REPORT SUMMARY

OWNER, APPLICANT or AGENT SHOULD ATTEND THE CONSIDERATION OF THIS APPLICATION

Date of Consideration: **March 12, 2015** **TIME: 9:20 a.m.**

File Number: **B147/14**

Applicant: **Kurtis & Brianna Dykstra**

Subject Lands: TOWN OF MINTO – Part Lots 27 & 28, Concession 17

Surplus Farm Dwelling Application

Proposal is a request for consent to convey fee simple for a proposed severance 1.21 hectares (2.99 acres) with 57.1m frontage in the TOWN OF MINTO – Part Lots 27 & 28, Concession 17, existing and proposed rural residential use with existing house, shed, barn & silo; retained lands are 48.15 hectares (118.98 acres).

ISSUES: size of severed lot

SUMMARY of FILED REPORTS and COMMENTS:

Town of Minto – Council in support of application – conditions to apply

County Planning - notice cards posted; severed large at 3 acres – typical 2 acres; applicant would like to keep barn for housing of 5 horses; proposed could be reduced to acres with exclusion of barn; Farm Information Form which demonstrates that the farm land will be consolidated with larger farming operation owned by applicants was provided; if accessory structure kept – zoning relief will be required; conditions to apply

Conservation Authority (Saugeen Valley) – an EIS is not warranted – no new development is proposed in association with this application; no objections

County Engineering – no objections; no entrance condition required

Other – Cuesta Planning Consultants Inc. – Planning Report (attached)

PROPOSED CONDITIONS of APPROVAL

1) THAT the Owner's solicitor, in preparation for the issuance of the Certificate of Consent, provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee a printed copy of the "completed electronic transfer document in preparation".
2) THAT the Solicitor for the Owner give an undertaking in writing to provide to the Secretary-Treasurer of the County of Wellington Planning and Land Division Committee within 30 days of the date of registration in the Land Registry/Land Titles Office for Wellington (No. 61) a copy of the receipted and registered electronic transfer document including the Form 2 Certificate for Consent B147/14.
3) THAT the Owner, as provided for under Section 69 of the Planning Act, R.S.O. 1990, shall pay to the Treasurer of the County of Wellington the administrative fee which is in effect at the time of the payment of the fee for the review and issuance of the Certificate of Consent for the severed parcel.
4) THAT the transfer for registration with respect to description complies with Ontario Regulation 43-96; and if that description contains a reference to a Reference Plan(s), the Owner's solicitor **shall provide a full print of that deposited reference plan(s)** to the secretary-treasurer of the Planning and Land Division Committee.
5) THAT the Owner receive zoning compliance and classification from the Local Municipality in a manner deemed acceptable by the Local Municipality regarding accessory structure on severed; and that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
6) THAT the Owner satisfy all the requirements of the local municipality, financial and otherwise which the local municipality may deem to be necessary at the time of issuance of the Certificate of Consent for the proper and orderly development of the subject lands; and further that the Local Municipality file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.
7) THAT at the Owners expense, a new Drainage Assessment Schedule (Drain 30) be completed to the satisfaction of the Town of Minto; and further that the Town of Minto file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition .
8) THAT the Owner receive zoning compliance and classification from the Local Municipality and the County of Wellington Planning Department to prohibit a new residential dwelling on the retained parcel in a manner deemed acceptable; and that the Local Municipality and the County of Wellington Planning Department file with the Secretary-Treasurer of the Planning and Land Division Committee a letter of clearance of this condition.

*****Conditions may be deleted, added to, or changed at meeting*****

County of Wellington Planning and Land Division Committee
Deborah Turchet, Secretary-Treasurer
Wellington County Administration Centre
74 Woolwich Street, Guelph, ON N1H 3T9

February 26, 2015

NOTICE OF CONSIDERATION IN PUBLIC FORUM

Pursuant to SECTION 53 of the ONTARIO PLANNING ACT and applicable Regulations

with respect to Application for consent,

File B147/14

APPLICANT

Kurtis & Brianna Dykstra
9759 Ayton Road
RR#3
Clifford ON N0G 1M0

LOCATION OF SUBJECT LANDS:

TOWN OF MINTO
Part Lots 27 & 28
Concession 17

Surplus Farm Dwelling Application

Proposed severance is 1.21 hectares with 57.1m frontage, existing and proposed rural residential use with existing house, shed, barn & silo.

Retained parcel is 48.15 hectares with 361.2m frontage, existing and proposed agricultural use.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, March 12, 2015**

AT 9:20 a.m. for the purpose of considering this matter.

CONSIDERATION WILL BE HELD IN THE: 3A (Keith Room)
County of Wellington Administration Centre
74 Woolwich Street
Guelph, Ontario N1H 3T9

NOTICE is being sent to you for your information. **THE OWNER, APPLICANT OR AUTHORIZED AGENT, OR AUTHORIZED SOLICITOR SHOULD ATTEND THIS CONSIDERATION**. Any person may be represented by counsel who has been duly authorized for that purpose.

