



PLANNING & DEVELOPMENT

File No. A8/25
July 8, 2025

Committee of Adjustment

**Re: Township Comments – Minor Variance Application A8/25
5463 Deborah Glaister Line - Isiah Bauman
Committee of Adjustment Hearing, July 8, 2025**

Summary:

The owner of 5463 Deborah Glaister Line is requesting a minor variance to reduce the required minimum distance separation (MDS) setback to build a new 600 m² chicken barn and manure storage. The property is 40 hectares in area and has a house and barn on the property. The lands are designated Prime Agricultural in the Official Plan and are zoned Agricultural (A1) under the Zoning By-law. The subject lands are also partially within the GRCA Regulated Floodplain as a result of a drain that is located on the property.

The required MDS setback from the neighbouring dwelling (3471 Deborah Glaister Line) is 187 metres for the barn and manure storage. The proposed barn setback from the dwelling is 145.84 metres. The applicant is requesting a 42-metre reduction in the required setback from the barn to the house at 3471 Deborah Glaister Line. It is also important to note that the applicant owns both 3471 and 5463 Deborah Glaister Line.

The attached air photo map shows the location of the proposed new barn as well as the required MDS setback distance.

TEST OF GENERAL INTENT & PURPOSE OF OFFICIAL PLAN:

The subject lands are designated "Prime Agricultural" in the Township Official Plan (Map 10). Section 3.1.8 of the Official Plan states:

3.1.8 New land uses, including the creation of separate lots, expansions of existing lots and the development of new or expanding livestock facilities will comply with the *minimum distance separation formulae* and the Nutrient Management Act. (...)

There is an existing older barn on these lands which is located closer to the neighbouring residence than the proposed new barn. The intent of the MDS setback is to regulate appropriate setbacks based on anticipated odour from the new livestock facility.

OMAFRA has provided guidance on what types of circumstances can be considered for variances to MDS setbacks, including environmental impacts and site-specific circumstances. The intent of the MDS setbacks are to mitigate odour nuisances.

The neighboring property at 3471 Deborah Glaister Line contains a chicken barn comparable in size to the proposed chicken barn. This property also includes a residence situated approximately 67 metres from the existing chicken barn, as well as an additional livestock barn located less than 30 metres from the dwelling. Given the presence of multiple livestock barns in close proximity to the residence—each of which would typically require a Minimum Distance Separation (MDS) setback—staff are of the opinion that the proposed chicken barn, located 145 metres from the dwelling, is unlikely to cause a significant increase in odour-related nuisances. As such, staff believe that the general intent and purpose of the Official Plan is being upheld.

TEST OF GENERAL INTENT & PURPOSE OF ZONING BY-LAW:

The subject lands are zoned Agricultural (A1), which permits a broad range of agricultural uses. Section 4.22.2 of the Zoning By-law requires that MDS II applies to any new or expanding livestock facility. The MDS Implementation Guidelines prepared by OMAFRA states in Guideline 43 that “Minor variances to MDS II distances can be considered based on site specific circumstances. Circumstances that meet the intent, if not the precise distances of MDS II, or mitigate environmental impacts, may warrant further consideration.”

The intent of Section 4.22.2 of the Zoning By-law is to prevent adverse effects to surrounding properties as a result of adding new or expanding livestock facilities. The OMAFRA Guidance limits the valid considerations for reducing MDS setbacks to such things as environmental impacts and site specific circumstances. In this case, staff are of the opinion that reducing the MDS setbacks conforms to the general intent and purpose of the Zoning By-law, as it is unlikely that the location of the new chicken barn will create an additional odour nuisance given the existing livestock barns of similar size located on the neighbouring lands at 5471 Deborah Glaister Line.

TEST OF MINOR AS TO PURPOSE & EFFECT:

The subject lands and the neighbouring property both have existing barns that are closer to the residence at 5471 Deborah Glaister Line than the new proposed barn. Therefore, adding additional livestock, while not meeting the required MDS setback, is not likely to create a significant impact to the neighbouring farm residence. It is the opinion of staff that the effect of granting this variance would be minor in this location.

TEST OF APPROPRIATE USE OF LAND, BUILDING OR STRUCTURE:

The proposed barn is a permitted use in the A1 Zone and is located on a property that is actively used for agriculture. Staff is of the opinion that no additional benefit from an odour nuisance perspective is gained by moving the proposed barn and manure storage to an alternative location. Therefore, staff is of the opinion that the proposed new barn satisfies the test of being an appropriate use of land, building or structure.

