



## Planning Report

**To:** Municipality of Arran-Elderslie Council

**From:** Rebecca Elphick, Consultant Planner

**Date:** July 28, 2023

**Re:** Zoning By-law Amendment Application Z-2023-048 (Sweiger)

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### Recommendation:

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

That Council approve Zoning By-law Amendment Z-2023-048 as attached and the necessary by-law be forwarded to Council for adoption.

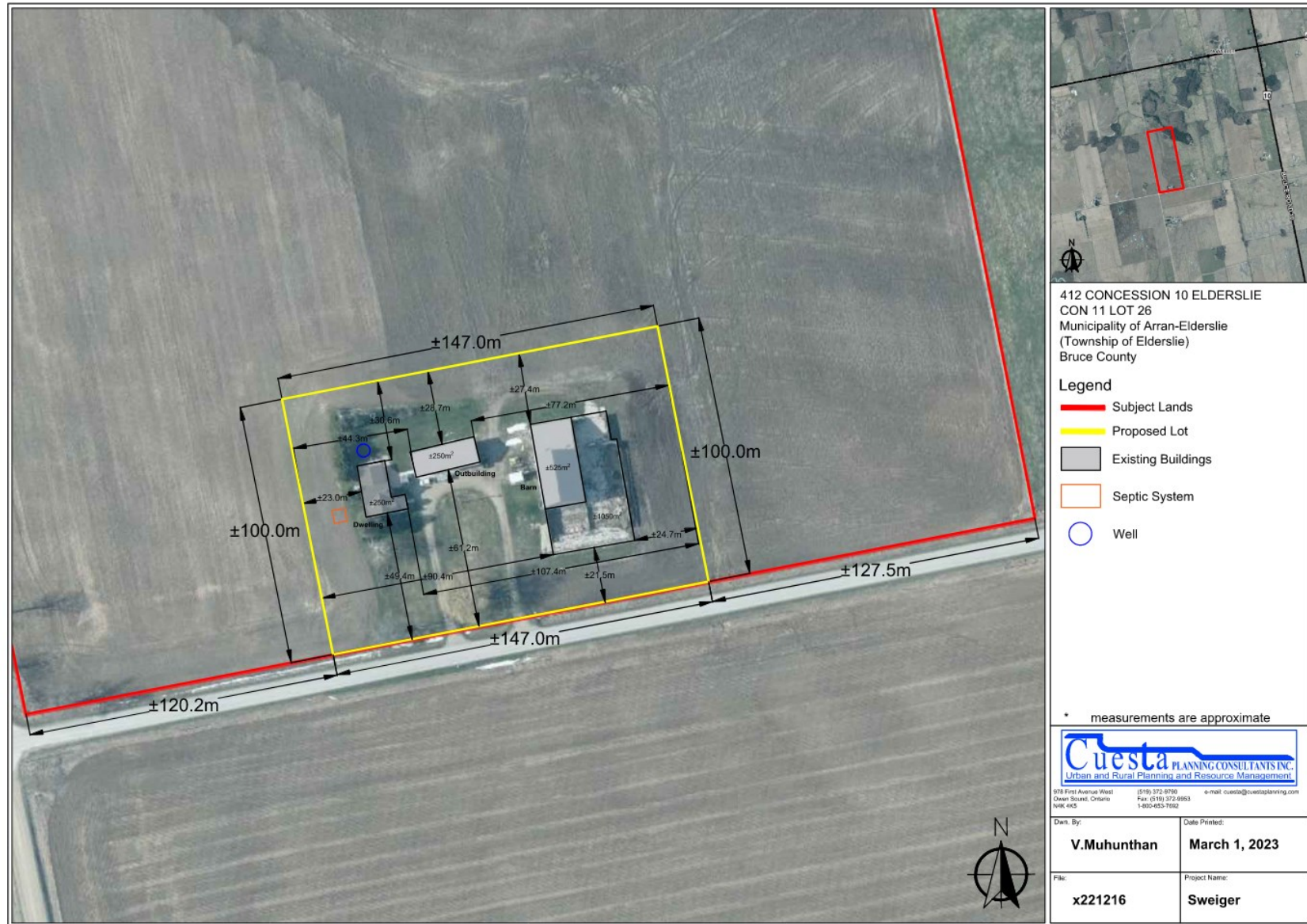
### Summary:

The subject land is located at 412 Concession 10 in the geographic township of Elderslie. The landowner is proposing a surplus farm dwelling severance (Consent Application B-2023-048). The parcel to be severed has an area of approximately 1.47 hectares, a depth of approximately 100 metres and frontage of approximately 147 metres along Concession 10. This parcel contains a detached dwelling, a Type I Barn, a Type III Uninsulated Barn, and two Type IV Insulated Barns. The proposed retained parcel has an area of approximately 39 hectares with a frontage of approximately 247.7 metres and will continue to be used for a cash crop operation. The Zoning By-law Amendment is required to re-zone the retained parcel to prohibit future residential buildings/structures.

## Site Plan (Full Extent of Property)



## Site Plan (Proposed Severed Parcel)





## 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 only type of residential severance permitted in the Provincial Policy Statement (PPS) is for a residence surplus to a farming operation as a result of farm consolidation.

The County Official Plan includes the following criteria for assessing surplus farm dwelling severances:

- (i) The owner of the lands to be severed is a **‘bona fide farmer’** and must:
  - (a) own and farm the lands on which the surplus dwelling is proposed to be severed from;
  - (b) own and farm other lands; and,
  - (c) own a residence elsewhere, or reside as a tenant elsewhere, therefore rendering the residence on the subject farm surplus to their needs;
- (ii) The lot proposed for the surplus residence must be **limited in area** (i.e., of sufficient size to accommodate the surplus residence and any accessory buildings);
- (iii) The remnant agricultural lands shall be rezoned to **prohibit the future residential development** of any type on the agricultural lands;
- (iv) **Minimum Distance Separation (MDS I)** formula requirements are to be met for the proposed severed lot if livestock facilities or anaerobic digesters exist on the retained farmlands. (Note: MDS I does not apply to existing barns on separately titled lots); and,
- (v) The existing surplus dwelling/residence is **habitable** at the time of application.

