



**RON DAVIDSON**  
**LAND USE PLANNING CONSULTANT INC.**

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June 8, 2020

Township of Southgate  
185667 Grey County Rd 9  
RR 1  
Dundalk, ON  
N0C 1B0

Attention: Clint Stredwick  
Planner

Dear Sir:

**Re: Applications for Consent and Zoning By-law Amendment  
Part Lot 43, Concession 3 EGR, Geographic Township of Egremont,  
Township of Southgate  
123330 and 123342 Southgate Road 12  
(Murray and Brenda Calder / Calweb Holdings Ltd.)**

Further to recent preconsultation discussions with your office, enclosed please find completed applications for Consent and Zoning By-law Amendment. A cheque covering the Township's application fees and the Saugeen Valley Conservation Authority review has been mailed directly to your office by the owner.

To assist your office in the evaluation of these two applications, I offer the following:

**Proposal:**

Murray and Brenda Calder own a 37.91 hectare property, a portion of which is located within the boundaries of the Holstein settlement area. Situated on this parcel are their residence, a poultry barn, a farm machinery (hydraulics) repair shop / storage building, and an accessory building.

The Calders, through their company Calweb Holdings Ltd., also own the adjacent 1.89 hectare property containing two poultry barns and an accessory building. A welding shop is located in the rear portion of the one poultry barn.

Mr. and Mrs. Calder wish to adjust the boundaries between these properties such that all three poultry barns are situated on the same property, along with an accessory building. This parcel would end up comprising 31.52 hectares of land. The other

property would contain the Calder's house, farm machinery repair shop and an accessory building.

Following the lot line adjustment, the Calders would then erect a fourth poultry barn comprising 1092.5 square metres of floor area.

The proposed lot line adjustment is illustrated on the attached drawing, as well as the location of the existing buildings and the new poultry barn.

### **Approvals Required:**

A Consent application requesting the boundary adjustment has been filed with the Township. Specifically, the application proposes 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.

A Zoning By-law Amendment application is also being submitted to the Township, requesting the following:

1. A reduction in the 'minimum lot area' requirement of the 'A2' zone from 40 hectares to 8.29 hectares and 31.52 hectares respectively, which would reflect the size of the two reconfigured parcels following the lot line adjustment;
2. Permission to erect the above-noted poultry barn in the 'EP' zone, as conditionally-approved by the Saugeen Valley Conservation Authority;
3. A correction to the current zoning to acknowledge the existing farm equipment repair shop on the severed parcel. Whereas the current zoning of the existing 1.89 hectare parcel allows for a "welding and hydraulic repair shop"; the hydraulic repair shop is actually located in a separate building on the 37.91 hectare property.

### **Preconsultation Discussions**

Prior to the applications being filed, the owners had extensive discussions with the Township and the Saugeen Valley Conservation Authority (SVCA), and also

corresponded with the County Planning Department.

**Applicant's Letter of Merit:**

The applicant has prepared a letter (see attached) identifying the merit of the proposed lot line adjustment and proposal to erect another barn on the property. The letter has explained:

1. why a lot line adjustment that would result in all poultry barns being located on one property is necessary;
2. how clustering the poultry buildings in one location as opposed to locating the new barn elsewhere provides for safer and higher quality food operation;
3. how clustering the buildings provides for a more cost-efficient and energy-efficient operation;
4. how clustering the buildings results in the loss of a lesser amount of tillable land;
5. why the ventilation system associated with the existing barns and the proposed barn significantly reduces the chances of an odour issue for the neighbours; and,
6. how the continuation of the current practice of shipping the manure directly from the barns to a remote area of the property (approximately 700 metres east of the most easterly barn on the site) significantly reduces the chances of an odour issue for any neighbours.

**Engineering:**

The applicant's Engineer has prepared a report that justifies how the new barn can be constructed within the area currently zoned 'EP' and within the SVCA's Regulated Area without creating any risks. The SVCA has accepted the Engineer's report and has issued a permit to *Alter a Regulated Area*. The Engineer's report and the SVCA's permit are attached.

