



D-6 Guideline Compliance Assessment

OFDU Zoning Amendment—264549 Southgate Rd 26

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Summary

The subject property is located at 264549 Southgate Rd 26. The proposal is to rezone a portion of the subject lands to permit a 750 square metre shop that will manufacture building construction components such as engineered floor joists and roof trusses. The Southgate Planning Department has requested an analysis of the Provincial D-6 Guidelines as they relate to the proposed use. This D-6 Guideline analysis demonstrates that this is a Class II industrial facility, and the proposed location of the building and the related zoning by-law amendment are generally compliant with the Guidelines. Three potential actions are recommended in this report to ensure absolute compliance with the Guidelines.

Analysis

Section 5.2.2.20 of the County Official Plan requires that new on-farm diversified uses comply with the Provincial D-6 Guidelines:

“Ministry of the Environment, Conservation and Parks (MECP) D-6 Guidelines, or any successor thereto, shall be considered for any new agricultural-related uses or on-farm diversified uses or an industrial nature in the Agricultural, Special Agricultural, or Rural land use types, to guide the separation of industrial uses from nearby dwellings, institutional uses, or other sensitive non-agricultural uses. Uses which are covered as normal farm practices by the Farming and Food Practices Protection Act (FFPPA) shall not be required to meet the D-6 Guidelines, provided they meet all required Provincial noise, air, water, and wastewater standards.”

The objective of this policy and of the D-6 Guidelines more generally is to minimize the encroachment of new industrial land uses (e.g. industrial on-farm diversified uses) upon existing sensitive land uses (e.g. residential uses) and vice versa. These land uses can be incompatible due to potential adverse effects of industrial operations such as noise, vibration, and odor.

The D-6 Guideline requires the following steps to be taken to determine if a new Industrial use is compliance with the Guideline:

1. Determine the Class of the proposed industrial use.
2. Analyse the Area of Influence based on the Class of the proposed use to determine if there are any existing sensitive receptors.

Class of Use

The D-6 Guideline categorizes industrial facilities into the following three classes:

Class I Industrial Facility

A place of business for a small scale, self contained plant or building which produces/stores a product which is contained in a package and has low probability of fugitive emissions. Outputs are infrequent, and could be point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration. There are daytime operations only, with infrequent movement of products and/or heavy trucks and no outside storage. See [Appendix A of this guideline](#) for classification criteria and examples to categorize a specific industry.

Class II Industrial Facility

A place of business for medium scale processing and manufacturing with outdoor storage of wastes or materials (i.e. it has an open process) and/or there are periodic outputs of minor annoyance. There are occasional outputs of either point source or fugitive emissions for any of the following: noise, odour, dust and/or vibration, and low probability of fugitive emissions. Shift operations are permitted and there is frequent movement of products and/or heavy trucks during daytime hours. See [Appendix A of this guideline](#) for classification criteria and examples to categorize a specific industry.

Class III Industrial Facility

A place of business for large scale manufacturing or processing, characterized by: large physical size, outside storage of raw and finished products, large production volumes and continuous movement of products and employees during daily shift operations. It has frequent outputs of major annoyance and there is high probability of fugitive emissions. See [Appendix A of this guideline](#) for classification criteria and examples to categorize a specific industry.

Appendix A from the Guidelines is provided below where the characteristics of the proposed use have been highlighted:

Category	Outputs	Scale	Process	Operation/ Intensity	Possible Examples
Class I	Noise: Sound not audible off property Dust and/or Odour: Infrequent and not intense Vibration: No ground borne vibration on plant property	No outside storage Small scale plant or scale is irrelevant in relation to all other criteria for this Class	Self contained plant or building which produces/stores a packaged product. Low probability of fugitive emissions	Daytime operations only Infrequent movement of products and/or heavy trucks	Electronics manufacturing and repair Furniture repair and refinishing Beverages bottling Auto parts supply Packaging and crafting services Distribution of dairy products Laundry and linen supply
Class II	Noise: Sound occasionally audible off property	Outside storage permitted	Open process Periodic outputs of	Shift operations permitted	Magazine printing Paint spray booths

