

NOTICE OF DECISION

MINOR VARIANCE/ PERMISSION

Committee: Committee of Adjustment
Application: Minor Variance, Section 45 of the *Planning Act*
File Number: A-08-25
Public Meeting Date: November 5, 2025
Property Location: 3565 Weir Road
Property Description: Concession 5, Part Lot 35
Roll Number: 0701701030310040
Owner: Drew and Ashley Lawrence

Proposal and Purpose of the Application:

The purpose and effect of Minor Variance Application A-08-25, is a request to obtain relief from Section 4.5(1)(1), Hobby Farms in Zoning By-Law Number 2022-37, to reduce the minimum lot area requirement from 1.6 hectares to 1.5 hectares to permit 2 horses on the property within an existing livestock facility (barn).

Requested Variance to Zoning By-Law No. 2022-37:

Variance 1: Section:

4.5(1)(1), Hobby Farms and Domestic Fowl

Requirement:

On a lot having an area of 1.6 ha up to 3.2 ha, a maximum of eight (8) small livestock units or their equivalent in any combination shall be permitted.

Requested:

To reduce the minimum area of a lot from 1.6 ha to 1.5 ha

DECISION AND REASONS OF THE COMMITTEE:

WE, the undersigned, in making the decision upon this application, have considered whether or not the variance(s) requested was minor and desirable for the appropriate development or use of the land, building or structure, and that the general intent and purpose of the zoning by-law and the official plan will be maintained or, in the case of a change in a use of property which is lawfully non-conforming under the by-law, as to whether or not this application has met the requirements of subsection 45(2) of the *Planning Act*, concur in the following decision made during the Committee's public meeting on **November 5, 2025**.

Decision: Approved, subject to the following conditions.

Conditions:

No conditions.

Attachments:

1. Approved Concept Sketch – prepared by applicant

Reasons for Decision:

1. Does the application maintain the general intent and purpose of the Official Plan?

The subject property is designated as Rural Policy Area in the Townships Official Plan. The goal of the Rural Policy Area is to provide for the long-term orderly development of the rural lands in a manner which is consistent with ensuring the protection of natural and environmental resources, while providing opportunities for a modest amount of compatible development and a diversified rural economy.

The existing single-detached dwelling developed with private on-site services and the two storage buildings and livestock barn are permitted uses within the Rural Policy Area. The requested variance to reduce the lot area to permit a hobby farm (keeping of 2 horses) is in keeping with the intent of the rural policy and surrounding rural and agricultural uses.

The re-establishment of the former livestock facility requires a Minimum Distance Separation (MDS1) calculation. The township planner prepared an MDS1 calculation and determined that an 84 metre setback is required from the closest point of the livestock facility to any existing residential use. Based on the drawing illustration below,

the livestock facility will not negative impact the surrounding residential uses or hinder future residential development on the vacant lot to the south

The proposal and its requested variance is therefore in keeping with the policies of the Official Plan.

2. Does the application maintain the general intent and purpose of the zoning bylaw?

The subject property is zoned Rural (RU) in Zoning By-Law Number 2022-37, as amended.

The Rural (RU) zone permits the single-detached dwelling and agricultural uses. The keeping of livestock requires a minimum lot area of 5 hectares however smaller lots may be permitted to keep a limited number of livestock based on the hobby farm and keeping of domestic fowl requirements in Section 4.5 of the Zoning By-Law.

Section 4.5(1)(1) permits lots with 1.6 hectares to 3.2 hectares to have a hobby farm with a maximum of eight (8) small livestock units or their equivalent in any combination. Subsection 4 recognizes 4 small livestock units equals 1 large livestock unit; therefore 2 horses may be permitted.

The subject property has a lot area of 1.5 hectares. The applicant requests a variance to reduce the minimum lot area of a hobby farm from 1.6 hectares to 1.5 hectares to permit the keeping of 2 horses.

The requested variance meets the general intent of the Zoning By-Law as the proposal is site specific and will re-use a former horse barn on the property, and will be in keeping with the permitted uses in the Rural zone.

3. Is the application minor in nature?

The proposal maintains the rural character of the area and is anticipated to have no negative impacts on the abutting rural and agricultural lands or inhibit their continued use. The variance will permit a lot in the rural area to house livestock and re-purpose a former livestock barn which generally conforms with the intent of the rural policy designation, which is to promote and maintain rural, agricultural and rural related uses.

It is the opinion of staff that the requested variance is in keeping with the policies of the Official Plan and Zoning By-Law provisions and will not result in any negative impacts

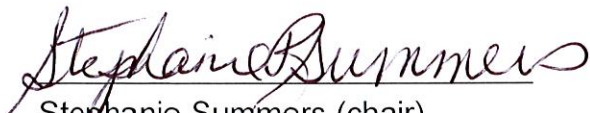
on the abutting lands or their continued use and is therefore considered minor in nature.

4. Is the application desirable for the appropriate development or use of the land, building or structure?

The requested variance to reduce the minimum lot area for a hobby farm from 1.6 hectares to 1.5 hectares and re-use the former livestock facility for the keeping of 2 horses is desirable and appropriate use of the land and the existing structures on the subject property.

The subject property was created through consent application B-10-20. The severance application recognized the three accessory structures in the rear yard as storage shed, however, the southern shed was actually a livestock facility which housed horses. The applicant proposes to re-use the former horse barn (livestock facility) to house the two horses. No new structures are proposed.

The applicant has demonstrated that the proposed residential and hobby farm use will be functional and will comply with the remaining requirements of the Rural (RU) zone, therefore the requested variance is considered to be desirable for and appropriate for development for the subject lot.



Stephanie Summers (chair)



Donald Gibson



Tim Nason

MAKING AN APPEAL

The applicant, the Minister or a specified person or public body that has an interest in the matter may within 20 days of the making of the decision appeal to the Tribunal against the decision of the Committee. *Planning Act 45 (12)*

Take notice that an appeal to the Ontario Land Tribunal in respect to all or part of this Minor Variance may be made by filing a notice of appeal with the City Clerk either via the Ontario Land Tribunal e-file service (first-time users will need to register for a My Ontario Account) at <https://olt.gov.on.ca/e-file-service> by selecting Township of Edwardsburgh Cardinal as the Approval Authority or by mail to P.O Box 129, Spencerville ON K0E 1X0.

The last date for filing of appeal of this decision is the 20 days from decision at 4:30 p.m. The filing of an appeal after 4:30 p.m., in person or electronically, will be deemed to have been received the next business day. The appeal fee of \$400 can be paid online through e-file or by certified cheque/money order to the Minister of Finance, Province of Ontario. If you wish to appeal to the Ontario Land Tribunal (OLT) or request a fee reduction for an appeal, forms are available from the OLT website at www.olt.gov.on.ca. If the e-file portal is down, you can submit your appeal to tfisher@twpec.ca.

OTHER ASSOCIATE APPLICATIONS

The subject land is the subject of an application under the Act for:

☒ Not Applicable

☐ Approval of a plan of subdivision (under section 51)

☐ Consent (under section 53) File: _____ Status: _____

☐ Previous application (under section 45)

CERTIFICATION

I, Tim Fisher, Secretary Treasurer Committee of Adjustment, certify that the information included herein is a true copy of the decision of the committee with respect to the application recorded therein.

Dated this 5thth day of November, 2025



Tim Fisher
Secretary Treasurer, Committee of Adjustment
Township of Edwardsburgh Cardinal

ATTACHMENT:

APPROVED CONCEPT SKETCH

