

Ref. # 17400

June 11, 2026

Victoria Mance
Township of Southgate
185667 Grey County Road 9
Dundalk, ON N0C 1B0



MEMORANDUM

TO: Secretary-Treasurer, Committee of Adjustment, Township of Southgate

Re: Planning Justification Memo & Addendum – Stephen Martin
Minor Variance Application A3-26 - PL2026-031

PROPERTY: Stephen Martin (Owner) | 185526 Grey Road 9 (Con. 12, Lot 14, Township of Southgate)

1.0 Introduction & Background

This Planning Justification Memorandum has been prepared by Dryden, Smith & Head Planning Consultants Ltd. on behalf of Stephen Martin regarding the ±40-hectare (100-acre) farm parcel located at 185526 Grey Road 9.

This memo report is in response to Township Staff Report PL2026-031 (presented May 27, 2026), formal comments from the County of Grey, and presentation notes from our appearance before the Committee of Adjustment, and specific concerns raised in a public letter of objection dated May 14, 2026.

1.1 Context & County Official Plan Designations

The subject lands are comprised of a farm parcel featuring ±400 metres of frontage on the south side of Grey Road 9, and approximately ±32 tillable hectares (81 tillable acres). The property currently contains a farmhouse, a shed, an existing dairy barn, and an agricultural equipment shed.

1.2 Development Proposal

The applicant proposes a logical expansion of the existing dairy operation. The project involves constructing a new drive shed, a chicken barn, a dairy barn, and a liquid manure storage pit situated strategically south and east of the existing farmhouse and farm buildings, consolidated within the existing farmyard cluster.

2.0 Detailed Variance Requirements & Technical Metrics

The application requires relief from the Township of Southgate Zoning By-law 19-2002 and provincial Minimum Distance Separation (MDS II) guidelines:

2.1 Variance 1 - MDS II Setback Reductions (Type B Land Use)

The application requests relief relative to the Hopeville Settlement Boundary, which represents a Type B Land Use. The technical guidelines require a 460-metre setback from a settlement boundary to a new barn and a 500-metre setback to a liquid manure storage facility.

- **Proposed Barn Setback:** 307 metres (representing a 33% reduction from the 460m requirement) – note there are no buildings within the 460m setback
- **Proposed Liquid Manure Pit Setback:** 385 metres (representing a 23% reduction from the 500m requirement) – note there are no buildings within the 500m setback

2.2 Variance 2 - (A2) Zone Nutrient Unit Density

The subject property is split-zoned Restricted Agricultural (A2) and Environmental Protection (EP). Section 6 of the zoning by-law restricts livestock expansions if the total number of Nutrient Units (NUs) is 100 or more and the ratio of NUs to tillable acres is 2 or greater.

The proposed expansion involves an increase in livestock intensity to **148.4 Nutrient Units**. Based on the property's 81 tillable acres. Because this expansion crosses the flat 100 NU cap designated for properties bordering settlement boundaries, an additional technical variance is required to recognize the operational density of 1.48.4 NUs per acre.

Nutrient loading on any farm operation is an item that is considered and reviewed under ON REG 267/03 and the Nutrient Management Act to protect Source Drinking Water. No municipal well is present in this A2 zone and all of the regulation setbacks are met for any other wells on or near the property.

This application has been submitted, assigned operation ID # 62983, reviewed and approved by OMAFA). See attached approval.

Note: Proximity Context: The proposed livestock buildings and manure storage fully comply with all minimum MDS II setback requirements to Type A land uses (isolated rural residences, fronting onto Grey Rd. 14), individual lot lines, and municipal road allowances.

3.0 Siting Rationale & Application of MDS Guideline #43

Section 8.2 of the Provincial MDS Document:

"The intent of MDS II is to minimize nuisance complaints associated with livestock facilities and anaerobic digesters due to odour and thereby reduce potential land use conflicts."

OMAFRA Implementation Guideline #43 clarifies that a reduction in an MDS II setback may be considered minor and appropriate based on local, site-specific circumstances where surrounding land use, environmental, safety, or practicality issues warrant flexibility.

3.1 Siting Practicality & Alternative Location Analysis

The public objection suggests that the layout is chosen for "operational convenience" and that a compliant layout could be achieved elsewhere on the 40 hectares. However, forcing the expansion to meet the full

460m/500m setbacks creates profound technical, environmental, and physical hardships that contradict good planning:

1. **Hazard and Environmental Protection (EP):** The western portion of the property contains a heavily treed cluster, a watercourse, and mapped Hazard/Environmental Protection lands. Shifting the structures to meet the settlement setbacks would force development directly into or adjacent to these regulated natural heritage features.
2. **Fragmentation of Prime Agricultural Land:** Moving the barns completely out of the established farmyard cluster would push infrastructure into the middle of 81 acres of prime tillable soils. This would fragment productive fields, disrupt operational lane flow, require cost-prohibitive duplicate utilities, and necessitate building two separate manure pits across the lot.
3. **Existing Farm Cluster:** The existing farmhouse and historical dairy barn are fixed elements situated closer to the settlement boundary than the proposed expansion area. Splitting the farm cluster would compromise daily operational efficiency while providing zero change to the baseline proximity, failing to offer any actual environmental relief to the area. The existing manure system is an uncovered pile with no real system in place. The proposed system will greatly reduce existing impacts. Currently liquid manure is brought onto site and spread onto the agricultural fields. There will be little to no change of the spreading of manure which is allowed today.