The owner is a bona fide farmer who owns and farms the subject land as well as over 300 acres of farmland in the County. The dwelling on the subject lands is surplus to his needs. The lands are designated Agricultural Areas, Hazard Land Areas, and Rural Areas in the County Official Plan and are mostly within a prime agricultural area.

The new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services. The applicant is proposing a rectangular lot configuration which will reduce the amount of land removed from agricultural production to the minimum appropriate size for the existing residential use.

Zoning By-law Amendment Application Z-2023-048 proposes to prohibit future residential buildings/structures on the retained farmland.

Furthermore, Minimum Distance Separation (MDS) I calculations are not required given that the proposed severed parcel contains both the existing dwelling and a livestock facility.

This Application meets the PPS and County Official Plan requirements for a surplus farm dwelling severance.

### Natural Heritage & Natural Hazards

The natural heritage and natural hazard features on or adjacent to the property include an intermittent stream which traverses the subject lands near the northern boundary, as well as an Area of Natural and Scientific Interest (ANSI) (the Dobbinton Esker) within the southeastern portion of the subject lands. Impacts to natural heritage features will be negligible given that no new construction or site alteration is proposed, and therefore an Environmental Impact Study (EIS) is not recommended. GSCA Staff confirmed that the retained and severed parcels will be sufficiently sized to accommodate future development outside of the natural heritage and natural hazard areas should it be proposed.

Areas of the property are within the Grey-Sauble Conservation Authority (GSCA) Approximate Screening Area associated with Ontario Regulation 151/06 (Regulation of Development, Interference with Wetlands and Alterations to Shorelines and Watercourses). The applicant is advised that development and/or site alteration within the GSCA Approximate Screening Area may require permission from GSCA prior to carrying out any work on the subject lands.

The proposed applications are consistent with the natural heritage policies of the PPS and conform to the natural heritage policies of the County Official Plan.

### Cultural Heritage

The area adjacent to the intermittent stream has archaeological potential. As this proposal does not involve the construction of new buildings/structures or site alteration, an archaeological assessment is not recommended at this time. The Saugeen Ojibway Nation has advised that it concurs with this approach.

### Water and Sewer Services

The proposed severed parcel is presently serviced with a private septic system and well. As the proposal does not contemplate any new buildings or structures on the retained parcel, no water nor wastewater servicing is proposed. The proposed applications are consistent with the servicing policies of the PPS and conform to the servicing policies of the County Official Plan.

### Efficient use of Lands and Resources

The new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services. The applicant is proposing a rectangular lot configuration which will reduce the amount of land removed from agricultural production to the minimum appropriate size for the existing residential use. The retained parcel will continue to be used for a cash crop operation. Should the consent be granted, the parcels will be assessed separately, which will provide a modest increase to the property tax revenue for the Municipality and the County.

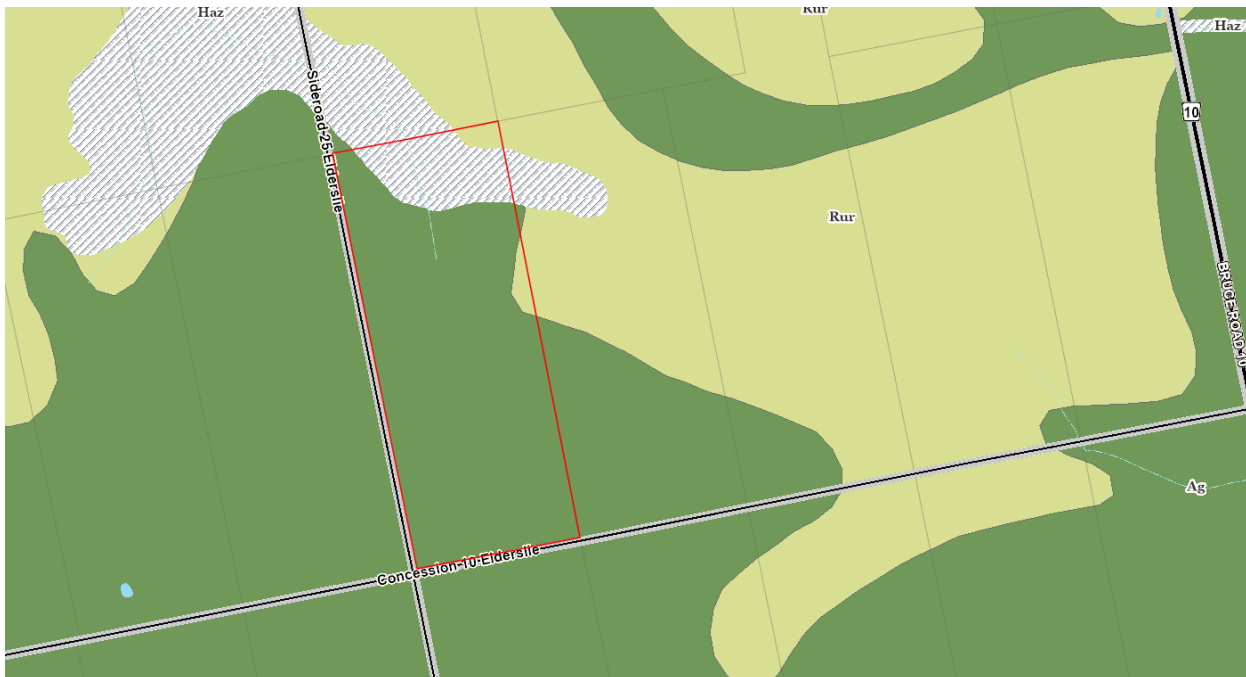
## Zoning By-law

The subject lands are zoned 'General Agriculture (A1)' and 'Environmental Protection (EP)' in the Zoning By-law for the Municipality of Arran-Elderslie. The existing dwelling, barn, and outbuildings are permitted uses in the A1 Zone where they are sited. Both the retained and severed parcels meet the minimum lot area and minimum frontage requirements of the A1 Zone. All existing buildings on the proposed severed parcel meet the minimum required front, rear, and side yard setbacks, as well as the provisions for minimum ground floor area for a detached dwelling, maximum height, and maximum lot coverage. The proposed applications comply with the zone provisions of the A1 and EP Zones, notwithstanding that the retained parcel will be re-zoned to a special provision of the A1 Zone to prohibit future residential development.

