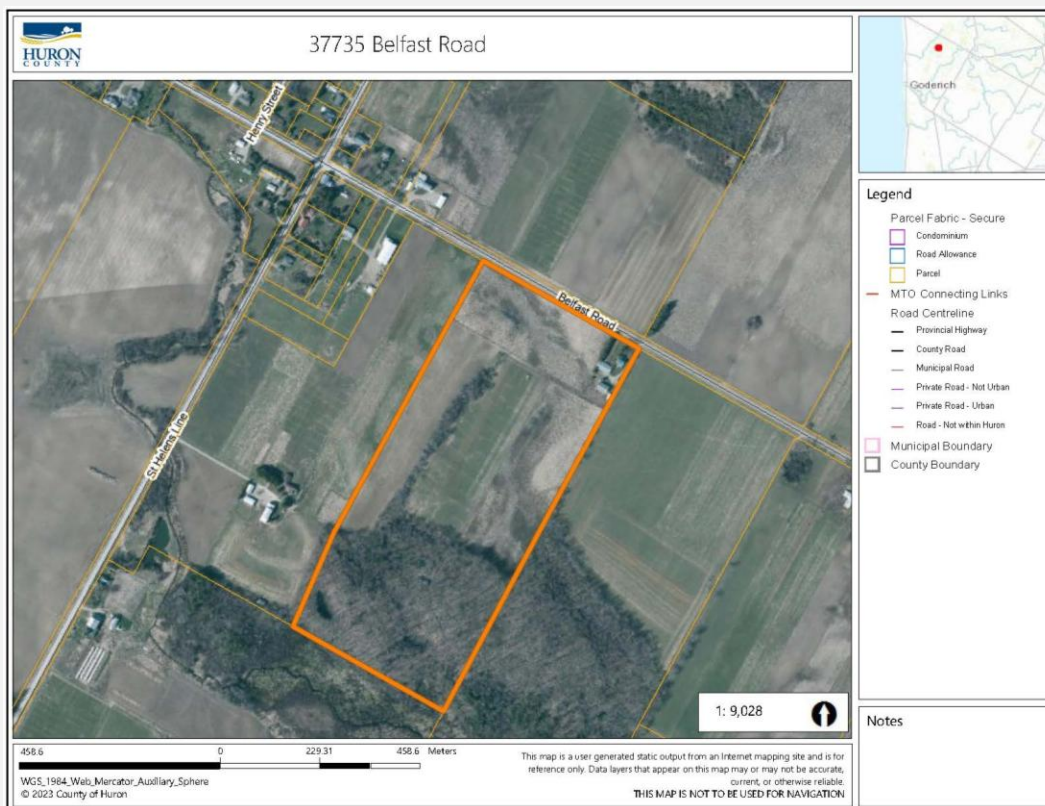
LOCATION OF PROPERTY:

37735 Belfast Road, Concession 10
Pt N Pt Lot 19

A change is proposed in your neighbourhood.

A Minor Variance Application has been received, that if approved, would grant relief from Section 3.45 and Section 4.4.4 (Minimum Distance Separation - Livestock Facilities) of the ACW Zoning By-law in order to construct a new barn within the required setback from the settlement boundary of St. Helens.

You are being notified of this application because your name appears on the assessment roll for properties within 60 metres of the subject lands, or you are an agency requiring notice.



The Proposed Change

The applicant is seeking to construct a new 40 ft x 100 ft livestock barn to expand the existing farm operation to include swine. Sections 3.45 and 4.4.4 of the ACW Zoning By-law stipulates that no new or expanding livestock facility may be established unless it complies with the minimum distance separation formulae (MDS II). The minimum required setback to a settlement boundary is 398m (1,306 ft). The proposed barn location would provide a setback of 364m (1,194 ft). Therefore, relief is required to permit a decreased setback of 34m (111 ft) resulting in an approximate 9% reduction from the required setback. The property currently contains an existing dwelling, shed and livestock barn for cattle.

The subject property is designated Agriculture and Natural Environment in the ACW Official Plan. It is zoned AG1 (General Agriculture), NE1 (Natural Environment) and NE5 (Natural Environment) in the ACW Zoning By-law.

Learn More

Further information regarding this application can be found at <https://acwtownship.ca/develop-build/planning-development>. Questions may be directed to the Planner Meghan Tydd-Hrynyk at mtydd-hrynyk@huroncounty.ca or by calling 519-524-8394 extension 3.

Have Your Say

Comments and opinions submitted on this proposal, including the originator's name and address, become part of the public record, and may be viewed by the general public and may be published in a planning report and Council agenda.

1. You can submit comments, objections, or concerns by mail (address above) or email to clerk@acwtownship.ca. For correspondence to be included as a part of the Agenda package distributed to Council please ensure that the Clerk has received it prior to 12:00 p.m. on the Thursday before the hearing.
2. You can speak during the public hearing. **Individuals are strongly encouraged to submit their comments prior to the hearing for consideration.*

If you are aware of any person interested in or affected by this application who has not received a copy of this notice, you are requested to inform that person of this hearing.

