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## Addendum to Report PDR-PCD-39-14

**To:** Chair Wright and Members of the Planning and Community Development Committee  
**From:** Alisha Buitenhuis, Planner  
**Meeting Date:** February 17, 2015  
**Subject:** **Addendum to 42-10-510-OPA-127 Traynor Merit Report**  
**Status:** Recommendation adopted by Committee as presented per Resolution PCD30-15; Endorsed by County Council March 3, 2015 per Resolution CC45-15;

### Recommendation(s)

**THAT the proposed amendment to the County of Grey Official Plan to re-designate the subject lands from 'Agricultural' to 'Agricultural with Exception' and 'Hazard Lands' for the lands described as Part Lot 27, Concessions 5 and 6, geographic Township of Sydenham in the Municipality of Meaford, to allow for the severance of a residential dwelling containing a barn and a pond be supported;**

**AND THAT the Addendum to Report PDR-PCD-39-14 be received;**

**AND FURTHER THAT the appropriate by-law be prepared for consideration by County Council.**

### Background

The County of Grey has received an application to amend the County Official Plan to allow for the severance of a 2.81 hectare non-farm residential lot containing a dwelling, barn and accessory building. The balance of the property, comprising 54.89 hectares, would be sold to a neighbouring farmer and merged on title with their existing 36.7 hectare farm, resulting in a 91.59 hectare parcel. The reason for the application is that previous lot creation has occurred on the original lots and concessions.

The subject property is approximately 57.7 hectares in area and is legally described as Part Lot 27, Concessions 5 and 6, geographic Township of Sydenham in the Municipality of Meaford. The property contains a detached dwelling, a barn and a garage. The majority of the property is actively cash-cropped by an area farmer.

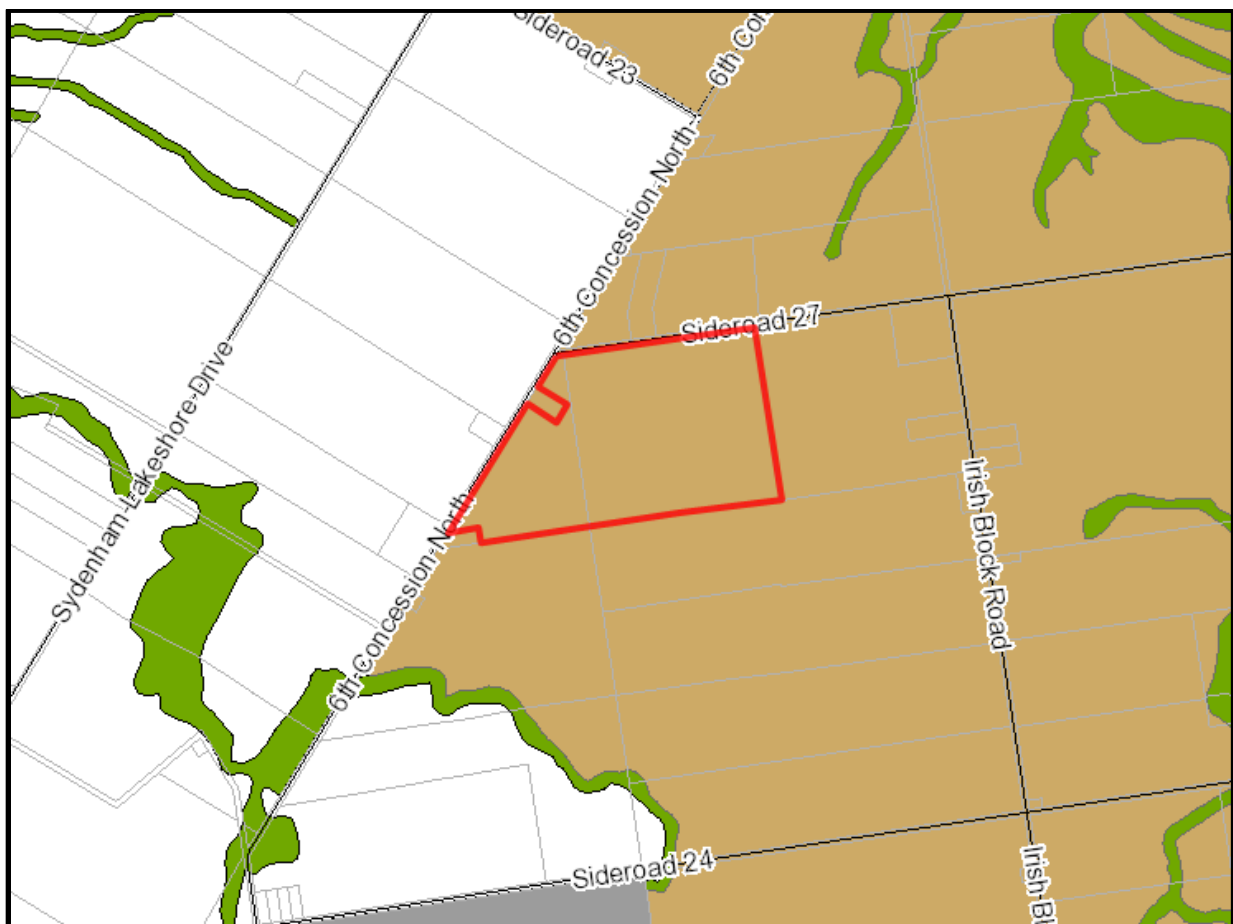
The subject property is located at the southeast of the intersection of Concession 6 North and Sideroad 27. The surrounding area consists of mostly farm uses, with a few non-farm residential uses in the area as well. The lands surrounding the property are designated as Agricultural, Rural, and Hazard Lands.

