



Report To:	Committee of Adjustment
Meeting Date:	2025-03-26
Report Number:	PL2025-023
Title:	Application for Minor Variance A3-25, Darcy Thring, 072973 Southgate Road 07, Concession 18 N, Part Lot 8 N, Part Lot 9,
Open/Closed Session:	Open Session
Prepared By:	Victoria Mance, Junior Planner
Reviewed By:	Bill White, MCIP, RPP, Triton Engineering Senior Planning Consultant
Approved By:	Kenneth Melanson, RPP, MCIP Director, Development & Community Services

Executive Summary:

The applicant is requesting a minor variance to construct a ±3,840.5 square metre hog barn (sow operation) with 10-months manure storage under the barn. The proposed variance would enable a Minimum Distance Separation (MDS) less than 392 metre from the proposed building and manure storage. The proposed MDS to nearby sensitive uses are ±257.2 metres to the house (south), ±215.6 to the house (west), ±233.12 metres and 286.7 metres to houses to the northwest, and ±385.2 metres and 368.1 metres to two homes to the north/northeast.

Having considered the lack of suitable alternative locations on-site, the need to maintain an economically viable livestock barn, the type of manure storage proposed and the separation from farmhouses which surround the site, the proposed variance meets the four tests for a minor variance in the Township Official Plan. Staff recommend approval of the minor variance.

Recommendation:

- Be it resolved that** Staff Report PL2025-023 regarding Minor Variance File A3-25 for 072973 Southgate Road 07 be received for information; and
- That** Committee approve Minor Variance A3-25 to permit a +-3,840 square metre hog barn with 10-month manure storage under the barn, subject to the following conditions;
- That** the Minimum Distance Separation requirements be reduced from 392 metres to +-257.2 metres to the house to the south, +-215.6 to the house to the west, +-233.12 metres and 286.7 metres to the houses to the northwest, and +-385.2 metres and 368.1 metres to two homes to the north/northeast; and
- That** all remaining provisions of the Agricultural-1 Zone and other applicable sections of the Zoning By-law are met.

Reasons for Recommendation:

The application *has regard to* provincial interest and requirements of the [Ontario Planning Act](#). The proposal *is consistent with* [Provincial Planning Statement 2024](#) and meets the four tests for a Minor Variance outlined in the Township Official Plan.

Proposal:

The applicant proposes a minor variance to build a ±3,840.5 square metre hog barn (sow operation), with 10 months of manure storage beneath the structure. The MDS required for the proposed barn and manure storage (included in the [A3-25 Application](#) Package) is 392 metres to Type A Land Uses, which includes dwellings outside settlement areas zoned for agricultural uses. The proposed separation for Type A land uses are as follows (**see Attachments 1 & 2**):

Use/Location:	Approximate distance:
House to south of site	±257.2m
House to west of site	±215.6m
Houses to northwest of site	±233.12 and 286.7m
Houses to north/northeast	±385.2 and 368.1m

The proposed barn meets the minimum 784 metre separation to Type B Land Uses (1495 metres to non-agricultural zone or Settlement Area), 30 metre separation to the nearest lot line (30 metres provided), and 60 metre setback to the nearest road allowance (147 metres provided).

The applicant’s site plan shows the existing structures on-site, including a residential dwelling, storage shed, and accessory agricultural structures. During pre-consultation on the proposed hog barn the applicant advised that relocating the proposed would not be attainable due to the proximity of the Environmental Protection Zone and Saugeen River to the north of the subject lands (see **Attachment 1 & 2**).

Background/Site Context:

The subject lands have ±440 metres frontage on the east side of Southgate Sideroad 07, ±605 metres depth, ±19.4 hectares in area, and contains a single detached farmhouse and accessory structures including horse barn, coop, and shed. The subject lands are irregularly shaped, with a heavily wooded area to the southeast corner. The Saugeen River traverses the northern lot line boundary, and the rest of the site serves as active farmland (see **Attachment 2**).

Adjacent land uses are agricultural (north, south, east and west) and is located approximately 1.1 kilometres north from Swinton Park. Southgate Road 26 runs north of the subject lands. Neighbouring agricultural lands also contain On-Farm Diversified Uses (OFDUs) along Southgate Sideroad 07 and to the east along Grey Road 14.

Application Review - Planning Act – Provincial Interest:

Provincial interest in of the [Ontario Planning Act](#) is promoted by:

- Section 2(h) protection of agricultural resources, and
- Section 2(h) orderly development of safe and healthy communities.

[Section 45](#) of the Act empowers the Committee to grant minor variances. The application *has regard to* requirements of the [Ontario Planning Act](#).

Application Review - Provincial Policy Statement (PPS 2024):

[Provincial Planning Statement 2024](#) applies to the proposed minor variance as follows:

- Section 2.5-1 healthy viable rural areas supported by promoting diversified economic base (e) and by promoting economic activities in prime agricultural areas.
- Section 4.3 agricultural systems approach to foster long-term economic prosperity and productive capacity of “the agri-food network” (elements supporting farm economy such as distributors, primary processing etc.).

