



Planning Report

To: Council, Municipality of Arran-Elderslie

From: Luisa Vacondio, Planner

Date: September 26, 2022

Re: Zoning By-law Amendment Application- Z-2022-070 (Gloria and Vernon Wepler)

Recommendation:

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

That Committee approve Zoning By-law Amendment Z-2022-070 as attached and the necessary by-law be forwarded to Council for adoption.

Summary:

The purpose of this application is to facilitate a surplus farm dwelling severance. The subject lands are located at 204 Concession 2 Arran and are legally described as Lot 32, Concession 2, Geographic Township of Arran, Municipality of Arran-Elderslie. The proposed severed lands will be approximately 2.0 hectares in area and will maintain their residential use. The severed lands will include the house and shed. The proposed retained lands will be approximately 38.47 hectares in area and will maintain its agricultural use. The barn currently existing on the subject lands will be demolished and the land returned back to agriculture, resulting in no buildings on the retained farm lands.

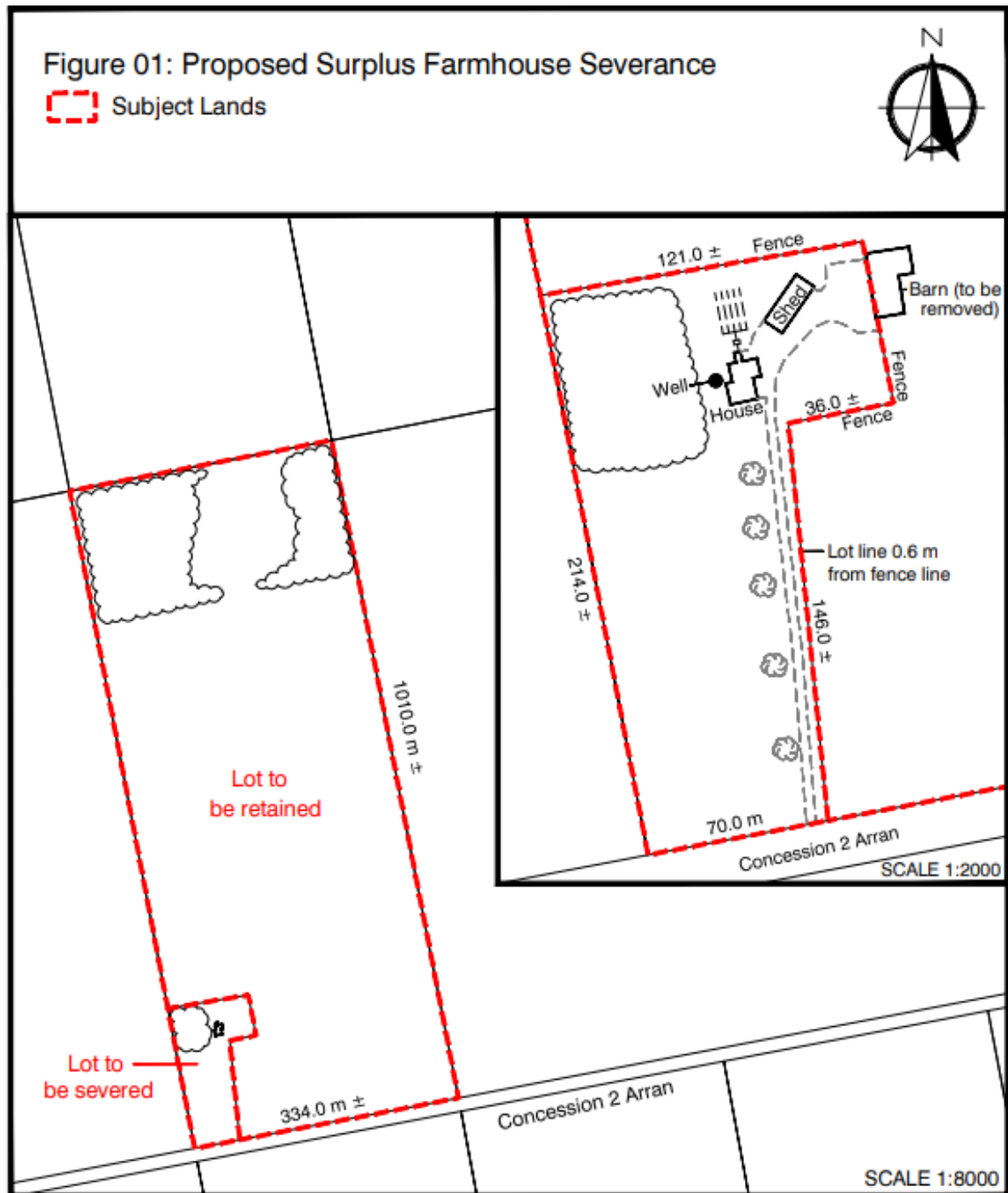
A site-specific Zoning By-law Amendment is required to change the zoning on the retained lands. The retained lands are proposed to be rezoned from General Agriculture (A1) to General Agriculture Special (A1-xx) to permit a reduced lot area of 38.47 hectares whereas 39 hectares are required. The site-specific amendment would also prohibit future residential uses on the retained farmlands, in accordance with the policies of the PPS and the County Official Plan. The severed lands do not require a Zoning By-law Amendment as they comply with the requirements of the General Agriculture (A1) Non-Farm lot.

