



## Planning and Development

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September 14<sup>th</sup>, 2020

Elisha Hewgill, Secretary-Treasurer  
Township of Southgate  
185667 Grey Road 9  
Dundalk, ON N0C 1B0

**RE: Consent Application B08.2020**  
**Concession 3, Part Lots 43 (123330 & 123342 Sg Rd 12)**  
**Township of Southgate (geographic township of Egremont)**  
**Owner: Murray & Brenda Calder**  
**Applicant: Kyle Calder**  
**Agent: Ron Davidson**

Dear Ms. Hewgill,

This correspondence is in response to the above noted application. We have had an opportunity to review the application in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP). We offer the following comments.

The purpose of the subject application is to sever 8.29 hectares of land containing the house, repair shop and accessory building from the larger farm holding. The retained parcel, comprising 28.62 hectares and containing one poultry barn, would be merged on title with the adjacent 1.89 hectare lot containing the other two poultry barns and accessory building, thereby forming a 31.52 hectare parcel. No new lot would be created as a result of this lot line adjustment.

County planning staff provided comments on the related zoning by-law amendment application C12.2020, August 21<sup>st</sup>, 2020. These comments are still applicable to the subject application.

Schedule A of the OP designates the subject property as 'Agricultural', 'Secondary Settlement Area' and 'Hazard Lands'. Section 5.2.2(2) of the County OP states,

*In the Agricultural land use type, newly created farm lots should generally be 40 hectares (100 acres) in size, in order to reduce the breakup of farmland. New lot creation shall be in accordance with section 5.2.3 of the Plan.*

Section 5.2.3(5) states,

*Where a non-farm sized consent is being proposed on a split land use type property (e.g. a split Agricultural and Rural land use type), the consent may only be supported if;*

- a) The entirety of the Agricultural land use type lands remain intact, and*
- b) The lands outside of the Agricultural land use type meet the policies and criteria for a severance in the other land use type.*

In this case, the subject property currently comprises of only ~28.62 hectares of Agricultural, whereas the remainder of the lands are designated secondary settlement area. Through this proposal, there will be a consolidation of all agricultural lands on Lot 43, Concession 3, with the merger of the retained parcel being 28.62 hectares and the adjacent 1.89 hectare lot, forming a 31.42 hectare parcel. The Agricultural designated lands forming part of the retained parcel were already undersized, and through this proposal all agricultural lands will be consolidated. As noted in the split land use consent policy, the secondary settlement area lands meet the policies and criteria for the proposed severance. County planning staff generally have no concerns with the proposed severance.

Section 5.2.2(5) states, *new land uses, including the creation of lots and new or expanding livestock facilities shall comply with the Provincial MDS formulae.* In this regard, the proposed new poultry barn will be situated entirely in the secondary settlement area. Section #36 of the Minimum Distance Separation Document (2016) states *MDS II setbacks are NOT required where municipalities permit first or altered livestock facilities (e.g., urban agriculture) or anaerobic digesters within approved settlement area designations, as MDS II was not designed to be used in an urban setting. However, because other issues could be considered when raising livestock in settlement areas, municipalities may choose to establish local approaches governing urban agriculture.*

Staff are aware that the proposed new poultry facility will be situated in the secondary settlement area where MDS does not applied. *The Minimum Distance Separation Document (2016)* section #36 states MDS II setbacks are not required where municipalities permit first or altered livestock facilities (e.g., urban agriculture) or anaerobic digesters within approved settlement area designations, as MDS II was not designed to be used in an urban setting. With the proposed new poultry facility, aiming to house ~23,000 (a net increase of 12,000 when factoring in the removal of an old barn on the subject property), there is anticipated to be potential impacts to the surrounding neighbors. The consultant has shared that there will never be outdoor manure stored on the subject lands. This is hauled to a different area of the property, approximately 700 metres east of the most easterly barn. The farmer also intends to situate the exhaust fans within the existing and new barns to the east, away from the neighbouring houses

and Holstein. It is unclear as to whether the proposed mitigation measures will adequately address any potential odour concerns with the proposed expansion. Because the new poultry barn will be located within the secondary settlement area, there is limited opportunity to adequately address these concerns, as MDS does not apply.

Schedule A of the County OP identifies 'hazard lands' on the subject property. Section 7.2(3) states,

*In the hazard lands land use type, buildings and structures are generally not permitted. Minor extensions or enlargements of existing buildings and structures may be permitted subject to the policies of section 7. Non-habitable buildings connected with public parks, such as picnic shelters, may be permitted.*

Comments were received from the local conservation authority, and approval has been granted (as of April 2, 2020) for the proposed construction of a barn, with driveway/loading area, and swale. Should development take place outside of the conditions included as part of the approval from the local CA, the local CA has requested being notified.

Section 3.6(2) states,

*Permitted uses in the areas designated as Secondary Settlement Areas are residential uses, bed and breakfast establishments, home/rural occupations, commercial and dry industrial uses, public, recreational, and institutional uses intended to support the surrounding agricultural community.*

Generally, secondary settlement areas are intended to provide a limited opportunity for growth and provide a range of living styles and employment locations. The proposed use would appear to fall outside of what would be permitted under this land use designation type and staff are considering whether the proposal conforms with the County OP.

Schedule B of the County OP identifies an 'aggregate resource area' on a portion of the subject lands. Section 5.6.2(8) states,

*Non-farm sized lot creation of lots less than 20 hectares in size will not be permitted in Aggregate Resource Areas.*

The subject proposal will be creating a retained parcel being 31.52 hectares, forming entirely of the agricultural lands. This conforms with the above noted policy.

Appendix B of the County OP identifies 'significant woodlands', ponds and a stream on the subject property. Comments were received from the local conservation authority. A

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development permit has been issued by SVCA with general conditions outlining the proposal. Provided there are no further comments from SVCA, County planning staff have no concerns.

County planning staff recommend deferral of the subject application until such time as further assessment can be completed for - the potential location of the poultry barn (i.e. is there an opportunity to have this situated entirely in the Agricultural designated lands?), potential impacts to the neighboring residential units of the proposed development, and County OP conformity.

The County requests notice of any decision rendered with respect to these files.

If you wish to discuss this matter further, please contact me.

Yours truly,

A handwritten signature in black ink, appearing to read 'Stephanie' followed by a stylized surname.

Stephanie Lacey-Avon  
Planner

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