



Planning Report

To: Council, Arran-Elderslie

From: Megan Stansfield, Planner

Date: October 11, 2022

Re: Zoning By-Law Amendment Z-2022-078 (Rundle)

Recommendation:

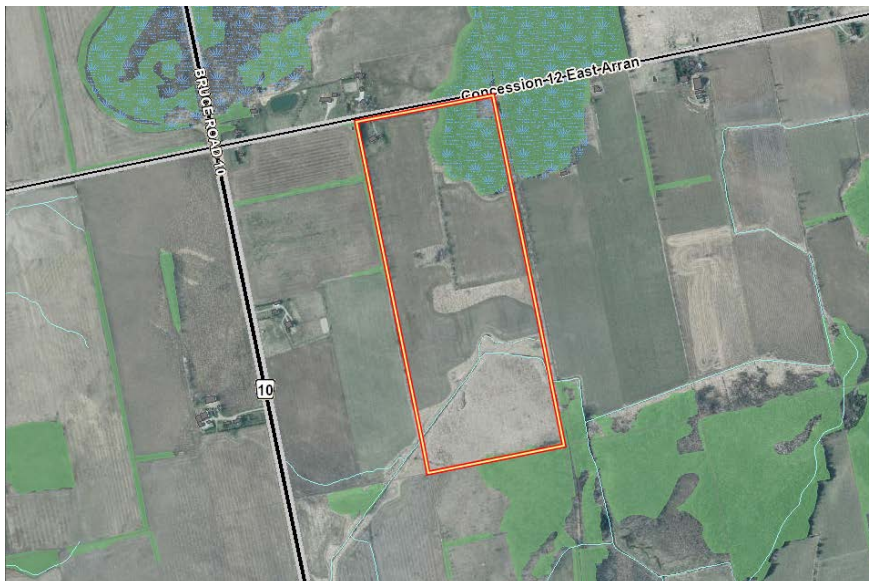
Subject to a review of submissions arising from the public meeting:

That Committee approve Zoning By-law Amendment Z-2022-078 by Applicant as attached and the necessary by-law be forwarded to Council for adoption.