- 4.3.2 all types, sizes and intensities of agricultural uses permitted and new or expanding livestock facilities shall comply with MDS formulae.

[Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas](#) define agricultural uses, noting associated on-farm buildings and structures such as livestock facilities, and manure storage are integral to farm operations. All “types, sizes, and intensities of agricultural uses” are to be “promoted and protected” subject to provincial standards.

[Provincial Minimum Distance Separation \(MDS\) Document](#) provides formulas and guidelines for implementing setbacks between livestock barns and sensitive uses. The MDS calculation in the [A3-25 Application](#) demonstrates compliance with required separations from the nearest lot line, Type B Land Uses (settlement areas), and nearest road allowance.

The proposed Minor Variance is to mitigate the required MDS from Type A uses which are nearby residences outside a settlement area on agriculturally zoned lands. The required MDS is 392 metres. The proposed variance reduced distances are as noted on page 2 (proposal).

Application Review - County of Grey Official Plan:

The site is designated Agriculture and Hazard Lands in the Grey County Official Plan. The Agricultural designation (Subsection 5.2.1) permits all types, sizes and intensities of agricultural uses and normal farm practices.

Section 5.2.2 (5) states new or expanding livestock facilities shall comply with MDS formulae, and Subsection (l) states municipalities should not reduce MDS through a minor variance “except where sufficient reasoning has been provided, and the intent of the MDS Guideline has been maintained”. Criteria to assess a variance include whether modification of the design is possible without creating undue hardship or inefficiencies, and the variance is small to create limited potential for land use conflict.

Section 7.2 directs development away from Hazard land impacted by flooding and natural hazards. For these reasons, Staff are of the opinion the proposal is consistent with the County Official Plan.

Application Review - Southgate Township Official Plan:

[Schedule A](#) in [Township Official Plan](#) designates the applicant’s lands Agriculture and Hazard Lands. The Agricultural designation allows uses in the Agricultural allows all types, sizes and intensities of agricultural uses as per Section 5.4.1.1. Section 5.4.1.2 (12) states the impact of new or expanding agricultural uses are “to mitigated to the extent feasible”. Subsection (22) allows a small reduction in MDS through a minor variance if sufficient reasoning is provided and the intent of the Guideline is met. MDS modification is discouraged for any new non-farm lot creation.

The Hazard Lands designation permits agricultural, and conservation uses such as protecting woodlots, and natural areas. Section 5.5.2.2 outlines site alteration policies in the Hazard designation including the need for advice and approval from the appropriate Conservation Authority. Buildings should be non-inhabitable and located where risk to public health and safety is mitigated.

The applicant’s reasoning on the location and size of a viable livestock operation, that modification of the design is not possible without creating undue hardship and inefficiency, and the potential setback to nearby agriculturally designated residence is maximized to limited potential for land use conflict, the proposed variance would *maintain the intent and purpose* of the Official Plan.

Application Review - Southgate Zoning By-law:

Schedule 5 of the [Original Zoning By-law Maps](#) in the [Township Zoning By-law](#) places the site in Agricultural-1 (A1) and Environmental Protection (EP) Zones. Section 6.1 of the Township’s Zoning By-law permits “(a) Agricultural uses and commercial greenhouses”. Applicable building regulations for the proposed hog barn apply under Section 6.2 and requires maximum lot coverage of 7%, minimum front yard of 40 metres for an agricultural building, minimum side yard of 15 metres, and minimum rear yard of 15 metres. The proposed meets the regulations set out in Section 6 of the Township’s Zoning By-law 19-2002.

Having considered alternate locations on-site, the nature of manure storage, the need for an economically viable sow operation, and the presence of hazard lands and floodplain associated with the South Saugeen River the proposed variance could be considered to *maintain the intent and purpose* of the Township Zoning By-law.

Application Circulation and Public Comments:

The following comments were received:

Comments from:	Comments received:
Historic Saugeen Metis (March 13, 2025)	No concerns.
Grey County (March 17, 2025)	Formal review of the application by County Planning Staff has not been undertaken to streamline development review. County Ecology Staff are of the opinion that the potential impact to the identified natural heritage features would be negligible, and the requirement for an EIS can be waived. No concerns.
Bell Canada, Enbridge Gas, Township Public Works, Township Fire Department, Township Building Department, Saugeen Valley Conservation Authority, and General Public Comments.	No comments received as of report writing.

Conclusion:

The proposed addition of the hog barn to the existing farm cluster with conditions to reduce the required MDS II *is consistent with* Provincial Policy and *complies with* the four tests for a minor variance as follows:

1. *Maintains the general intent and purpose* of the Township Official Plan as the location and size of a viable new livestock cannot be made smaller without creating undue hardship and inefficiency, and the setback to nearby residences is maximized, and the underground mature storage would help limited potential for land use conflict
2. *Maintains the general purpose and intent* of the Township Zoning By-law given the proposed hog barn complies with the permitted uses and regulations set out in Section 6.2 except for MDS setback to be included in Section 33 of the Zoning By-law, and the location is outside floodplain of the Saugeen River and maximizes separation from farmhouses surrounding the subject lands.