3.2 Environmental Protection & Water Quality Clearance (Section 8.11)

Public concerns regarding groundwater leaching, private well safety, and impacts on natural heritage features have been thoroughly vetted by technical agencies:

- **Ecology Clearance:** County Ecology staff reviewed the application in relation to Section 8.11 (Water Quality and Quantity Protection) and Appendix B (Significant Woodlands, Wetlands, and Significant Groundwater Recharge Areas).
- **EIS Waived:** Because the expansion is located entirely within the existing farmyard and previously disturbed agricultural areas, County Ecology staff confirmed that adverse impacts to natural heritage features or their ecological functions are not anticipated. Per Section 7.11.3 of the County OP, the requirement for an Environmental Impact Study (EIS) has been formally waived.
- **Nutrient Management Approval:** The site's 81 tillable acres are environmentally large enough to handle the nutrient load. A complete Nutrient Management Strategy (NMS) has been successfully submitted, and the applicant has received direct confirmation from OMAFRA verifying that the increase to 148.4 NUs is technically approved.

3.3 Odour and Noise Source-Mitigation Measures

To satisfy Township OP Section 5.4.1.2(12)—which dictates that the impacts of expanding agricultural uses must be mitigated to the extent feasible—the proposal integrates advanced engineering controls to protect the Hopeville settlement:

- **Organic Floating Cover:** The new liquid manure pit will feature an organic floating cover designed specifically to suppress gas emissions and eliminate odour at the source, representing an improvement over traditional uncovered storages.
- **Reduced Spreading Frequency:** The increased volume of the proposed manure storage facility permits the farm to store nutrients safely for extended durations. This structurally reduces the frequency of annual manure spreading events. Applications can be timed precisely with optimal agronomic, soil, and dry weather conditions, drastically lowering seasonal odour potential.

- **Microclimate Advantages:** Local meteorological data indicates that the property is situated downwind from the natural north-east prevailing winds, naturally carrying airborne odours away from the Hopeville settlement area.

3.4 Impact on Surrounding Land Uses and Settlement Growth

- **Distances:** While the variance requested from the vacant settlement boundary line is numerically distinct, **the proposed barn is 531 metres away and the manure pit is 600 metres away from the closest actual building or home.**
- **No Hindrance to Town Growth:** The requested setback zone consists entirely of vacant agricultural land. No houses exist within the buffer. Furthermore, under provincial guidelines, any future residential lot creation or development establishing within the Hopeville Settlement Area will be legally required to calculate and adhere to MDS setbacks *from this existing farm operation*. Siting the infrastructure within a tightly consolidated cluster ensures that town expansion can logically proceed around it without fragmented conflict.

4.0 Statutory Assessment: The Four Statutory Tests (*Planning Act*, s. 45(1))

To grant a minor variance, the Committee must be satisfied that the application meets all four statutory tests under Section 45(1) of the *Planning Act*. Our professional planning analysis confirms the following:

1. Maintains the General Intent and Purpose of the Official Plans

Both the Grey County OP (Subsection 5.2.1) and the Southgate OP (Section 5.4.1.1) explicitly permit and encourage "all types, sizes, and intensities of agricultural uses and normal farm practices" within the Rural designation. Both documents recognize that livestock expansions are a normal part of an evolving farm operation and explicitly provide for MDS flexibility under Section 5.2.2(5)(1) where sufficient reasoning is provided. By consolidated development within the existing yard, protecting the EP zone, and maintaining a sustainable land-to-livestock ratio, the application respects the core intent of both Official Plans.

2. Maintains the General Intent and Purpose of the Zoning By-law

The fundamental purpose of the A2 zone and MDS setbacks is to establish land-use compatibility and prevent environmental degradation near settlement boundaries. A concentration of 1.83 NUs per acre represents a sustainable, low-density distribution of livestock to tillable land base. Recognizing the 148.4 NUs via a technical variance alongside the revised MDS line maintains the intent of the zoning by-law by keeping the operation balanced, fully managed under an approved NMS, and insulated from surrounding receptors.

3. Is Desirable for the Appropriate Development or Use of the Land

The variance permits an efficient, modern expansion of an existing farm business. It represents orderly, logical development by optimizing current infrastructure rather than breaking new ground or creating fragmented, inefficient land use patterns. This directly supports Goal 1, Action Item 1(e) of the Township of Southgate Strategic Plan, which seeks to enable agricultural businesses to develop or enhance value-added opportunities on their farms to maintain a thriving local economy.

4. Is Minor in Nature

As established by OMAFRA, "minor" is not defined by a rigid numerical percentage but by contextual impact on surrounding uses. Because the buffer area consists entirely of vacant land, the closest home is more than half a kilometer away, County Ecology has cleared the site from groundwater or natural heritage impacts, and advanced odour-suppression technologies are being implemented, the real-world impact on surrounding properties is negligible.

5.0 Conclusion & Recommendation

It is our professional planning opinion that Minor Variance Application **A3-26** promotes the protection of agricultural resources under Section 2(h) of the *Planning Act*, remains entirely consistent with the *Provincial Planning Statement (PPS 2024)*, and successfully fulfills the statutory four tests.

The application represents a carefully mitigated, environmentally sound expansion of an existing generational farm business. The layout avoids natural hazards, prevents severe land fragmentation, protects groundwater quality, and utilizes advanced engineering controls to manage odour and noise effectively.

This letter report provides the precise planning documentation, technical data, and MDS Guideline rationale requested by staff to facilitate that notice. Following the recirculation period, we respectfully request that the Committee of Adjustment approve this application.

Respectfully submitted,

Dryden, Smith & Head Planning Consultants Ltd.

Per - Andrew Head, Partner