



Committee Report

To: Warden Janice Jackson
Members of the Planning and Development Committee

From: Mark Paoli
Director of Planning and Development

Date: March 18, 2021

Re: Bruce County Official Plan Amendment C-2020-014 (Young)

Staff Recommendation:

That Bruce County Official Plan Amendment C-2020-014 (Young) be approved; and,

That the By-law be forwarded to County Council for adoption.

Summary:

The purpose of the application is to facilitate the severance of a +/-1.2 ha surplus farm dwelling lot from a 35.74 ha parcel at 1960 Sideroad 5, in the Municipality of Brockton. An amendment to the Official Plan is required to allow a third parcel to be created from an original Crown surveyed lot; and, to allow the retained +/-34.54 ha parcel to be smaller than 40 ha.

Alignment with Guiding Principles:



GOOD GROWTH

To put growth in the right locations with the right services



AGRICULTURE

To support our key economies, including supporting a thriving agriculture community



CONNECTING

To improve our ability to move people, goods, and information between communities



HOMES

To increase the supply and mix of homes



BUSINESS

To create opportunities for a diversity of businesses, jobs, and employers



COMMUNITIES

To create wellbeing through access to healthy complete communities



HERITAGE

To identify and manage our cultural heritage resources



NATURAL LEGACY

To manage natural resources wisely for future generations

● Not applicable

● Not aligned

● Aligned

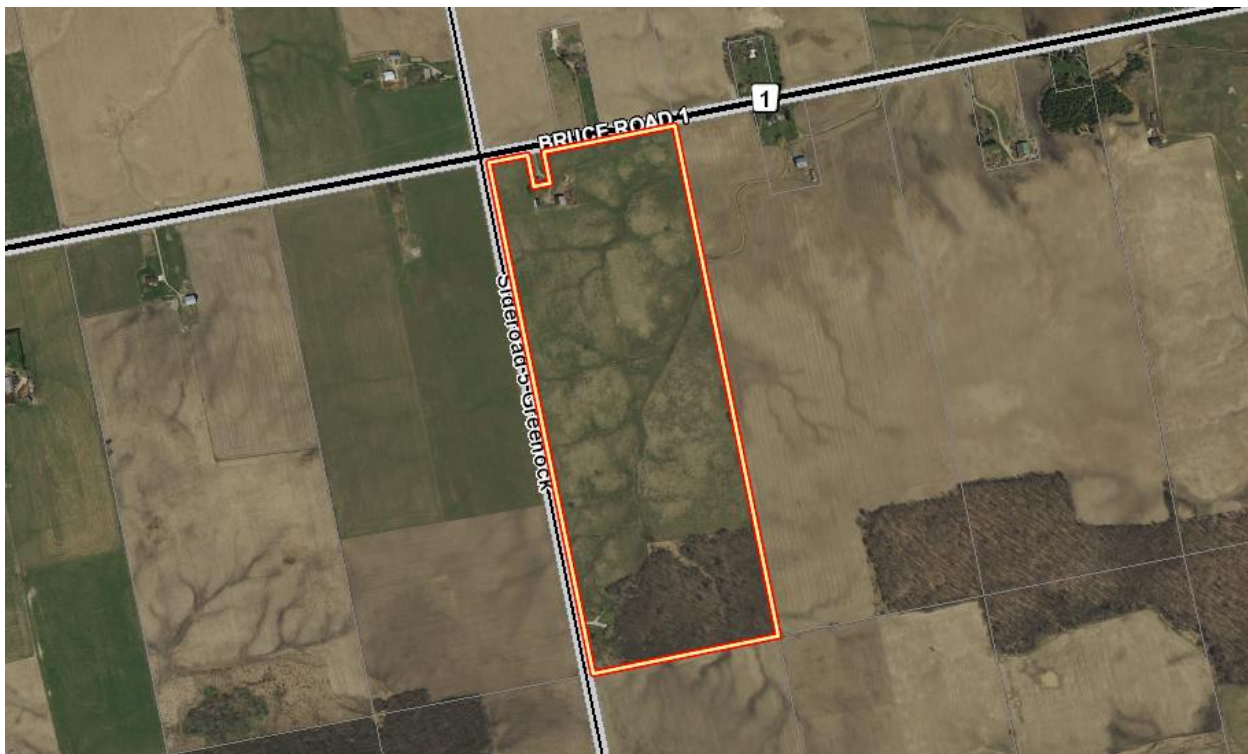
● Strongly aligned

The proposed farm consolidation is strongly aligned with Bruce County Guiding Principle on Agriculture. Farm consolidations improve the agricultural sector by enabling farms to become more efficient and better integrated and encourage alternative methods of production such as implementation of agri-environmental measures and good agricultural practices.