	Dust and/or Odour: Frequent and occasionally intense Vibration: Possible groundborne vibration, but cannot be perceived off property	Medium level of production allowed	minor annoyance Low probability of fugitive emissions	Frequent movement of products and/or heavy trucks with the majority of movements during daytime hours	Metal command Electrical production manufacturing Manufacturing of dairy products Dry cleaning services Feed packing plant
Class III	Noise: sound frequently audible off property Dust and/or Odour: Persistent and/or intense Vibration: Ground-borne vibration can frequently be perceived off property	Outside storage of raw and finished products Large production level	Open process Frequent outputs of major annoyances High probability of fugitive emissions	Continuous movement of products and employees Daily shift operations permitted	Manufacturing of paint and varnish Organic chemicals manufacturing Breweries Solvent recovery plants Soaps and detergent manufacturing Manufacturing of resins and costing Metal manufacturing

The proposed use has the following characteristics:

1. Frequent sound *within* a contained building that is generally not audible off-property, with the occasional intense noise due to bay doors being temporarily open during sawing operations.
2. A small-scale facility with a maximum of 5 employees (excluding the owner).
3. Outdoor storage of raw materials and/or finished product.
4. Daytime operations only from 7:00 a.m. to 5:00 p.m., Monday to Friday.
5. Infrequent movement of trucks with one outgoing truck per day, and generally two flatbed truck deliveries per week.

Some characteristics of the use are typical of a Class I use, however, several aspects of the use disqualify it from falling entirely within that class and require the use to be treated as a **Class II** use. There are no characteristics of the use that require it to be treated as a Class III use.

Area of Influence and Required Setbacks

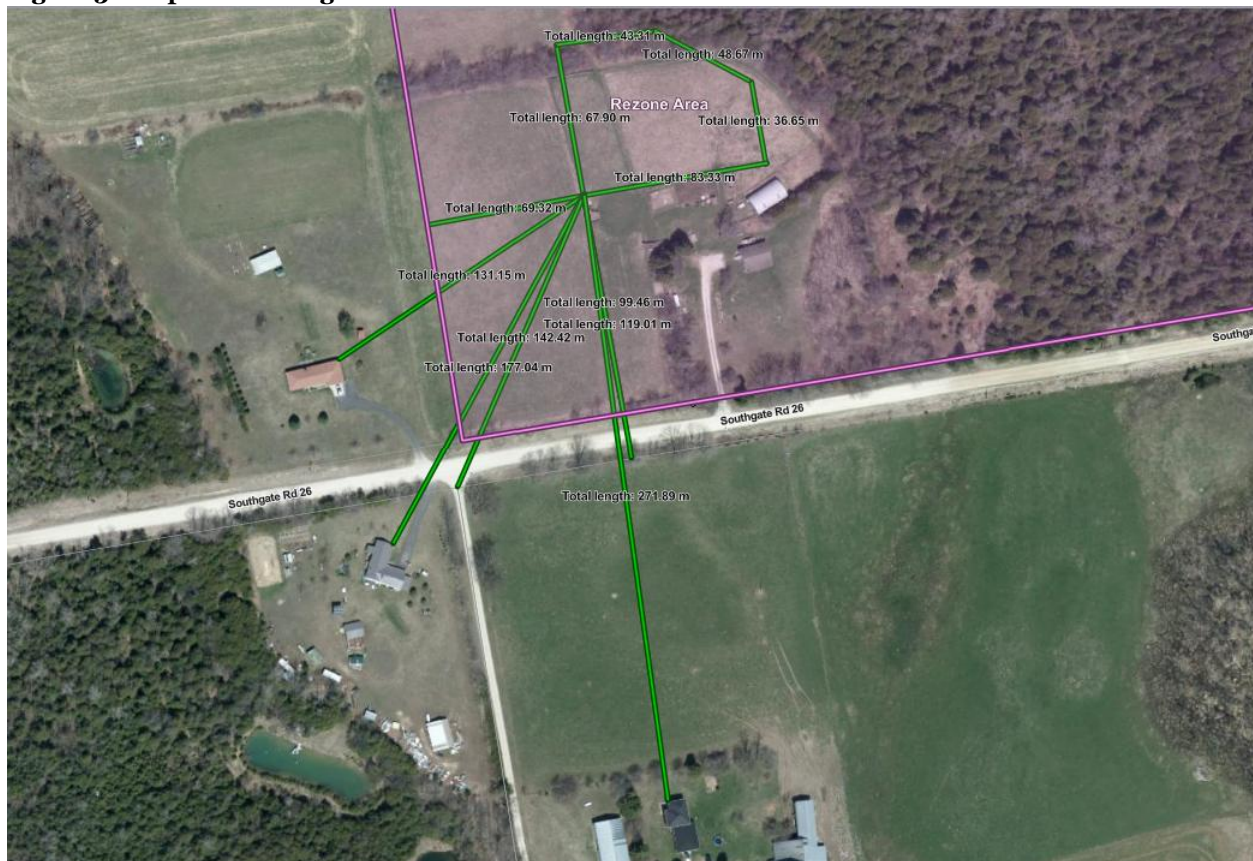
Under section 4.1.1 of the Guideline, a Class II Industrial use has a 300 metre Area of Influence, and a 70-metre minimum setback from all existing sensitive land uses within that Area of Influence. If the use cannot be set-back a minimum of 70 metres from an existing Sensitive Use, then the use should not be permitted unless something can be done to the industrial process to recategorize the use to a Class I use. Typically, the 70-metre setback is measured from the lot