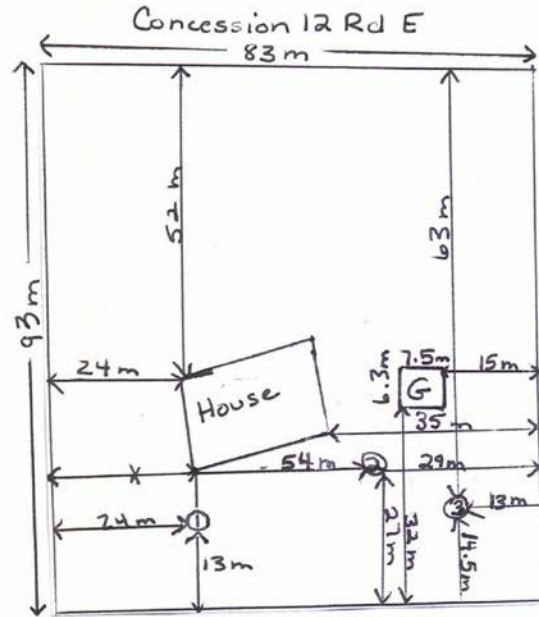
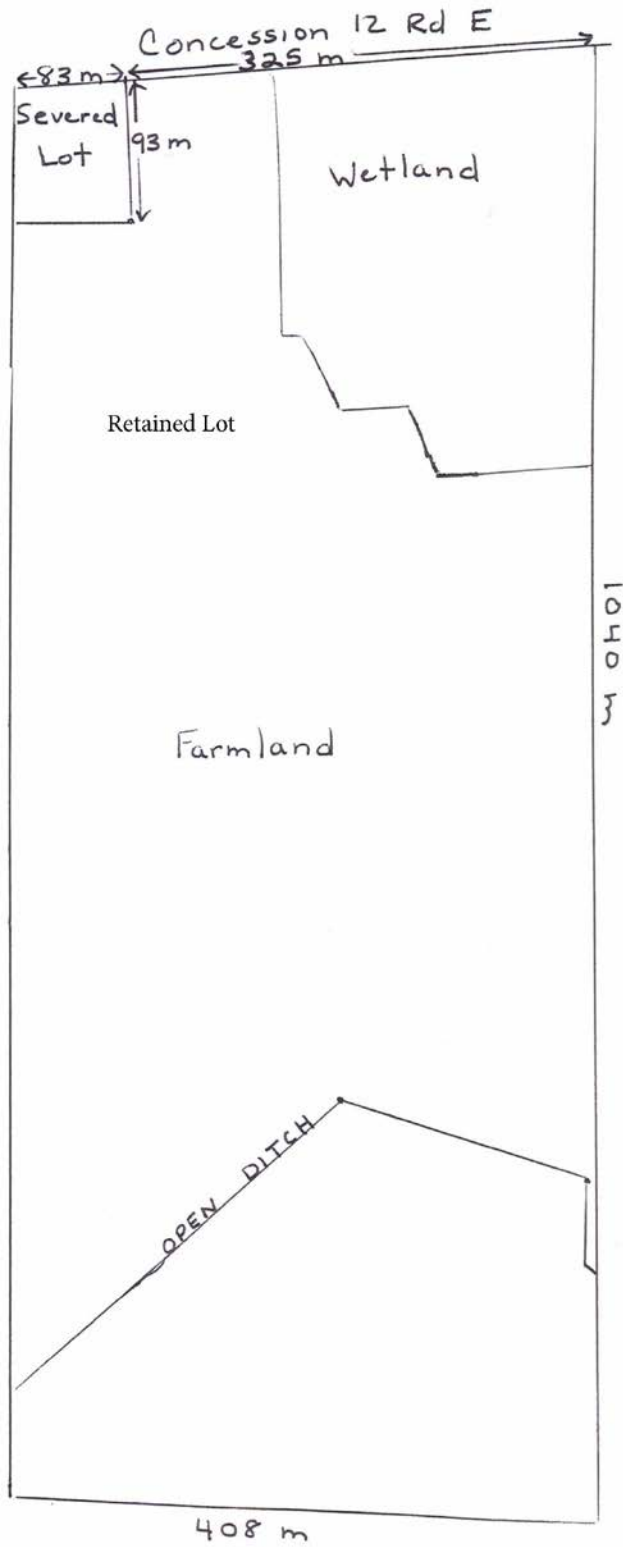
Summary:

The purpose of this application is to facilitate a surplus farm dwelling severance of a 0.77 hectare lot. A Zoning By-Law Amendment is required to rezone the lands from General Agriculture (A1) and Environmental Protection (EP) to General Agriculture Special (A1-60-2022) and General Agriculture Special with holding provision (A1-60-2022-H) to prevent the development of a future dwelling for the retained farm parcel. The holding provision is applicable to the lands considered to have high archaeological potential abutting the watercourse. The Environmental Protection (EP) zone will remain unchanged.

Airphoto



Site Plan



Proposed Severed Lot
Surplus Farm Dwelling Severance

- House Built 1992
- 17m x 10m (1830sq.ft)
- Drilled Well ①
- Septic Tank ②
- Raised Weeping Bed ③
- Garage detached 7.5m x 6.3m

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 and Bruce County Official Plan support the severance of a surplus farm dwelling for farm consolidations and consider this good planning, as it preserves agricultural lands and allows a bona fide farmer to dispose of a dwelling that serves no use to their operation.

The subject lands are designated Agricultural Area, Rural Area and Hazard Area in the Bruce County Official Plan. The Official Plan sets out the following policies that must be satisfied for surplus farm dwelling severances:

- 1) The owner of the lands to be severed must be a bona fide farmer, and the dwelling must be surplus to their needs.
- 2) The lot proposed to be severed with the existing dwelling, and considered surplus, should be of limited size to accommodate the house, well and septic.
- 3) The remnant agricultural lands shall be rezoned to prohibit future development of residential dwellings.
- 4) The MDS 1 guidelines must be met for the proposed severed lot, if the retained parcel contains livestock facilities or an anaerobic digester.
- 5) The existing surplus farm dwelling is habitable at the time of severance.

