

Objection to the Minor Variance Application - Opposition to Nutrient Unit Variance (File No. A3-26)

Owners: Stephen and Veronica Martin

Legal Description: Con. 12, Lot 14, Township of Southgate

Civic Address: 185526 Grey Road 9

Committee of Adjustment

Township of Southgate

185667 Grey County Road 9

Dundalk, ON N0C 1B0

To the Committee of Adjustment:

I am writing to oppose the requested variance to increase the permitted nutrient units on the subject property from 100 nutrient units to approximately 148.5 nutrient units.

Reasons for opposition

1. The requested increase is substantial and not minor

The proposal seeks to increase the operation from 100 nutrient units to approximately 148.5 nutrient units. That is a very significant increase in livestock intensity, not a small technical correction. In practical terms, it is nearly a 50 percent increase over the existing threshold.

A request of this magnitude should not be treated as a minor variance. The minor variance process is intended to address limited departures from the by-law, not to approve a meaningful expansion of the scale of livestock production.

2. The application appears to undermine the intent of the A2 nutrient-unit control

The planning memo says the Restricted Agricultural (A2) Zone limits livestock expansions if the total number of nutrient units is 100 or more and the ratio of nutrient units to tillable acres is 2 or greater. That indicates the by-law uses nutrient units as a density control.

Granting relief here would permit a substantially more intensive operation than the zoning standard appears to allow. That would weaken the by-law's intended control over livestock density, particularly in a location near a settlement boundary.

3. Provincial nutrient-management approval does not answer the municipal zoning question

The memo relies on the fact that the nutrient management strategy has been reviewed and approved under the *Nutrient Management Act*, 2002 and *O Reg 267/03*. That may address nutrient handling and environmental compliance, but it does not determine whether the requested increase is appropriate under the zoning by-law.

The Committee still has to decide whether the variance is appropriate, whether it preserves the general intent and purpose of the zoning by-law, and whether it is minor in nature. Provincial approval does not replace that municipal planning judgment.

4. The proposal is justified as “operationally efficient,” but convenience is not the planning test

The memo argues that the expansion should be consolidated within the existing farmyard cluster because splitting the operation would reduce efficiency. That may be true from an operational perspective, but efficiency alone is not enough to justify a variance of this size.

The issue is not whether the applicant prefers this layout. The issue is whether the requested nutrient-unit increase is appropriate under the zoning framework. If the result is a materially larger livestock operation than the A2 zone contemplates, then the request goes beyond what should be allowed through minor variance relief.

5. Approving the increase could set an unwelcome precedent

If the Committee approves a nearly 50 percent increase in nutrient units here, it may be difficult to distinguish future applications seeking similar relief. That would erode the certainty of the zoning standard and make the 100 nutrient-unit threshold less meaningful.

Zoning controls are intended to create clear limits. Approving a large increase through the variance process risks turning a fixed standard into a flexible guideline.

Request to the Committee

For these reasons, I respectfully request that the Committee refuse the requested nutrient-unit variance.

Thank you for your consideration.

Respectfully submitted,

Nicole Benson

185504 Grey Road 9, Dundalk, ON, N0C 1B0

Dated: July 8, 2026