## Appendices

- County Official Plan Map
- Local Zoning Map
- Bruce County Official Plan - Constraints (Dobbinton Esker)
- Conservation Authority Jurisdiction (Grey Sauble Conservation Authority)
- Archaeological Potential
- List of Supporting Documents and Studies
- Agency Comments
- Public Notice

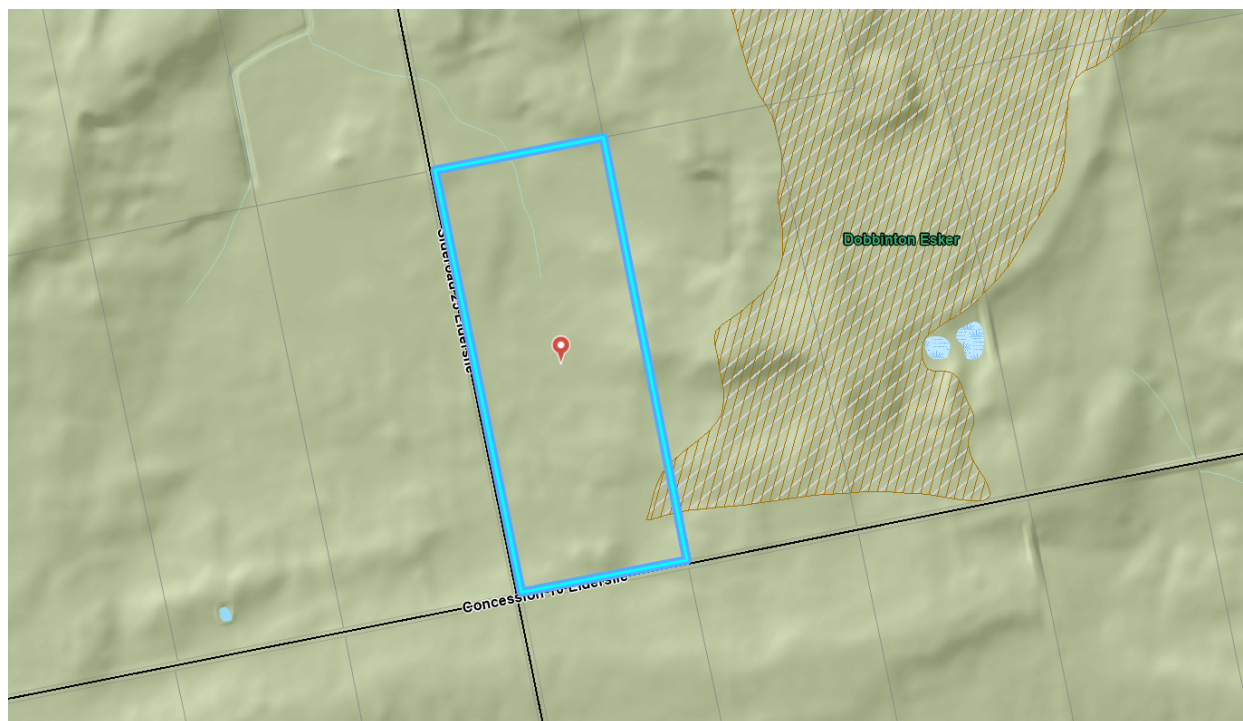
## County Official Plan Map (Designated Agricultural Areas, Hazard Lands Areas, Rural Areas)



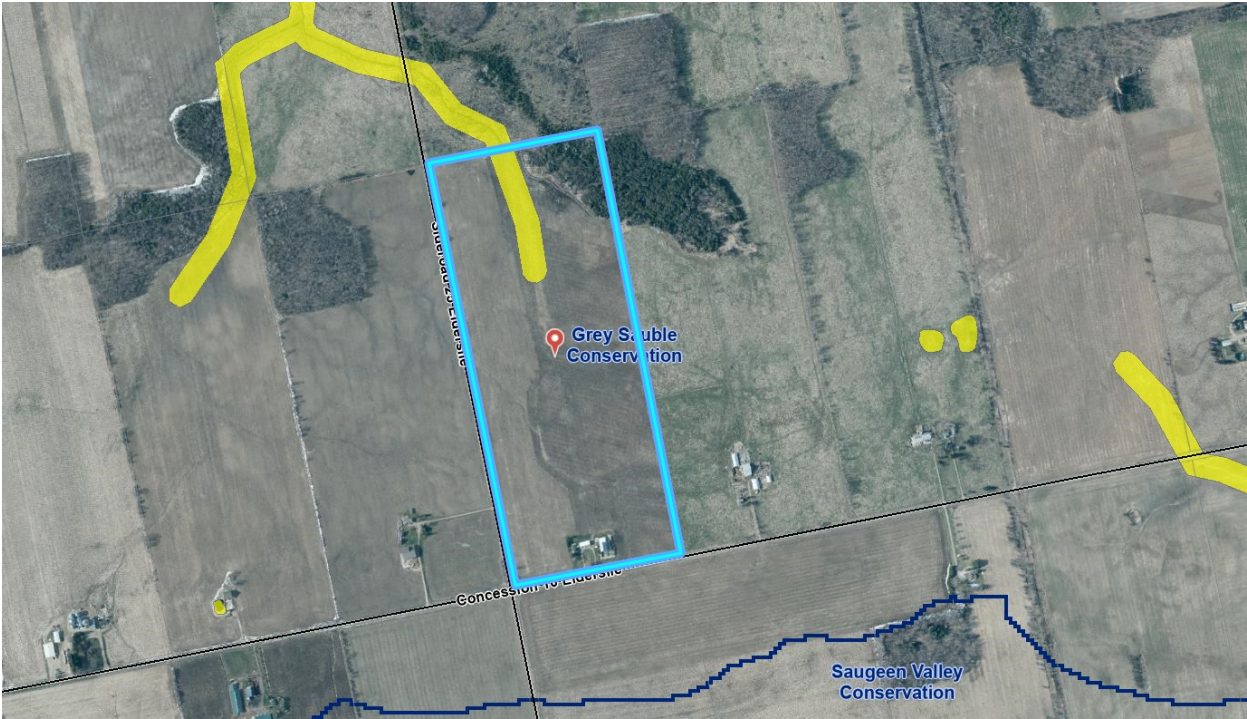
## Local Zoning Map [Zoned General Agriculture (A1) & Environmental Protection (EPP)]



