



Planning Report

To: Municipality of Brockton Council

From: Benito Russo, Planner

Date: August 8, 2023

Re: Zoning By-law Amendment Application - Z-2023-043 (Threndyle)

Recommendation:

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

That Council approve Zoning By-law Amendment Z-2023-043 as attached and the necessary by-law be forwarded to Council for adoption.

Summary:

The purpose of this application is for a Zoning By-law Amendment. It is proposed to permit a reduced lot area of +/- 21.6 hectares (ha) for an agricultural lot. In addition, a portion of the subject lands will also be rezoned to permit a Conservation use with reduced lot area of +/- 16.5 ha. A holding provision is proposed for areas of high archaeological potential. If approved, this will facilitate the option to create a new lot for conservation purposes.

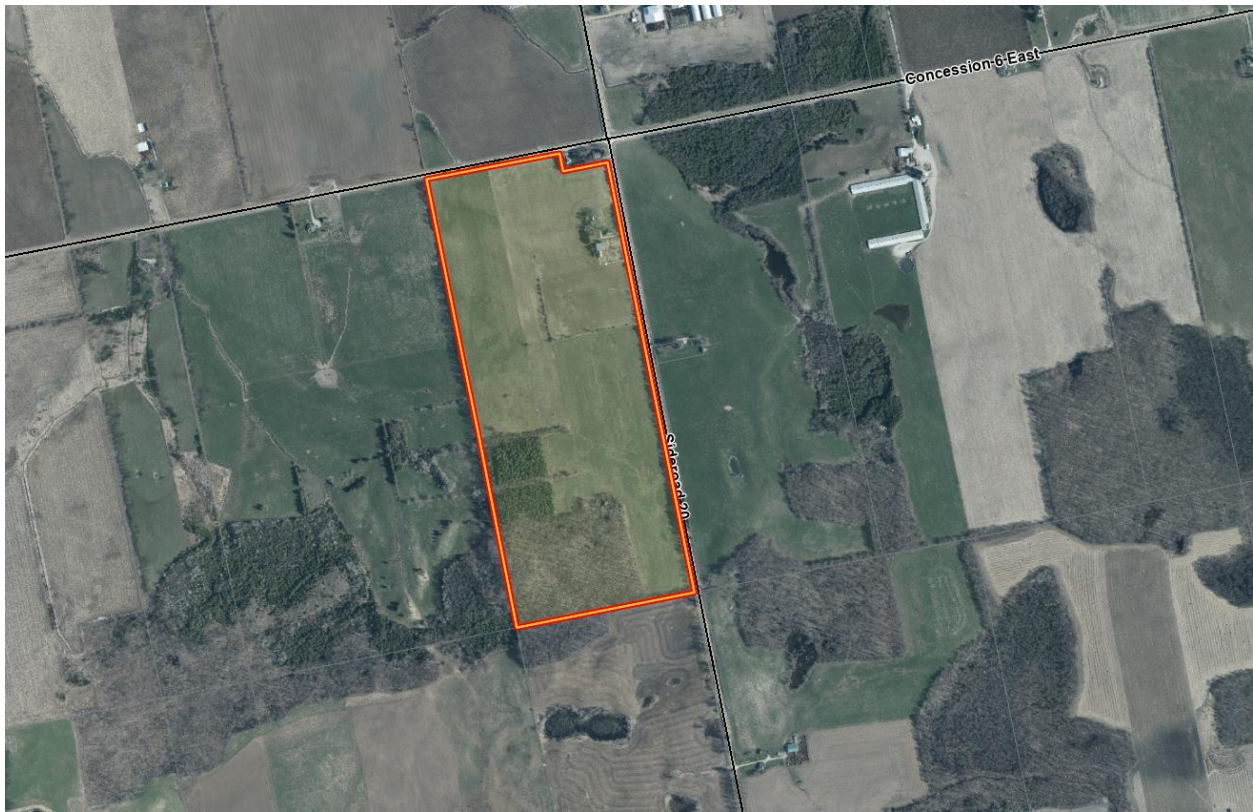
It is noted that this application has been amended from the initial circulation. The area and permitted uses of the Environmental Protection Zone are no longer proposed to be amended. This change is considered minor, and no further notice is recommended in accordance with Section 34 (17) of the Planning Act.

The related Consent file (B-2023-046) will be considered by the County at a later date.

