



Committee Report

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

From: Mark Paoli
Director of Planning and Development

Date: July 15, 2021

Re: Bruce County Official Plan Amendment C-2021-011 Hammellea Farms

Staff Recommendation:

Subject to a review of submissions arising from the public meeting:

That Bruce County Official Plan Amendment C-2021-011 Hammellea be approved; and

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

Summary:

The purpose of this application is to permit the severance of a surplus farm dwelling. The County Official Plan designates the property as Agriculture and only permits the creation of two parcels from an original township lot, including the retained lot. Since two lots currently exist, a County Official Plan Amendment is needed to sever the surplus farm dwelling. The related Zoning Amendment file is Z-2021-041 and the related Consent file is B-2021-050.

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 Principles on Agriculture. Land consolidations improve the agricultural sector by enabling farms to become more efficient and better integrated in agricultural chains. Land consolidations also encourage alternative ways of agricultural production such as implementation of agri-environmental measures and good agricultural practices.

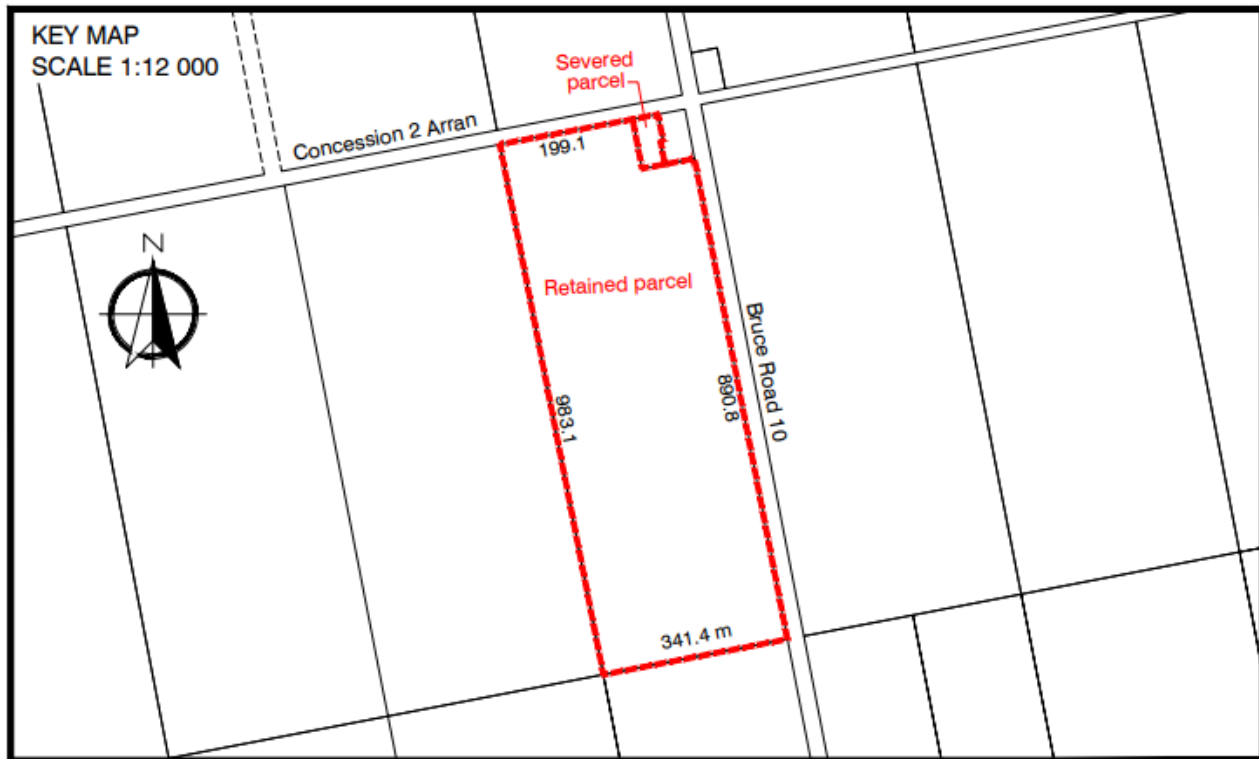
The proposal is aligned with the Homes Guiding Principle by maintaining the existing residential use on the severed lot.