The related consent file is B-2022-063.

Airphoto



Site Plan (Retained and Severed Parcels)



Vernon and Gloria Wepler
204 Concession 2 Arran
Municipality of Arran-Elderslie

RD **RON DAVIDSON**
LAND USE PLANNING CONSULTANT INC
OWEN SOUND, ONTARIO

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 negative impacts on 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). The County Official Plan establishes criteria for agricultural severances in addition to the PPS. The lands are designated 'Agriculture', 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 land 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.

The proposed Zoning Amendment proposes a site-specific amendment that would prohibit future residential uses on the retained farmlands. The applicant has submitted documentation to satisfy the above requirements, and the proposal meets all the criteria established in the PPS and County Official Plan for agricultural severances.

Reduced Lot Area of Parcels

The retained parcel is proposed to have a lot area of 38.47 acres, where the By-law requires a minimum lot area of 39 acres. The intent of this provision is to ensure that agricultural lots are of sufficient size to support agricultural operations. Little land currently used for production is proposed to be severed with the non-farm lot, and the removal of the existing barn on the proposed retained land would add approximately 0.2 ha of tillable land back into agricultural production. Additionally, the severance of the surplus farm dwelling would support the viability of the owner's farm operation.

Barn on Severed Lands

The barn currently existing on the subject lands will be demolished as part of the surplus farm dwelling applications. As previously noted, the removal of the existing barn by the new owners will also allow the improvement of these lands for agricultural purposes, thereby adding approximately 0.2 hectares of tillable land on the retained parcel back into agricultural production.

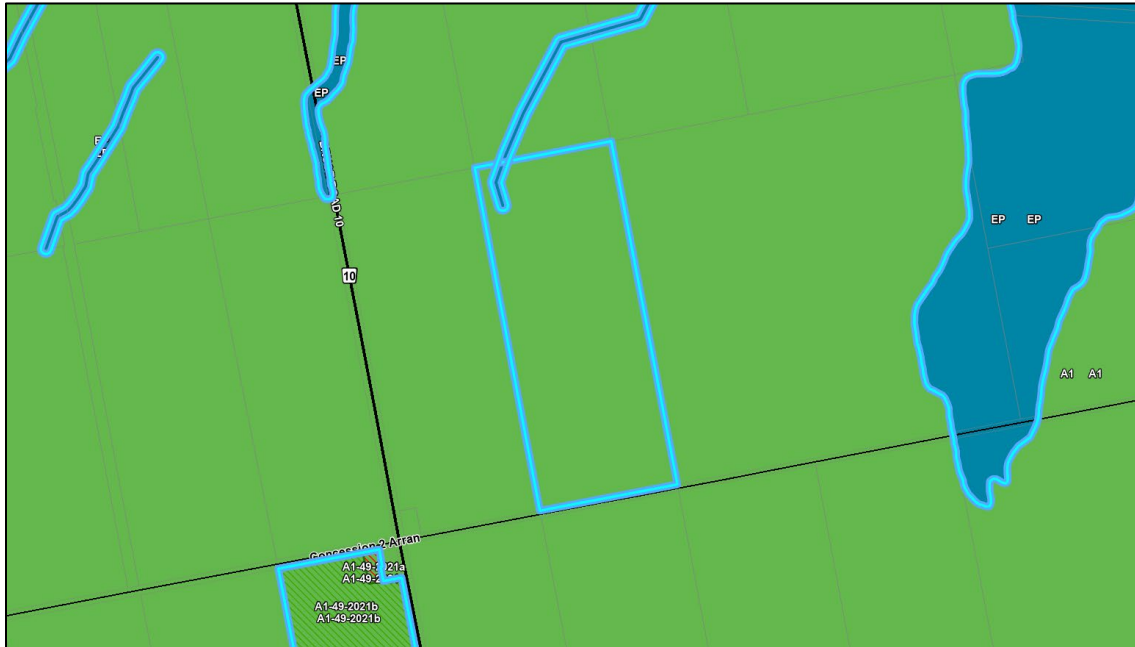
Appendices

- County Official Plan Map
- Local Zoning Map
- List of Supporting Documents and Studies
- Agency Comments
- Public Notice

County Official Plan Map (Designated Agriculture)



Local Zoning Map (Zoned General Agriculture 'A1')



List of Supporting Documents and Studies

Planning Justification Report, prepared by Ron Davidson, Land Use Planning Consultant Inc.

