



Committee Report

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

From: Mark Paoli
Director of Planning and Development

Date: April 15, 2021

Re: Bruce County Official Plan Amendment C-2020-018 (Dippel)

Staff Recommendation:

That Bruce County Official Plan Amendment C-2020-018 (Dippel) 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 two surplus farm dwelling lots measuring +/-1.71 ha and +/-0.57 ha in size from a 40.46 ha agricultural parcel at Lot 30, Concession 3 (Carrick), in the Municipality of South Bruce. An amendment to the Official Plan is required to allow a third parcel to be created from an original Crown surveyed lot.

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.

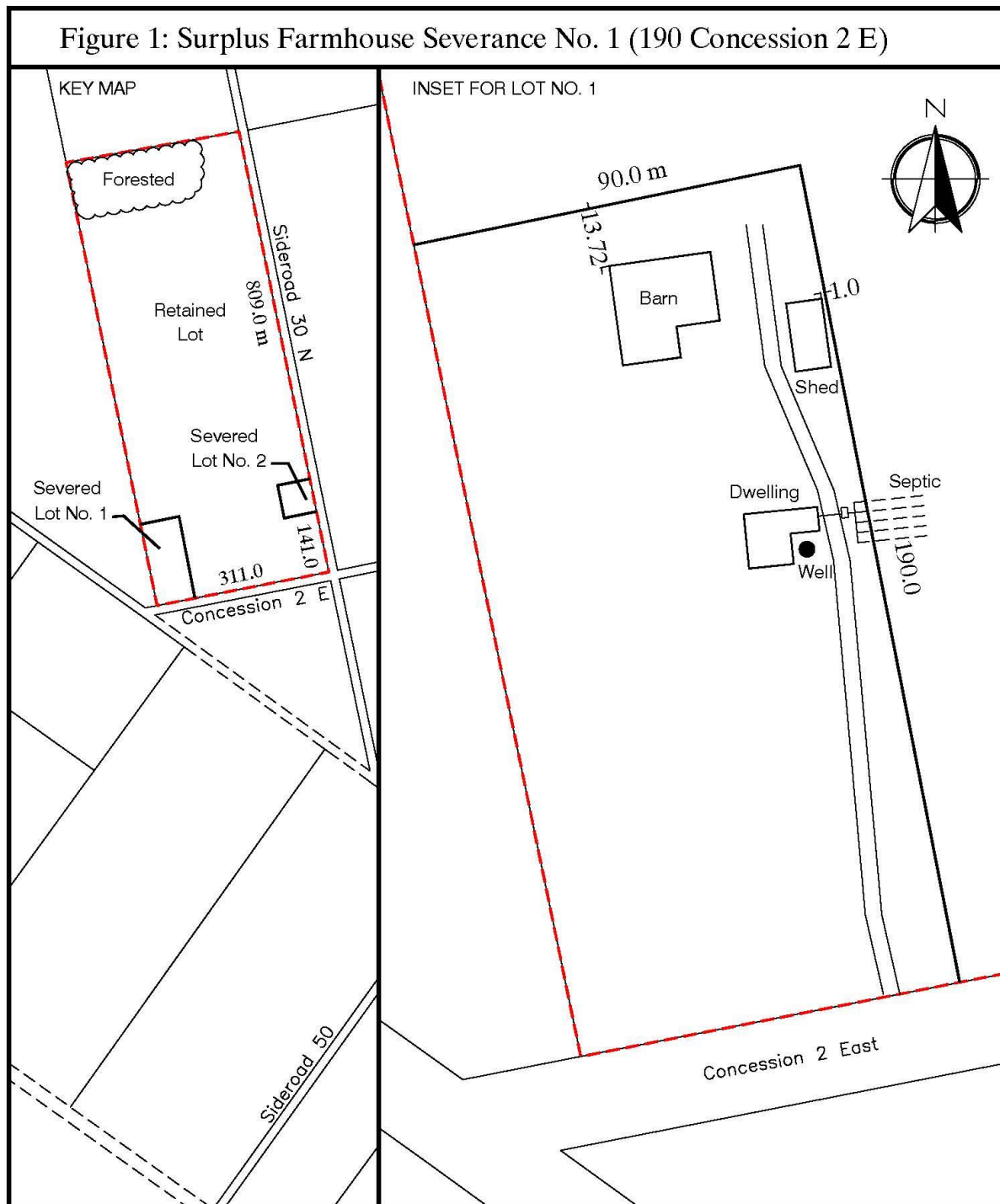
The proposal is aligned with the Homes Guiding Principle by maintaining the existing residential uses on the severed lots.