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

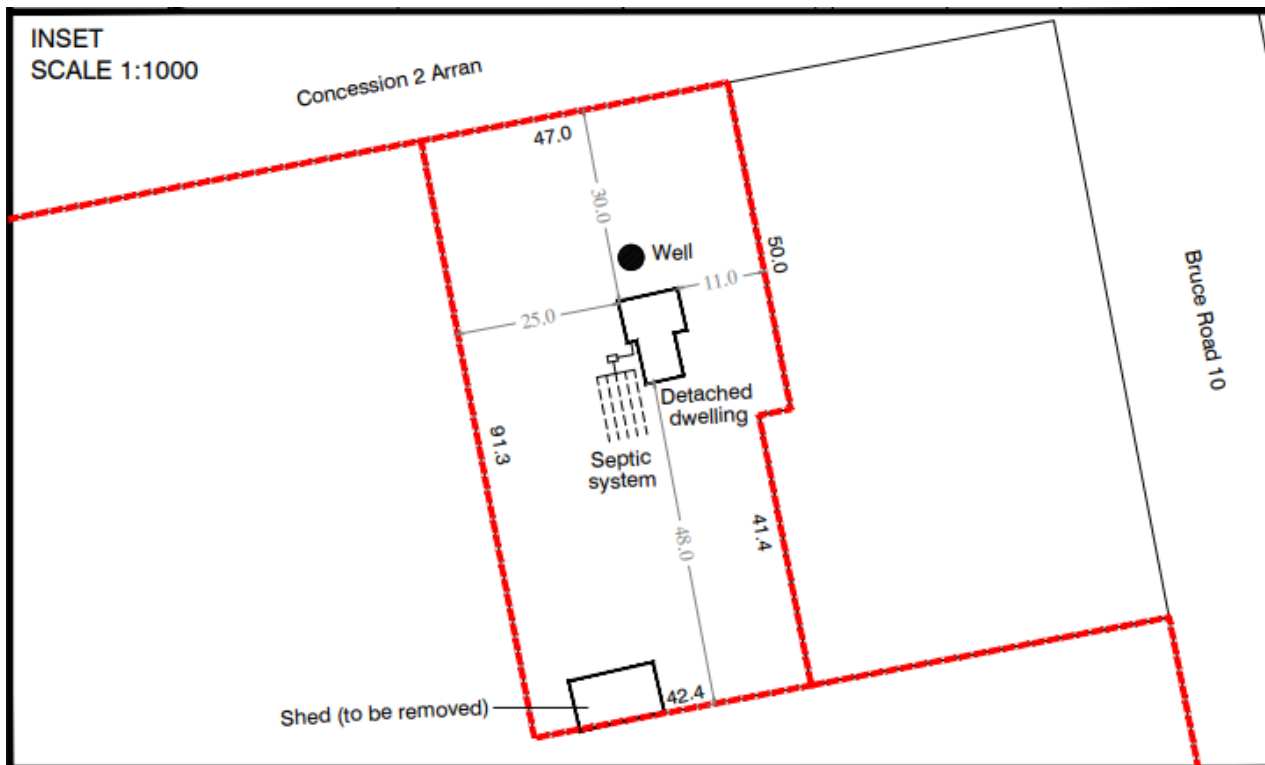
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Site Plan (Entire Property)



Site Plan (Severed Parcel)



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 Provincial Policy Statement (PPS) restricts lot creation 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 areas
- For agricultural related uses
- For a dwelling surplus to a farming operation
- For infrastructure

Furthermore, 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 Arran-Elderslie 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 Area', 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
- The farmer 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

Mr. Hammell meets the definition of a bona fide farmer and owns multiple farmlands elsewhere in Bruce County. 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. A related Zoning By-law Amendment proposes to rezone the retained lands to prevent the construction of a dwelling.