Even if the owner/applicant does not attend, the Committee will consider the application as scheduled, and the applicant, except as otherwise provided in the Planning Act, will not be entitled to any further notice in the Proceedings.

Please also be advised that if a person or public body that filed an appeal of a decision of the County of Wellington Planning and Land Division Committee in respect of the proposed consent has not made written submission to the County of Wellington Planning and Land Division Committee before it gives or refuses to give a provisional consent, then the Ontario Municipal Board may dismiss the appeal.

A Copy of the **DECISION** of the Committee will be sent **to the applicant, and to each person or agency who filed with the Secretary-Treasurer a written request for Notice of Decision.**

Additional Information regarding the application is available to the public during regular business hours, Monday to Friday at the County of Wellington Planning and Land Division Office - 74 Woolwich St. Guelph ON N1H 3T9

Phone - (519) 837-2600 x2170 Fax – (519) 837-3875

To view comments for this application on our website www.wellington.ca follow these steps:

- **Government**
- **Council and Standing Committees**
- **Land Division Committee**
- **choose month & year in drop down menus**
- **Choose Land Division Committee in the drop down menu**
- **open appropriate agenda**

TO: **Agent – Cuesta Planning Consultants Inc.**

Town of Minto

RECEIVED
FEB 18 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

February 18, 2015

Deborah Turchet, Secretary Treasurer
County of Wellington
Planning & Land Division Committee
74 Woolwich Street
Guelph, Ontario
N1H 3T9

Re: Severance Application B147/14

Dear Deborah:

The Council of the Town of Minto at their regular Council meeting held on February 17, 2015 approved the following motion;

THAT the Council recommends the County of Wellington Land Division Committee approve Severance Application B147/14 Kurtis & Brianna Dysktra, Part Lots 27 & 28 Concession 17, Town of Minto that the following conditions be considered:

1. **THAT prior to a certificate of consent being issued all financial requirements are met to the satisfaction of the Town of Minto;**
2. **THAT the Owner receive zoning compliance and classification from the Town of Minto to the severed and retained parcel in a manner deemed acceptable by the Town of Minto.**
3. **THAT drainage re-assessment schedules for Drain 30 would be required at the owner's expense.**

Should you require additional information, please contact Bill White C.A.O. Clerk at 519-338-2511. Ext. 222.

Sincerely

Peg Schieck

Peg Schieck, CMO
Clerk's Assistant

5941 Highway #89
Harriston, Ontario
N0G 1Z0

tel: 519-338-2511
fax: 519-338-2005

www.town.minto.on.ca

Planning and Development Department | County of Wellington
County Administration Centre | 74 Woolwich Street | Guelph ON N1H 3T9
T 519.837.2600 | F 519.823.1694

Application	B147/14
Location	Part Lot 27 & 28, Concession 17 TOWN OF MINTO
Applicant/Owner	Kurtis & Brianna Dykstra

PLANNING OPINION: This application would sever a 1.21 ha (2.99 ac) parcel with existing dwelling, barn, shed and silo in the Prime Agricultural area. A 48.2 ha (118.98 ac) vacant agricultural parcel would be retained. This application is being submitted under the Surplus farm dwelling policies.

The severed parcel is large at 1.21 ha (3 ac) than the typical 0.8 ha (2 ac) normally considered. The applicant would like to keep the barn for the housing of 5 horses. With the exclusion of the barn the severed parcel could be reduced closer to the 0.8 ha (2 ac) size.

If approved, we would ask that the following matters be addressed as a condition of approval:

a) That the retained lands are rezoned to restrict residential development to the satisfaction of the County of Wellington Planning and Development Department; and,
b) That zoning compliance be achieved for the severed parcel (Accessory Buildings) to the satisfaction of the Township; and,
c) That safe driveway access can be provided to the retained parcel to the satisfaction of the County of Wellington Engineering Services Department.

PLACES TO GROW: No issues

PROVINCIAL POLICY STATEMENT (PPS): The creation of new residential lots in prime agricultural areas shall not be permitted, except in accordance with policy 2.3.4.1(c). According to this policy, lot creation in prime agricultural areas may be permitted for a residence surplus to a farming operation as a result of farm consolidation, provided that there is a restriction against new residential dwellings on any vacant farmland parcel created by severance. Farm consolidation is defined as the acquisition of additional farm parcels to be operated as one farm operation.