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

Airphoto



Site Plans

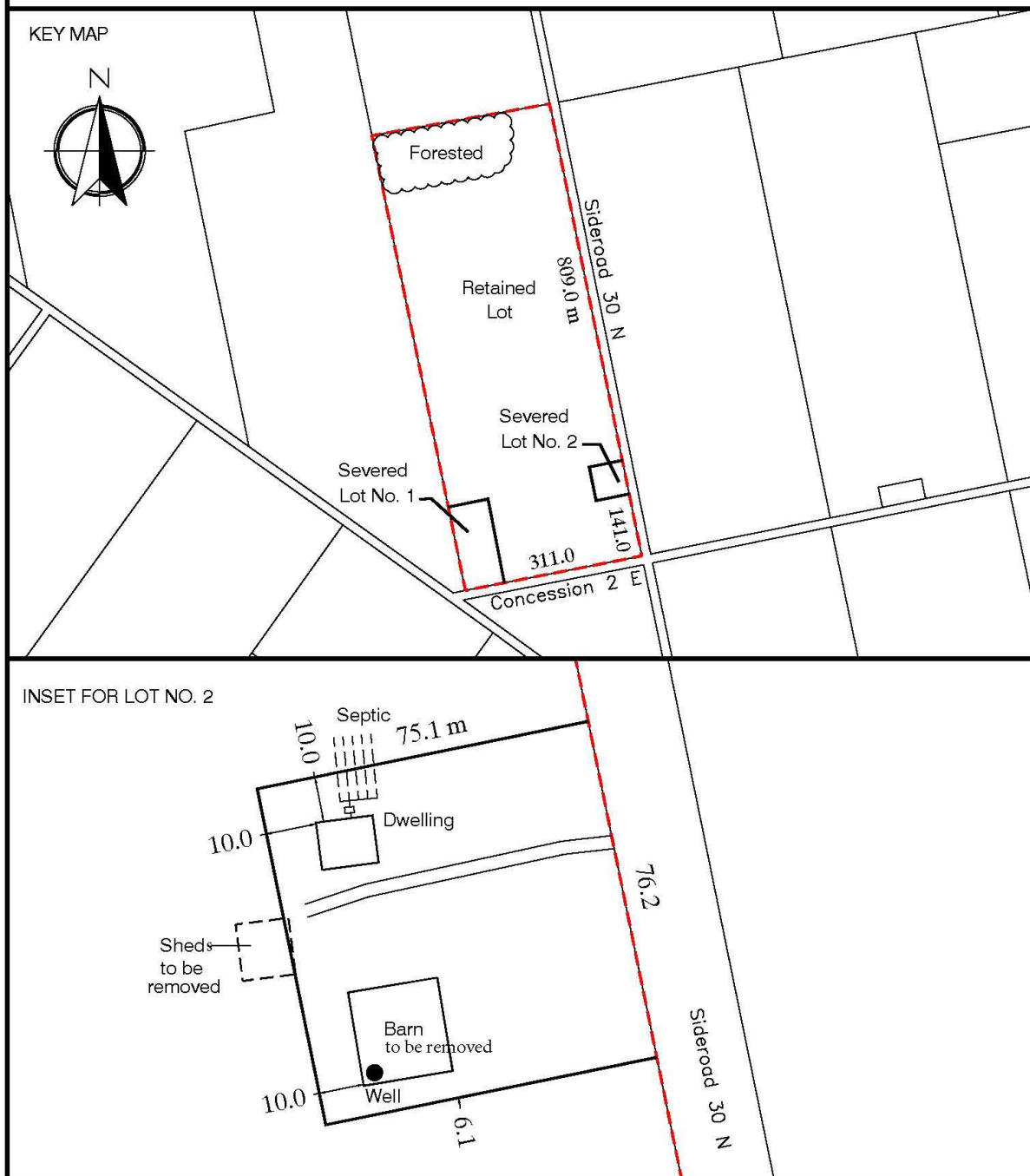


Surplus Farmhouse Severances
 Lot 30, Concession 3
 Geographic Township of Carrick
 Municipality of South Bruce

Received
 December 10, 2020
 Bruce County
 Planning

RD RON DAVIDSON
 LAND USE PLANNING CONSULTANT INC.
 OWEN SOUND, ONTARIO
 SCALE 1:1200

Figure 2: Surplus Farmhouse Severance No. 2 (19 Sideroad 30 N)



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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). A related application to amend the South Bruce Zoning By-law proposes to prohibit future residential uses on the retained farmlands.

The County Official Plan establishes criteria for surplus farm dwelling 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. The applicant owns and rents approximately 1186 ha of agricultural land in Grey and Bruce counties. The existing dwellings on the subject lands are surplus to their needs. The proposal meets all the criteria established in the PPS and County Official Plan for agricultural severances, except for the number of parcels that can be created from an original Crown surveyed lot which is discussed below.

Number of Parcels Created

The County Official Plan requires an original Crown surveyed lot to be divided into no more than two parcels including the retained portion.