### **Grey County Official Plan**

The County of Grey Official Plan designates the subject lands as 'Secondary Settlement Area', 'Agricultural' and 'Hazard Lands' on Schedule A. Following the lot line adjustment, all of the lands designated 'Agricultural' will belong to just one property, which is generally considered from a planning perspective to be ideal. This particular parcel will also contain a small section of land designated 'Secondary Settlement Area', and the new barn will be erected within that area. (It should be noted that the site chosen for the new poultry barn is not designated 'Hazard Lands'; and such mapping isn't consistent with the Township's Official Plan nor the Comprehensive Zoning By-law.)

Schedule B of the Official Plan identifies an area of the subject property as 'Aggregate Resource Area'. New non-farm development is generally prohibited within these areas of constraint. The lot line adjustment should have no impact on whether or not aggregate extraction will occur in this area.

As well, Appendix B of the Official Plan identifies some of the forested lands on the site as 'Significant Woodland'. Development and site alteration is not permitted in a woodland feature or within 120 metres unless it can be demonstrated that the woodland feature or its function would not be impacted. Whereas the new barn will be erected closer than 120 metres from the 'Significant Woodland' boundary, the SVCA has approved the development in this precise location.

In view of the foregoing, the proposal would appear to conform to the County Official Plan.

### **Township of Southgate Official Plan**

The Township's Official Plan designates the two subject properties as 'Agriculture', 'Village Community' and 'Hazard Lands'.

The intent of the Southgate Official Plan is identical to the County Official Plan as it pertains to trying to keep 'Agriculture' parcels as large as possible. The lot line adjustment would be supported by this policy.

Schedule C shows a swath of 'Primary Aggregate Resource Area' traversing the property. As stated above, adjusting the lot line between the two existing lots should have no impact on the intent of these aggregate policies.

Based on the above, it is apparent that the proposed lot line adjustment and rezoning conform to the Township's Official Plan.

**Provincial Policy Statement:**

The Provincial Policy Statement (PPS) protects prime agricultural land for long-term use for agriculture. In this regard, please note that the portions of the subject properties that are not designated 'Secondary Settlement Area' or Village Community in the County and Township Official Plan s respectively or designated 'Hazard Lands' in either document are considered to be prime agricultural land. Adjusting the lot lines such that all of the prime agricultural land is situated on one property would clearly be consistent with this policy.

The PPS also states that new land uses in prime agricultural areas, including new or expanding livestock facilities, shall comply with the minimum distance separation formulae. On this note, please note that the new livestock facility will be situated within the settlement area boundaries of both Official Plans and therefore not on prime agricultural lands.

The PPS also contains policies concerning natural hazards. Whereas it is the general intent to discourage development within such areas, development and site alteration may be permitted on hazardous lands where the effects and risk to public safety are minor, could be mitigated in accordance with provincial standards, and where all of the following are demonstrated and achieved:

- a) development and site alteration is carried out in accordance with floodproofing standards, protection works standards, and access standards;
- b) vehicles and people have a way of safely entering and exiting the area during times of flooding, erosion and other emergencies;
- c) new hazards are not created and existing hazards are not aggravated; and
- d) no adverse environmental impacts will result.

In this regard, an Engineer has prepared a report illustrating that the new poultry barn would meet the above criteria; and, furthermore, the SVCA has accepted the report and issued a permit to *Alter a Regulated Area*.

Furthermore, the PPS protects natural heritage features such as Significant Woodlands. As explained earlier in this Planning Report, portions of the subject lands are designated 'Significant Woodland' (Grey County Official Plan); however, the SVCA finds the development proposal acceptable, as they've already issued a permit.

Moreover, the PPS also protects areas that have potential aggregate extraction capabilities. As noted earlier, both Official Plans show a possible aggregate deposit on a portion of the site. It is doubtful, however, that the land owner's proposal could have an impact on whether or not these lands could be used in the future for extraction purposes, given the large number of buildings that already exist on the site and the fact that the proposed development lands are actually within a designated settlement area where aggregate extraction is strongly discouraged.

Based on the foregoing, it is evident that the proposal is consistent with the Provincial Policy Statement.

### **Township of Southgate Zoning By-law:**

#### **Current Zoning:**

The existing 1.89 hectare lot containing the two barns and repair shop is currently zoned 'A2-40' and 'EP'. The 'A2-40' permits, in addition to those uses typically allowed in the 'A2' zone, a "welding and hydraulic shop".

The existing 37.91 hectare parcel, which is occupied by a house, barn and accessory building, is zoned 'A2-248', 'A2', 'A1' and 'EP'. The 'A2-248' zoning applies to the area near Southgate Road 12 where the dwelling and accessory building exist and allows for a front yard of 11.5 metres.