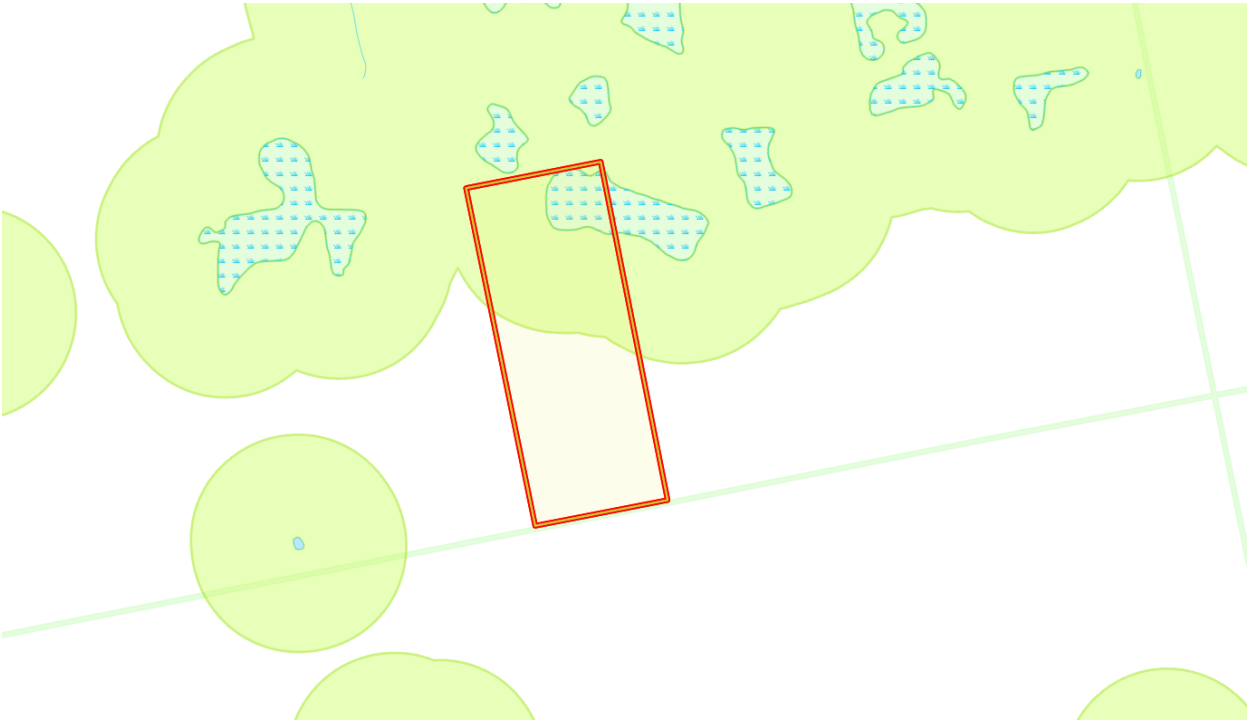
## Bruce County Official Plan - Constraints (Dobbinton Esker)



Conservation Authority Jurisdiction (Grey Sauble Conservation Authority)



Archaeological Potential





## List of Supporting Documents

The following documents were provided by the applicant in support of the application:

- Planning Justification Report, prepared by Cuesta Planning Consultants Inc., dated May 2023

## Agency Comments

A Request for Agency Comments was circulated to the relevant public agencies on June 29, 2023. The following comments were received by the report submission deadline:

**Grey Sauble Conservation Authority (GSCA):** In correspondence dated July 21, 2023, GSCA staff noted that 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 an unnamed watercourse in the northeastern portion of the property. GSCA staff note that no permit is required prior from the GSCA office pursuant to O.Reg 151/06 as no development is proposed in association with this application. GSCA staff further note the presence of natural hazards on portions of the subject property and confirm that both the retained and severed parcel feature sufficient space to accommodate future development outside of the natural hazard areas should it be proposed. Overall, GSCA staff have no objections to this application.

**Public Works (Municipality of Arran Elderslie):** In correspondence dated July 19, 2023, Public Works staff noted no comments related to the subject application.

**Building Department (Municipality of Arran Elderslie):** In correspondence dated July 19, 2023, Building Department staff noted no comments related to the subject application.

**Hydro One:** In correspondence dated July 12, Hydro One staff noted no concerns or comments at this time.

**Historic Saugeen Metis (HSM) Lands, Resources and Consultation Department:** In correspondence dated July 18, 2023, HSM staff noted no objection or opposition to the proposed Consent and Zoning By-law Amendment as presented.