Conclusion

Staff are of the opinion that the requested variance maintains the intent of the Official Plan and Zoning By-law, is minor in nature, and is an appropriate use of the land, building, or structure. Therefore, staff recommends approval of this minor variance application.

In summary, staff has no objection to this application to allow for a reduction in the required MDS II setback from 187 metres to 146 metres from the neighbouring residence at 5471 Deborah Glaister Line.

Prepared by: Bobby Soosaar, Senior Planner

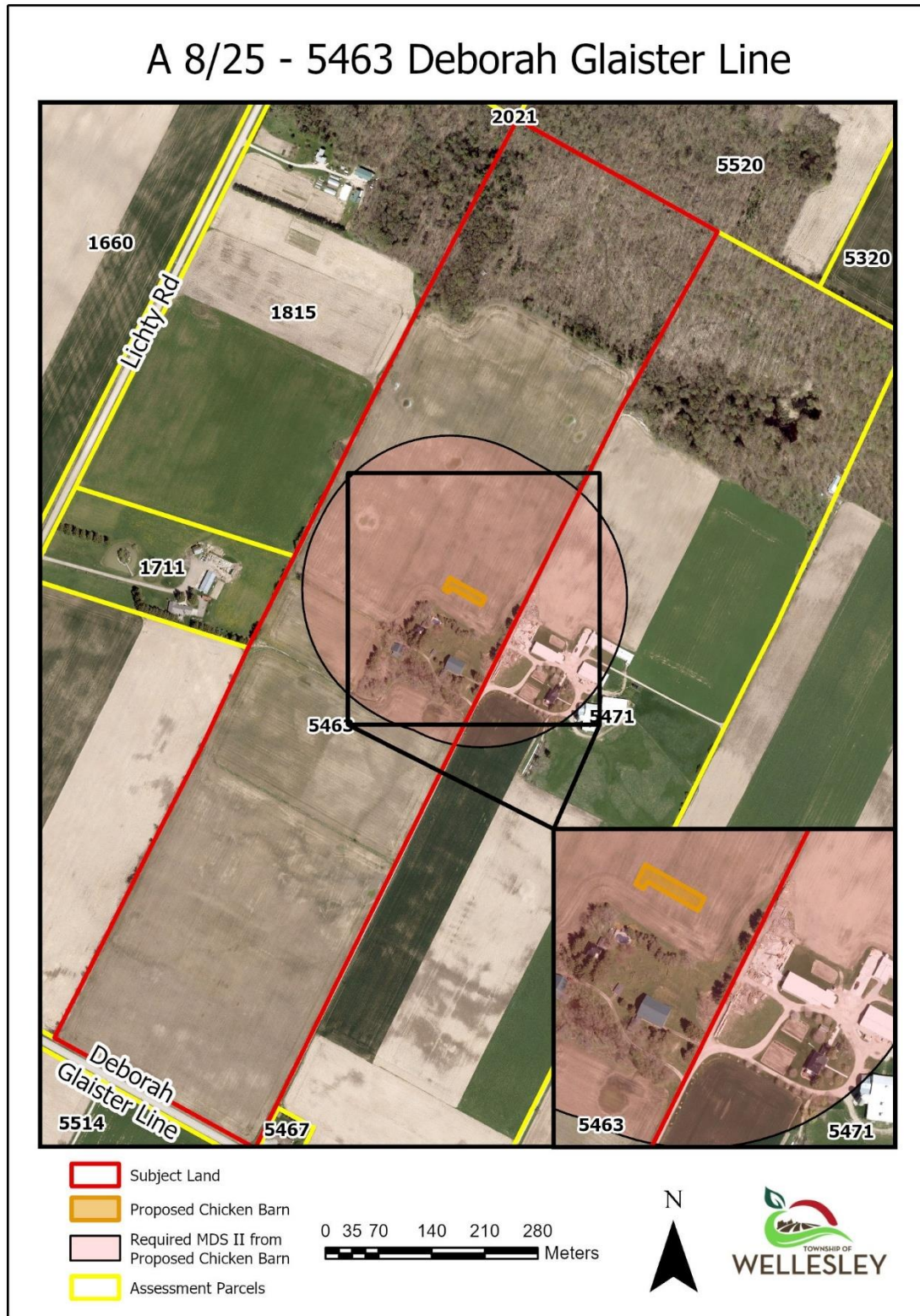
Reviewed by: Tim Van Hinte, Director of Development Services

