

**Public Consultation Meeting Notes**  
**District #7, Bonny Lea Farm**  
**7 p.m. April 30th, 2018**

**Attendance**

Council: Cllr. Sharon Church  
Cllr. Tina Connors  
Cllr. Marshall Hector

CPAC: Nancy Green  
Debbie Reeves

Staff: Tara Maguire, Director of Community Development  
Garth Sturtevant, Planner  
Heather Archibald, Development Officer  
Sandra Challis, Administrative Assistant

Gallery: There were approx. 38 members of the public present.

**Summary of Comments & Questions**

**QUESTION - As the new rules means you are going to be requesting more permits, will they take longer to process?**

**ANSWER -** We are legislated to make contact with the applicant within 14 business days, usually if we have been provided everything that is required for the application, the development permit is issued inside this time. Generally, the information required would be a site sketch, showing the development in relation to the property boundaries, a floor plan and an elevation drawing; these drawings can be hand-drawn. Additional information may be required too, from an environmental perspective, when considering the lakefront overlay zone for example.

**QUESTION - Will existing operations require a development permit?**

**ANSWER -** No, a development permit will not be required for existing uses.

**QUESTION - Even if you are over the permitted 20 Farm Animal Units (FAU)?**

**ANSWER -** If you have more farm animals than is allowed, you are permitted to continue, and the use becomes a "non-conforming use". If the operation or use ceases for six consecutive months then it is not permitted to re-start without meeting the current rules (obtain a permit and meet setbacks for barn and manure storage).

**COMMENT - When you are raising livestock to butcher, the number of animals fluctuates, and there may be a longer gap than 6 months before the next time that animal is raised. The gap is too short.**

**Can you guarantee that this point will go forward and be heard?**

**ANSWER** - All the comments are being recorded and will be taken forward to both the CPAC committee and Council. They will be given a summary report and copies of all the completed comment sheets and correspondence received.

**QUESTION - What happens when these farming properties are sold or passed on in a family?**

**ANSWER** - The non-conforming status transfers with the sale. Ownership does not negate a continuing use. If the new owners take longer than 6 months to begin operation, then they lose these grandfathered rights and would need to meet the current regulations.

**ANSWER** - To clarify, in the new proposed General Basic, there are no regulations nor permit requirements for farm animals under 20 FAU, which is the same as today. Over 20 FAU then a permit would be required and you would be expected to meet the set-back requirements from property lines and natural watercourses for any associated structures and manure piles. Any existing legal structure today, will be allowed under the new rules, with no need for a permit. A development permit would only be required if you wished to make an addition to the existing structure.

**QUESTION - Is there a minimum lot size?**

In General Basic there is no minimum. In the proposed Mixed-Use zone, for new farming operations, there is a minimum requirement of 4000 m<sup>2</sup>, roughly 1 acre, for the first FAU and then an extra 2000 m<sup>2</sup> per additional FAU.

**QUESTION - In Mixed Use Zone above 20 units, what are the requirements then?**

**ANSWER** - Intent in MU zone is to impose some set-back requirements. The trigger is the first FAU. There is a minimum lot size of approx. 1 acre for the first FAU. There is no upper limit on FAU, providing that your lot is large enough for the number of FAUs you have, however, the set-backs increase if you have over 20 FAUs. You are permitted Backyard Fowl in the Mixed-Use zone without a permit, and without needing a minimum lot size.

**QUESTION - Does no set-backs mean you can go right to the property line?**

**ANSWER** - In theory yes, although there may be building code requirements depending on the type of structures. Where we are proposing set-backs in relation to FAUs, this only applies to associated farm animal structures and any manure piles. We are not looking to regulate where the actual animals are kept, unless there are over 20 FAUs when there are set-back requirements from natural watercourses and a request that animals are prevented from entering watercourses, through fencing perhaps.

**QUESTION - We need roosters for our meat birds, what about them?**

**ANSWER** - The limit of 10 *female* fowl is related to backyard fowl. The intent of Backyard fowl was meant to allow people to keep a few chickens for eggs. The reason for excluding roosters in this category, is to prevent disturbance complaints from neighbours and to create a balance in a community.

Backyard Fowl are permitted as an accessory use in all zones (except Single Unit Residential, Protected Watershed and Conservation) and a development permit is only required for them in Settlement Residential 1 Zone. In the proposed Mixed-Use and General Basic Zones, roosters are not controlled. Roosters are only not permitted in Zones where only backyard fowl are allowed. If higher levels of FAU are permitted, then so too are Roosters.

