

RON DAVIDSON
LAND USE PLANNING CONSULTANT INC.

March 24, 2021

Township of Georgian Bluffs
177964 Grey Road 18
R.R. #3
Owen Sound, ON
N4K 5N5

Attention: Jennifer Burnett, Intermediate Planner

Dear Jennifer:

**Re: Zoning By-law Amendment Application
Part Lot 9, Concession 3
Geographic Township of Keppel
Township of Georgian Bluffs
341065 Concession 14**

████████████████████

Further to our recent preconsultation discussions regarding the above-noted property, enclosed please find a completed Zoning By-law Amendment application. Also enclosed are the Township application fee and the GSCA review fee.

To assist your office in its review of the application, I offer the following:

The Proposal:

██████████ is proposing to construct a building that will be used primarily for the storage of his farm machinery. Within this building, however, the owner is hoping to construct a dwelling unit to be occupied by his parents. His father helps with the onsite farming operation. The dwelling within the farm building will occupy two floors and comprise approximately 149 square metres of floor area.

The proposed building will be erected approximately 117 metres west of the existing house, as illustrated on the attached drawing.

Subject Property:

The subject property is located along the north side of Concession 14, in the former Township of Keppel. The site comprises 39.98 hectares of land. A large percentage of the property is cash-cropped. In terms of buildings, a detached dwelling exists on the site along with a barn accommodating 80 cows and a shed.

Adjacent Lands:

This area of the former Kennel Township is represented by a mix of farms and non-farm residential lots.

Township of Georgian Bluffs Zoning By-law:

The subject lands are zoned almost entirely 'AG' (Agricultural) in the Township's Zoning By-law. A small area in the northwest corner of the site is zoned 'EP' (Environmental Protection).

The 'AG' zone permits, among other uses, buildings and structures, a "secondary dwelling unit", which is defined as:

Dwelling Unit, Secondary means a second dwelling unit located within a detached, semidetached or townhouse dwelling or ancillary building, which is clearly secondary or subordinate to the main dwelling unit.

The Zoning By-law defines "ancillary building" as:

Building, Ancillary means a building adjacent to another building that is considered a main building.

Based on the above, secondary dwellings are to be located in ancillary buildings, with ancillary in this context meaning a building that is: (1) located adjacent to a principal building, with adjacent generally meaning in the same cluster; and, (2) is accessory to a residential use. The new dwelling will not be located adjacent to the principal dwelling, nor will it be situated within a building that is accessory to a residential use, as the new building will be used mostly for agricultural purposes. For these reasons, an amendment to the Township's Zoning By-law is necessary.

It should be noted, however, that the secondary dwelling will be secondary and subordinate to the principal dwelling. The existing house has a gross floor area of 216

square metres, whereas the second dwelling within the new agricultural building will occupy 149 square metres over two floors. The secondary dwelling will also be essentially hidden as a residence from the outside and therefore it would not take on the appearance of a principal residence.

Section 5.25 provides more details for secondary dwelling units, and states:

- b) *Secondary dwelling units are only permitted in ancillary buildings where the following criteria is satisfied*
- i) *The ancillary building must be located in the interior side or rear yards of the lot.*
 - ii) *Secondary dwelling units shall only be permitted in ancillary buildings that comply with the minimum yard requirements for the principal building of the zone in which it is located.*
 - iii) *In any zone where secondary dwelling units are permitted, a secondary dwelling unit shall only be permitted in an ancillary building where the lot area is at least 0.4 hectares*

With regard to the above, please note the following:

- The new building containing the secondary dwelling will be located within the interior side yard of the lot;
- The new building containing the secondary dwelling will comply with the yard requirements applicable to the principal detached dwelling; and,
- The subject property comprises over 0.4 hectares of land.

Official Plan:

Schedule A to the County of Grey Official Plan designates almost the entire property as 'Agricultural'. A very small area in the northwest corner of the site falls within the 'Hazard' designation.