Attachment: Location Map
Site Plan

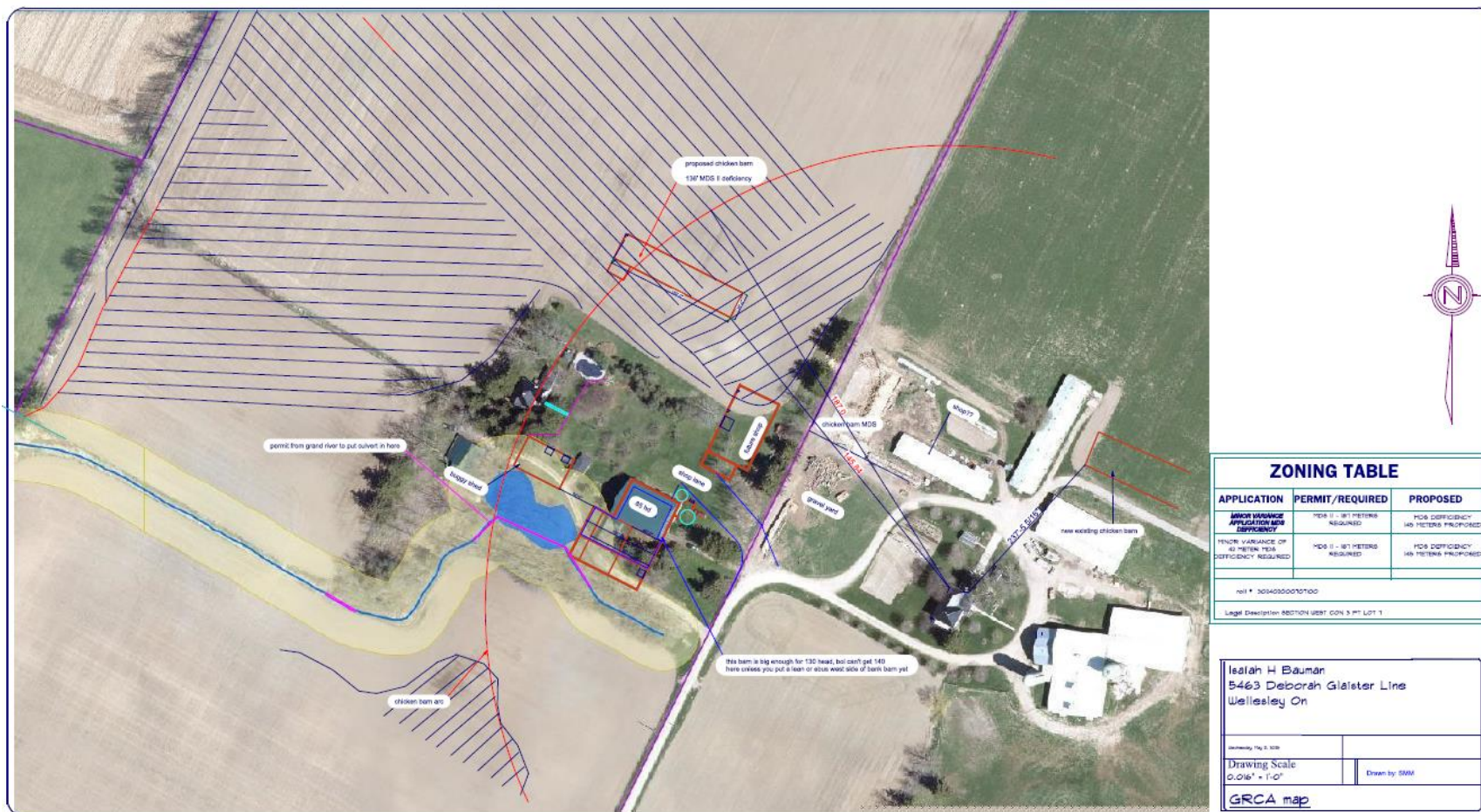
Approved by: _____, CAO

Date: _____

Location Map



Site Plan





June 13, 2025

via email

GRCA File: A8-25 – 5463 Deborah Glaister Line

Bobby Soosaar, Senior Planner
Township of Wellesley
4639 Lobsinger Line
St. Clements, ON N0B 2M0

Dear Bobby Soosaar,

Re: Application for Minor Variance A8/25

5463 Deborah Glaister Line, Township of Wellesley
Isaiah Bauman

Grand River Conservation Authority (GRCA) staff have reviewed the above-noted minor variance application requesting reduced Minimum Distance Separation II (MDS) setbacks.