If you are receiving this notice because you are the owner of property in the area of the amendment that contains seven or more residential units, you must also post this notice in a location that is visible to all of the residents of your property.

How to Access the Public Hearing

The hearing will be held at 82133 Council Line, Goderich, Ontario N7A 3Y2. It will also be Live Streamed on the Township's Website at www.acwtownship.ca/government/agendas-minutes.

You are entitled to attend this public hearing to express your views about this application, or you may be represented by counsel for that purpose.

For those persons who wish to make verbal comments at the hearing virtually, there is an option to join the hearing electronically. Please contact the Clerk's Department directly for a specific hearing invitation at clerk@acwtownship.ca. If you intend to speak by this option, please contact the Clerk prior to 12:00 p.m. on the Monday before the hearing.

For information on how to participate in the public hearing, please visit the municipal website at <https://www.acwtownship.ca/government/agendas-minutes>. The agenda for this public hearing will be published at the end of the business day on the Friday before the hearing. If you have any questions regarding how to participate in the hearing, please call the municipal office at 519-524-4669, or email clerk@acwtownship.ca.

Failure to Attend

If you do not attend the hearing, it may proceed in your absence and, except as otherwise provided in the Planning Act, you will not be entitled to any further notice in the proceedings.

Stay Informed

If you would like to be notified of the decision of the Committee of Adjustment, you **must** make a written request to the Clerk at the municipal address above, or by email to clerk@acwtownship.ca. This will also entitle you to be advised of a possible Ontario Land Tribunal (OLT) hearing if the decision of this application is appealed.

DATED April 15, 2026

Subject land information

Names and addresses of any mortgages, holders, charges or other encumbrances:
N/A

Nature and extent of relief applied for:
Relief for setback from MDS to Settlement Boundary

Why is not possible to comply with the provisions of the by-law?
Size and location of barn as well as existing structure, existing operations of farm

Is any of the subject land in Wellhead Protection Area C?
 Yes No Unknown

Property access by
Municipal road maintained all year around

Will this proposal result in adding or changing the location of any driveway/accessed/entrances?
 Yes No

Dimensions of Land affected:	Frontage	Area	Depth	Width of Street
	295	50	677	20

Particulars of all buildings and structures on or proposed for the subject land (specify ground floor area, number of storeys, width, length, height, etc.)

Existing 2 storey dwelling 2,000sqft barn - 40' x 60' barn - 24' x 30' Drive shed - 40' x 80'	Proposed barn - 40' x 100'
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Location of all buildings and structures on or proposed for the subject land (specify distance from side, rear, and front lot lines)

Existing N/A	Proposed Barn - front - 79m east side - 50m
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Date of construction of all buildings and structures on subject land 1980-01-01	Date of acquisition of subject land 1995
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Existing uses of the subject property Farmland and residential	Existing uses of abutting properties Farmland and residential
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Length of time the existing uses of subject property have continued
Since construction

- Municipal services available (check all that apply)
- Water - Connected
 - Communal well
 - Sanitary Sewers
 - Storm drainage - Connected
 - Swales
 - Public owned
 - Lake
 - Septic system
 - Storm sewer
 - Other
 - Privately owned
 - Sewage disposal - Connected
 - Privy
 - Ditches

<p>Is the property assessed to a Municipal Drain?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>Is there a tile drain loan for this property or has an application for a tile drain loan been submitted to the Municipality within the last 90 days?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>Present Official Plan provisions applying to the land Agriculture and Natural Environment</p>	
<p>Present Zoning By-law provisions applying to the land AG1, NE1, NE5</p>	
<p>Has the owner previously applied for relief in respect of the subject property?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>Applicants are strongly encouraged to contact the County and speak/meet with the Planner to the Municipality before submitting an application for information.</p>	
<p>Date of Applicant's consultation meeting with County Planner 2026-01-14</p>	<p>Has the Planner advised the Applicant that this application needs to be reviewed by the Huron County Biologist for comments on Natural Heritage matters?</p> <p><input type="checkbox"/> Yes - Please submit a fee of \$220.00 made payable to the Treasurer, County of Huron</p> <p><input checked="" type="checkbox"/> No</p>
<p>Is the subject property the subject of a current application for consent or plan of subdivision under the Planning Act?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	

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.