Municipality:

- Verified conditions on July 27, 2023

July 21, 2023

**GSCA File: P23270**

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

Sent via email: [bcplwi@brucecounty.on.ca](mailto:bcplwi@brucecounty.on.ca)

**Re: Application for Consent B-2023-048 and Zoning Z-2023-048**  
**Address: 412 Concession 10**  
**Roll No: 41033800040700**  
**Municipality of Arran-Elderslie (Elderslie)**  
**Applicant: Todd Sweiger**

Grey Sauble Conservation Authority (GSCA) has reviewed the subject application in accordance with our mandate and policies for Natural Hazards and relative to our policies for the implementation of Ontario Regulation 151/06. We offer the following comments.

### **Subject Proposal**

The subject proposal is to sever a 1.47 ha parcel with frontage of 147 m on Concession 10. The severed parcel will contain a residence surplus to a farming operation. The retained parcel will have an area of 39 ha with a frontage of 247.7 m, and will continue to be used for a cash crop operation. A zoning by-law amendment is required to rezone the retained parcel to prohibit any residential development.

### **Site Description**

The property is located on the northeast corner of Concession 10 Elderslie and Sideroad 25 Elderslie, in the Municipality of Arran-Elderslie. The southern portion of the property features a single-family dwelling with multiple accessory structures. Much of the property is utilized for agricultural purposes with a low-lying woodland in the northeast corner 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 area is associated with an unnamed watercourse in the northeastern portion of the property.

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

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### **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.

No development is proposed associated with the subject application that requires a permit from our office.

## **Provincial Policy Statement 2020**

### **3.1 Natural Hazards**

Natural hazards are associated with the flood and erosion potential of the unnamed watercourse and low-lying woodland. These areas are identified on the enclosed map and zoned EP – Environmental Protection. No development is proposed with the subject application within the identified natural hazard areas and both the retained and severed parcel feature sufficient space to accommodate development outside of the natural hazard areas should it be proposed. As such, we are of the opinion that the proposal is consistent with the Section 3.1 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 subject applications as they do not impact any areas regulated under Ontario Regulation 151/06 or natural hazards.

Regards,



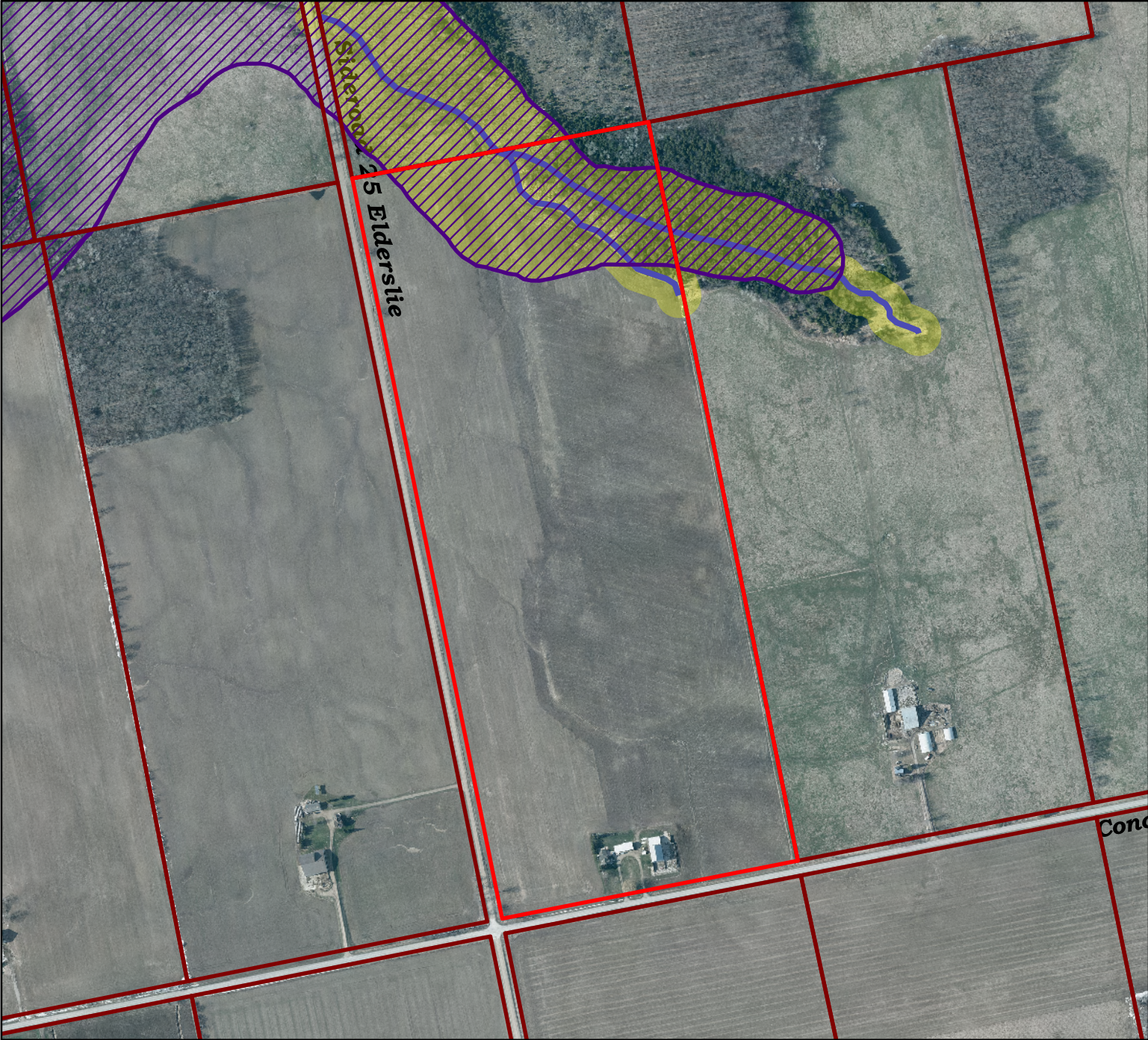
Mac Plewes  
Manager of Environmental Planning


c.c. Jennifer Shaw, GSCA Director, Municipality of Arran-Elderslie  
Christine Fraser-McDonald, Clerk, 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**