**QUESTION - Where do the setbacks and FAU numbers come from?**

**ANSWER** - In General Basic Zone, setbacks for FAU only apply when you exceed 20 FAUs, however other zones have setbacks for the first FAU. The setbacks came from the Provincial guidelines set out by the Department of Agriculture. The numbers comprising FAUs were arrived at after looking at how other municipalities regulate, looking at best practices and discussions with CPAC. A full set of draft documents and background information is available online at [www.voicesandchoices.ca](http://www.voicesandchoices.ca)

**QUESTION - If you have a house that's non-conforming and you leave it for more than 6 months, are you allowed to go back?**

**ANSWER** - The 6-month period applies to the *use* of the structure. If, for example, you were using a part of your property for a business that was not permitted under the new guidelines, and you stopped running that business for 6 months, then you would be permitted to go back to the property, but not to re-start the non-conforming business.

**QUESTION - I will be in the new SR2 Zone and will not be allowed to carry on my business, selling solar panels, under the new rules, I will not be able to expand or grow, how is that improving our community?**

**ANSWER** - You *are* permitted to run this type of business in the SR2 zone. The new document has regulations for specific types of business, such as golf courses and marinas, and has general regulations for "all other commercial or institutional uses". The only prohibited uses in SR2 are abattoirs, composting facilities, fur farming, contaminated soil facilities salvage yards and all heavy industrial developments. Specific home-based businesses are also permitted in this zone.

**QUESTION - So will my property taxes change?**

**ANSWER** - Your property's value is assessed by Property Valuation Services Corp. (PVSC) and they determine what classification your property is assigned – Residential, Resource, Commercial or a combination of these. We provide PVSC with details of building and development permits, and they decide what they do with this information in relation to your assessment. Zoning does not directly impact your property assessment.

**QUESTION - I have an issue with the minimum lot size for horses. I know people with horses which have much smaller lots. Perhaps the Municipality could set time limits for dealing with manure, or to have somewhere in the Municipality where people could take the manure. Is there any restriction on keeping horses on someone else's, your neighbour's land?**

**ANSWER** - Providing the lot can meet the minimum lot size and the set-back requirements, the neighbour could easily get the permit. In the General Basic zone, there is no minimum lot size. The reasoning behind set-backs in other zones, is where there is a higher residential density, where people are living closer together.

**QUESTION** - We have Oakley Stables and keep everything nice and clean. We adjoin the Millet property and they allow us to put our manure on their surplus lot, which they then use to spread on the fields when it is good a ready. There is nowhere on our property to keep this amount of manure, we feed our horses year-round on hay, so there is no need for grazing and the horses have their own spot and beautiful fencing. How does this affect us?

**ANSWER** - You can continue to do what you are currently doing. If you are close to natural waterways then setbacks do apply.

**COMMENT** - *Have farmed for a number of years and as farming is already under both Provincial and Federal jurisdiction, I feel there is very little place for the Municipality to impose regulations, apart from with set-backs. These regulations frighten people. Thank you for holding these meetings and giving the opportunity for discussion.*

**QUESTION** - Fur farming seems to be prohibited everywhere, is this the case?

**ANSWER** - No, it is permitted in GB through the Development Agreement process.

**QUESTION** - What about abattoirs? You can't have agriculture without slaughter facilities. Anything you do to restrict these will hurt agriculture in the long run.

**ANSWER** - They are permitted in General Basic and Mixed Use zones and have a different permitting process dependent on the size, either Site Plan or Development Agreement.

**COMMENT** - *It would be beneficial to actually sit down with a group of farmers to hear what they have to say. They would be interested in having some input and bringing their expertise to the table. Water protection is a good thing, but FAU is a foolish measurement. My own sheep are kept fenced and there is no run-off from their manure. You are regulating the different species as one, and there should perhaps be different rules for different animals, there needs to be some variability.*

**COMMENT** - *None of the current councillors are, or have been farmers; they do not have the expertise. I only found about this by chance. No one has spoken to me, no one knocked on my door asking for my input. How many of these people were asked their opinion? I don't read the paper, I usually get my news online. People should have been directly contacted. The lack of early engagement, is not because we didn't care, but because we didn't know to be involved. I feel out of the loop.*

**RESPONSE** - During the previous citizen consultations we were not discussing the specific rules and regulations, we were looking for the community character areas, identifying how the community saw itself in the future. The regulations were only available to the Committee and Council just before

Christmas, and this is the first opportunity for people to give feedback on the regulations, this is why we are holding these meetings.