Ron Davidson, Land Use Planning Consultant Inc. has submitted a Planning Justification Report in support of the proposed amendment. No other reports or studies were deemed necessary at the time of pre-submission consultation.

A Minor Variance Application and a Consent Application will be required from the Municipality of Meaford.

A Public Meeting was held on January 15, 2015. Minutes from that meeting can be found here: [Public Meeting Minutes OPA 127 Traynor](#)

### *Map 1 – Location of Subject Lands*



## *Public/Agency Comments Received*

### **Historic Saugeen Metis**

In a letter dated November 26, 2014, the Historic Saugeen Metis stated they have no objection or opposition to the subject application.

### **Grey Sauble Conservation Authority (GSCA)**

In a letter dated December 12, 2014, GSCA staff stated no objection to the subject application and recommended that a hazard land map included with the letter be incorporated into the amendment. A portion of the property is regulated under Ontario Regulation 151/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. This area is associated with a small channelized watercourse and a permit is required from GSCA for development within this area. Natural Hazards identified on the property are associated with this watercourse. The hazard area is mapped as a 15 metre setback from the watercourse and is appropriately zoned 'Environmental Protection (EP)' within the Municipality of Meaford's Comprehensive Zoning By-law and is designated as 'Environmental Protection' within the Municipality of Meaford's Official Plan. GSCA staff recommend that this area be designated 'Hazard' within the County of Grey Official Plan. Several records of bobolink and eastern meadowlark exist in the general area, and both of these species are endangered. It is possible that these species utilize the subject lands; however, no negative impacts are anticipated as no changes to the existing farm operation are proposed.

Planning staff will incorporate the GSCA Hazard Mapping in the Official Plan Amendment.

### **Ministry of Municipal Affairs and Housing (MMAH)**

In a letter dated December 19, 2014, MMAH stated that the subject property is designated as part of a prime agricultural area. As such, Section 2.3 of the Provincial Policy Statement (PPS), and more specifically policy 2.3.4.1(c) would apply, which states that lot creation may be permitted for a residence surplus to a farming operation as a result of farm consolidation provided that:

1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and
2. the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance.

In accordance with Policy 2.3.4.1(c)(1), the County must ensure that proposed severed residential property is limited to the minimum size needed to accommodate the use and sewage and water services. MMAH staff state that the County should consider including the small field immediately south of the dwelling with the proposed farm parcel. It is understood that this field contains some lands zoned and designated Environmental Protection (EP), however, the lands proposed to be retained and merged with the Reid farm also contain lands with the EP designation and zone.

In this application, the farm consolidation will occur once the surplus residence has been severed. MMAH staff state that the County should ensure that the newly created remnant farm parcel is merged on title with the existing adjacent Reid farm property in accordance with Policy 2.3.4.1(c)(2) of the PPS.

Planning staff are not recommending that the small field immediately to the south be included with the proposed farm parcel. The reason for this is that the Traynors indicated that any previous attempts at farming this parcel have been unsuccessful. There would be no benefit to adding this land to the farm parcel, and keeping the lands with the residential parcel will not take any productive farmland out of production. New residential dwellings will be prohibited on the remnant parcel as it will be merged with the adjacent farm which contains an existing dwelling to address Provincial Minimum Distance Separation Guidelines.