Permitted uses in the 'Agricultural' designation include agriculture, forestry, conservation. Also, specifically permitted as an accessory use are "second units". Section 4.2.5 of the Official Plan states the following in this regard:

Second units are also known as secondary suites, basement apartments, and accessory apartments. They are self-contained residential units with private kitchen, bathroom, and sleeping facilities within a main residence or structures additional to a dwelling (e.g., above garages).

Second units increase the supply and range of affordable rental accommodation while offering homeowners additional incomes. Further they provide alternative housing options for the elderly, young adults, and populations looking for smaller living quarters; increase the efficiency of the housing stock and offer affordable housing options.

The Planning Act requires that official plans and zoning by-laws permit second units:

- *In detached, semi-detached and row houses if an accessory building or structure does not contain a second unit;*
- *In a building or structure accessory to those housing types, provided that the primary dwelling does not contain a second unit.*

Municipalities shall develop local policies and zoning regulations that establish appropriate standards, which protect neighbourhood character, public health and safety, and enjoyment of abutting properties without unduly restricting the creation of such dwelling units. The County is generally permissive of second units provided development meets zoning provisions outlined by the local municipalities. In settlement areas or the countryside without full municipal services, well water records or designated appropriate authority for sewage systems may be necessary prior to granting a building permit. In the countryside secondary suites shall be within the farm cluster. Second units shall not be permitted in the Hazard Lands land use type, and may be allowed in the flood fringe overlay subject to conservation authority review.

With regard to these policies, it is evident that the County clearly supports second dwellings.

The only policy of initial concern is the requirement for the second unit to be situated within the building cluster. During preconsultation discussions, however, the County advised that the proposal met the intent of the Official Plan, given the merit of the application, which is:

- The existing house on the property is in relatively poor condition, although still habitable. The owner will be demolishing this structure within the next few years and erecting a new dwelling adjacent to the new farm implement building / second dwelling. At that time, the two residential dwellings on the property will be clustered.

- Building a second dwelling in close proximity to the existing dwelling is not desirable for two reasons. Firstly, the existing house and barn have essentially been built in a hole. This area presents the lowest elevation of the property and, as such, stormwater runs into it. Secondly, the livestock facility situated on the property is located very close to the existing house. Mr. Wagner operates an 80 head cow/calf operation, and the barn yard is situated only 34 metres from the house, which creates an undesirable odour situation. To put things in perspective, the Minimum Distance Separation formulae would require a new dwelling on an adjacent property to be situated 237 metres from the livestock facility. For these two reasons, building another dwelling within the existing cluster doesn't make sense. For the same reasons, when Mr. Wagner replaces his principal dwelling in a few years, it will not be constructed in this location but rather adjacent to the new building. At that time, the buildings will be clustered.

Based on the foregoing, the proposed Zoning By-law Amendment will conform to the County of Grey Official Plan.

Provincial Policy Statement:

The Provincial Policy Statement (PPS) generally promotes agricultural uses on prime agricultural land. It also permits a detached dwelling and makes no attempt to prohibit a second dwelling on a farm property.

The housing policies of the PPS are also strongly supportive of housing initiatives at the County and Township level that will provide accommodation to meet the social, health, economic and well-being requirements of all current and future residents.

It should be noted that the Province has been the driving force behind promoting second dwellings over the last few years. The Planning Act has been changed to require local municipalities to change their Official Plans and Zoning By-laws by establishing standards for allowing second dwellings as of right.

The proposed Zoning By-law Amendment is clearly consistent with the PPS.

Additional Discussion, Summary and Conclusion:

The proposed Zoning By-law Amendment will enable [REDACTED] parents to live on the farm. This arrangement will provide affordable housing for family members and also make it easier for the owner's father to continue to serve as a farmhand.

Whereas the proposal is somewhat different than what the Zoning By-law originally intended, this particular proposal has merit and will not create any negative impacts. Having the dwelling located in a farm implement building shouldn't cause any concerns. The new dwelling will comply with all requirements of the Ontario Building Code, otherwise the Township won't issue a Building Permit.