Rundle Brothers Limited owns and farms other lands and is therefore considered a bona fide farmer. The proposed severed land is approximately 0.77 hectares in size, accommodating the dwelling, septic and well. The zoning by-law amendment proposed to prohibit residential dwellings on the retained farmlands. The severance will be reviewed by County staff at a later date. The dwelling is habitable.

The retained farm parcel will be approximately 40 hectares and therefore meet the minimum farm size.

Required Zoning By-Law Amendments

An amendment to the Zoning By-Law is required in order to facilitate the severance.

The proposed retained farm parcel will be rezoned from A1-Agriculture and EP - Environmental Protection to A1-60-2022- Agriculture Special and A1-60-2022-H - Agriculture Special with a holding to prohibit a dwelling on the retained farmlands, and require an archaeological assessment if development is proposed.

The EP Zone will remain unchanged.

Archaeological Potential

The parcel has a watercourse bisecting the property, as such, a portion of the property has been identified to be within an area of archaeological potential. Therefore, as noted above, a holding provision will be placed upon a portion of the retained lot to ensure that any proposed development will require an archaeological assessment completed by a qualified individual, and the recommendations will need to be implemented. Normal farm practices can continue without the need for an assessment.

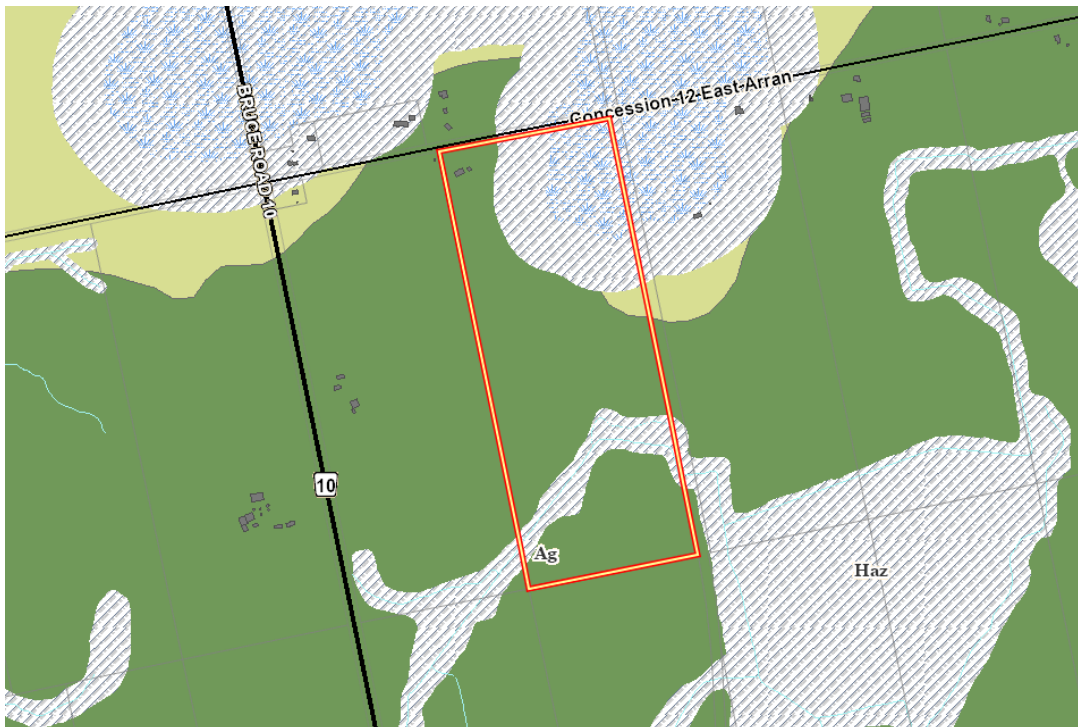
Natural Heritage and Hazards

Portions of the property are flood prone areas, associated with the wetland and watercourse on the property. The northeast corner of the property is within the Allenford Station Provincially Significant Wetland, while the southern portion of the property has a watercourse which and therefore flood and erosion prone. Development is not occurring in these areas, and the proposed EP zone will remain unchanged.