**QUESTION - Why change something that not broken?**

**ANSWER** - We are mandated by the Province to review our planning documents. The last documents were issued in 1997. Following the formation of the CPAC Committee and the visioning sessions held in each district in 2014 and 2015, the Committee and Staff have been working with the feedback given to arrive at these documents. It is not too late to receive your feedback, these regulations are not set in stone. The Committee and Council will be going through the feedback through the summer and we can almost guarantee that Farm Animals will be the first item to be re-visited.

If you want to remain involved and engaged, you can subscribe to email alerts regarding ReVision Plan Review on our website [www.chester.ca/engage/subscriptions/](http://www.chester.ca/engage/subscriptions/) or look at [www.voicesandchoices.ca](http://www.voicesandchoices.ca) for updates.

**QUESTION - Will there be 2<sup>nd</sup> draft?**

**ANSWER** - Yes, following the feedback received from these meetings, there will be some changes made to this document. We are unsure how this will be taken out to the public, there may not be 14 meetings again, but at the very least, there would be a Public Hearing before any regulations come into force.

**COMMENT - Government does not recognize a horse as farm animal. Farmers are able to get deductions for farm animals at co-ops for example, but not horse owners.**

**RESPONSE** – The Provincial Government includes horses under their farm animal guidelines, which is why the Municipality has done the same. We don't have any say in the Provincial taxes or rebates.

**QUESTION - Why are you having different farm animal numbers for different areas?**

**ANSWER** - The Committee were looking more so at the potential impact of farm animals in certain areas, on the surrounding uses and the impact manure has on neighbours. Maybe we have not got the numbers right.

**COMMENT - I don't feel this document is reflective of our Community Characters. It does not reflect the history or heritage of farming in the area and greatly limits the future for our children. They don't want to see subdivisions, they want to see tranquil, pastoral settings. There may be a number of volunteer organizations, 4H for example, who would not be able to meet the minimum lot size requirements and may be impacted by these changes.**

**RESPONSE** - The Mixed-Use zone was intended to capture the history of the different land-uses in the area, but if you don't agree, that's what these sessions are for, to receive feedback and comments that we can consider.

**QUESTION - Why can't SR2 SR1 and Hamlet Zones have chickens?**

**ANSWER** - In SR 1 & 2 you can have up to 20 FAU subject to the minimum lot size requirements and this number can include roosters. Outside of the "Backyard Fowl", roosters are to be classified as part of a FAU, where there is the minimum lot size and set-back requirements for the Mixed-Use, SR-1, SR-2 and Gateway Zones. Only Backyard Fowl are permitted in the Hamlet Zone.

Perhaps we do not have the numbers right, perhaps we don't have the boundaries right, that's why we are holding these meetings to hear your feedback and for these discussions.

**COMMENT** - *I'm in the proposed Hamlet Zone and I want to raise meat birds, but the 6-month rule makes this impossible, and you can't specify the sex of the birds.*

**RESPONSE** - The intent of the backyard fowl is to allow laying hens in the more residential areas, for fresh eggs. Perhaps we didn't get the boundaries right? Depending on your location, maybe you could suggest you be included in a different zone?

**QUESTION** - **Did the Committee develop the zone boundaries, or were the lines drawn bases on neighbours complaining?**

**ANSWER** - The zone boundaries were developed by the Committee following the original community visioning where it was identified how people saw their communities growing, and Council may ask Staff what types of complaints are received to help them get a feel for what people seem to want/not want in their communities. Maybe we didn't get it right? There are certain areas where we want to encourage agriculture and in other areas, with closer smaller lots, perhaps agricultural uses are ot appropriate.

**QUESTION** - **I operate a beef farm and am also a herdsman for the Risley Estate, which is Rural 2. Is this still allowed?**

**ANSWER** - Whatever you are doing now, you will be permitted to continue.

**QUESTION** - **Will there be anywhere to see public feedback?**

**ANSWER** - The Voices And Choices website has been specifically set up for this, although there has been a slow take up. People are able to submit comments, ask questions, check their zoning, download documents and information sheets. So far, the majority of comments received have been through Comment Cards at these meetings, or via telephone conversations with staff and emails. All these comments are being collected and will be given to Council.

**COMMENT** - *The Planner actually laid out the proposed zones and boundaries for the committee to comment on. A map was brought to the committee and approved in principle based on the assumption that the boundaries can be moved. The lines can be moved, it is important for people to give feedback on the boundaries.*

**QUESTION** - **I read that Wind turbines are restricted to 5kw?**

**ANSWER** - Wind turbines are permitted in all zones, the 5kw production capacity limit is in the Single Unit Residential, Hamlet and Gateway zones and this is to take into consideration the impact on neighbours.