It should also be noted that erecting a new dwelling outside of the existing building cluster will not impact upon the neighbours and their right to farm. The new dwelling will comply with the Minimum Distance Separation (MDS) requirements, as illustrated on the attached MDS Report.

Lastly, the proposal is supported by the County of Grey Official Plan and the Provincial Policy Statement.

In view of the foregoing, the Zoning By-law Amendment has merit and can be approved.

I trust you will deem the applications complete. Should you require any additional information, please contact me. Before scheduling the public meetings for these for these applications, please advise of the potential meeting date to ensure our availability.

Respectfully submitted,



Ron Davidson, BES, RPP, MCIP



attachments: sketch
MDS Report

KEY MAP
SCALE 1:12 000



Subject lands

Zion Church Road

Stone School Rd
Con 2 NCD

Concession 14

INSET
SCALE 1:1500

Barn

Barn yard

Proposed farm impliment building
with secondary dwelling unit

18.03
30.15
37.0

117.0 m

Well

House

Septic system

Concession 14

Proposed Secondary Dwelling
341065 Concession 14
Township of Georgian Bluffs



RON DAVIDSON
LAND USE PLANNING CONSULTANT INC
OWEN SOUND, ONTARIO



Minimum Distance Separation I

Worksheet 1
Prepared By: Ron Davidson, Planner

Description: ██████████ 2nd dwelling

Application Date: Wednesday, March 24, 2021

Municipal File Number:

Proposed Application: Building permit for the construction of a dwelling (farm or non-farm)
Type A Land Use

Applicant Contact Information
Not Specified

Location of Subject Lands
County of Grey, Township of Georgian Bluffs
KEPPEL, Concession: 14, Lot: 9
Roll Number: 420362000309700

Calculation Name: *Farm 1*

Description: Barn to southwest

Farm Contact Information
Not Specified

Location of existing livestock facility or anaerobic digester
County of Grey, Township of Georgian Bluffs
KEPPEL, Concession: 13, Lot: 9
Roll Number: 420360003084000
Total Lot Size: 19.8 ha

The barn area is an estimate only and is intended to provide users with an indication of whether the number of livestock entered is reasonable.

Manure Type	Type of Livestock/Manure	Existing Maximum Number	Existing Maximum Number (NU)	Estimated Livestock Barn Area
Solid	Beef, Cows, including calves to weaning (all breeds), Confinement	20	20.0	186 m ²

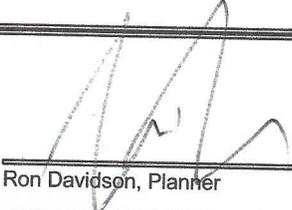
Existing Manure Storage: V3. Solid, outside, no cover, >= 30% DM

Design Capacity (NU): 20.0

Potential Design Capacity (NU): 40.0

Factor A (Odour Potential)	Factor B (Size)	Factor D (Manure Type)	Factor E (Encroaching Land Use)	=	Building Base Distance 'F' (minimum distance from livestock barn)	(actual distance from livestock barn)
0.7	X 240	X 0.7	X 1.1	=	129 m (424 ft)	197 m (646 ft)
					Storage Base Distance 'S' (minimum distance from manure storage)	(actual distance from manure storage)
					129 m (424 ft)	205 m (673 ft)

Preparer Information
Ron Davidson
Planner

Signature of Preparer: 
Ron Davidson, Planner

Date: Feb 24 / 21

NOTE TO THE USER:
The Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) has developed this software program for distribution and use with the Minimum Distance Separation (MDS) Formulae as a public service to assist farmers, consultants, and the general public. This version of the software distributed by OMAFRA will be considered to be the official version for purposes of calculating MDS. OMAFRA is not responsible for errors due to inaccurate or incorrect data or information; mistakes in calculation; errors arising out of modification of the software, or errors arising out of incorrect inputting of data. All data and calculations should be verified before acting on them.