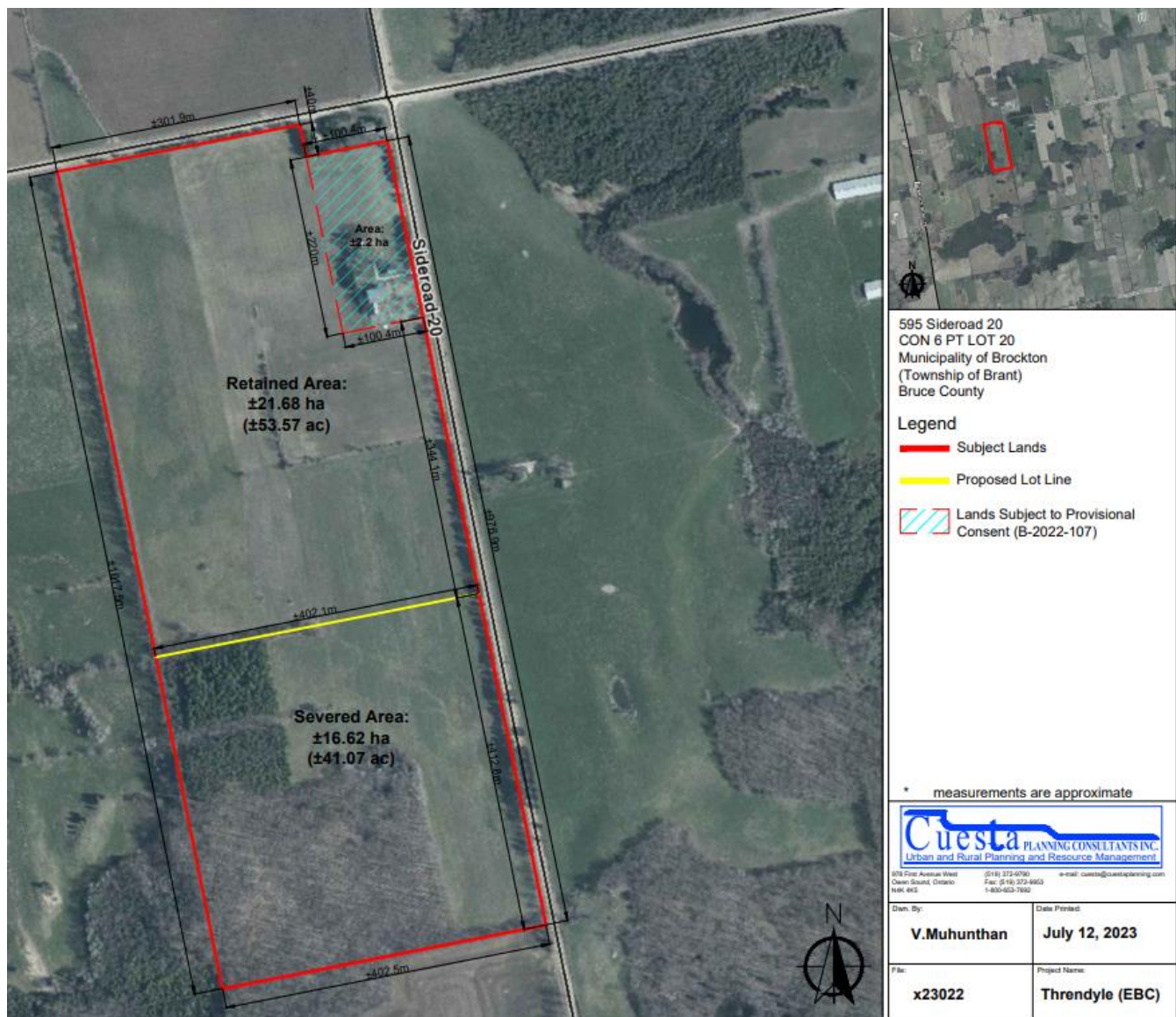
It is noted that the subject property contains a provisionally approved Consent, B-2022-107, for new lot creation. The subject application is not related to, nor does it impact, the area subject to B-2022-107.

The subject property is located Northeast of the Town of Walkerton, South of Concession 6 East, and West of Sideroad 20. The subject property is surrounded by agricultural, natural areas, and non-farm residential land uses.

Airphoto



Site Plan - Entire Property



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.

Consents - Rural Areas

The subject lands are designated Rural and Hazard Land Areas, in the Bruce County Official Plan.

The Official Plan policies of the County of Bruce Section 6.5.3.1 detail the general land division policies of the County. Among others, this includes the lands shall front onto an existing opened and maintained road allowance, conformity with land use designations, acceptable size and dimension, and the application representing an orderly and efficient use of land.

The Official Plan of the County of Bruce Section 6.5.3.4 details the requirements for Consents in Rural Areas. Among others, this includes that an original township lot may not be divided into more than three lots, minimum lot size requirements, that 100% of the lot must be within the rural designation, a 1:3 frontage-to-depth ratio, and compliance with MDS requirements.

The proposed Zoning By-law Amendment and Consent conforms to the requirements of the County Official Plan.

Conservation

The intent of this application is to preserve and enhance natural heritage features on the Southern portion of the subject property. It has been identified by the applicant that this will contribute to the protection, and enhancement, of bird habitat within the County.

The County Plan recognizes the need for additional conservation efforts. It is directed that natural resources of the County shall be protected and managed in order to maintain and preserve a healthy living environment for existing and future generations.

Sections 4.3 and 6.5.3.1 contain policies that provide flexibility when managing natural heritage resources with the intent of ensuring the protection of the natural environment. This includes reduced lot area requirements, and relief from designation specific land division requirements arising from acquisitions/disposals for conservation purposes.

In general, where the purpose of an application is for the conservation and enhancement of natural features, areas and functions, the County Plan encourages joint conservation efforts between all stakeholders.

The proposed Zoning By-law Amendment and Consent conforms to the requirements of the County Official Plan

Archaeological Potential

The subject lands are identified within the Bruce County screening maps as containing high archaeological potential. These areas are consistent with the Ontario Ministry of Tourism and Culture Criteria for Evaluating Archaeological Potential.

The provincial requirements under the Planning Act require the protection archaeological resources that may be present as part of an application.

The proposed holding provision satisfies these requirements.

Required Zoning By-Law Amendments

An amendment to the Zoning By-law is required in order to facilitate the proposed severance. The effect of the proposed Zoning By-law Amendment will be to enable the option for a portion of the subject property to be conveyed to a Public Authority or Land Trust for Conservation purposes. If this conveyance is not completed the existing lot area is recognized and the land will be permitted to be used for the current permitted uses, with areas of high archaeological potential protected with a Holding (-H) provision.

The subject property will be rezoned from the existing General Agricultural Special (A1-140), (A1-141), and Environmental Protection (EP) to General Agricultural Special (A1-140), an amended (A1-141), General Agricultural Special Holding (A1-141-H1), (A1-149-H1), and Environment Protection (EP) with the following provisions:

- Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-141' and 'A1-141-H1' on Schedule 'A' to this By-Law, shall be used in accordance with the 'A1' Zone provisions contained in this By-Law excepting however that:
 - i) The lot area shall be no less than +/-21.6 hectares.

Note: The H1 zoning provision addresses areas of high archaeological potential per Section 4.4.