Agency Comments

Arran-Elderslie Public Works: No comments or concerns at this time.

Grey Sauble Conservation Authority: No objection. Comments attached.

Historic Saugeen Metis: No objection or opposition.

Hydro One: No comments or concerns.

Transportation and Environmental Studies: No comment.

August 11, 2022

GSCA File: P22448

County of Bruce
Planning and Economic Development Department
268 Berford Street, Box 129
Wiarton, ON
N0H 2T0

Sent via email: bcplwl@brucecounty.on.ca

Re: Application Consent B-2022-063 and Zoning By-Law Amendment Z-2022-070
Address: 204 Concession 2, Arran-Elderslie
Roll No: 410349000304700
Municipality of Arran-Elderslie, former Arran Township
Applicant: Gloria and Vernon Weppler

Grey Sauble Conservation Authority (GSCA) has reviewed the subject application in accordance with our mandate and policies for Natural Hazards, and our advisory comments related to Natural Heritage and Water policies as per the Memorandum of Agreement with the County of Bruce and relative to our policies for the implementation of Ontario Regulation 151/06. We offer the following comments.

Subject Proposal

The consent application proposes to sever a 2 hectare lot containing a surplus residential dwelling. The proposed Zoning Bylaw Amendment is to rezone the retained farm lands to prohibit future residential uses and to recognize a lot size of 38.47 hectares.

Site Description

The property currently features a single family dwelling, and associated farm structures. The northern portion of this proposed lot consists of a mix of tree species and a watercourse feature. The retained parcel is primarily actively farmed agricultural land.

GSCA Regulations

A portion of the subject property is regulated under Ontario Regulation 151/06: Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses. The regulated area is associated with a watercourse.

Under this regulation a permit is required from this office prior to the construction, reconstruction, erection or placing of a building or structure of any kind; any change to a building or structure that would have the effect of altering the use or potential use of the building or structures, increasing the size of the building or structure, or increasing the number of dwelling units in the building or structure; site grading; or, the

Member Municipalities

Municipality of Arran-Elderslie, Town of the Blue Mountains, Township of Chatsworth, Township of Georgian Bluffs, Municipality of Grey Highlands, Municipality of Meaford, City of Owen Sound, Town of South Bruce Peninsula

temporary or permanent placing, dumping or removal of any material originating on the site or elsewhere, if occurring within the regulated area. Also, a permit is required for interference with a wetland, and/or the straightening, changing, diverting or in any way interfering with an existing channel of a river, lake, creek stream or watercourse.

Provincial Policy Statement 2020

3.1 Natural Hazards

Natural hazards were identified on the subject property and are associated with the flood and erosion potential of the above noted watercourse.

There is no proposed development within this area, therefore the proposal is considered consistent with Section 3.1 PPS policies.

2.1 Natural Heritage

Natural heritage features identified on the subject property include potential for fish habitat, an Area for Natural and Scientific Interest and their adjacent lands. As there is no development proposed on the retained or severed portion of the property, an Environmental Impact Study is not required to satisfy the PPS policies.

At this time, the proposal is considered consistent with the Section 2.1 PPS policies.

2.2 Water

Proposal for development may result in the increase of site imperviousness. There is currently no development proposed within the retained or severed portion of the subject property, therefore the proposal is considered consistent with the Section 2.2 PPS policies.

Saugeen, Grey Sauble, Northern Bruce Peninsula Source Protection Plan

The subject property is not located within an area that is subject to the Source Protection Plan.

Recommendations

GSCA has no objection to the proposed consent and zoning by-law amendment proposal.

Should you have any questions, please contact the undersigned.