Creating a Third Lot

Section 6.5.3.3(1) of the County Official Plan limits the number of parcels that can be created from an original Crown surveyed lot to no more than two (2) including the retained lands. For this application, a residential lot has already been severed from the original Crown lot and the owner is looking to sever off a surplus farm dwelling.

The intent of this policy is to prevent the loss of agricultural land and ensure the viability of the agricultural operation. The proposed severed parcel has been limited to a minimum size needed for the surplus dwelling and little agricultural land would be taken out of

production. The proposed severance would not result in an increase of the number of dwelling that currently exist. The retained lands would have an area of 33.96 hectares; although smaller than the generally 40 ha directed by the plan, they would be of sufficient size to support ongoing farming. The amendment will allow the owners to sever a house that is surplus to their needs while maintaining the viability of the farm operations.

Financial/Staffing/Legal/IT Considerations:

Potential Appeal to Local Planning Appeal Tribunal

Report Author:

Eric Steele
Planner, Planning and Development

Departmental Approval:

Mark Paoli
Director, Planning and Development

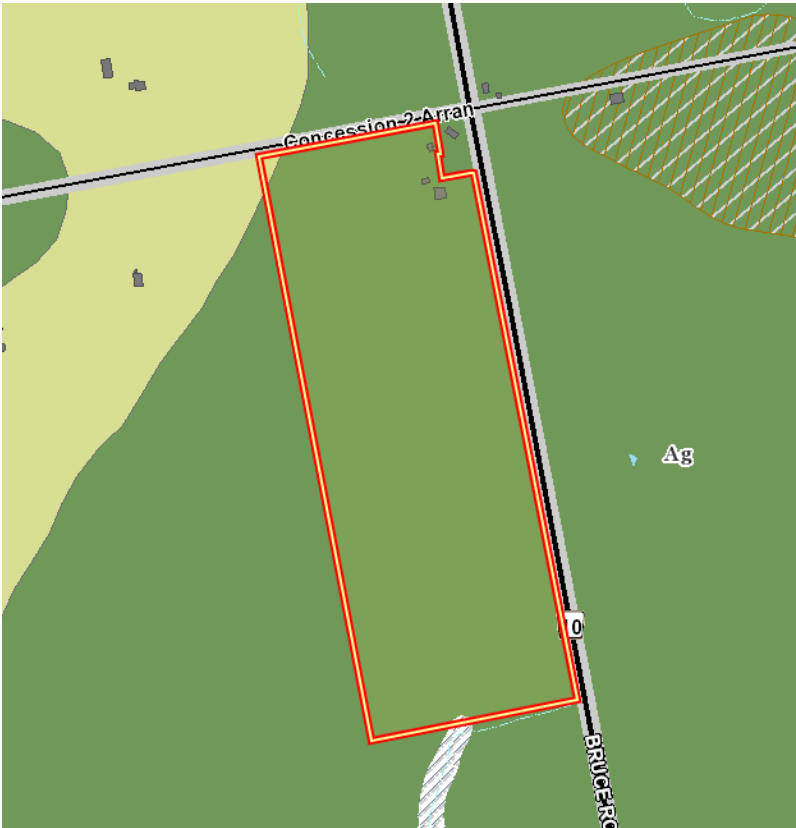
Approved for Submission:

Sandra Datars Bere
Chief Administrative Officer

Appendices:

- County Official Plan Map
- Local Zoning Map
- Agency Comments
- Public Notice

County Official Plan Map (Agriculture)



Local Zoning Map (General Agriculture 'A1')



Agency Comments

Public Works: Requested confirmation of the location of the proposed road access for the retained farmlands. Owner confirmed access to be obtained from Concession 2 near the western end of the retained lands.

Enbridge: No objection to application.

Bruce Grey Catholic District School Board: No comments.

Transportation & Environmental Services: No comments.

Historic Saugeen Métis: No objection to the application.