- Notwithstanding their 'A1' Zoning designation, those lands delineated as 'A1-149-H1' on Schedule 'A' to this By-Law, shall be used in accordance with the 'A1' Zone provisions contained in this By-Law excepting however that:
 - i) Permitted uses shall include 'Conservation'.
 - ii) For the purposes of this amendment, 'Conservation' shall mean an area of land owned by a public authority or land trust and managed for the purposes of preserving and improving the natural features of the environment.
 - iii) Where the proposed use of the subject property is for 'Conservation' the lot area shall be no less than 16.5 hectares. For all other permitted uses the lot area shall be no less than 37.7 hectares.

Note: The H1 zoning provision addresses areas of high archaeological potential per Section 4.4.

Public Comments

One public comment has been received requesting that any decision on this application be delayed until later in Fall of 2023.

The planning department has been in contact with the interested party to address these concerns.

In response:

The submitted justification for postponement is unrelated to issues pertaining to land use planning. Ultimately, the decision for postponing a decision for an application is at the discretion of the applicant and Council.

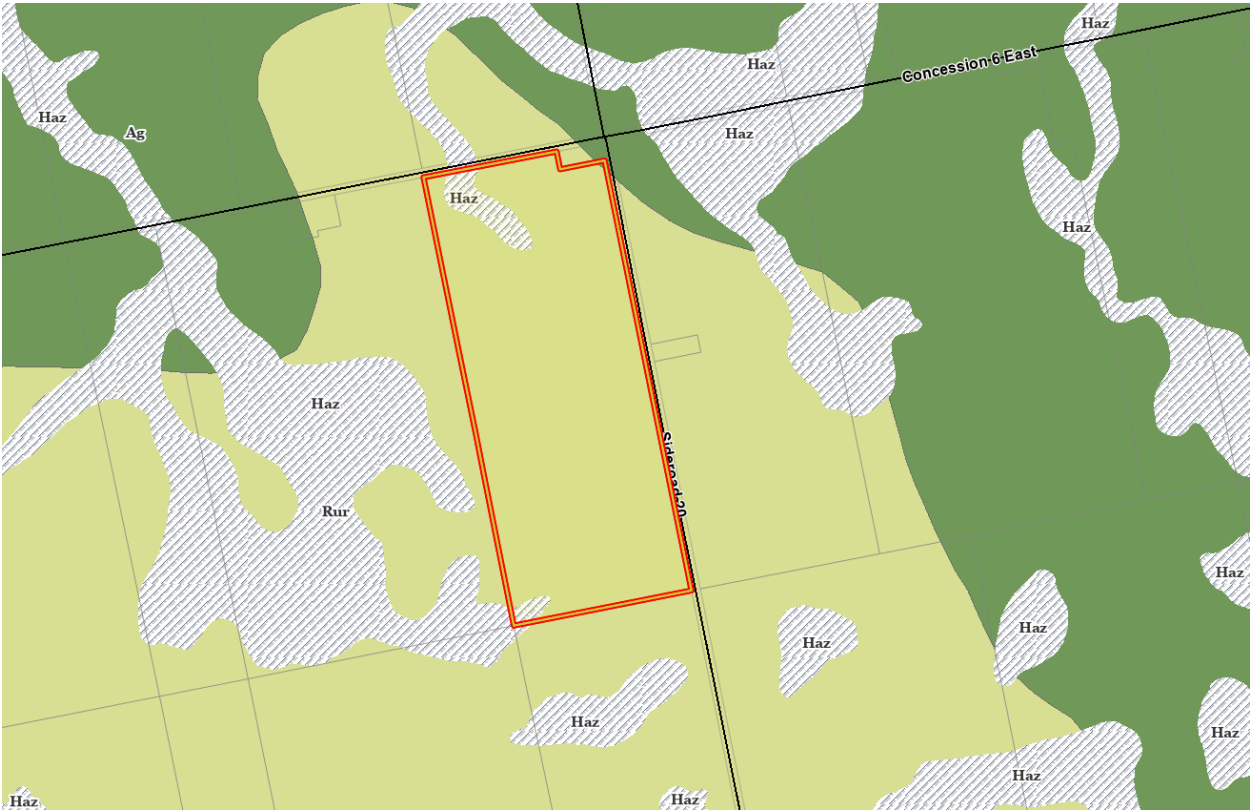
The application has been modified to only provide an option that a portion of the subject property be conveyed for conservation purposes. If this option is not pursued, the existing use of the entirety of the property may continue, with the exception of a holding provision for high archaeological potential on portions of the subject property.

The planning department is satisfied that the application, and proposal, adequately addresses the submitted comments. The submitted comments are best addressed through private means outside the public planning process.

Appendices

- County Official Plan Map
- Local Zoning Map
- Agency Comments
- Public Comments
- Planning Report- Cuesta Planning Consultants dated July 2023
- Public Notice

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



Local Zoning Map (Zoned Agriculture Special 'A1-140' and 'A1-141', Environmental Protection 'EP')



Agency Comments

The Corporation of the Municipality of Brockton: No comments.

Bruce Grey Catholic District School Board: No comments.

Hydro One: No comments.

Historic Saugeen Métis: No objection or opposition.

Saugeen Valley Conservation Authority: The applications are acceptable. Full comments provided below.

Public Comments: One public comment has been received at the time of submission of this report. Full comments provided below.

SENT ELECTRONICALLY ONLY (brusso@brucecounty.on.ca and bcplwa@brucecounty.on.ca)

July 24, 2023

County of Bruce
Planning & Development Department
30 Park Street, P.O. Box 848
Walkerton, ON N0G 2V0

ATTENTION: Benito Russo, Planner, Bruce County

Dear Benito Russo,

RE: Applications for Consent and Zoning By-law Amendment B-2023-046 and Z-2023-043
595 Sideroad 20
CON 6 PT LOT 20
Roll No. 410434000905500
Geographic Township of Brant
Municipality of Brockton (Threndyle)

Saugeen Valley Conservation Authority (SVCA) staff has reviewed the above-noted applications as per our delegated responsibility from the Province to represent provincial interests regarding natural hazards identified in Section 3 of the Provincial Policy Statement (PPS, 2020) and as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). SVCA staff has also provided comments as per our Memorandum of Agreement (MOA) with the County of Bruce representing natural hazards. The applications have also been screened to determine the applicability of the Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan, prepared under the Clean Water Act, 2006.