It is also possible to have solar collectors in all areas, in addition to Wind Turbines, limited to 5kw in the zones previous mentioned. Therefore, in these areas it is possible to have a combination of these alternative power generators with a combined total of 10kw.

In all other zones, the total combined production capacity for solar collectors on the lot is 100kw. Solar Farms are permitted in the General Basic zone

**COMMENT** - *Why place limits on production capacity? This is exciting technology that is constantly evolving. Maybe in the near future, the same tower/panel may be able to produce more energy, perhaps we shouldn't limit it now.*

**QUESTION** - **Why limit the number of rooms for a Bed and Breakfast to 3?**

**ANSWER** - To be determined as a *home-based business* under the by-law, the maximum number of rental units is 3. Anything larger would be classed as Tourist Accommodation. This is written this way to allow smaller operations in the Settlement Residential Zones.

**QUESTION** - **Will you post some of the minutes of the meetings?**

**ANSWER** Yes, that is the intention. Tonight, is the halfway point, we have now held meetings in each district. We are having a check-in with Council on Thursday and following this we hope to have some of the more common Q&As and a general summary of how things are going available on the Voices and Choices website.

**QUESTION** - **I own two parcels of land that are adjoining, does that mean I'm allowed more animals?**

**ANSWER** - No, each parcel would be looked at independently and the number of FAU would be determined by the size of each lot. The setbacks would still apply, even if the boundary is between your own properties.

**QUESTION** - **I have lived in the same property for 40 years and have had just about every farm animal and no one has ever said anything. Why am I now being told what I can have on my property?**

**ANSWER** - Due to a combination of things – we are mandated to carry out a review of the planning documents and this was well overdue. The Committee, Staff and Council have worked on these changes to try to include the results of the visioning exercises and to try to deal with concerns, complaints and questions that Council and Staff have received over the years. This document is looking ahead to the next 20-25 years and is considering what are the appropriate land-uses to help the communities grow.

**COMMENT** - *So this is all to dealing with complaints? The very few people that complain are being heard, but the silent majority are not...*

RESONSE - This is why we are recording the comments that are received.

**QUESTION - If the majority of the people of people say don't fix it, will the status quo be maintained?  
Our Councillors are elected by the people.**

**ANSWER -** We hope that even if we need to make drastic changes to the documents, that the last four years work won't be thrown out entirely.

**QUESTION - How many people have to say no before it goes away?**

**ANSWER -** There is no magic number, however the more feedback received about the things you don't like, the better the chance of change.

**QUESTION - My concern is that its great the comments are being taken down, but will anyone take any notice of them?**

**ANSWER -** The Comments will be presented to Council on Thursday and to the Committee following the 14 public meetings taking place in April and May.

**COMMENT - *If there are 11 members of the Committee, then if 12 people are opposed to the plan, it should be scrapped.***

**QUESTION - What is the actual cost of the Review so far?**

**ANSWER -** We have had around \$40,000 in the budget each year, but have not fully spent this amount. For 2018/19 we have budgets \$25,000.

**COMMENT - *As a farmer, Provincial and Federal engineers and experts help us by creating guidelines that are available to all farmers. We have an number of different publications which tell us how to farm, how to manage water run-off, manure and chemical fertilizers. These guidelines and regulations are already there. Why are the Municipality getting involved? Our rural areas are dying, these zoning laws will put people off coming into the area. Farm land is running out in the Valley, we need to be encouraging people to come here, and show them how we can help them, rather than give them rules and regulations. There doesn't seem to be anything positive in the document to get people to move into the community. If you are going to get together with farmers, I would like to be part of it, I would like to have my name first on the list.***

**COMMENT - *I grew up in a rural area and with the coming twinning of the highway, people may move down here due to the rural nature of the area. We need to start involving real estate people and lawyers to get their input on how the area should develop. We should get this information out in Tourist Centres and see what tourists think about the proposals to change the rural nature of this area.***

**QUESTION - Do different zones have different set-back requirements?**

**ANSWER –** Yes, different uses in each zone may as well.

**QUESTION - Solar Collectors are only permitted on lots with main building?**

**ANSWER –** No, they are permitted on vacant lots or on lots with a main building.

**QUESTION - You need a permit for them when they are on the land, but not when they are attached to a building, why?**

**ANSWER -** We control structures, placing a solar collector on an existing building does not change the existing building, but installing one on the ground would be classed as new structure and would need to meet the location and set-back requirements, in certain zones this means they cannot be located in the front yard and would need to be approx. 10 feet from a property line. The thinking behind these rules are so that it does not negatively impact your neighbour.

**COMMENT - *Set-backs on large properties do not make sense.***

The meeting closed at 8.35p.m.