The 'A2' zone permits agricultural uses and buildings, but does limit new or expanding livestock operations. Section 7.1 states:

*The provisions of Section 6 - Agricultural Zone (A1) shall apply hereto, except that no new livestock operations or no expansion to the livestock operation shall be permitted if:*

*The number of nutrient units on the farm is 100 or more and the ratio of nutrient units to tillable acres on the farm unit is 2 or greater, where nutrient unit equivalency is defined on the attached Table "1" of Sub-section 32.*

OR

*The number of nutrient units on the farm unit is 150 or more and the ratio of 1 units to tillable acres is greater than one.*

If the proposed barn was to be located on lands zoned 'A2', then relief from this particular provision would be necessary since the expanded livestock facility would exceed these maximum standards. The chosen site for the barn is not zoned 'A2'; however, the intent of the 'A2' zone should still be acknowledged.

Proposed Zoning:

In order to facilitate the lot line adjustment and allow for a new barn to be erected in proposed location, both of the parcels involved would need to be rezoned, as follows:

i) West lot

This parcel should be zoned 'A2-x' and 'EP.

The A2-x' would allow:

- a lot area of 8.29 hectares;
- a hydraulic repair shop; and,
- a minimum front yard of 11.5 metres.

ii) East Lot

This parcel should be zoned 'A2-y', 'A1', 'EP and 'EP-z'.

The A2-y' zone would allow:

- a lot area of 31.52 hectares, including lands zoned 'A1'; and,
- a welding shop.

The 'EP-z zone would apply only to the specific area where the new barn would be erected and would permit:

- A livestock barn not exceeding 1092.5 square metres.

**The Minimum Distance Separation (MDS) Document:**

The preconsultation discussions evolved around the concept of allowing for a new barn on these lands. During that dialogue, the owners were advised that consideration could be given to amending the Zoning By-law to allow for a fourth barn, given that the MDS Document is not applied to settlement areas, as per Guideline #36.

**Discussion:**

The proposed lot addition has considerable merit and should be approved.

The proposal to erect a new barn on the site also has merit. Whereas erecting a livestock facility within an urban boundary may not, on the surface, seem ideal, the owner has provided a compelling argument for doing so. Of significant importance to his argument, from the perspective of potential impacts on the neighbours, are two facts:

- (1) The exhaust fans within the existing and new barns will direct the odour from inside the barn to the east, away from the neighbouring houses and Holstein; and,
- (2) There is never outdoor manure storage occurring on this portion of the property. The manure stays within the existing barns for the 39 day period in which the broilers are kept, and when the chickens are removed, the manure is hauled to a different area of the property and stored in a pile until another party retrieves the manure for spreading, which typically happens within a few days. That particular stockpiling area is located approximately 700 metres east of the most easterly barn and is within an area of the property zoned 'A1'. The closest house would be approximately 800 metres from this stockpile area.

Because of this arrangement, the new barn is not expected to create any problems for the neighbours. It's worth noting that the owners have never received any complaints regarding their existing operation.

It's also worth mentioning again that the MDS Document exempts new or expanding barns in settlement areas from the MDS formulae.

Based on the forgoing, the proposed rezoning to facilitate the lot line adjustment and allow for the new barn should also be approved.



Lot Line Adjustment  
123330 and 123342 Southgate Road 12  
Geographic Township of Egremont  
Township of Southgate

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**Final Comments:**

I trust you'll find the application package to be complete. Should you have any questions regarding the proposal, please contact the undersigned.

On a final note, it would be sincerely appreciated if you could advise me of the potential meeting date prior to actually scheduling it, in order to ensure my availability at the meeting.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Ron Davidson', with a stylized, cursive script.

Ron Davidson, BES, RPP, MCIP

c.c. Kyle Calder

attachments:      Sketch  
                            Engineering Report  
                            SVCA Permit  
                            Calweb Holdings Ltd. letter

Proposed Lot Line Adjustment  
and Zoning By-law Amendment

Murray and Brenda Calder  
Part Lot 43, Concession 3 EGR  
Geographic Township of Egremont  
Township of Southgate

**RD** **RON DAVIDSON**  
LAND USE PLANNING CONSULTANT INC  
OWEN SOUND, ONTARIO

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