## **Elmer and Dianne Charlton**

In a letter dated December 31, 2014, the Charltons expressed support for the Official Plan Amendment because it will ensure that the lands will remain in agricultural production in the future.

## **Fay Schenk**

In a letter dated January 6, 2015, Ms. Schenk expressed opposition to the Official Plan Amendment and listed the following concerns:

- The property will no longer be a century farm.
- This is the fifth severance off of the farm.
- The property has a pool, and if the house is sold, problems will result due to planting, spraying, harvesting, dust, and noise.

Ms. Schenk also stated that if the severance is approved, the barn should be removed because they often become an eyesore when they are permitted to stay with the residential parcel. There may also be too many animals in the barn and not enough grounds to support them and remove manure.

Ms. Schenk is correct in that multiple severances have been approved in the past on the original farm. However, in this case a new lot will not be created as the severed farm parcel will be merged with an adjacent farm. County planning staff acknowledge that any non-farm dwelling, and to a lesser extent farm dwellings, have the potential to create land use conflicts with neighbouring farms. With regard to the concerns about the barn, it is standard practice that the barn is included with the parcel which contains the dwelling.

## **Municipality of Meaford**

In a letter dated January 15, 2015 Municipality of Meaford staff stated that the proposal is generally facilitated by the Farm Consolidation/Surplus Dwelling policies of the Municipality of Meaford Official Plan, although technical considerations regarding the proposed severance will be further evaluated and addressed through the related Consent Application process.

### *Analysis of Planning Issues*

Planning authorities must have regard to matters of Provincial Interest, the criteria of the *Planning Act* and be consistent with the Provincial Policy Statement (PPS). Decisions must also conform to the County of Grey Official Plan and any Municipal Official Plans which are in force and effect.

## **Planning Act**

Section 2 of the *Planning Act* sets out matters of Provincial Interest, which all land use decisions shall have regard for. Subsection (b), '*the protection of the agricultural resources of the Province*', is the most applicable to this application. A farm parcel is proposed to be enlarged by this application, with no new non-farm uses proposed beyond the severance of a surplus farm dwelling. The agricultural resources of the province will be protected.

## **Provincial Policy Statement (PPS)**

Section 2.3.1 of the PPS requires that prime agricultural areas be protected for long-term use for agriculture. Section 2.3.4.1(c) permits lot creation in prime agricultural areas when a residence is surplus to a farming operation as a result of farm consolidation, provided that the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services and that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The lot will be slightly larger than the minimum size needed to accommodate the use and servicing. This is because, as previously mentioned, the small field to the south of the dwelling cannot be used for farming. New residential

dwelling will be prohibited on the remnant parcel because it will be merged with an adjacent farm which contains an existing dwelling.

## **County of Grey Official Plan (OP)**

Section 2.1.4(1)(b) of the OP allows for the severance of a residence deemed surplus to a farm operation as a result of farm consolidation, provided the original farm parcel is a minimum of 40 hectares and no lot creation has been provided for in the past. The original Township lots were established as an approximately 17 hectare parcel and an 85 hectare parcel. They have been divided into three farm parcels and four non-farm parcels. As such, previous lot creation has been provided for in the past. However, no additional lots will be created, and the remnant farm parcel will be merged with an adjacent farm operation. Minimum Distance Separation (MDS) calculations have been completed for this proposal as well. The closest livestock facility is located on the adjacent property which will receive the lot addition, and it is approximately 830 metres from the proposed severed parcel. The required setback is 264 metres. No MDS conflicts will arise as a result of this application.

Section 6.3 of the OP contemplates amendments to the plan, provided that the criteria of the relevant sections of the Plan can be addressed. Protecting farm operations from incompatible uses is a major objective of the Plan, as is maintaining an appropriate density of residential uses in the Agricultural designation. A farm operation will be expanded and the density of residential uses will not change. This application protects two major objectives of the Plan.

The applicant has submitted a Planning Justification Report to address Provincial and Municipal land use policy.

## **Financial / Staffing / Legal / Information Technology**

### **Considerations**

There are no expected financial, staffing or legal considerations beyond those normally encountered in processing an Official Plan Amendment application. The County has received an amendment application fee and peer review deposit with the file.

### **Link to Strategic Goals / Priorities**

The subject application is a private development application. The processing of such applications in a timely and efficient manner would fall under the Planning department's core business mandate.

This development application should have no direct impact on the County's ability to achieve corporate strategic goals and priorities.

Respectfully submitted by,

Alisha Buitenhuis  
Planner

Director Sign Off: *Randy Scherzer*