



# Planning Report

**File(s):** Z-30-19.31 & B-44-19.31 Surplus Farm Dwelling Severance for Kelly c/o Wells and Young

**Date:** August 13, 2019

**To:** Council of the Municipality of Brockton

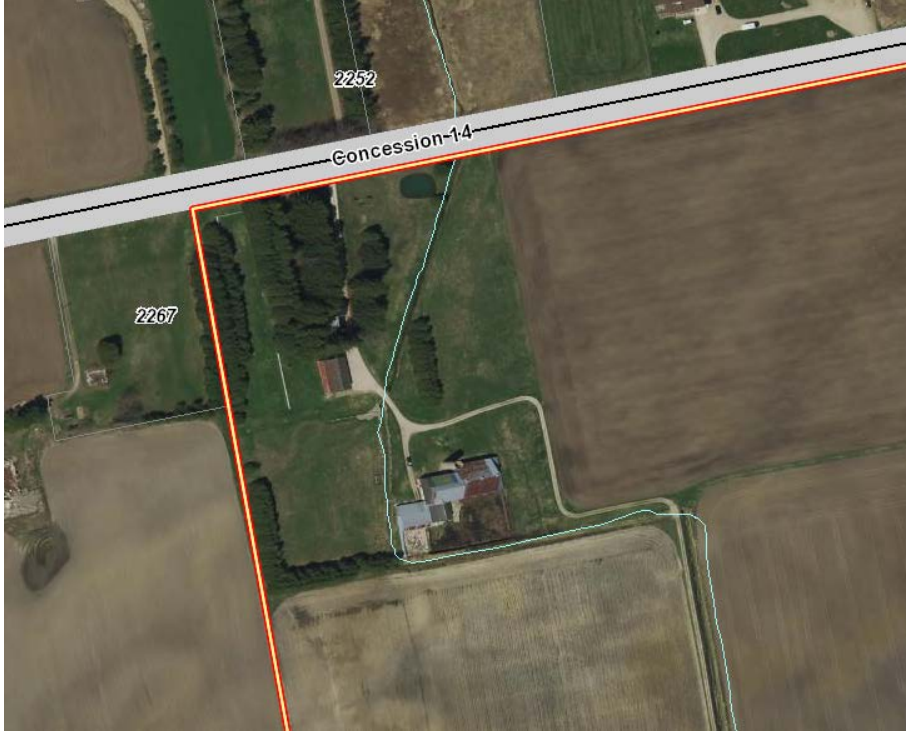
**From:** Dana Kieffer; Planner, Bruce County Planning & Development

**Recommendation:**

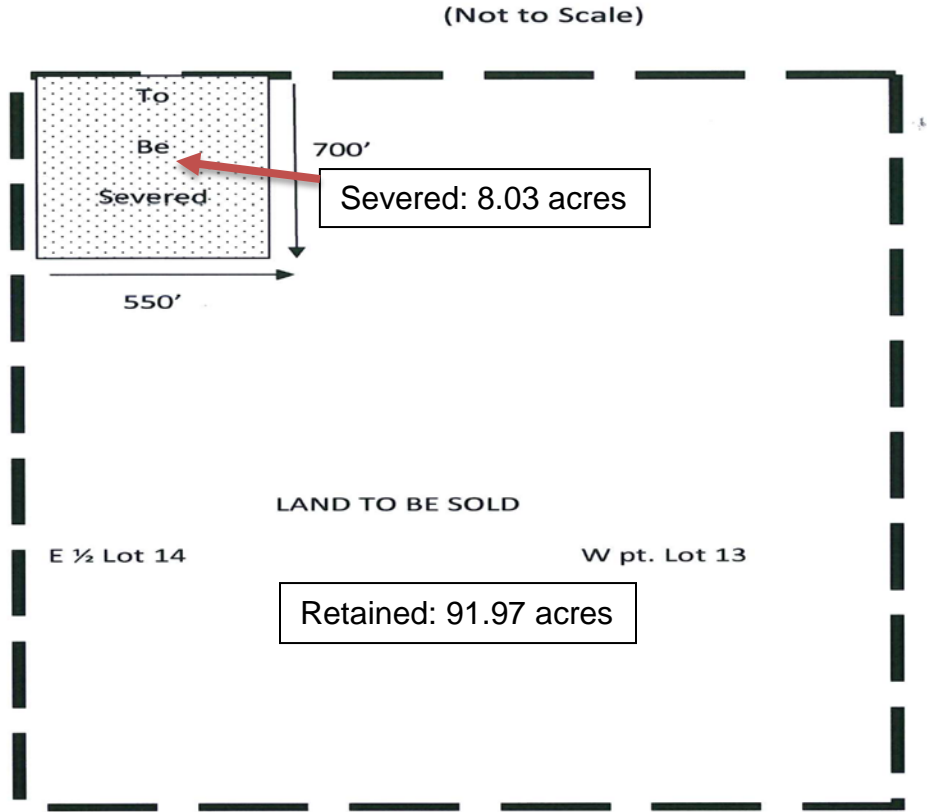
That this report be received for information.

