



COUNTY OF WELLINGTON

PLANNING AND DEVELOPMENT DEPARTMENT
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March 14, 2017

Bill White, CAO-Clerk
Town of Minto Committee of Adjustment
5941 Highway 89, R.R. #1
Harriston, ON N0G 1Z0

RE: Minor Variance Application MV2017-01
5967 Third Line
Heinmiller

We have reviewed the application for minor variance and provide the following comments. Please be advised that these comments were formulated without the benefit of a site visit.

Planning Comments: This application for Minor Variance would provide relief from the required Minimum Distance Separation (MDS 1) setbacks. The applicant has proposed a dwelling to be located within the required setbacks from a neighbouring barn and manure storage. Two variances are required in order to provide relief to allow the house to be located closer to the Type A land uses than what is permitted.

We find that the variances requested are minor in nature and conform to the intent of the Official Plan and Zoning By-law. The variances are desirable and appropriate for the use of the land.

Provincial Policy Statement (PPS)

Section 2.3.3.3 states that new land uses shall comply with the minimum distance separation formulae. Guideline 43 of the MDS Implementation Guidelines states that "MDS 1 setbacks should not be reduced except in limited site specific circumstances that meet the intent of the MDS document. Examples may include circumstances that mitigate environmental or public health and safety impacts, or avoid natural or human-made hazards."

Wellington County Official Plan

The subject property is designated Prime Agricultural. Section 13.7 of the Plan provides consideration for minor variances provided the general intent of the Official Plan and Zoning By-law are maintained and the variance is minor and desirable for the appropriate development of the land. Consideration shall be given as to whether compliance with the by-law would be unreasonable, undesirable or would pose an undue hardship on the applicant.

Minto Zoning By-law

The subject property is zoned Agricultural (A). The applicant is proposing to construct a single detached dwelling which is located within the required MDS 1 arcs from a neighbouring barn and manure storage and therefore will need relief from Section 6.17.1 of the By-law. The section states that no residential use, located on a separate lot and permitted within the Agricultural (A) zone where agricultural uses are permitted, shall be erected unless it complies with MDS 1.

The following is proposed:

	Required	Proposed	Difference
Barn MDS 1 setbacks to Type A use	544 m (1,784 ft.)	381 m (1, 250 ft.)	163 m (534 ft.)
Manure storage MDS 1 setbacks to Type A use	589 m (1, 934ft.)	411.5 m (1,350 ft.)	178 (583 ft.)

The applicant has justified the location of the house due to the geography of the land and to allow for proper drainage due to the topography and slope. The applicant has attempted to locate the house some distance from the neighbouring barn and it would be unreasonable to ask that the dwelling be located further outside of the arc given the distance it has already been proposed to be located at.

We find that the variance is minor in nature and conforms to the general intent of the Official Plan and Zoning By-law, and that it is desirable and appropriate.

Additional information

The MDS 1 calculations submitted with the application were completed under the former guidelines. New MDS guidelines are in effect as of March 2017 and the variances requested above reflect the current standards. Both the 2016 and 2017 calculations are attached to this report.

I trust that these comments will be of assistance to the Committee.

Sincerely,



Elizabeth Martelluzzi, B.URPI
Junior Planner

Attachments:

- Aerial image
- 2016 MDS 1 Calculations
- 2017 MDS 1 Calculations

Attachment 1: Aerial image



Minimum Distance Separation I (MDS I) Report

File: Barry Heinmiller - Severance.mds

MDS 1.0.2
13-Mar-2017 11:44
Page 1

Application Date: 30-Nov-2016

File Number:

Preparer Information

Terry Kuipers
Town of Minto
5941 Highway 89
Harriston, ON, Canada N0G 1Z0
Phone #1: 519-338-2511
Fax: 519-338-2005

Applicant Information

Barry Heinmiller

County of Wellington
City of Guelph

Calculation #1

Barry Heinmiller - Severance Application

Adjacent Farm Contact Information

Larry Horsburgh
5966 3rd Line
ON, Canada

Farm Location

County of Wellington
Town of Minto
Geotownship: MINTO
Concession: 3
Lot: 1

Manure Form	Type of Livestock/Material	Existing Capacity	Existing NU	Estimated Barn Area
Solid	Beef; Feeders (7 - 16 months)	100	33.3	Unavailable
Liquid	Swine; Feeders (27 - 105 kg)	2000	333.3	Unavailable

Encroaching Land Use Factor: Type A Land Use

Tillable area of land on this lot: 32.37 ac

Manure/Material Storage Type: M1. Liquid, outside, no cover, straight-walled storage

Factor A (Odour Potential): 1.16

Factor B (Nutrient Units): 498

Factor D (Manure/Material Type): 0.79

Factor E (Encroaching Land Use): 1.1

Total Nutrient Units: 367

Distance from nearest livestock building 'F' (A x B x D x E):

Distance from nearest permanent manure/material storage 'S':

Required Setback

504 m (1653 ft)

Actual Setback

553 m (1815 ft)

Signature of Preparer:

Terry Kuipers, Town of Minto

Date:

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.





Minimum Distance Separation I

Worksheet 1

Prepared By: Elizabeth Martelluzzi

Description: Heinmiller

Application Date: Tuesday, March 14, 2017

Municipal File Number:

Proposed Application: Lot creation for a maximum of three non-agricultural use lots
Type A Land Use

Applicant Contact Information
Barry Heinmiller

Location of Subject Lands
County of Wellington, Town of Minto
MINTO, Concession: , Lot:

Roll Number: 2341

Calculation Name: **Farm 1**
Description: Horsburgh

Farm Contact Information
Not Specified

Location of existing livestock facility or anaerobic digester
County of Wellington, Town of Minto
Concession: , Lot:

Roll Number: 2341

Total Lot Size: 40.46 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, Feeders (7 - 16 months), Yard/Barn	100	33.3	418 m ²
Liquid	Swine, Feeders (27 - 129.5 kg), Full Slats	2,000	381.0	1,914 m ²

Existing Manure Storage: M1. Liquid, outside, no cover, straight-walled storage

Design Capacity (NU): 414.3

Potential Design Capacity (NU): 450.0

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)
1.17	X	534.52	X	0.79	X
				1.1	=
				544 m (1784 ft)	TBD

Storage Base Distance 'S' (minimum distance from manure storage)	(actual distance from manure storage)
589 m (1934 ft)	TBD

Preparer Information

Elizabeth Martelluzzi

Email: elizabethm@wellington.ca

Signature of Preparer:
Elizabeth Martelluzzi

Date: March 14, 2017

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