**Streams**

**Natural Hazard Area (Approx.)**

  
**Scale = 1:7500**  
0 125 m  


**412 Concession 10**  
**Roll No. 4103380040700**  
**Municipality of Arran-Elderslie**

July 21, 2023

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.  
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This mapping contains products of the South Western Ontario Orthophotography Project (SWOOP). These images were taken in 2015 at 20cm resolution. They are the property of Grey Sauble Conservation © 2023



## Rebecca Elphick

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**From:** Christine Fraser-McDonald [REDACTED]  
**Sent:** July 20, 2023 8:10 AM  
**To:** Lori Mansfield  
**Subject:** FW: Request for Agency Comments and Notices B-2023-048 Z-2023-048 Sweiger

**\*\* [CAUTION]:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

*Christine Fraser-McDonald*

Clerk  
Municipality of Arran-Elderslie  
1925 Bruce Road 10  
P.O. Box 70  
Chesley, ON N0G 1L0  
Ph: 519.363.3039 x 101  
[REDACTED]

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**From:** Chris Legge [REDACTED]  
**Sent:** Wednesday, July 19, 2023 12:28 PM  
**To:** Christine Fraser-McDonald [REDACTED]; Sylvia Kirkwood [REDACTED]; Pat Johnston [REDACTED]; Scott McLeod [REDACTED]  
**Subject:** RE: Request for Agency Comments and Notices B-2023-048 Z-2023-048 Sweiger

There is no Water and Sewer, No Comments

Chris

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**From:** Christine Fraser-McDonald [REDACTED]  
**Sent:** Tuesday, July 18, 2023 3:31 PM  
**To:** Sylvia Kirkwood [REDACTED]; Pat Johnston [REDACTED] Scott McLeod [REDACTED] Chris Legge [REDACTED]  
**Subject:** FW: Request for Agency Comments and Notices B-2023-048 Z-2023-048 Sweiger

Please forward any comments asap.

Thank you

*Christine Fraser-McDonald*

Clerk

## Rebecca Elphick

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**From:** Christine Fraser-McDonald [REDACTED]  
**Sent:** July 19, 2023 9:49 AM  
**To:** Lori Mansfield  
**Subject:** FW: FW: Request for Agency Comments and Notices B-2023-048 Z-2023-048 Sweiger

**\*\* [CAUTION]:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

*Christine Fraser-McDonald*

Clerk  
Municipality of Arran-Elderslie  
1925 Bruce Road 10  
P.O. Box 70  
Chesley, ON N0G 1L0  
Ph: 519.363.3039 x 101  
[REDACTED]

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**From:** Pat Johnston [REDACTED]  
**Sent:** Wednesday, July 19, 2023 9:48 AM  
**To:** Christine Fraser-McDonald [REDACTED]  
**Subject:** Re: FW: Request for Agency Comments and Notices B-2023-048 Z-2023-048 Sweiger

No comments at this time.

Please note that my email has been changed to [REDACTED]

**Patrick Johnston**

Chief Building Official  
Municipality of Arran-Elderslie  
1925 Bruce Road 10 PO Box 70  
Chesley, ON  
N0G 1L0  
519-363-3039 ext 106

On 7/18/2023 3:30 PM, Christine Fraser-McDonald wrote:

Please forward any comments asap.

Thank you

**Christine Fraser-McDonald**

Clerk  
Municipality of Arran-Elderslie

## Rebecca Elphick

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**From:** Coordinator LRC HSM [REDACTED]  
**Sent:** July 18, 2023 9:42 AM  
**To:** Bruce County Planning - Peninsula Hub  
**Subject:** Request for Comments - Arran-Elderslie (Todd Sweiger Farms Ltd.) - proposed Consent and Zoning By-law Amendment

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### Arran-Elderslie Municipality

#### **RE: Z-2023-048 / B-2023-048**

The Historic Saugeen Métis (HSM) Lands, Resources and Consultation Department has reviewed the relevant documents and have no objection or opposition to the proposed Consent and Zoning By-law Amendment as presented.

Thank you for the opportunity to review this matter.

Regards,

Chris Hachey

Coordinator, Lands, Resources & Consultation  
Historic Saugeen Métis  
204 High Street  
Southampton, ON  
[saugeenmetis.com](http://saugeenmetis.com)  
519.483.4000



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## Rebecca Elphick

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**From:** ARABIA Gabriel [REDACTED]  
**Sent:** July 12, 2023 9:54 AM  
**To:** Bruce County Planning - Peninsula Hub  
**Subject:** County of Bruce - Con 11, Lot 26 - B-2023-048

You don't often get email from gabriel.arabia@hydroone.com. [Learn why this is important](#)

**\*\* [CAUTION]:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hello,

We are in receipt of your Application for Consent, B-2023-048 dated June 29<sup>th</sup>, 2023. We have reviewed the documents concerning the noted Application and have no comments or concerns at this time. **Our preliminary review considers issues affecting Hydro One's 'High Voltage Facilities and Corridor Lands' only.**