Appendices

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

County Official Plan Map (Designated Agriculture, Rural and Hazard)



Local Zoning Map (Zoned Residential One 'R1')



Agency Comments

Municipality of Arran-Elderslie: no objections; \$500 parkland dedication fee for the creation of a residential lot (condition of consent)

Grey Sauble Conservation Authority: No objections; provided in full below



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



August 30, 2022

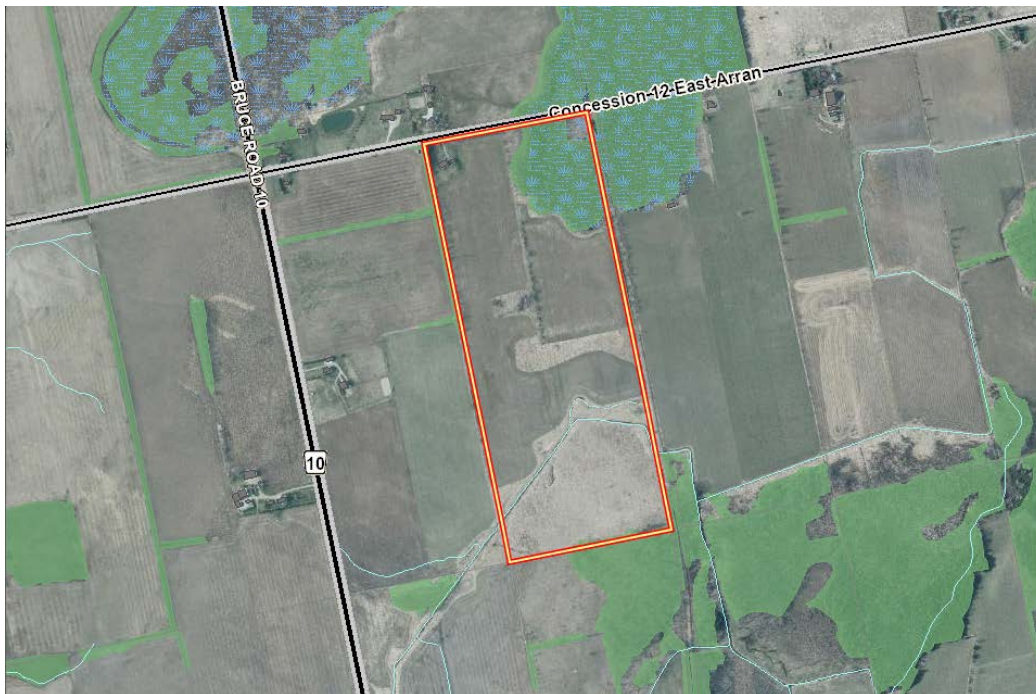
File Number(s): Z-2022-078

Public Meeting Notice

You're invited to a Public Meeting to consider Zoning By-Law Amendment Z-2022-078

Tuesday October 11, 2022, at 9:00 am

A change is proposed in your neighbourhood: The purpose of this application is to facilitate a surplus farm dwelling severance of a 0.77 hectare lot. A Zoning By-Law Amendment is required to rezone the lands from General Agriculture (A1) and Environmental Protection (EP) to General Agriculture Special with holding provision (A1-XX-H) to prevent the development of a future dwelling for the retained farm parcel. The holding provision is applicable to the lands considered to have high archaeological potential abutting the watercourse. The Environmental Protection (EP) zone will remain unchanged. The related consent file is B-2022-077



239 Concession 12 East Arran
Concession 12, Part Lot 32 Former Township of Arran
Municipality of Arran-Elderslie
Roll Number: 410349000404200

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: Megan Stansfield

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 October 2, 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

