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May 1, 2026

BY EMAIL TO: vhendry@scugog.ca & jrobinson@mhbcplan.com

Valerie Hendry
Manager of Planning
Township of Scugog
181 Perry Street
Port Perry, ON L9L 1A7

Jamie Robinson
Partner
MHBC Planning
113 Collier Street
Barrie, ON 4M 1H2

Dear Ms. Hendry:

**Re: Township File No. S-S-2025-01 and Z-2025-04, MHBC File 12142IG
Draft Peer Memorandum dated April 16, 2026
Minimum Distance Separation (MDS) Review, 2080 Whitfield Road, Port Perry
Draft Plan of Subdivision and Zoning By-law Amendment**

Thank you for providing Fourteen Estates with MHBC's without prejudice memorandum dated April 16, 2026 (the "**Memorandum**") summarizing their further comments regarding the minimum distance separation ("**MDS**") study dated May 2025 by Oakridge Environmental Ltd. in support of the abovementioned subdivision and rezoning applications for 2080 Whitfield Road (the "**Subject Property**").

We are pleased to see MHBC confirm in the Memorandum that the proposed draft plan and rezoning applications comply with the MDS settlement area guidelines. This finding by the peer reviewer is consistent with the conclusions of Oakridge Environmental in the MDS study.

We have also reviewed MHBC's proposed options to address concerns raised by the owner of the agricultural property located north of Whitfield Road (the "**Cahoon Property**"). As noted in the Memorandum, the owner of the Cahoon Property has indicated a desire to maintain the ability to accommodate livestock on their property.

The Cahoon Property is located outside of the Port Perry Urban Area boundary as shown on Schedule A-1 and designated Agricultural and Natural Core Area on Schedule A of the Scugog Official Plan (the "**Scugog OP**") and is also located within the Greenbelt Area and is designated as Protected Countryside in the Greenbelt Plan. The Cahoon Property is further zoned AG – Agricultural, AG(H) – Agricultural Holding, and EP – Environmental Protection under Scugog Zoning By-law 14-14 (the "**Scugog ZBL**").

The Memorandum recommends two potential options to address the concerns raised in respect of the Cahoon Property:

- (1) that Fourteen Estates apply warning clauses to lots in the new plan of subdivision that indicate there is an agricultural lot located to the north with zoning permission to accommodate livestock.

(2) that the Cahoon Property be zoned to enable the continued use of the property for agricultural purposes, including the accommodation of livestock.

With respect to the first potential option, Fourteen Estates concurs with MHBC's proposal and can agree to include warning clauses to the lots in the new subdivision as proposed above in order to address the comments received and provide additional comfort to the owner of the Cahoon Property.

Regarding the second option proposing to zone the Cahoon Property for agricultural and livestock uses, we believe this concern is already fully addressed by the existing zoning of that site. As noted above, the Cahoon Property is already zoned in the Scugog ZBL for agricultural uses, including the use of the site for the raising of livestock. Specifically, Regulation 7.2 of that by-law permits "Agricultural Uses" on the Cahoon Property, which are defined in Part 3 to include a broad range agricultural, crop, and livestock uses as follows:

"The growing of crops, including nursery and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-Forestry; maple syrup production; and associated on-Farm Buildings and Structures, including accommodation for full-time Farm labour when the size and nature of the operation requires additional employment. For the purposes of this definition, excavation of topsoil and/or peat does not constitute an agricultural Use and shall include normal Farm practice as defined by the *Farming and Food Production Protection Act*, S.O. 1998. For the purposes of this definition, a Cannabis Production Facility does not constitute an Agricultural Use." [underlining added]

Additionally, the *Farming and Food Production Protection Act*, S.O. 1998 definition of "agricultural operation" in sections (2)(b)(i) and (h) include "growing, producing or raising, ... livestock" and "the storage, handling or use of organic wastes for farm purposes".

The General Provisions in Regulation 4.12 of the Scugog ZBL requires compliance with the MDS I and MDS II Formulae as approved by the Province of Ontario.

Therefore, the current Agricultural zoning applicable to the Cahoon Property permits a broad range of agricultural uses, including the use of the site for the raising of livestock. As with all agricultural lands in the Township, any use of the Cahoon Property is required by the Scugog By-law to conform the MDS Formulae requirements. Furthermore, it should be noted that the proposed development of the Subject Property already includes increased setbacks for residential uses abutting Whitfield Road, which provided additional accommodation for the current and future intended farm operations on the agricultural lands to the north.

As a result of the above, we believe that MHBC's second proposed option is already fully addressed by the existing Agricultural zoning permissions applicable to the Cahoon Property, and no zoning amendment is required to permit agricultural and livestock uses on that site.

We again wish to thank MHBC for its Memorandum confirming that our client's proposed development complies with the MDS settlement area guidelines and for recommending potential options to address the comments received from the owner of the agricultural lands north of Whitfield Road. As outlined above, Fourteen Estates will agree to including warning clauses as recommended in the Memorandum and the ongoing and intended future use of the Cahoon

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Property for agricultural and livestock purposes is fully accommodated by the current zoning for that site.

We trust that the Memorandum and this response to MHBC's proposed options is satisfactory to the Township, and that Scugog can proceed to finalize its comments confirming that the draft plan of subdivision and zoning by-law amendment applications for the Subject Property conform to the MDS settlement area guidelines as concluded by the peer reviewer.

Yours truly,

AIRD & BERLIS LLP

A handwritten signature in black ink, appearing to read "Alexander Suriano".

ALEXANDER J. SURIANO
Partner

AJS

Cc: Client