Recommendation

The GRCA has no objection to the proposed minor variance application.

GRCA Comments

GRCA has reviewed this application under the Mandatory Programs and Services Regulation (Ontario Regulation 686/21), including acting on behalf of the Province regarding natural hazards identified in Section 5.2 of the Provincial Planning Statement (PPS, 2024), as a regulatory authority under Ontario Regulation 41/24, and as a public body under the *Planning Act* as per our CA Board approved policies.

Information currently available at this office indicates that the subject property contains a watercourse, wetland, and the regulated allowance adjacent to these features. A copy of GRCA's resource mapping is attached.

Due to the presence of the features noted above, portions of the subject property are regulated by the GRCA under Ontario Regulation 41/24 – Prohibited Activities, Exemptions and Permits Regulation. Any future development or other alteration within the regulated area will require prior written approval from GRCA in the form of a permit pursuant to Ontario Regulation 41/24.

The proposed minor variance application requests reduced MDS II setbacks from a proposed chicken barn to a neighbouring dwelling. GRCA staff have reviewed the circulated information and the proposed barn is located outside of the natural hazard features and the associated regulated area. As such, the GRCA has no objection to the minor variance application.

It is our understanding that the sketch circulated with this application includes conceptual buildings and structure that may be considered in the future. Additional consultation with GRCA staff is recommended to determine GRCA permit application requirements and the location of the buildings adjacent to the watercourse and proposed municipal drain.

Consistent with GRCA's approved fee schedule, this application is considered a 'minor' minor variance and the applicant will be invoiced in the amount of \$300.00 for the GRCA's review of this application.

Should you have any questions, please contact me at 519-621-2763 ext. 2228 or aherreman@grandriver.ca.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Herreman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Andrew Herreman, CPT
Resource Planning Technician
Grand River Conservation Authority

Enclosed: GRCA Mapping

Copy: Isaiah Bauman (via email)*
Solomon Martin (via email)



A8-25 - 5463 Deborah Glaister Line

Legend

- Regulation Limit (GRCA)
- Floodplain (GRCA)
 - Engineered
 - Estimated
 - Approximate
- Floodplain - Special Policy Area (GRCA)
- Slope Erosion (GRCA)
 - Steep
 - Oversteep
 - Toe
- Slope Valley (GRCA)
 - Steep
 - Oversteep
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)
- Conservation Area Boundary (GRCA)

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Disclaimer: This map is for illustrative purposes only. Information contained herein is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.

The source for each data layer is shown in parentheses in the map legend. See [Sources and Citations](#) for details.

Scale 1:8,868

NAD83 UTM zone 17 (EPSG:26917)





PLANNING, DEVELOPMENT
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June 3, 2025

Tim Van Hinte
Township of Wellesley
4639 Lobsinger Line,
St. Clements, ON N0B 2M0

File No.: D20-20/VAR WEL

Dear Mr. Hinte:

Re: Committee of Adjustment Meeting, July 8, 2025, Township of Wellesley

Regional staff have reviewed the following Committee of Adjustment application(s) and provide the following comment:

A-8/25, 5463 Deborah Glaister Line, Isaiah Bauman - No Concerns

Please be advised that any development on the subject lands is subject to the provisions of the Regional Development Charge By-law 19-037 or any successor thereof and may require the payment of Regional Development Charges for these developments prior to the issuance of a building permit.

The comments contained in this letter pertain to the Application numbers listed. If a site is subject to more than one application, additional comments may apply.

Please forward any decisions on the above mentioned application(s) to the undersigned.

Yours truly,

Cheryl Marcy

Cheryl Marcy, C.E.T.
Manager, Corridor Development
226-753-1093



The Corporation of the Township of Wellesley
Office of the Chief Building Official
4639 Lobsinger Line, RR#1 St. Clements, On. N0B 2M0
Tel: 519.699.3950 Fax: 519.699.4540

MEMORANDUM – Request for Comment

To: Bobby Soosaar
Planner

From: Darryl Denny
Chief Building Official

Date: June 24, 2025

Re: **Request for Comment**
A-7, A-8, A-9, A-11
6335 Rd 116, 5462 Deborah Glaister Rd, 3502 Hutchison Rd, 6220 Ament
Line

A review of the proposed developments on the aforementioned applications was conducted with the following noted:

There are no concerns with the proposed applications at this time. A Building Permit confirming compliance with the 2024 Ontario Building Code will be required if the application is approved and the project wishes to proceed.

Regards,

Darryl Denny
Chief Building Official