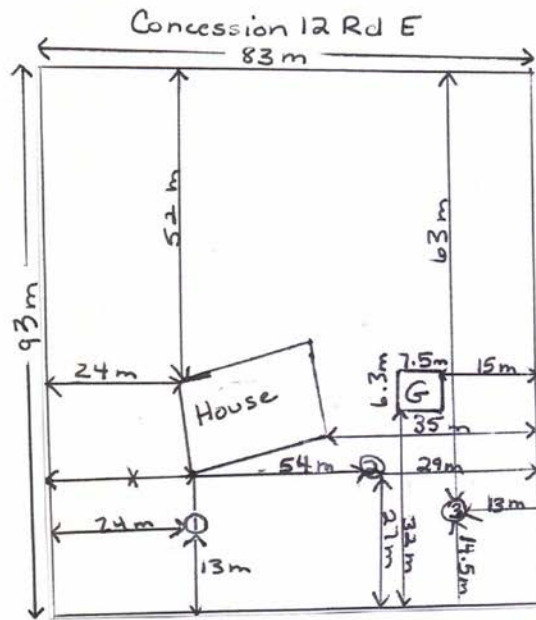
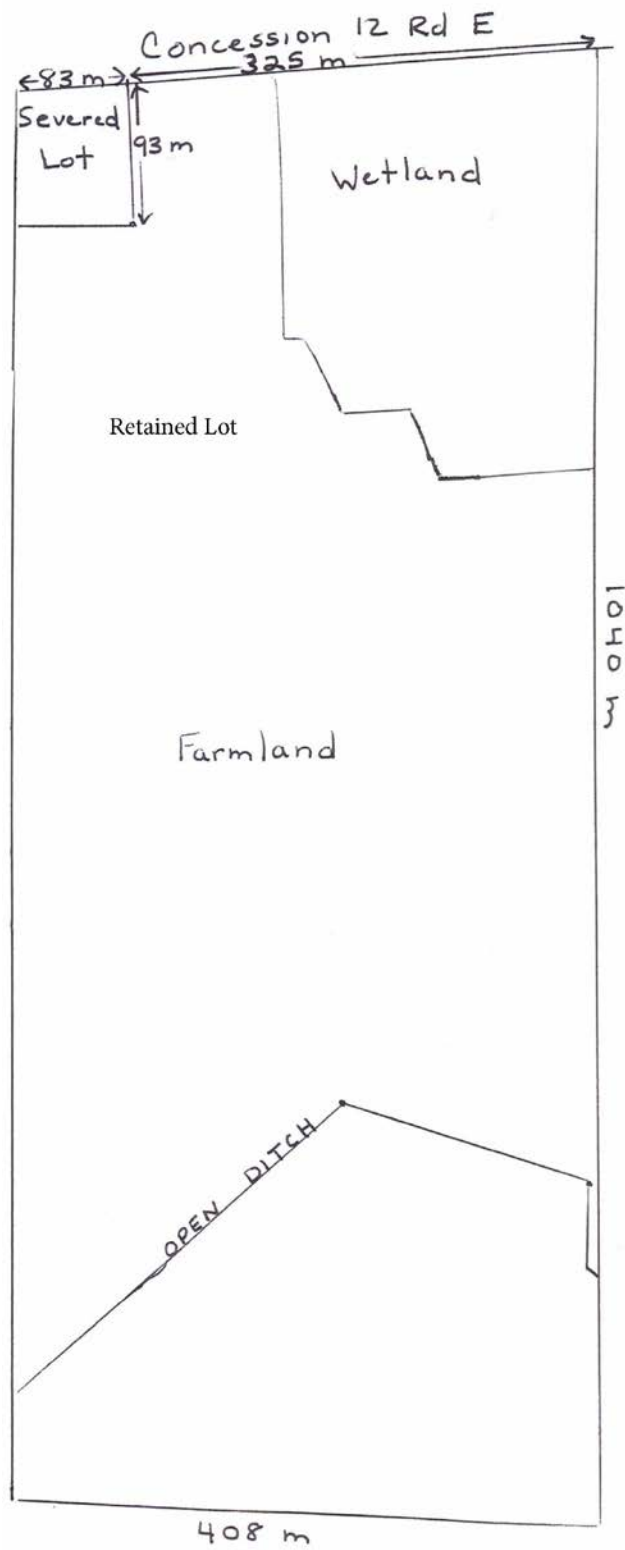
Section 34(11) of the [Planning Act](#) outlines rights of appeal for Zoning By-law Amendment applications.

