

The Corporation of the Municipality of Trent Hills

By-law No. 2018-078

**A by-law to amend By-law 2010-105,
Being the Comprehensive Zoning By-law of
The Municipality of Trent Hills
With respect to Livestock on Smaller Rural Properties**

Whereas the Municipality of Trent Hills Zoning By-law 2010-105, as amended, was passed under the authority of a predecessor of Section 34 of the Planning Act, R.S.O. 1990, Ch. P.13 as amended;

And Whereas the by-law hereinafter set out is in conformity with the general intent of the approved Official Plan in effect in the Municipality of Trent Hills;

And Whereas the Council of the Corporation of the Municipality of Trent Hills conducted a public meeting in regard to this application, as required by Section 34 (12) of the Planning Act, RSO 1990 , Ch. P. 13, as amended;

And Whereas the Council of the Corporation of the Municipality of Trent Hills deems it advisable to amend Zoning By-law No. 2010-105, as otherwise amended, with respect to the above-described lands and under the provisions of the Planning Act has the authority to do so;

Now Therefore the Council of the Municipality of Trent Hills hereby enacts as follows:

Section 5.16: Minimum Distance Separation is hereby deleted or replaced with the following:

5.16 Livestock on smaller lots:

- a) Livestock may be permitted on lots less than eight (8) hectares in size within the following Zones: Rural, Agricultural, Rural Residential, Special Rural Residential, and Shoreline Residential, in accordance with the Regulations of Section 5.16.
- b) Livestock is defined as follows:
 - i) Small sized livestock: rabbits, chickens, turkeys, geese and similar sized animals;
 - ii) Medium sized livestock: sheep, goats, llamas, ostriches, and similar sized animals;
 - iii) Large sized livestock: cattle, horses and similar sized animals.
- c) The minimum requirement for keeping livestock in the above noted Zones are as follows:
 - i) Minimum lot size of 0.8 hectares for the keeping of small livestock;
 - ii) The lot must have 0.4 hectares of pastures available for the livestock
 - iii) Any area used to contain animals or store manure must have a minimum separation distance of 100 metres to any neighbouring dwelling;
 - iv) The minimum setback from any area where livestock is kept will be 8 metres to an abutting property line;
 - v) Any building where livestock are kept shall not be located in any portion of a front yard. The building will be set back 15 metres from the side and rear property lines of the property;

- vi) Livestock pasture areas and manure storage areas will be set back 15 metres from water courses, wetlands and drainage courses.
- d) The minimum lot size for keeping large animals will be 2.0 hectares. The density for large animals will be 0.4 hectares per animal with a maximum of three animals on a 2.0 hectare lot, with 1.2 hectares of pasture.
- e) Medium sized livestock will not exceed a density of three (3) animals per 0.4 hectares with a maximum of three (3) animals on a 0.8 hectare lot.
- f) As lot size increases, the number of livestock kept on a property may increase according to a formula of six (6) small; three (3) medium or one (1) large animal per 0.4 hectares of additional pasture area available.
- g) Notwithstanding the animal density provisions of this By-law, newborn large animals may be maintained on a property for up to one (1) year. Newborn small animals may be maintained on a property for up to sixty (60) days.

5.16.1 Chickens on small lots:

Six (6) hens may be kept on a parcel Zoned Rural Residential, Special Rural Residential, or Shoreline Residential provided that the lot is a minimum of 0.4 hectares in size; the animals are kept in a fenced enclosure and that the area where the chickens are kept is not located in the front yard and set back 7.5 metres from side and rear property lines.

5.16.2

- a) Property owners who wish to house livestock on their property will submit an application for authorization to the Planning Department, using the approved application form.
- b) Property owners will be required to make an annual application for renewal of authorization if they continue to keep livestock. They are also required to apply to the Municipality for authorization to change the type of livestock they keep on the property.
- c) Property owners will be required to provide a site plan to show the size and location of pasture areas for livestock, livestock buildings, setbacks and manure storage.
- d) Staff may require the provision of a Livestock Management Plan / Nutrient Management Plan.

5.16.3 Minimum Distance Separation Formula

New land uses, including but not limited to, the creation of lots, zoning by-law amendments, minor variances, development permits and site plan agreements, and new or expanding livestock facilities, shall comply with the Minimum Distance Separation 1 and Minimum Distance Separation II Formula defined herein.

Setbacks for new dwellings constructed on lots other than the lot containing the barn/barns containing livestock, shall be required to conform with the Minimum Distance Separation 1 Formula. MDS 1 shall not apply to the construction of a new dwelling that is replacing a dwelling destroyed in whole, or in part, by a catastrophe, provided that ALL of the following conditions are met:

- The building which existed before the application was habitable;
- The proposed building is for the same or less sensitive land use type than the former building; and
- The proposed building is built no closer to the surrounding livestock facilities or anaerobic digester than the former building.

New barns or expansions to existing barns shall require setbacks in conformity with the Minimum Distance Separation II Formula. MDS II shall not apply to the construction of a livestock facility that is replacing a livestock facility destroyed by a catastrophe, provided that:

- There is no switch to a livestock type with a higher odour potential;
- There is no increase in the number of nutrient units housed;
- There is no change from a solid to a liquid manure system or will have a new manure storage with an increased relative odour potential, than existed before reconstruction.

If deemed appropriate by the Municipality, the process by which a reduction to MDS I and/or MDS II may be considered will be through a Minor Variance to the Comprehensive Zoning By-law or a site specific Zoning By-law Amendment.


Section 7: *(to be amended)*

7.1 c) ii) Minimum Lot Area Rural (RU) Zone – 5 hectares

Update Table 3: Rural lot area requirement to be reduced from 10 hectares to 5 hectares

This by-law shall come into force and take effect on the final passing thereof, subject to the applicable provisions of the Planning Act, RSO 1990, C. P. 13, as amended. The Director of Planning is hereby authorized and directed to proceed with the giving of notice and passing of this by-law in accordance with the regulations under Section 34 of the Planning Act.

By-law read a first, second and third time, and passed this 4th day of September, 2018.



Robert Crate, Mayor



J. Douglas Irwin, Clerk