Purpose

The purpose of this application is to amend the Zoning By-law to permit a reduced lot area of +/- 20.9 hectares (ha). A portion of the subject lands will also be rezoned Environmental Protection Special to permit Conservation and Public Park uses only. A holding provision is proposed for areas of high archaeological potential. This will facilitate the creation of a new lot for conservation purposes. It is proposed to severance a +/- 17.4-hectare parcel, with a +/- 432-meter frontage. The retained parcel will have an area of +/- 20.9 hectares, with a +/- 301-meter

frontage. This will result in a new conveyable parcel to be used for conservation purposes. Staff have received and reviewed the following documents submitted with these applications:

- 1) Requests for Agency Comments
- 2) Notice of Public Meetings
- 3) Notice of complete applications and site plans
- 4) Planning report

Recommendation

SVCA Staff find the applications acceptable. We elaborate in the following paragraphs.

Site Characteristics

Access to the lot is provided via Sideroad 20 and Concession 6. The parcel is mainly agricultural lands with some treed areas and wetlands within the southwest portion. An intermittent tributary of Pearl Creek extends onto the northwestern portion of the parcel.

Delegated Responsibility and Advisory Comments

Natural Hazards

Portions of the subject property have been identified as hazard lands associated with flooding hazards of an intermittent tributary of Pearl Creek. It is SVCA staff's interpretation that the current Municipality of Brockton Zoning By-Law Environmental Protection (EP) zone and Hazard Lands designation in the Bruce County Official Plan (OP) are consistent with SVCA hazard mapping. In general, it is SVCA staff's interpretation that no new buildings or structures are permitted within the EP zone or Hazard Land designation.

The following is a summary of Provincial, County and Municipal natural hazard policies that affect the subject property.

Provincial Policy Statement – Section 3.1

Section 3.1.1 of the PPS, 2020 states, in general, that development shall be directed to areas outside of hazardous lands (flooding hazards, erosion hazards, dynamic beach hazards), and hazardous sites (organic soils, leda clay, unstable bedrock.).

Bruce County Official Plan Policies

It is SVCA staff's interpretation that flood and erosion susceptible areas are considered a Hazard Land Area per Section 5.8.1 of the Bruce County Official Plan. Further, these policies state that buildings and structures are generally not permitted within these lands.

As per the site plan submitted, it is SVCA Staffs understanding the hazard lands designations are not being amendment as part of the applications and shall remain intact and unaltered as existing. There is no structural development or site alteration proposed.

As such, it is SVCA staff's opinion that the applications are consistent with the natural hazard policies of the PPS (2020) and the Bruce County OP.

Drinking Water Source Protection

The subject property appears to SVCA staff to not be located within an area that is subject to the local Drinking Water Source Protection Plan. To confirm, please contact Carl Seider at c.seider@greysauble.on.ca. Please note, portions of the parcel are designated as Significant Groundwater Recharge Areas, as such, low impact development is recommended.

SVCA Regulation 169/06

SVCA staff has reviewed the applications as per our responsibilities as a regulatory authority under Ontario Regulation 169/06 (SVCA's Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses Regulation). This regulation, made under Section 28 of the Conservation Authorities Act, enables SVCA to regulate development in or adjacent to river or stream valleys, Great Lakes and inland lake shorelines, watercourses, hazardous lands and wetlands. Subject to the CA Act, development taking place on or adjacent to these lands may require permission from SVCA to confirm that the control of flooding, erosion, dynamic beaches, pollution or the conservation of land are not affected. SVCA also regulates the alteration to or interference in any way with a watercourse or wetland.

Portions of the subject property are within the SVCA 'Approximate Screening Area' associated with Ontario Regulation 169/06. As such, development and/or site alteration within this area requires the permission from SVCA, prior to carrying out the work.

"Development" as defined under the Conservation Authorities Act means:

- a) the construction, reconstruction, erection or placing of a building or structure of any kind;
- b) any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure;
- c) site grading; or,
- d) the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere.

And;

“Alteration” as per Section 5 of Ontario Regulation 169/06 generally includes the straightening, diverting or interference in any way with a river, creek, stream or watercourse, or the changing or interfering in any way with a wetland.

To determine the SVCA Approximate Regulated Area on the property, please refer to the SVCA’s online mapping program, available via the SVCA’s website at <http://eprweb.svca.on.ca>. Should you require assistance, please contact our office directly.

SVCA Permission for Development or Alteration

As per the site plan provided, development is not proposed within an SVCA Approximate Screening Area. As such, permission from this office is not required. If future development is proposed within the SVCA Approximate Screening Area, please contact this office as permission may be required.

Please note, this letter is not permission for development within a SVCA Regulated Area.

Summary

SVCA staff has reviewed the applications in accordance with our MOA with the County of Bruce, and as per our mandated responsibilities for natural hazard management, including our regulatory role under the Conservation Authorities Act.

SVCA staff find the applications acceptable.

Given the above comments, it is the opinion of the SVCA staff that:

- 1) Consistency with Section 3.1, Natural Hazard policies of the PPS has been demonstrated.
- 2) Consistency with local planning policies for natural hazards has been demonstrated.

Please inform this office of any decision made by County/Municipality with regard to these applications. We respectfully request to receive a copy of the decision and notice of any appeals filed. Should you have any questions, please contact the undersigned at m.cook@svca.on.ca.