If a person or public body would otherwise have an ability to appeal the decision of the Council of 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 the 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



Proposed Severed Lot
Surplus Farm Dwelling Severance

- House Built 1992
- 17 m x 10 m (1830 sq. ft.)
- Drilled Well ①
- Septic Tank ②
- Raised Weeping Bed ③
- Garage detached 7.5 m x 6.3 m

October 5, 2022
GSCA File: P22-573

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

Sent via email: bcplwa@brucecounty.on.ca

Re: Application for Consent B-2022-077 and Zoning By-law Amendment Z-2022-078
Address: 239 Concession 12
Roll No: 410349000404200
Municipality of Arran-Elderslie, former Arran Township
Applicant: Rundle Brothers Ltd.

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 proposal is to facilitate a surplus famr dwelling severance of a 0.77 hectare lot. A zoning By-law amendment is required to rezone the lands from General Agriculture (A1) and Environmental Protection (EP) to General Agriculture Special with holding provision (A1-XX-H) to prevent the development of a future dwelling for the retained farm parcel. The holding provision is applicable to the lands considered to have high archaeological potential abutting the watercourse. The EP zone will remain unchanged.

Site Description

The property features a single-family dwelling on private services and accessory building in the northwest corner. The majority of the property features an agricultural use with a wetland in the northeast and a watercourse transecting the southern portion of the property.

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 features include the Provincially Significant Allenford Station Wetland and a channelized watercourse that is a tributary of the Sauble River.

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

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

structure, or increasing the number of dwelling units in the building or structure; site grading; or, the 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 include the flood and erosion potential of the wetland and watercourse features. Development is to be directed away from these features. As development is not permitted on the retained parcel, and the developed severed parcel does not have any hazard areas, this policy objective is achieved.

2.1 Natural Heritage

Natural heritage features include the Provincially Significant Wetland, potential for significant wildlife habitat, potential for habitat of endangered species and threatened species, and fish habitat. As development is not permitted on the retained parcel, and the severed parcel is already developed, no impacts are anticipated to the natural heritage features.

2.2 Water

No development is proposed that would be impactful of 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 objections to the proposed consent and zoning application. As noted, there are regulated areas on the property and a permit is required from our office for any development or site alterations within the regulated areas.

Regards,




Mac Plewes
Manager of Environmental Planning


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


Encl. GSCA Map


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




 Subject Property (Approx.)

 ON Reg 151/06

 Natural Hazard Area

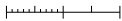
 Streams



N

Scale = 1:10000

0



150 m

239 Concession 12
410349000404200
Municipality of Arran-Elderslie (Arran)

Wednesday, October 5, 2022

The included mapping has been compiled from various sources and is for information purposes only. Grey Sauble Conservation is not responsible for, and cannot guarantee, the accuracy of all the information contained within the map. Regulation lines were created by Grey Sauble Conservation (GSC) using 1 metre contours interpolated from the Provincial (10 metre) Digital Elevation Model Version 1 & 2 & 1:10000 scale mapping.

By accepting this map you agree not to edit the map or disclaimer without the exclusive written permission of Grey Sauble Conservation. You also acknowledge that the information on this map is relevant only to the subject property and may be subject to change.

Produced by GSC with Data supplied under Licence by Members of Ontario Geospatial Data Exchange.
© Queen's Printer for Ontario and its licensors. [2021] May Not be Reproduced without Permission. THIS IS NOT A PLAN OF SURVEY

This mapping contains products of the South Western Ontario Orthophotography Project (SWOOP). These images were taken in 2021 at 20cm resolution. They are the property of Grey Sauble Conservation © 2021