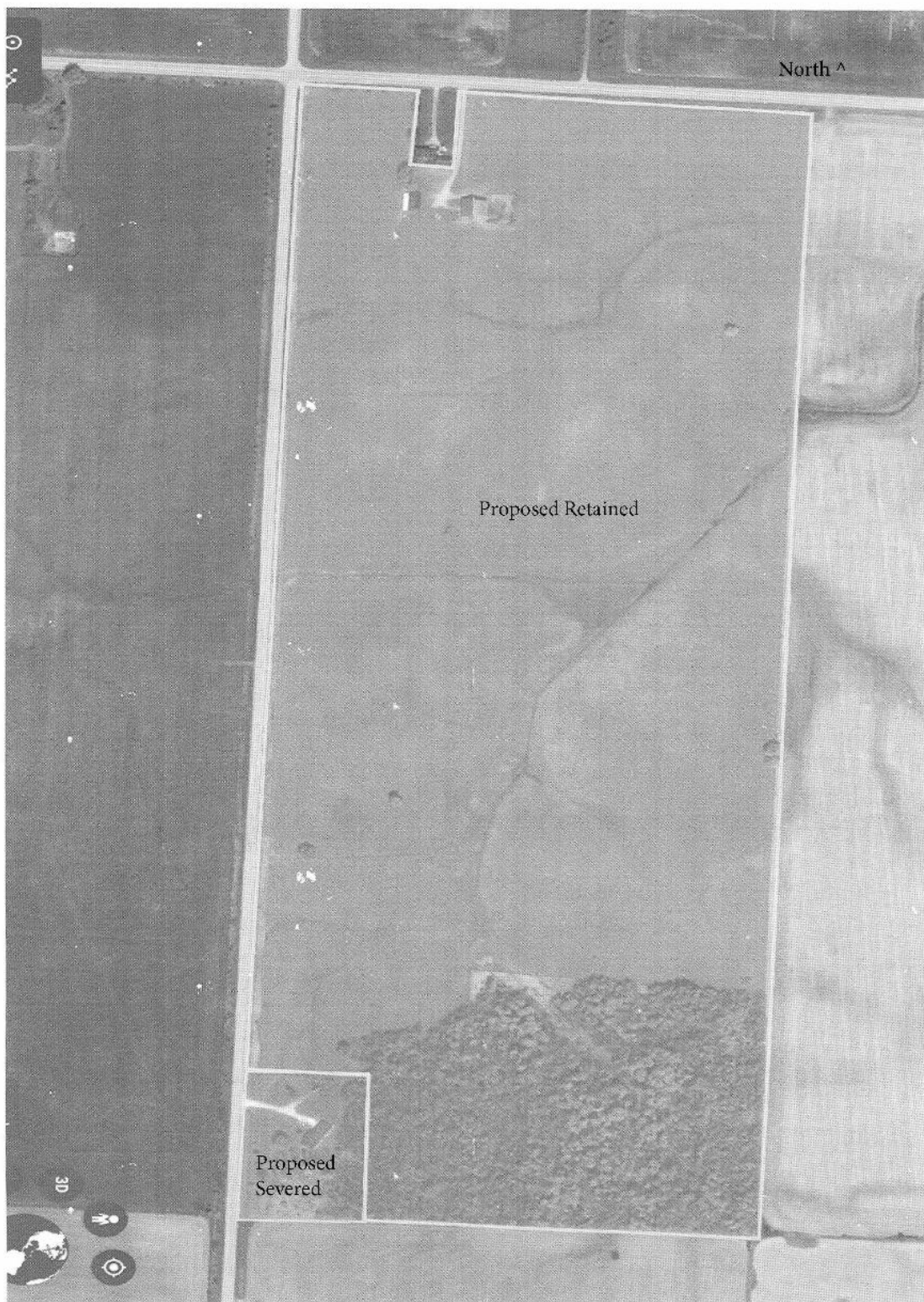
The proposal is aligned with the Homes Guiding Principle by maintaining the existing residential use on the severed lot.