Sincerely,









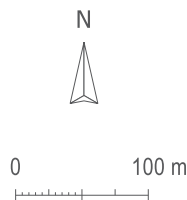
Olivia Sroka
Regulations Officer, Environmental Planning & Regulations

c.c. Ryan Greig, GSCA Director, Municipality of Arran-Elderslie
Building Department, Municipality of Arran-Elderslie

Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses (Ontario Regulation 151/06)



-  ON Parcels (approx)
-  Subject Property (approx)
-  Proposed Severance (approx)
-  ON Reg 151/06 (approx)
-  Hazard Area (approx)
-  Watercourse (approx)



GSCA Regulation Map
Gloria and Vernon Wepler
204 Concession 2
Municipality of Arran-Elderslie

August 11, 2022

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County of Bruce
Planning & Development Department
268 Berford Street, PO Box 129
Wiarton, ON N0H 2T0
brucecounty.on.ca
226-909-5515



August 3, 2022

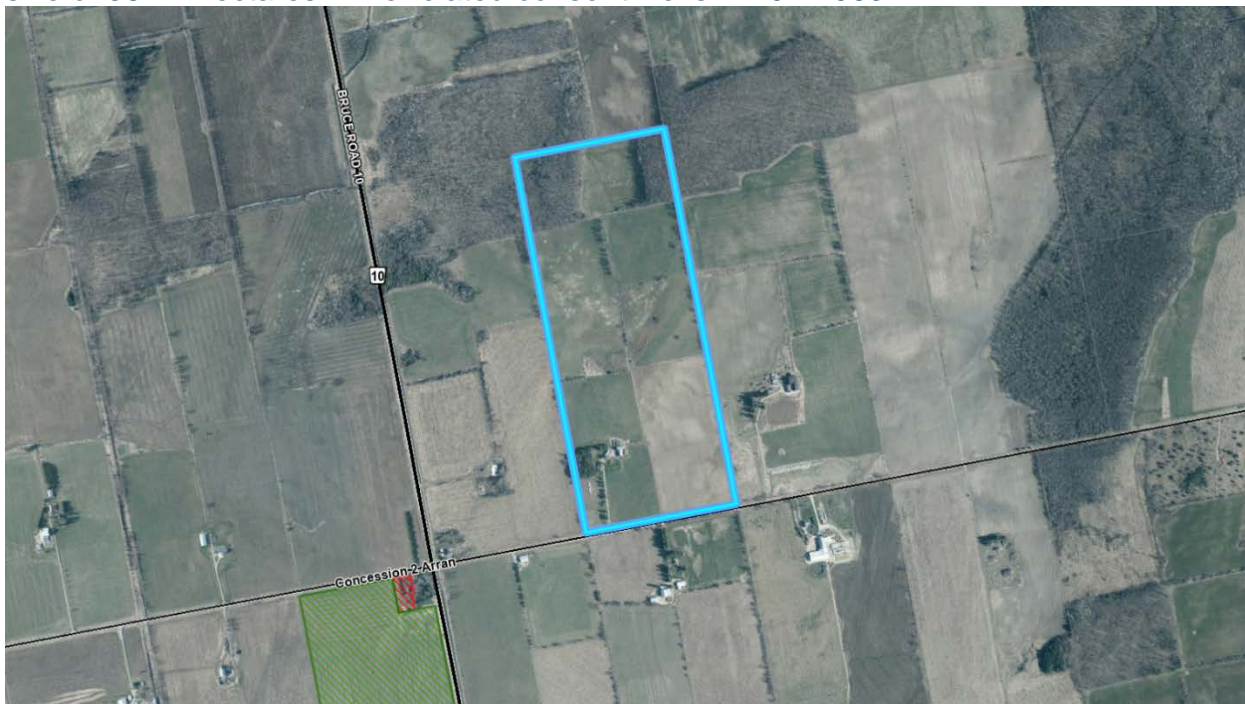
File Number: Z-2022-070

Public Meeting Notice ***UPDATED***

You're invited to a Public Meeting to consider
Zoning By-Law Amendment Z-2022-070
September 26, 2022 at 9:00 am

****This Notice is being re-issued to clarify that the format of the Public Meeting is in person, with an option to call in. The email address for the municipal contact has also been updated.***

A change is proposed in your neighbourhood: The consent application proposes to sever a 2 hectare lot containing a surplus residential dwelling. The proposed Zoning Bylaw Amendment is to rezone the retained farm lands to prohibit future residential uses and to recognize a lot size of 38.47 hectares. The related consent file is B-2022-063.



204 Concession 2
CON 3 LOT 32 (Arran)
Municipality of Arran-Elderslie
Roll Number: 410349000304700

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 bcplwi@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: Luisa Vacondio

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 September 16, 2022 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.

Before the meeting: You can submit comments by email bcplwi@brucecounty.on.ca, mail, or phone (226-909-5515) if you have any questions, concerns or objections about the application. Comments will be provided to the Committee for its consideration.