Sincerely,



Michael J. Cook

Environmental Planning Technician, Environment Planning and Regulations Department

County of Bruce

Applications for Consent and Zoning By-law Amendment B-2023-046 and Z-2023-043
(Threndyle)

July 24, 2023

Page **5** of **5**

Saugeen Valley Conservation Authority
MC/

cc: Gregory McLean, SVCA Member representing Brockton (via email)
Dieter Weltz, CBO, Municipality of Brockton (via email)

July 30, 2023

To: Bruce County Planning & Development

Via E mail bcplwa@brucecounty.on.ca

Re: July 10, 2023 County of Bruce Planning & Development,
Consent Application Notice B-2023-046 and Z-2023-043

This letter is to formally request that the vote on the above noted Application, scheduled for August 8/23, be postponed until later this Fall 2023. The reasons for this request are detailed below.

This letter is being sent to you by Dennis Threndyle, Randy Threndyle and Michelle Threndyle (the children of Elda Threndyle and the late Don Threndyle).

On July 12th 2023, the three of us became aware that an application had been made by the Escarpment Biosphere Conservancy Inc. to the County of Bruce for a development proposal for land owned by our mother, Elda Threndyle on Con. 6 PT Lot 20 (Brant). Deadline for questions, concerns and objections should be made by July 31; public meeting to consider the zoning by-law amendment is August 8, 2023.

We have concerns with the Public Notice dated July 10/23 and the reasons for our requested postponement are outlined below.

The proposed donation of 40 acres was first raised by Gene Threndyle some two years ago. Since that time it has only been discussed in general terms. Now we find this donation to the EBC is about to be finalized on approval of Application Notice B-2023-046 and Z-2023-043.

Since the idea of land donation was first raised, various members of the family have tried to get information about this donation from both Gene Threndyle and the EBC. We have raised questions about the form the donation would take, the amount of land involved, resultant benefits and liabilities, and the organization involved.

We spoke to Bob Barnett, who at that time was Executive Director of EBC. His answers were largely unsatisfactory. We have not received any information from Gene Threndyle.

We now understand that Mr. Barnett is no longer involved with the Biosphere. We are not sure who is in charge of this group.

These questions have been raised repeatedly by us and never answered by EBC Directors or by Gene Threndyle.

Our mother, Elda Threndyle, is 94 years old. She has difficulty with her eyesight, hearing and mobility and we believe that before entering into an agreement with the EBC that she should have the independent advice of legal and financial experts. As of today, we do not believe that Elda Threndyle has received independent financial and/or legal advice on this donation.

- Elda Threndyle's lawyer communicated to us that he has not seen the documents related to this donation. He has only discussed a possible donation in general terms.
- Elda Threndyle's financial advisor and chartered accountant has only discussed a possible donation in general terms.

We are requesting that the August 8th, 2023 meeting, to approve the proposed severance, be postponed until later this Fall 2023, when the issues we have raised regarding this matter have been addressed.

Best regards,

Randy Threndyle, Dennis Threndyle and Michele Threndyle

[REDACTED]



Planning Report

Applications for a Zoning By-law Amendment and Consent to Sever

595 Sideroad 20
CON 6 PT LOT 20
Geographic Township of Brant
Municipality of Brockton
County of Bruce

Prepared for:
Escarpment Biosphere
Conservancy
(Elda Threndyle Estate)

May 2023
Revised July 2023

Prepared by:
Cuesta Planning Consultants Inc.
978 First Avenue West
Owen Sound, ON N4K 4K5
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cuesta@cuestaplanning.com

File No. 23022

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PLANNING JUSTIFICATION REPORT

Applications for a Zoning By-law Amendment and Consent to Sever
595 Sideroad 20
Pt. Lot 20 Concession 6, (Geographic Township of Brant)
Municipality of Brockton,
County of Bruce

1.0 BACKGROUND AND CONTEXT

1.1 Purpose of Report

The Escarpment Biosphere Conservancy (EBC) is in the process of acquiring approximately 17.4 ha of Mrs. Threndyle's farm for long term conservation preservation purposes. The Threndyle farm contains some environmentally sensitive lands that EBC determined to be worthy of preservation. The following report will consider the merits of preservation of a portion of the Threndyle lands and assess its merits within the policy framework.



Figure 1: Location of Subject Lands

1.2 Background and Description of the Proposal

The Threndyle property is approximately 38.3 ha in area, with a ± 2.2 ha parcel containing the farm buildings which has been provisionally approved by the County (B-2022-107). The applicant is in the process of clearing the conditions for the provisional consent. The small parcel in the north-east corner of the original Township lot was created for a public school.

The section of the Threndyle farm being acquired by the EBC will be used to maintain the woodlands and the natural heritage features in the southwest sector with the balance of the 17.4 ha used to recreate Bobolink and Meadowlark habitat. The remnant of the farmland will be retained for agrarian purposes and will continue to be rented to farmers in the area.