On balance, this proposal is aligned with the Guiding Principles and the Vision of a healthy, diverse and thriving future.

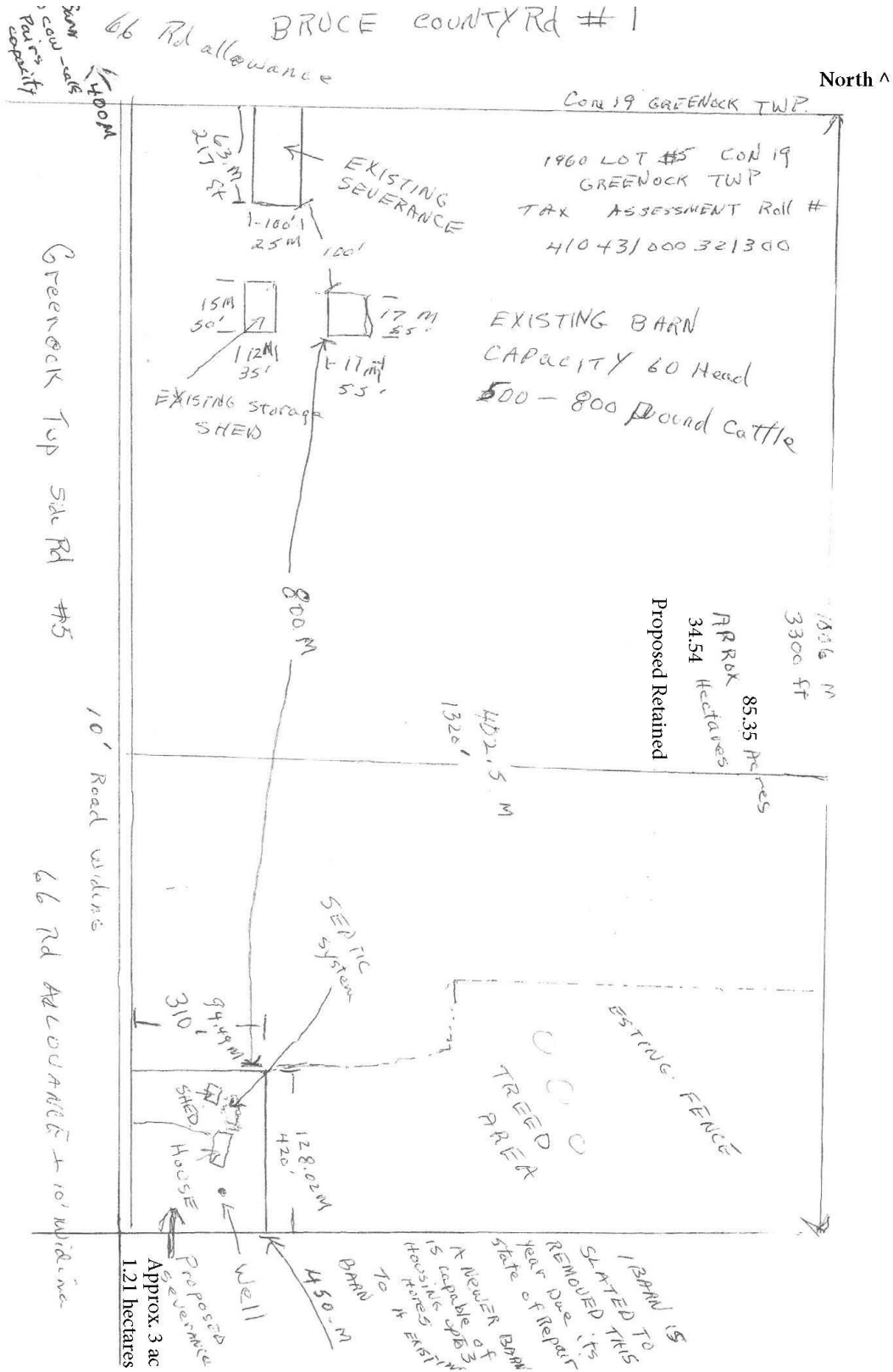
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Site Plan



Site Plan with Details



Planning Analysis:

The following section provides an overview of the planning considerations that were factored into the staff recommendation for this application, including relevant agency comments (attached) and planning policy sections.