How to access the public meeting

The public meeting will be held in person, in the municipal Council Chambers located at 1925 Bruce Road 10, Chesley, ON, N0H 1L0, with an option to join via teleconference. Call information: 1-866-512-0904 (within Canada and the US); Conference Access Code: 3547704.

Please contact Christine Fraser-McDonald at the Municipality clerk@arran-elderslie.ca or 519-363-3039 ext 101, 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

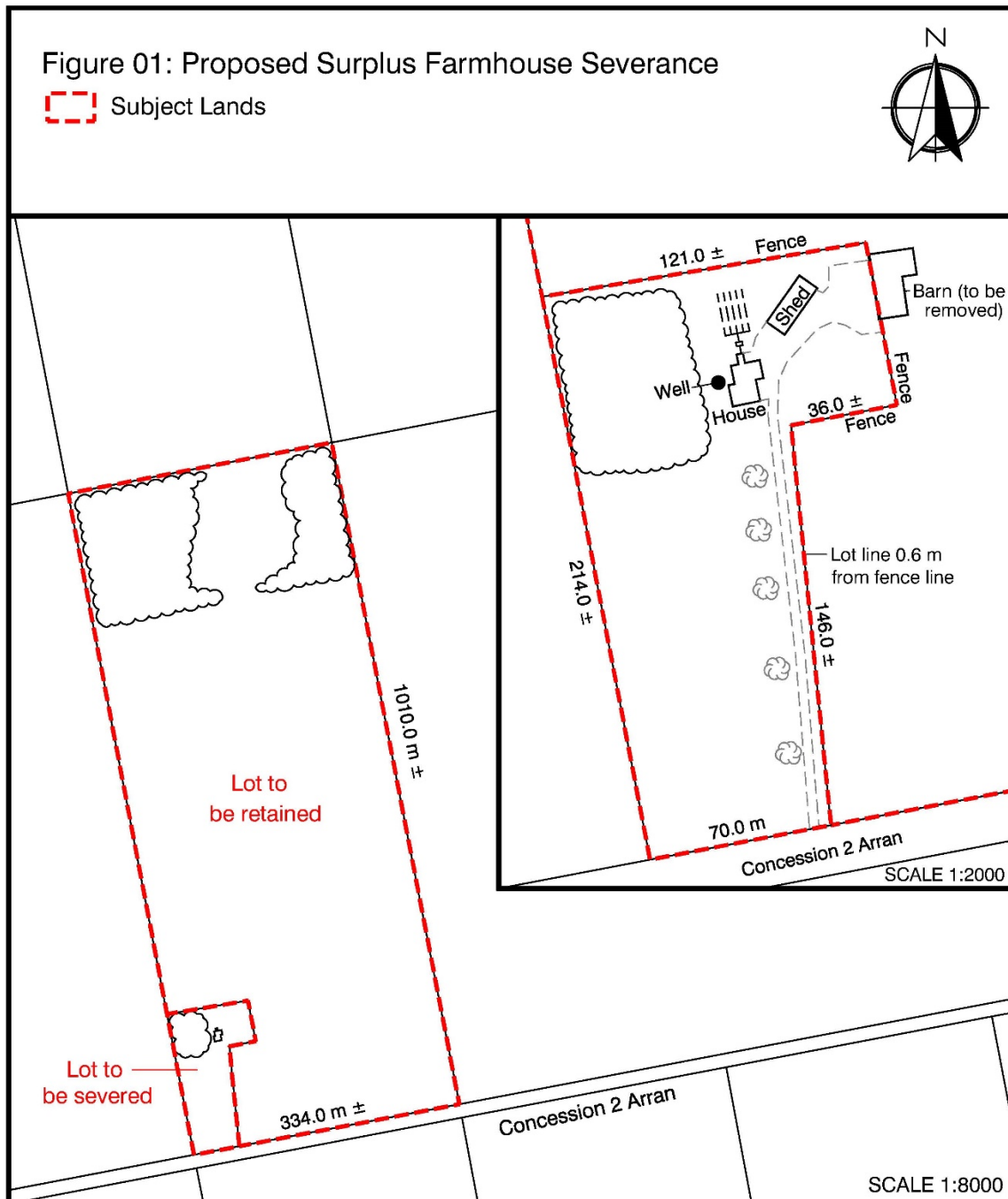
Section 34(11) of the [Planning Act](#) outlines rights of appeal for Zoning By-law Amendment applications.

If a person or public body would otherwise have an ability to appeal the decision of the Council of the Municipality of Arran-Elderslie 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 Arran-Elderslie before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Municipality of Arran-Elderslie before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

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

Site plan



Vernon and Gloria Wepler
204 Concession 2 Arran
Municipality of Arran-Elderslie

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