

January 5, 2024

To: Chair and Members
Planning & Environment Committee

From: Kevin Gowanlock
[REDACTED] London, Ontario

Subject: City File Z-9673, Public Engagement Addition to Original Submission on Nov. 20, 2023

Thank you for the opportunity to add additional comments from my original submission in November. I have now had the opportunity to review the Staff Planning Report (SPP) and Brock Development's (Applicant) Planning Justification Report (PJR).

My name is Kevin Gowanlock, and my wife Diane and I own the adjacent property at [REDACTED], just south of the property in question.

I grew up on a 100 acre farm south of Lambeth, where I farmed my entire life. We grew corn, soybeans, and wheat, and raised livestock including beef and pigs. It was my dream to own my own hobby farm someday, and raise my own animals for profit and personal use. When our property on Woodhull was listed for sale 2 years ago, one of the features that made the listing so attractive was that it had a barn. We soon discovered that the barn was once home to horses and the land around the barn had been fenced in to allow the horses to graze. We believed our dream had come true.

Only 2 days later after moving in, we were informed there was an application for a farm dwelling to be built on a small property next door. We thought it was going to be a barn or shed, and maybe some animals as it was zoned agriculture. Not in our wildest dreams did we imagine there was going to be a 105 ft residence built taking up 85% of their frontage. How could this large home be considered a farm dwelling?

In the applicants PJR, they state that *"the proposed dwelling will not impact existing surrounding uses"*. In the SPP, it states *"neither of the existing lots of record at 2598 nor 2624 Woodhull Road, nor the abutting property to the south, are considered viable for agricultural purposes due to onsite natural heritage features and the size of the lots."*

Both statements are inaccurate. We have always considered this a hobby farm. There is no definition of what a hobby farm is, or the size of land it sits on. We have 3 apple trees to the North of our residence, just adjacent to the property in question, which supplies a large quantity of apples annually. We could be classified as an Orchard, which is an ongoing farm operation. I can easily add to the number of trees in the future to expand my orchard operations for profit. This is a farm.

I can also very easily fence in the area around the barn and house horses with ample room for them to graze like it had in the past. I could also have beef or pigs in the 800 sq ft barn that has running water, and a hay loft.

For some reason, no MDS-1 calculation was performed on our property. My barn is located 112 m from my northern lot line. When you perform the MDS-1 calculation with my barn size, and raising pigs, the MDS-1 minimum distance limit is 158 m. This is significantly farther than the actual distance of 112 m. The location of the proposed dwelling fails MDS-1 regulation at its proposed location, and would require to be located 46 m from my property line to adhere to MDS-1 guidelines. Please find attached the MDS-1 calculation.



No one from the city's Planning Department ever visited our residence to enquire about future uses of our property. If they had, they would have also done MDS-1 calculations. Our abutting property to the south is considered a viable agricultural lot.

This proposed residential site does impact the future use of our farm if allowed. Enabling this zoning amendment reduces or even eliminates my ability to use my AG zoned property as a farm, which it was originally developed for. MDS guidelines should not only govern present farming, but the potential for future farming. Because of this, this Zoning By-law Amendment should not be allowed. The proposed dwelling does impact existing surrounding uses.

MDS 1

General information

Application date Dec 30, 2023	Municipal file number	Proposed application Building permit for the construction of a dwelling (farm or non-farm)
Applicant contact information Kevin Gowanlock 	Location of subject lands County of Middlesex City of London LONDON Concession 3, Lot 1 Roll number 3936	

Calculations

2648 Woodhull MDS-1 Swine

Farm contact information Kevin Gowanlock 	Location of existing livestock facility or anaerobic digester County of Middlesex City of London LONDON Concession 3, Lot 1 Roll number 3936	Total lot size 3.76 ac
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Livestock/manure summary

Manure Form	Type of livestock/manure	Existing maximum number	Existing maximum number (NU)	Estimated livestock barn area
Solid	Swine, Feeders (27 - 136 kg), Solid Scrape	59	11.2 NU	812 ft²

Setback summary

Existing manure storage	V3. Solid, outside, no cover, >= 30% DM		
Design capacity	11.2 NU		
Potential design capacity	11.2 NU		
Factor A (odour potential)	1.2	Factor B (design capacity)	170.8
Factor D (manure type)	0.7	Factor F (encroaching land use)	1.1
Building base distance 'F' (A x B x D x E) [minimum distance from livestock barn]	158 m (518 ft)		
Actual distance from livestock barn	112 m (367 ft) 		
Storage base distance 'S' [minimum distance from manure storage]	158 m (518 ft)		
Actual distance from manure storage	112 m (367 ft) 		

Preparer signoff & disclaimer

Preparer contact information
Kevin Gowanlock


Signature of preparer

Kevin Gowanlock

Date (mm-dd-yyyy)

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.

With reference to the applicants PJR which states *“The reduced 3.0 m side yard setbacks are appropriate given the context of the existing surrounding properties. The existing established tree line along the south property line also provides an added buffer from the existing dwelling to the south.”*

These trees will not provide any buffer if they die due to the construction of this dwelling. These mature Pine trees not only have deep root systems, but have a mass root system that travels horizontally just below the surface. They cannot be driven on by large excavating equipment, nor damaged through digging.





The image to the left shows white pegs that represent three meters from the property line to the proposed dwelling location. The limbs from the trees would practically touch the side if the new dwelling if built in this location. Why would anyone want to build this close to these trees?

The largest tree along the buffer line is 104 cm diameter at breast level. As per the Chapter 12 of City of London's Tree Planting & Protection Guidelines, Tree Protection Zone (TPZ), page 12-10, table 12.2, the Minimum Protection Distance for Open Space or Woodland trees with a diameter of 104 cm, is the drip line, or 12 cm protection for every 1 cm diameter at breast level, whichever is greater. In this case, the TPZ is 12.5 meters. Since the tree line is approximately 1.5 meters from the lot line, the side yard setback should be at a minimum 11 meters. If you allow for a 3 meter excavation, the dwelling should be at a minimum 14 meter side setback to protect these trees .

If the committee decides to allow the proposed dwelling, I ask you to establish a side yard setback of 14 meters. Even though this property is on the edge of the city, it is still the Forest City, and it is imperative the Committee and the City of London protects these trees.

Thank you for these considerations.

Kevin Gowanlock

London, Ontario