Surplus Farm Dwelling Severance

The lands are in a prime agricultural area. The Provincial Policy Statement (PPS) is restrictive in regard to severances in prime agricultural areas in order to limit the impacts to agricultural operations. Lot creation in prime agricultural areas is only permitted in the following circumstances:

- For agricultural uses;
- For agricultural related uses;
- For a dwelling surplus to a farming operation; and,
- For infrastructure.

Further, the PPS states that the surplus residential lots are to be limited in size to accommodate water and sewage, and that new residential dwellings be prohibited on the larger farm parcel (retained lands). An associated application to amend the Municipality of Brockton's Zoning By-law proposes to prohibit future residential uses on the retained farmlands.

The County Official Plan establishes criteria for agricultural severances in addition to the PPS policies. The lands are designated Agricultural Areas, which permits the severance of a surplus farm dwelling subject to the criteria below:

- The applicant must be a bona fide farmer;
- The farmer must own and farm the subject lands;
- They must own and farm other lands;
- They must reside elsewhere;
- The dwelling must be habitable; and,
- Minimal active farmland should be removed from agricultural production.

The applicant meets the definition of a bona fide farmer. He owns and rents multiple properties in the area for agricultural purposes. The existing dwelling on the subject lands is surplus to his needs. The proposal meets all the criteria established in the PPS and County Official Plan for agricultural severances, except for the minimum lot area and the number of parcels that can be created from an original Crown surveyed lot which are discussed below.

Retained Farm Lot Size and Number of Parcels Created

The County Official Plan requires a minimum lot area of 40 ha for new agricultural lots, and for an original Crown surveyed lot to be divided into no more than two (2) parcels including the retained portion.

The existing property is approximately 35.74 ha and is already considered undersized. This is due in part to a previous surplus farm dwelling severance that occurred in the 1970s, which severed off the original dwelling on the property and 0.19 ha of land. There were no

restrictions placed on the retained lands at that time, which allowed for the existing second dwelling to be constructed. This second dwelling is now also proposed to be severed from the agricultural lands.

The intent of the policies is to maintain the viability of Bruce County's agricultural system by ensuring that lots are of sufficient size to support ongoing agricultural uses and limit potential incompatible uses.

It is the opinion of County staff that this proposed undersized lot maintains the overall intent of the agricultural policies. The lot is already smaller than the minimum size in the policy noted above. The farmable area is being retained and will continue to be farmed in the same manner as it currently is. The application will not introduce new impacts to surrounding farm operations. The amendment will allow the applicant to sever a house that is surplus to his needs while contributing to the ongoing viability of his farm operations.

The lands to be severed are also limited in size to accommodate the residence, an accessory building, a well and the existing sewage disposal system. As little land as possible is to be removed from the agricultural area.

Financial/Staffing/Legal/IT Considerations:

Potential Appeal to the Local Planning Appeal Tribunal.

Report Author:

Coreena Smith
Senior Development Planner

Departmental Approval:

Mark Paoli
Director, Planning and Development

Approved for Submission:

Sandra Datars Bere
Chief Administrative Officer

Appendices

- County Official Plan Map
- Local Zoning Map
- List of Supporting Documents and Studies
- Agency Comments
- Public Notice
- Draft Decision Sheet
- Draft By-law

County Official Plan Map (Designated Agricultural Areas and Hazard Land Areas)



Local Zoning Map (Zoned A1 - General Agriculture and EP - Environmental Protection)



List of Supporting Documents and Studies

- Justification Letter prepared by the Applicant.

Agency Comments

Municipality of Brockton: No comment.

Bruce County Transportation & Environmental Services: No comment.

Enbridge Gas Inc.: Enbridge Gas Inc., operating as Union Gas, does have service lines running within the area which may or may not be affected by the proposed severance. Should the proposed severance impact these services, it may be necessary to terminate the gas service and relocate the line according to the new property boundaries. Any Service relocation required due to a severance would be at the cost of the property owner. Also, should future gas service be required to either the severed or retained parcel, a request for gas service needs to be submitted to the District Office.

Historic Saugeen Metis: No objection or opposition.

Saugeen Valley Conservation Authority (attached): The proposed application is acceptable to SVCA staff.