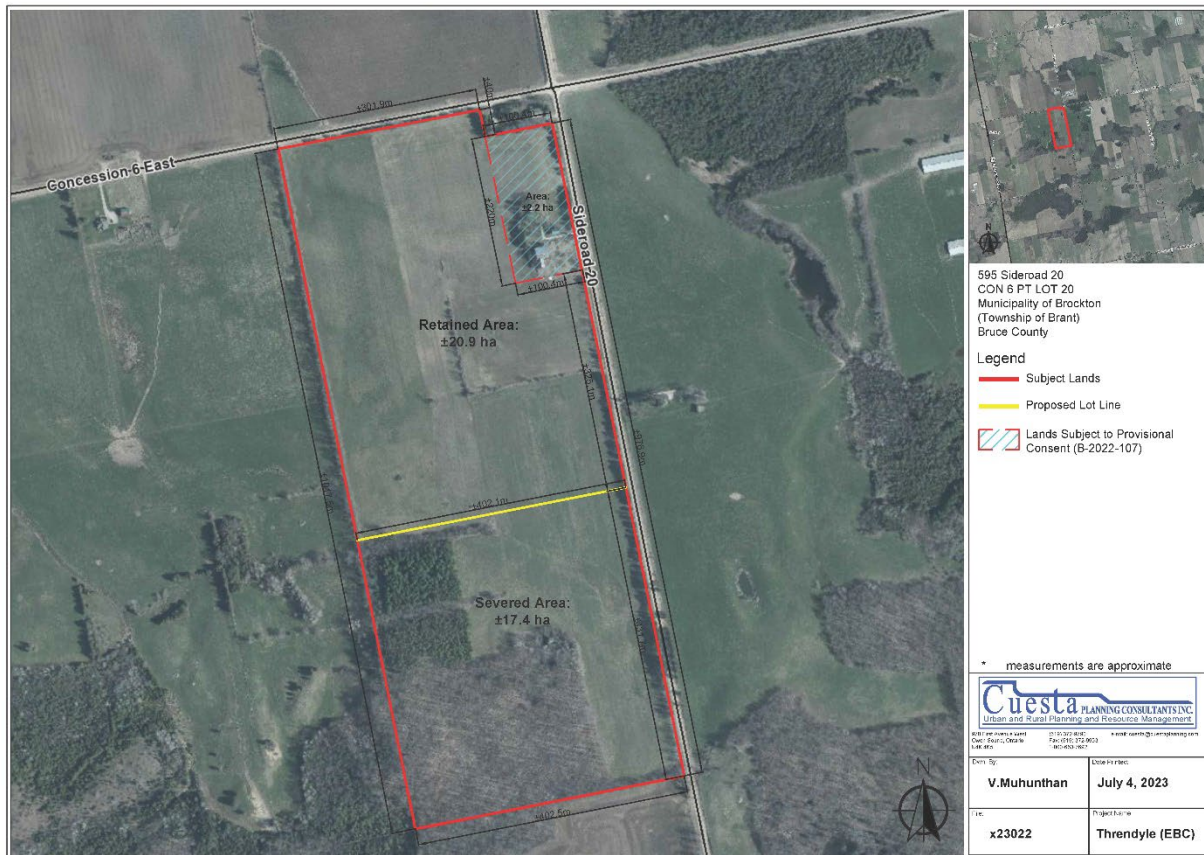


Figure 2: Site Plan – Proposed

1.3 Location, Description of Subject Lands and Surrounding Uses

Threndyle lands are part of a rural/agricultural area in the former Brant Township. As can be noted in figure 2, the lands north, west and east are primarily agrarian in nature, The lands to the south are similar. The lands east and south are interspaced with woodlands and poorly defined drainage systems.



Figure 3: Surrounding Land Uses

1.4 Pre-Submission Consultation and Approvals Required

CPC initiated discussions with the County Planning Department in April of 2023 and reviewed the nature of the EBC acquisition. The County Staff confirmed that a re-zoning would be required prior to the consent being granted.

Based on the preliminary policy review and consultation with staff, the following approvals are required.

Table 1: Approvals Required

| Application | Approval Authority |
|---|--------------------------|
| <u>Zoning By-Law Amendment (ZBA)</u> A bylaw amendment is required in order to reduce the lot area from 38.3 ha to 20.9 ha. Presently, a minimum lot area of 37.8 ha is permitted. | Municipality of Brockton |
| <u>Consent to Sever</u> A consent is required to create the 17.4 ha natural habitat parcel. | County of Bruce |

2.0 LAND USE POLICY CONSIDERATIONS

When considering the merits of the proposal, there are three policy documents that are to be considered. These documents include the Provincial Policy Statement, the County of Bruce Official Plan and the Brockton Comprehensive Zoning Bylaw-No, 2015-26.

2.1 Provincial Policy Statement

All land use decisions, by any authority that can render land use decisions, must be consistent with the PPS. The present PPS was updated on April 30, 2014 and requires each land use application. After careful consideration of the PPS, the following provisions identified in Table 2 are the most relevant to the evaluation of the proposal.

Table 2: Provincial Policy Statement Evaluation

| Policy Evaluation |
|--|
| 1.0 Building Strong Healthy Communities |
| 1.1 Managing and Directing Land Use to Achieve Efficient and Resilient Development and Land Use Patterns |
| 1.1.1 Healthy, liveable and safe communities are sustained by: |
| <ul style="list-style-type: none"> a) <i>promoting efficient development and land use patterns which sustain the financial well-being of the Province and municipalities over the long term;</i> c) <i>avoiding development and land use patterns which may cause environmental or public health and safety concerns;</i> h) <i>promoting development and land use patterns that conserve biodiversity; and</i> |
| Evaluation: The proposal will not disrupt the rural economy in the area as the retained land is a viable crop unit. The positive impact will be the retention of a wooded wetland area and the rehabilitation of habitat for meadowlarks and bobolink. |
| 2.0 Wise Use and Management of Resources |
| 2.1 Natural Heritage |
| 2.1.1 Natural features and areas shall be protected for the long term. |
| 2.1.2 The diversity and connectivity of natural features in an area, and the long-term ecological function and biodiversity of natural heritage systems, should be maintained, restored or, where possible, improved, recognizing linkages between and among natural heritage features and areas, surface water features and ground water features. |
| Evaluation: The 17.4 ha acquisition by EBC will retain the natural heritage features on the southwest of the farm as well as devoting approximately 8 ha to rehabilitation of habitat for bobolink and meadowlark. The acquisition will also capture part of the headwaters of a wooded drainage system that meanders west and northward over the adjoining farms and eventually enters the Saugeen River. |

2.2 Bruce County Official Plan (BCOP)

The original Threndyle farm contains two Official Plan designations Hazard and Rural. (figure 4). The Hazard description designation reflects drainage systems in the north and in the southwest sections of the farm. The majority of the farm is designated Rural.