3. *Minor* in that the buildable area available on the subject lands is limited due to the proximity to the Environmental Protection Zone, Saugeen River, irregular shape of the lot, and the presence of farmhouses on agricultural lots surrounding the subject lands.
4. *Desirable for the appropriate development of the subject lands* in that the proposed hog barn expands the existing farm cluster, is the first of its kind within the Township and the 10-month manure storage below the barn would help mitigate potential conflict with area farmhomes.

Link to Township of Southgate Strategic Plan:

Priority: A Thriving Economy

Goal: Goal 1: Support the Growth and Development of Existing Businesses in Southgate

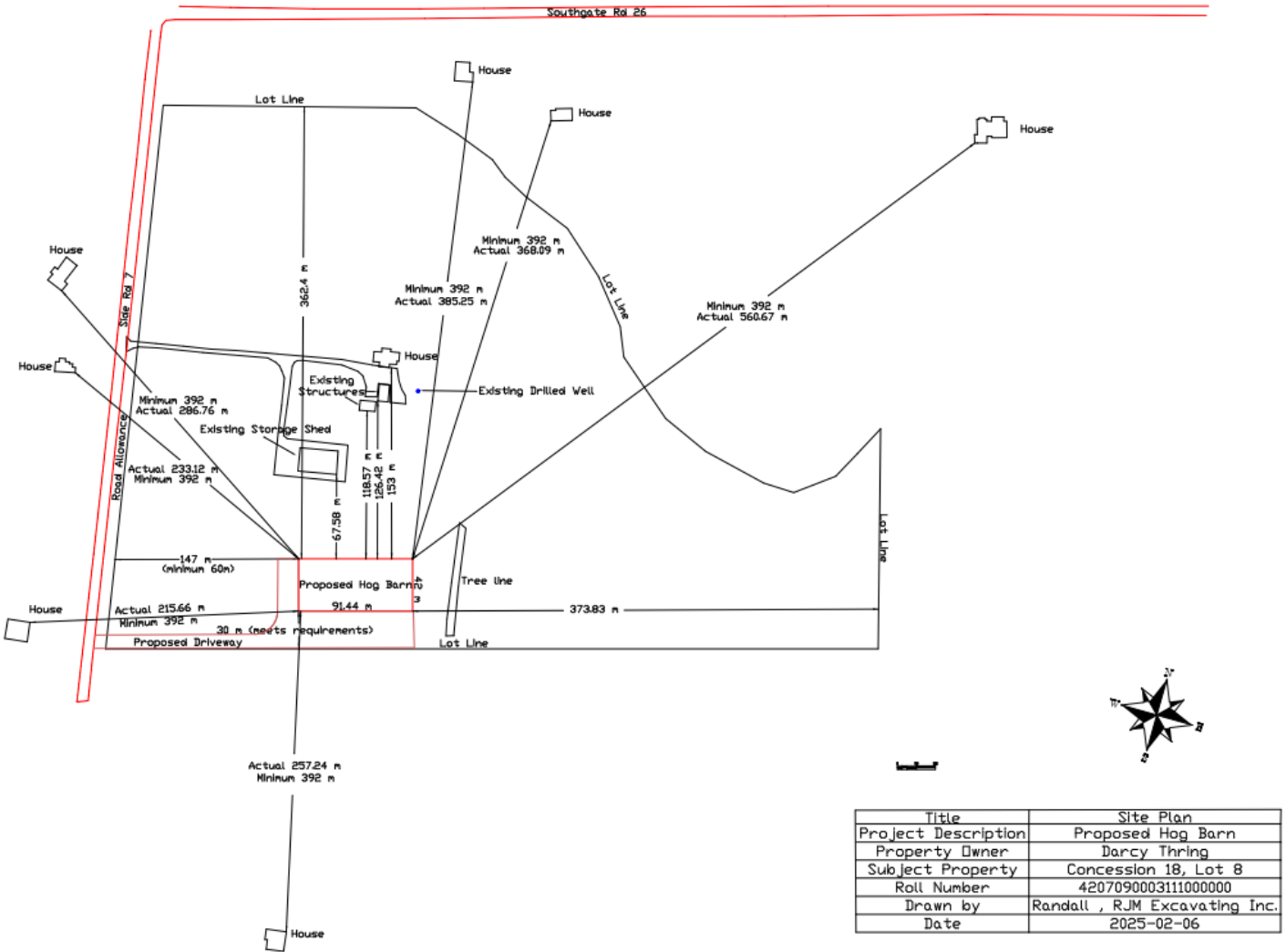
Action Item: 1 e). Enable Agriculture Business to Develop or Enhance Value-Added Opportunities on their Farms (e.g, Agritourism Activities, Buildings to Support Farm Activities)

Attachment(s):

Attachment 1 – Site Plan

Attachment 2 – Aerial Photo of Subject Lands & 2025 Google Streetview

Attachment 1 – Site Plan



Attachment 2 – Aerial Photo of Subject Lands & 2025 Google Streetview