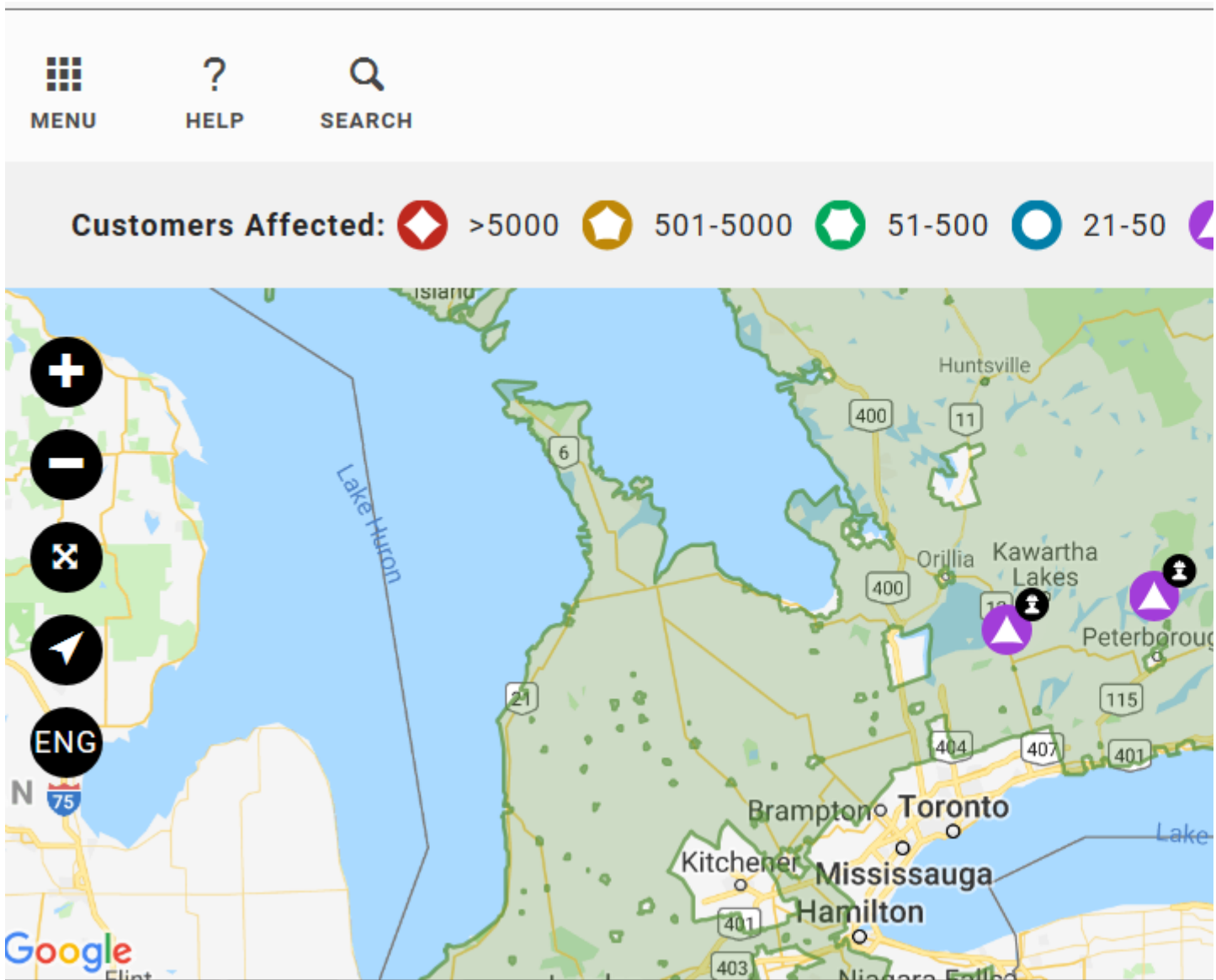
For proposals affecting 'Low Voltage Distribution Facilities' please consult your local area Distribution Supplier.

To confirm if Hydro One is your local distributor please follow the following link:

<http://www.hydroone.com/StormCenter3/>

Please select " Search" and locate address in question by entering the address or by zooming in and out of the map





If Hydro One is your local area Distribution Supplier, please contact Customer Service at 1-888-664-9376 or e-mail [CustomerCommunications@HydroOne.com](mailto:CustomerCommunications@HydroOne.com) to be connected to your Local Operations Centre

Please let me know if you have any questions or concerns.

Thank you,

**Dennis De Rango**

Specialized Services Team Lead, Real Estate Department

Hydro One Networks Inc.

Tel: (905)946-6237

Email: [REDACTED]

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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



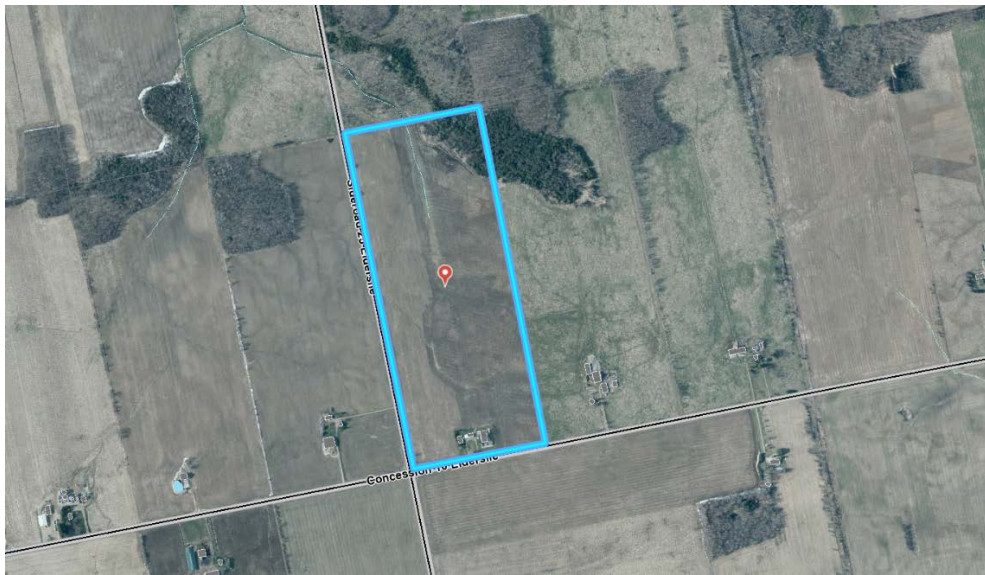
June 29, 2023

File Numbers: B-2023-048, Z-2023-048

## Public Meeting Notice

**You're invited to participate in a Public Meeting  
to consider Zoning By-Law Amendment File No. Z-2023-048  
August 14, 2023 at 9:00 am**