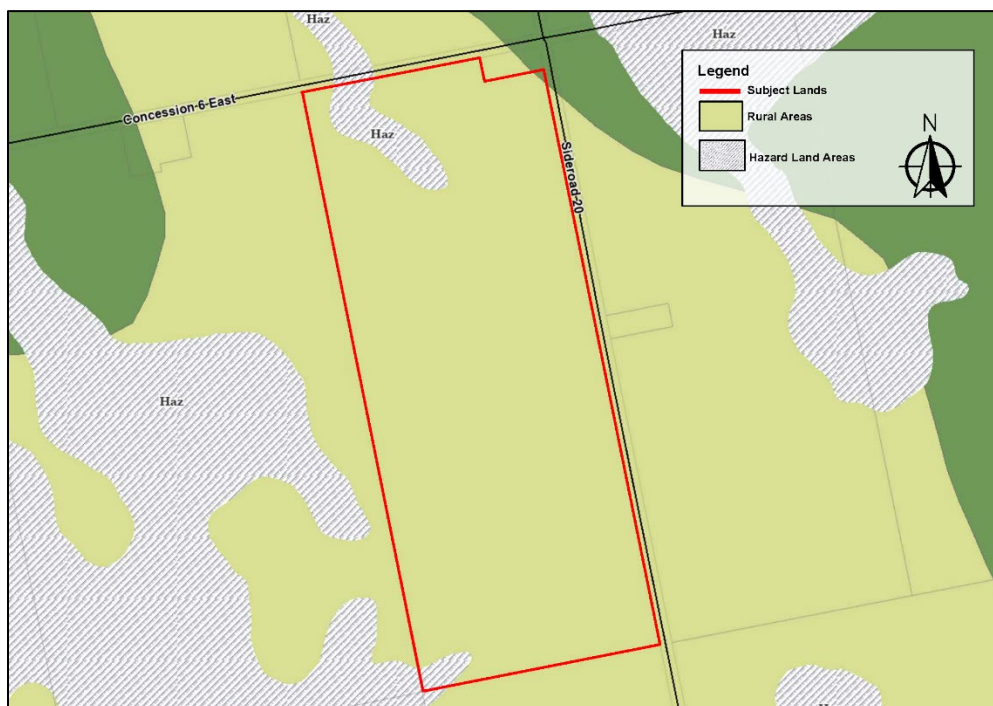


Figure 4: Bruce County Official Plan (Excerpt)

Table 3: Bruce County Official Plan Evaluation

| Policy Evaluation |
|---|
| 3.4.1 County Goals |
| 3.4.1.3 Environmental |
| <i>i. Protect and preserve in their natural state, those areas within the County that are ecologically significant;</i> |
| Evaluation: The lands being acquired by EBC support this key environmental goal of the County Plan. |
| 4.0 General Policies |
| 4.3 The Environment |
| 4.3.1 Objectives |

- i. Identify and protect the County’s unique natural resources and environment;**
- ii. Identify, conserve, and where possible enhance the natural environment to ensure that natural systems are sustained, which will also serve to maintain human health;**
- xi. Restrict or prohibit development on lands subject to environmental hazards;**
- xviii. Identify and preserve areas of environmental or ecological significance;**

Evaluation: The lands being acquired will retain the wooded drainage system and the rehabilitation of the habitat for Bobolink will support the above principles of environmental integrity. The fact that the EBC is purchasing the lands will restrict any form of non-environmental use of the lands.

5.6 Rural Area

5.6.4.1 Farm Size

In the Rural designation newly created farm lots should generally be 20 hectares (50 acres). It is not intended to prevent the creation of smaller farm parcels where they are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain for future changes in the type or size of the agricultural operation. Local municipalities will be encouraged to establish farm sizes appropriate to the area in the Local Municipal Official Plan and Zoning By-Law.

Evaluation: As noted above, farm size can be reduced to 20 ha (50 acres). The reduction in lot size, after the EBC acquisition, will be 20.9 ha which does not cause a conflict with the Official Plan policy for Rural areas.

6.5.3 Land Division Policies

6.5.3.4 Consents – Rural Areas

6.5.3.4.3 Consent for Agricultural uses as permitted in Section 5.5.4 [Permitted Uses (Agricultural Areas)] shall be in accordance with the following:

- i. In order to promote and maintain viable farming operations and generally minimize potential impacts on the farming community, the minimum lot area of farming lands within the Rural designation shall generally be 20 hectares.*
- ii. In order to be eligible for a 20 hectare severance as permitted in clause (i) above, a lot of record must have a minimum of 90% of its land area within the ‘R – Rural’ designation.*
- iii. Both the severed and retained parcels shall be generally 20 hectares in size.*

Evaluation: As noted on Schedule A to the County Official Plan, the property is primarily in a Rural designation. No portion of the property contains an Agricultural

Area designation. The retained farm parcel (20.9 ha) does not conflict with subsection i) above. Although subsection iii) requires the retained lot to be approximately 20 ha, the EBC acquisition of 17.4 ha is in keeping with the lot size guidelines. It should be noted that there is a provision in the rural policy for rural nonfarm lots of 4 ha to be created.

2.3 Municipality of Brockton Bylaw 2013-26

The Threndyle lands contain three zoning categories (figure 5) Environmental Protection, General Agriculture Special (A1-140) and General Agriculture Special (A1-141). The site specific A1 zones on the subject lands were a result of the zoning amendment that was passed in association with the provisional consent (B-2022-107) in order to recognize the residential use of the provisional consent and the lot area of the retained lands. The A1-140 zoning identifies an area of 2.2 ha (5.5 acres) which contains the original farmstead. The EP areas will not be affected by the proposed 17.4 ha consent. This area will also not be affected by the 17.4 ha consent of the EBC.

