



Township of Ashfield-Colborne-Wawanosh

82133 Council Line, RR5

Goderich, ON N7A 3Y2

www.acwtownship.ca

519-524-4669

Hearing Date: Tuesday, September 12, 2023

FILE: ACW MV10-23 MacDonald

Notice of Decision of the Committee of Adjustment

Application for Legal Non-Conforming Use

Planning Act, R.S.O. 1990, Section 45 (2)(a)(ii)

OWNER/APPLICANT: Michelle and Elliott MacDonald

LOCATION OF PROPERTY: PLAN 301 LOTS 14 TO 17 PT LOTS 5 6 AND 18 (85664 Henry St)

PURPOSE OF THE APPLICATION: The variances are necessary to seek permission under Section 45(2)(2)(ii) of the Planning Act to replace a legal non-conforming use.

DATE OF DECISION: September 12, 2023

DECISION:

1. To grant relief from Section 45(2)(2)(ii) of the Planning Act to replace a legal non-conforming use

CONDITIONS:

1. That the proposed structure be constructed consistently with the site plan and design elements included in the drawings package submitted with the application, to the satisfaction of the Township's Chief Building Official; and
2. Manure storage be installed to the satisfaction of the Township's Chief Building Official.

REASON FOR DECISION: The Committee considered the variance to be minor, to maintain the appropriate development of the lands and to maintain the general intent of the zoning by-law and official plan.

EFFECT OF WRITTEN AND ORAL SUBMISSIONS:

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.

Moved by Miltenburg

Seconded by Hickey

THAT Ashfield-Colborne-Wawanosh Committee of Adjustment hereby agrees to approve the Minor Variance Application ACW MV10-23 MacDonald as submitted, subject to the conditions as noted in the Planner's Report.

Carried

CERTIFICATION

Planning Act, R.S.O. 1990, c.P. 13., S. 45 (10)

I, Kaitlin Bos, Deputy Clerk of the Township of Ashfield-Colborne-Wawanosh Committee of Adjustment, certify that the above is a true copy of the decision of the Committee with respect the application recorded therein.

Dated .

Kaitlin Bos, Deputy Clerk

APPEALS: The last day for appealing this decision is **October 4, 2023.**

The fee for filing an appeal is \$400.00 payable by Certified Cheque or Money Order in Canadian funds, made out to the Minister of Finance and accompanied by Appellant Form (A1) which is available on the web site at <https://olt.gov.on.ca/appeals-process/forms/>. Only individuals, corporations and public bodies may appeal a zoning by-law to the Ontario Land Tribunal (OLT). A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf. No person or public body shall be added as a party to the hearing of the appeal unless, before the by-law was passed, the person or public body made oral submissions at a public meeting or written submissions to the Council or, in the opinion of the Ontario Land Tribunal (OLT), there are reasonable grounds to add the person or public body as a party.