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.

The existing property is 40.46 ha in size and comprises the whole of Lot 30, Concession 3 (Carrick). There are two dwellings on the subject lands, each with their own municipal address. Legal counsel for the applicant advised that the lands are under one deed and that they merged on title at some point in the past. The applicant is proposing to sever each of the residential dwellings and to retain the remaining farmlands for agricultural purposes. This would divide the original Crown surveyed lot into three parcels (two lots severing the existing dwellings, and the retained).

This proposal maintains the overall intent of the agricultural policies. The amendment will allow the applicant to sever two houses that are surplus to their needs while contributing to the ongoing viability of their agricultural operations. The farmable area is being retained and will continue to be farmed in the same manner as it currently is.

The lands to be severed will also be limited in size to accommodate each residence, the existing wells and new sewage disposal systems. One of the lots will maintain the existing shed and barn. As little land as possible is to be removed from the agricultural area. The application will not introduce new impacts to surrounding farm operations.

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

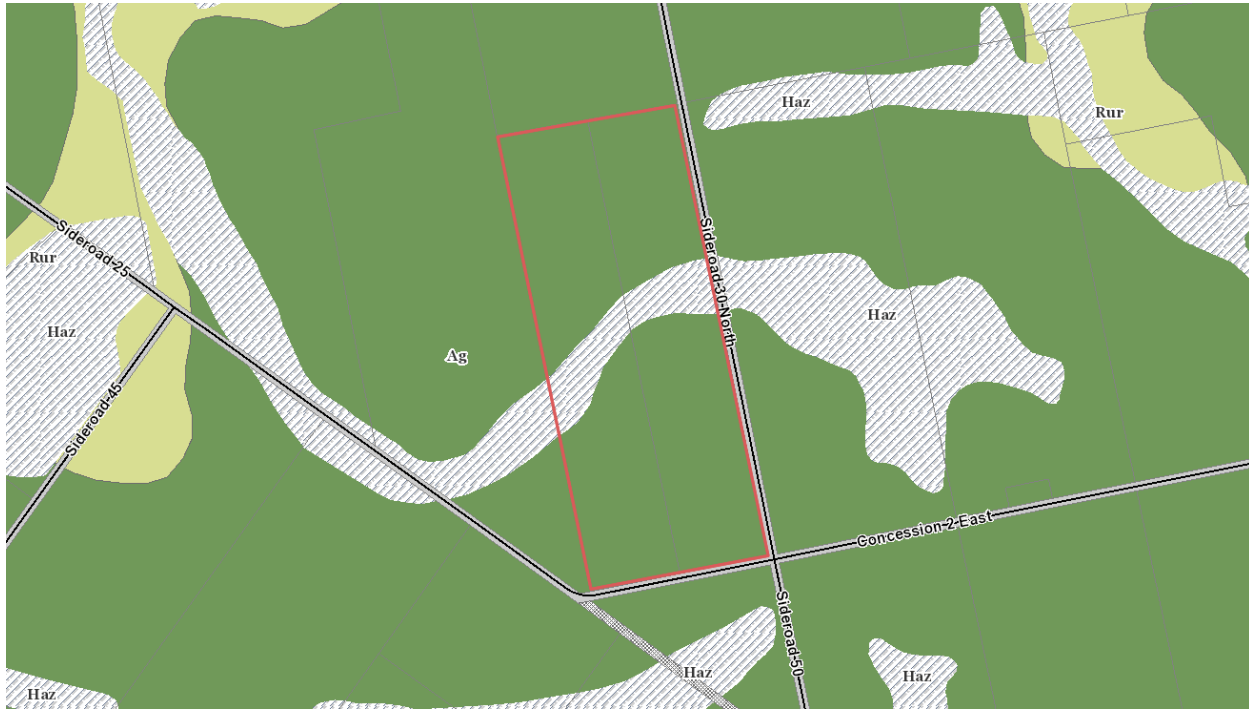
Approved for Submission:

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

- Planning Merit Letter, prepared by Ron Davidson Land Use Planning Consultant Inc., dated December 8, 2020.
- Surplus Farm Dwelling Severance Information Sheet, prepared by Vernon Dippel, dated February 16, 2021.
- Field Entrance Plan, prepared by Vernon Dippel, dated February 16, 2021.
- Letter, prepared by Loucks & Loucks Barristers & Solicitors, dated February 18, 2021.

Agency Comments

Municipality of South Bruce: No comment.

Hydro One Networks Inc.: No comments or concerns at this time. This preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only. For proposals affecting 'Low Voltage Distribution Facilities', the applicant must consult the local area Distribution Supplier.

Historic Saugeen Metis: No objection or opposition.

Bruce-Grey Catholic District School Board: No comments.

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