

August 16, 2024

Elisha Milne
Legislative and Planning Coordinator, Township of Southgate
emilne@southgate.ca

**RE: Minor Variance Application A8-24 - Martin
Con 3 Pt Lot 14, Geographic Township of Proton, Township of
Southgate
Roll: 420709000104100
Owner: Stewart and Miriam Martin
Agent: Cleon Martin**

Dear Elisha Milne,

This correspondence is in response to the above noted application. We have had an opportunity to review the application in relation to the Provincial Policy Statement (PPS) and the County of Grey Official Plan (OP). We offer the following comments.

The purpose of the Minor Variance is to expand farm operations by building a 1200 square meter barn plus a feed room and bunker storage. The proposed variance would reduce the Minimum Distance Separation from 197 meters between the proposed barn and the nearest residence to 118 meters. The variance is requested due to existing site constraints (transmission corridor easement and Provincially Significant Wetlands).

The effect of the Minor Variance would be to reduce the Minimum Distance Separation 197m to 118m to allow construction of the proposed barn.

The subject lands are identified as the following in the County Official Plan:

- Schedule A – Land Use Types – Rural, Hazard, and Provincially Significant Wetlands
- Schedule B – High Potential Mineral Aggregate Resources – Aggregate Resource Area

Per Section 5.2.2 5), new land uses, including the creation of lots, shall comply with the Provincial *MDS formulae*.

Schedule A of the County OP designates the subject lands as Rural. Section 5.2.2(5)i) states:

Municipalities should not reduce MDS through a minor variance, zoning amendment, or official plan amendment, except where sufficient reasoning has been provided, and the intent of the MDS Guidelines has been maintained. MDS shall generally not be modified for the purposes of permitting new non-farm sized lot creation. In reviewing the rationale for a variance, there should be demonstration that the variance would:

- *not be able to be met through a modification to the development being proposed (e.g. set a building back further than proposed),*
- *make an existing situation better to reduce the potential for conflict*
- *impose undue hardship, such as major farm operation, inefficiencies, or servicing constraints, by not granting the variance, or*
- *be small enough such that there is very limited potential for land use conflict*

Further to the above, the MDS Guideline document also provides further direction and considerations for reducing MDS setbacks in certain circumstances ([Section 8.2 Reducing MDS Setbacks](#)), such as to mitigate environmental or public health and safety impacts, or avoiding natural or human-made hazards.

Staff have reviewed the justification provided by the applicant in the application form, as well as the MDS and SVCA mapping, and understand that there is an existing transmission corridor easement to the north and east of the proposed barn and regulated conservation land (including a PSW and stream) to north and west. Southgate Road 4 is located to the south of the proposed barn. Should the applicant locate the barn in a location to meet MDS setbacks, there would be a need to move equipment and livestock over a stream and through a transmission corridor, as well as locating a livestock facility outside of the farm cluster. In addition, it appears that the proposed barn is located similarly to others on the surrounding lands.

County staff understand that some flexibility in reducing the MDS setback requirements may be required on a case-by-case basis. Provided the municipality agrees with the proposed change, County Planning staff have no concerns.

Schedule A of the County OP indicates that the subject lands contain Hazard Lands and Provincially Significant Wetlands. The proposed development is located outside of these lands; therefore, County Planning staff have no concerns.

County Ecology staff have reviewed the application and note that there is no Species at Risk or Significant Wildlife Habitat. Ecology staff have no concerns.

Schedule B of the County OP indicates that the subject lands contain Aggregate Resource Area. Section 5.6.2(1) states:

... Where the Aggregate Resource Area overlaps an Agricultural, Special Agricultural, Rural, or Hazard Lands land use type, the policies and permitted use of the underlying land use types shall apply until such time as the site is licensed for sand, gravel, or bedrock extraction

The subject lands are not currently licensed for sand, gravel, or bedrock extraction. The proposed development is also located outside of these lands. County Planning staff have no concerns.

County Planning staff have no concerns with the subject application.

The County requests notice of any decision rendered with respect to this file.

If you wish to discuss this matter further, please contact me.

Yours Truly,

Cassandra Dillman
Intermediate Planner
548 877 0853
Cassandra.dillman@grey.ca
www.grey.ca