**The Application:**

Patrick Kelly who is acting as the Agent for Nadine & Ronald Wells (owners) and Les Young Jr. of Young Farms Ltd. (applicant) submitted an application to sever and re-zone a parcel of the subject lands to facilitate a surplus farm dwelling severance. Young Farms Ltd. and the Wells have entered into a Purchase and Sale agreement with the intention for Mr. Young to purchase the retained farm land. Mr. Young is considered to be a bona-fide farmer who owns and farms lands elsewhere, lives elsewhere and meets the Official Plan policies to apply for a surplus farm dwelling severance.



2015 Air Photo



The proposed severance would be +/- 8.03 and would include the house and barn.

## Size of the Proposed Lot:

The size of the proposed lot is significantly larger than what is generally considered in a surplus farm dwelling severance. Despite the fact that no agricultural land is taken out of production, staff feel that the direction from the Provincial Policy Statement and Bruce County Official Plan to keep the lots as small as possible is not being met.

The lot size is greatly increased with the inclusion of the barn in the severed lands. The barn is approximately +/-100 m from the house and represents an additional +/- 3.13 acres. The lands East of the drain may have been farmed in the past and represent an additional 1.65 ac.



2006 Air Photo

The remaining lot, should the 1.65 acres and 3.13 acres be removed, would be 3.25 acres which would be more consistent with the policies.

## Policies:

The Provincial Policy Statement requires the new lot to be limited in size to accommodate the house and the appropriate sewage and water services (2.3.4.1.b). It makes no mention of the inclusion of accessory buildings such as barns.

The Bruce County Official Plan, among other policies, requires the proposed lot to be limited in area and only be of sufficient size to accommodate the residence surplus to the farming operation, accessory buildings (*where including accessory buildings does not render the lot excessively large in the opinion of the Land Division Committee*), a well and a sewage disposal system, while ensuring that as little land as possible is removed from

the agricultural lands (6.5.3.3.b.ii).

The above policy does not specify a cap on the size of the severed, but it does trigger staff to put the application before Land Division Committee to decide if the lot is too large.

**Process and Next Steps:**

County Council is the approval authority for consents (severances). Since 2007, the Corporation of the County of Bruce has delegated certain matters to the Secretary-Treasurer of the Land Division Committee. Under this delegated authority, the Secretary-Treasurer (being the Director of Planning & Development) has the authority to give approval to, and place conditions on, consents to sever land. This By-law also allows the Secretary-Treasurer to refer matters to the Bruce County Land Division Committee if warranted.

Generally, for an application in which the policies appear to be met, the application for zoning goes before local Council first, and then the Consent is conditionally approved by planning staff with no public meeting. This is the process for the majority of the applications in Brockton.

When planning staff question if the proposed lot meets the policies, or there are neighbour issues, the application is considered to be contested and the application must go before Land Division Committee (Planning & Development Committee of the County of Bruce). They will make the ultimate decision on the size and dimensions of the lot.

Under the *Planning Act*, Consents are not required to have a Public Meeting, so this information meeting will serve to permit neighbours and Brockton Council the opportunity to give comments for consideration by Land Division Committee. It should be noted that anyone can go before Committee as a delegation to speak to the consent application, but they must register with the clerk prior to meeting to do that.

Planning & Development Committee Meeting: September 19, 2019

Brockton Zoning Meeting: September 24, 2019

Respectfully submitted,

Dana Kieffer, Planner  
County of Bruce, Planning and Development