MINOR VARIANCE SKETCH

OF PART OF

LOT 19

CONCESSION 10

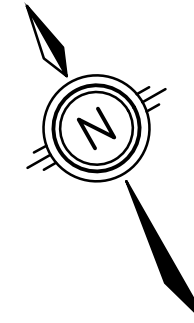
(GEOGRAPHIC TOWNSHIP OF WAWANOSH)

NOW IN THE

TOWNSHIP OF ASHFIELD-COLBORNE-WAWANOSH

COUNTY OF HURON

SCALE 1:1500

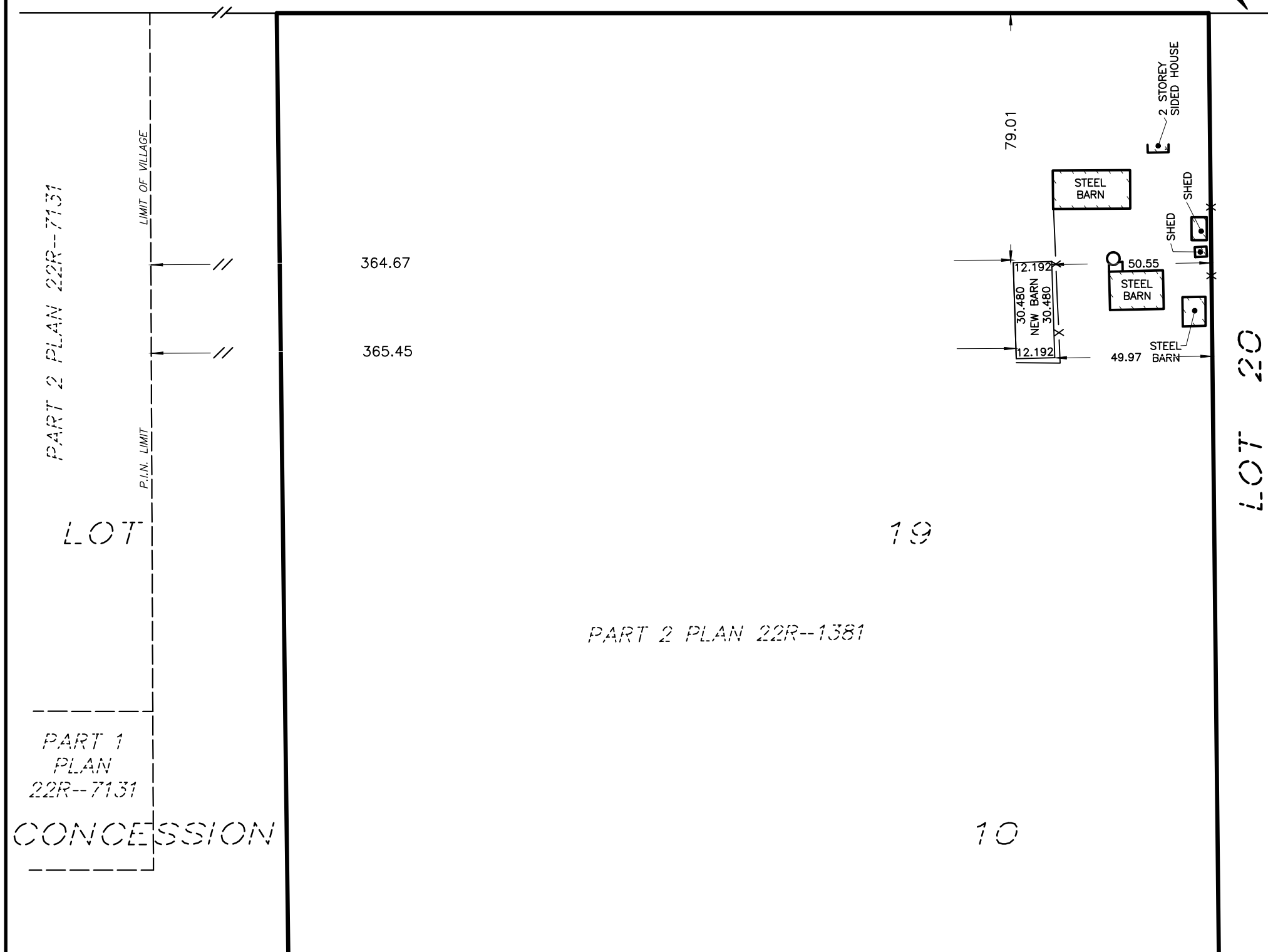


BELFAST ROAD
 (ORIGINAL ROAD ALLOWANCE BETWEEN CONCESSIONS 1 AND 2)

MTE OLS LTD.

ONTARIO LAND SURVEYORS

ZONING STATISTICS		
TOWNSHIP OF ASHFIELD-COLBORNE-WAWANOSH ZONING BY-LAW 32-2008		
	REQUIRED	MEASURED
MINIMUM FRONT YARD TO BARN	60.00 m.	79.01 m.
MINIMUM INTERIOR SIDERYARD	30.00 m.	49.97 m.
MINIMUM TO VILLAGE LIMIT	m.	364.67 m.



LOT 20
LOT 19

PART 2 PLAN 22R--1381

PART 2 PLAN 22R--7131

LOT

PART 1 PLAN 22R--7131

CONCESSION

CAUTION:

THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSES INDICATED IN THE TITLE BLOCK.

3/26/2026 THIS SKETCH WAS PREPARED FOR EDWARD MILLAR.



MTE ONTARIO LAND SURVEYORS LTD.
 365 HOME STREET
 STRATFORD, ONTARIO, N5A 2A5
 TEL: (519) 271-7952

CAD: C. PERKS Check: D. HASTINGS Page: 11X17 (280X430)

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