The General Agriculture Special Zone A1-141, which contains the proposed 17.4 ha area being severed, established an area of ± 37.8 ha. An amendment to the bylaw that amended the municipal comprehension bylaw (By-Law 2022-169) will be required in order to reduce the area of the farm being retained to ± 20.9 ha.



Figure 5: Municipality of Brockton Zoning (Excerpt)

3.0 SUMMARY AND CONCLUSIONS

Although the acquisition by the EBC will reduce the amount of arable land for cultivation, the retained can be used for cash crops which has been rented to a farm operator in the area. The owner recognizes the size restriction created for the cultivated area but determined that preservation of the natural heritage features on site and the rehabilitated area, was the preferred land use in the long term.

Based on the preceding analysis, the following is concluded.

1. The proposed bylaw amendment and subsequent consent is consistent with the relevant policies of the PPS.
2. The County Official Plan policies apply to this section of Brockton and the creation of a natural heritage parcel is in conformity with Natural Heritage policies of the Plan
3. The lot being created and retained do not offend the size or use provisions of the County Rural policy.
4. The zoning bylaw amendment will facilitate the creation of a natural heritage parcel the is consistent with the PPS and the BCOP.

Respectfully submitted,



Don Scott, MCIP, RPP
Cuesta Planning Consultants Inc.



County of Bruce
Planning & Development Department
30 Park Street, Box 848
Walkerton, ON N0G 2V0
brucecounty.on.ca
226-909-5515



July 10, 2023

File Number(s): B-2023-046, Z-2023-043

Public Meeting Notice

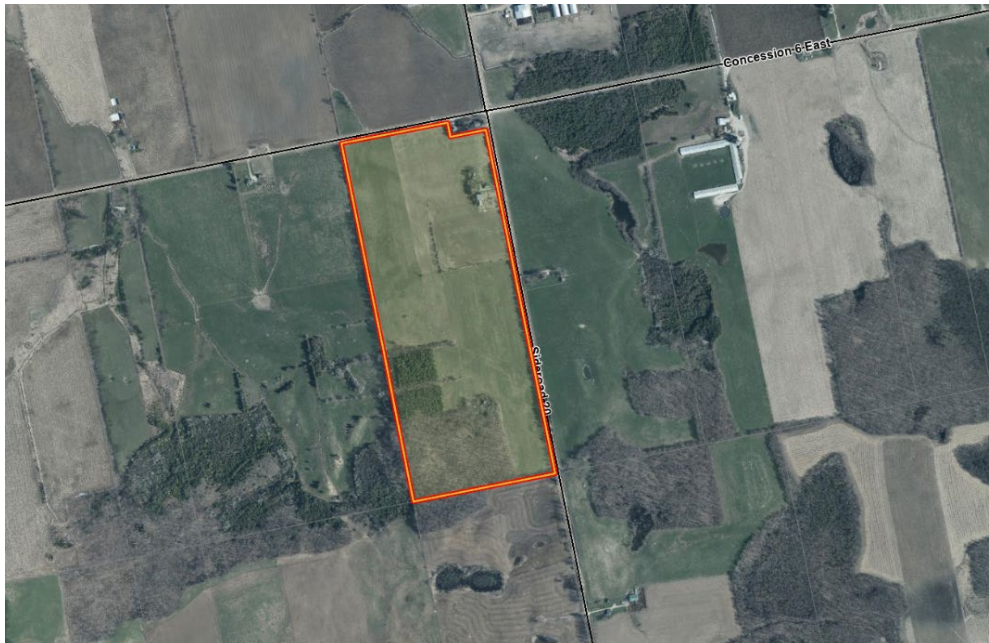
You're invited:

**Hybrid Public Meeting to consider Zoning By-law
Amendment / Z-2023-043**

August 8, 2023 at 7:00 p.m.

A change is proposed in your neighbourhood: The purpose of this application is to amend the Zoning By-law to permit a reduced lot area of +/- 20.9 hectares (ha). A portion of the subject lands will also be rezoned Environmental Protection Special to permit Conservation and Public Park uses only. A holding provision is proposed for areas of high archaeological potential. This will facilitate the creation of a new lot for conservation purposes.

The related consent file is B-2023-046.



595 Sideroad 20
CON 6 PT LOT 20 (Brant)
Municipality of Brockton
Roll Number: 410434000905500

Learn more

You can view limited information about the application at <https://brucecounty.on.ca/living/land-use>. Additional information, including the supporting materials, can be provided upon request by e-mailing bcplwa@brucecounty.on.ca or calling 226-909-5515. Information can also be viewed in person at the County of Bruce Planning Office noted above, between 8:30 a.m. and 4:30 p.m. (Monday to Friday).

The Planner on the file is: Benito Russo

Have your say

Comments and opinions submitted on these matters, including the originator's name and address, become part of the public record, may be viewed by the general public and may be published in a Planning Report and Council Agenda. Comments received after July 31, 2023 may not be included in the Planning report but will be considered if received prior to a decision being made, and included in the official record on file.

How to access the public meeting

For information on how to participate in the public meeting, please visit the municipal website at www.brockton.ca under "Current Council Meeting Agenda".

Please contact the Municipality at fhamilton@brockton.ca or 519-881-2223 if you have any questions regarding how to participate in the meeting.

Stay in the loop

If you'd like to be notified of the decision of the approval authority on the proposed application(s), you must make a written request to the Bruce County Planning Department.

Know your rights

Section 34(11) of the [Planning Act](#) outlines rights of appeal for Zoning By-law Amendment applications.

If a person or public body would otherwise have an ability to appeal the decision of the Council of Municipality of Brockton to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to Municipality of Brockton before the by-law is passed, the person or public body is not entitled to appeal the decision.

For more information please visit the Ontario Land Tribunal website at <https://olt.gov.on.ca/appeals-process/>.

Site plan

