



COMMITTEE OF ADJUSTMENT  
TOWNSHIP OF WAINFLEET

*"Wainfleet - find your country side!"*

File: **A03/2022W**

**NOTICE OF DECISION**

In the matter of the Planning Act, R.S.O. 1990, as amended and in the matter of an application on behalf of:

**John & Johanna Homan**  
53758 Willford Rd  
Concession 6 Part Lots 36 & 37, Wainfleet

**LOCATION OF THE LANDS AND PURPOSE OF THIS APPLICATION:**


The subject property is located on the northwest corner of Willford Road and Smith Road and is known municipally as 53758 Willford Road. The property is zoned Agricultural – A2. The subject property has a single detached dwelling and several agricultural buildings.


DECISION: ☒ GRANTED


☐ REFUSED

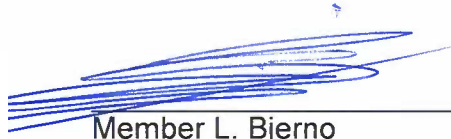
The above decision is subject to the following conditions:


**PLEASE SEE SCHEDULE "A" ATTACHED HERETO FOR CONDITIONS AND REASONS**

  
Chair M. Feduck

  
Member G. Balicki

  
Member R. Cross

  
Member L. Bjerno

  
Member S. McMillan

**DATE OF DECISION: April 20<sup>th</sup>, 2022**

**DATE OF MAILING: April 21<sup>st</sup>, 2022**

I hereby certify this to be a true copy of the decision of the Committee of Adjustment for the Township of Wainfleet, in the Regional Municipality of Niagara and this decision was concurred in by the majority of the members who heard the application.

  
Erin Shacklette, Secretary-Treasurer

**Last day for filing an appeal of this decision to the Tribunal is May 10<sup>th</sup>, 2022**

**PROCEDURE FOR APPEAL**

The Planning Act, R.S.O. 1990, Section 45, Subsection 12, as amended states: - "The applicant, the Minister or any other person or public body who has an interest in the matter may within **twenty (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 prescribed fee charged by the Tribunal under the Ontario Land Tribunal Act, 2021 as payable on an appeal from a Committee of Adjustment to the Tribunal." The prescribed fee for an appeal to the Tribunal is \$400 and payable to the Minister of Finance.

Pursuant to Rule 7 of the OLT Rules, anyone who wishes to participate in an OLT appeal hearing as a participant shall file a written participant statement that sets out their position on the matter and issues of the proceeding, together with an explanation of their reasons in support of their position. A participant may only make submissions to the Tribunal in writing.



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**SCHEDULE A – FILE A03/2022W**

This is Schedule A, appended to and forming part of the Notice of Decision for Application for Minor Variance A03/2022W.

An application for a minor variance has been submitted to request relief from the following provisions of Zoning By-law 034-2014 to permit the construction of a new sow barn with nursery.

Section of Bylaw	By-law Requirement	Application Request	Difference
Section 4.14 Minimum Distance Separation II	455m	385.46m	69.54m

DECISION: ☒ GRANTED ☐ REFUSED

The above decision is subject to the following conditions: NONE

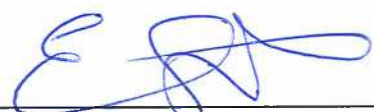
**Reasons:**

1. The application can be considered consistent with the intent of the Official Plan and the Zoning By-law as it supports the expansion of an existing and established agricultural operation.
2. The proposed variance appears minor in nature and desirable development as it keeps the expansion in close proximity to the existing farm operation, reducing bio-security risks and transportation costs for the farm operation.
3. The decision is rendered having regard to the provisions of Section 45 of the Planning Act.
4. No objections were received from commenting agencies or abutting property owners
5. This application is granted without prejudice to any other application in the Township of Wainfleet.

**Date of Decision: April 20<sup>th</sup>, 2022**

**Date of Mailing: April 21<sup>st</sup> 2022**

I hereby certify this to be a true copy of the decision of the Committee of Adjustment for the Township of Wainfleet in the Regional Municipality of Niagara and this decision was concurred in by the majority of the members who heard the application.

  
Erin Shacklette, Secretary-Treasurer