A change is proposed in your neighbourhood: This application proposes to sever a 1.47 ha parcel with a frontage of 147 m on Concession 10 Elderslie. The severed parcel will contain a residence surplus to a farming operation. The retained parcel will have an area of 39 ha with a frontage of 247.7 m, and will continue to be used for a cash crop operation. A Zoning By-Law Amendment is required to rezone the retained parcel to prohibit any residential development.



412 CONCESSION 10, CON 11 LOT 26 (ELDERSLIE)  
Municipality of Arran-Elderslie, Roll Number 410338000407000

## 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](mailto: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: Rebecca Elphick

## 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 20, 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.

Please contact us by email at [bcplwi@brucecounty.on.ca](mailto:bcplwi@brucecounty.on.ca), mail, or phone (226-909-5515) if you have any questions, concerns or objections about the application.

## 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. Seating may be limited and you may be required to wait outside until called upon to speak. As an alternative, you may submit written comments to the Bruce County Planning Department which will be considered at the meeting.

Please contact Clerk Christine Fraser-McDonald at [cfraser@arran-elderslie.ca](mailto:cfraser@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.

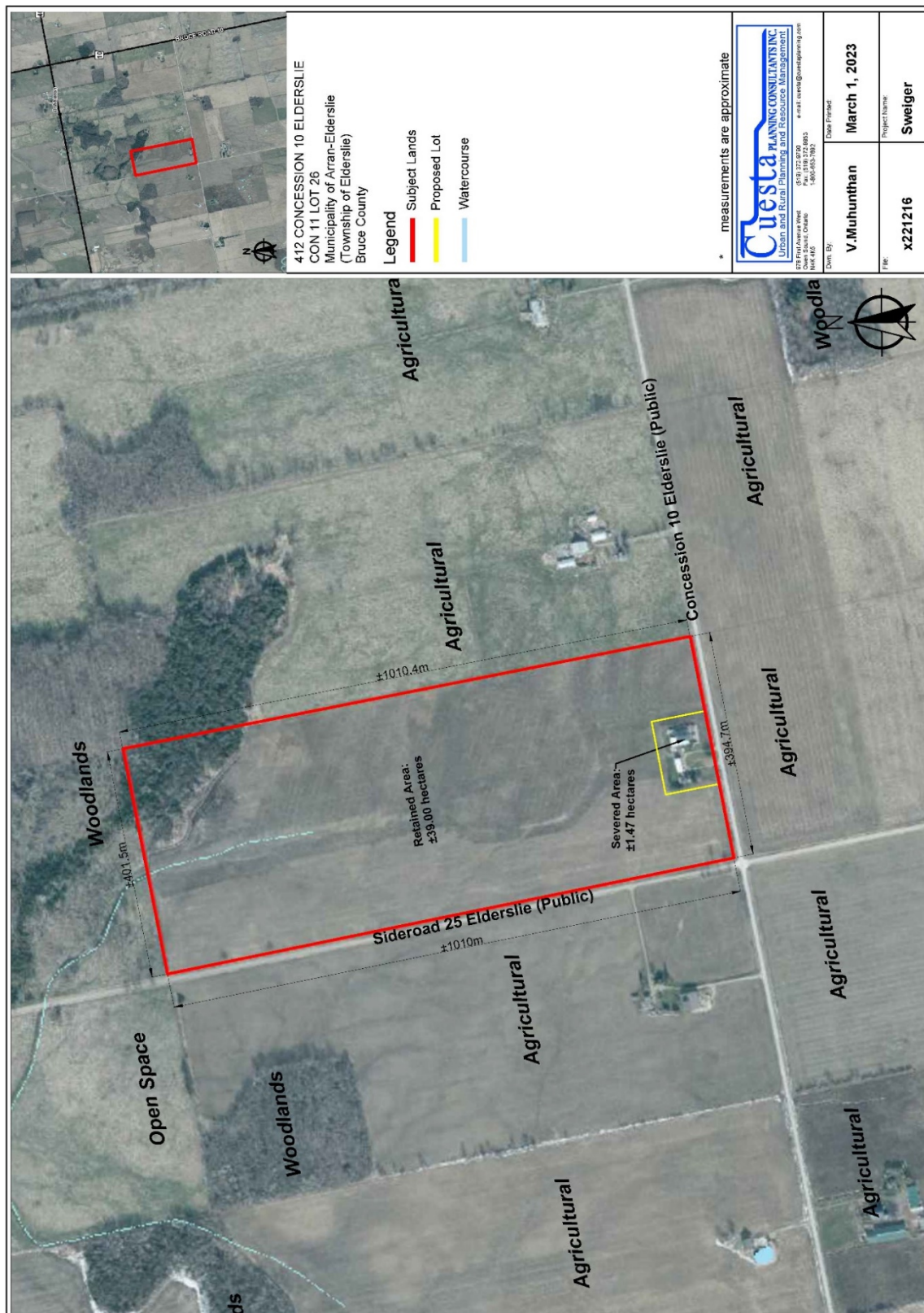
If a person or public body would otherwise have an ability to appeal the decision of the Council of the Municipality of Arran-Elderslie to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Municipality of Arran-Elderslie 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-Eldersli 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 - Entire Property





## Site Plan - Severed Portion