line of the industrial use to the lot line of the sensitive use; however, section 4.4.3 of the Guideline allows the setback to be measured from the zoned-area of the proposed industrial use to the existing sensitive uses where appropriate. In the countryside it is not reasonable to measure from lot line to lot line because the lots are so large, the industrial use lots typically immediate abut lots with sensitive uses, and the site-specific zoning provisions that are applied to new on-farm diversified uses ensure that the industrial use is prohibited on certain portions of the property.

There are three existing sensitive uses within the 300 metre Area of Influence:

1. 264539 Southgate Road 26—the residential/farm property to the immediate west.
2. 264542 Southgate Road 26—the residential/farm property to the south across the road.
3. 264540 Southgate Road 26—the residential/farm property to the southwest across the road.

Figure 3. Proposed Zoning Area and Distances to Sensitive Uses



All of the houses on the three neighbouring properties are more than 70 metres from the proposed industrial-zoned area. The rezoned area is proposed 69 metres from the nearest property line, with the building being 74.5 metres from the nearest (western) lot line. The proposed building complies with the D-6 requirements. The proposed zoned area in the site plan is one (1) metre shy of being absolutely compliant with the D-6 guidelines if the entire property to the immediate west is considered to be a sensitive receptor. The portion of the property to the west (264539 Southgate Road 26) that falls between the dwelling on that property and the

boundary of the subject lands appears to be used as a lawn. This area can be considered accessory to the sensitive dwelling use, and should be buffered from the proposed industrial use by a minimum of 70 metres. This requires one of the following actions to ensure strict adherence to the D-6 Guidelines:

1. The proposed zoned area can be shifted to the east an additional metre from the western lot line so that it is 70 metres from that lot line.
2. The proposed zoned area can remain unchanged, and the site-specific provisions can include a requirement that the building be a minimum of 70 metres from the interior side yard.
3. The site plan control process can ensure that the building is at least 70 metres from the western lot line.

Any one of the three noted options is easily achievable without revising the location of the proposed building.

Conclusion

The proposed 750 square metre industrial building that will manufacture engineered floor joists and roof trusses is characteristic of a Class II Industrial Use under the D-6 Guidelines. The area that is proposed to be rezoned is 69 metres from the nearest lot line, which is one metre shy of being absolutely compliant with the minimum setback requirement of 70 metres for new Class II uses from existing sensitive uses; however, this is only if the lawn between the neighbouring dwelling and the proposed area to be rezoned is considered as a sensitive use. The proposed building location is still compliant with the 70-metre minimum without any changes to the plan. Absolute compliance with the D-6 Guidelines can be achieved by making the proposed rezoning area 1 metre further from the western lot line, or by applying a site-specific provision that requires the new shop to be at least 70 metres from the interior lot line, or by ensuring this setback is imposed through the site plan control process.