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated PRIME AGRICULTURAL and CORE GREENLANDS. The Greenland designation represents hazardlands. According to Section 10.3.4, a severance may be considered for an existing residence that is surplus to a farming operation as a result of farm consolidation, provided that:

a) the remaining vacant farmland is large enough to function as a significant part of the overall farm unit; and
b) the result of removing the surplus dwelling from the farm does not render the remaining farmlands difficult or inefficient to farm; and
c) the amount of good farmland retained with the surplus house is kept to a minimum size needed for residential purposes, taking into consideration environmental and topographic features; and
d) the surplus residence is habitable and is not expected to be demolished by a future owner; and
e) the Minimum Distance Separation formula will be met; and
f) That the vacant parcel of farmland is rezoned to prohibit a residential use.

The intention of this policy is to allow farmers to reduce their costs of acquiring additional farm parcels, where the impact on existing and future farm operations can be kept to a minimum." Staff has been provided with the necessary Farm Information Form which demonstrates that the farm land will be consolidated with a larger farming operation owned by the applicants.

The matters under section 10.1.3 were also considered.

LOCAL ZONING BY-LAW: The subject property is currently zoned Agricultural (A). A zoning by-law amendment would be necessary to prohibit residential use on the retained parcel. Further, zoning relief will be required to address the combined 539 m² (5, 811 ft²) of accessory structure to be kept on the severed parcel. The permitted amount of accessory building lot coverage is 111.4 m² (1, 200 ft²) for a lot this size.

SITE VISIT INFORMATION: The subject property was visited and photographed on February 6th, 2015. Notice Cards were posted and the survey sketch appears to meet the application requirements.

Jameson Pickard

Jameson Pickard, Junior Planner
February 18th, 2015

RECEIVED
FEB 18 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

1078 Bruce Road 12, P.O. Box 150, Formosa ON Canada N0G 1W0
Tel 519-367-3040, Fax 519-367-3041, publicinfo@svca.on.ca, www.svca.on.ca

SENT ELECTRONICALLY ONLY (debt@wellington.ca)

February 11, 2015

County of Wellington Planning & Land Division Committee
Wellington County Administration Centre
74 Woolwich Street
Guelph, ON
N1H 3T9

RECEIVED
FEB 11 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

ATTENTION: Deborah Turchet, Secretary- Treasurer

Dear Ms. Turchet,

RE: Application for Consent B147/14
5782 County Road 2
Part Lots 27-28, Concession 17
Geographic Township of Minto
Town of Minto (Kurtis & Brianna Dykstra)

The Saugeen Valley Conservation Authority (SVCA) has reviewed this proposal in accordance with the SVCA's mandate and policies, and the Memorandum of Agreement between the Authority and the County of Wellington relating to plan review. The purpose of this application is to sever a surplus farm dwelling, and retain an agricultural parcel. The application for consent is acceptable to the SVCA. We offer the following comments.

Natural Heritage

The significant natural heritage features affecting the subject property are the fish habitat associated with the watercourses, the habitat of threatened or endangered species, and the woodlands.

An unnamed tributary of Meux Creek flows westerly through the northerly portion of the subject property. Minto Municipal Drain 30 and Minto-Normanby Municipal Drain are located on the southerly portion of the subject property.

Threatened & Endangered Species

It has come to the attention of the SVCA that habitat of threatened or endangered species may be located in the area of the proposed development. Provided the applicable legislation referenced by Section 2.1.7 of the Provincial Policy Statement (PPS) is addressed by the applicant associated with this proposal then Threatened

or Endangered Species policies have been accommodated by the proposed. Please contact the Ministry of Natural Resources and Forestry (MNRF) to address this policy.

Wellington County Official Plan

The woodlands located on the northern portion of the property are designated Greenlands in Schedule A5 of the Wellington County Official Plan.

Section 5.6.3 of the Wellington County Official Plan states in part, "Where development is proposed in the Greenland system or on adjacent lands, the County or local municipality shall require the developer to...prepare where required, an environmental impact assessment to address potential impacts." In the opinion of the SVCA, an EIS is not warranted for this proposal as no new development is proposed in associated with this application.

SVCA Regulations

The landowner is advised that portions of the retained and severed parcels of this property are subject to the SVCA's Development, Interference with Wetlands, and Alterations to Shoreline and Watercourses Regulation (Ontario Regulation 169/06, as amended). This Regulation is in accordance with Section 28 of the Conservation Authorities Act, R.S.O, Chap. C. 27, and requires that a person obtain the written permission of the SVCA prior to any "development" in a Regulated Area or alteration to a watercourse or wetland.

Although mapping showing the Regulated Area for the subject property is not available at this time, the Natural Environment (NE) zone plus a 50 metre screening distance from the zone boundary should be used as an approximate screening area within which the Regulation could apply. Adjacent properties appear to be partially zoned NE, therefore the 50 metre screening area extends onto the eastern portion of the subject property.

Watercourses, regardless of the zoning are subject to the SVCA's Development, Interference with Wetlands, and Alterations to Shoreline and Watercourses Regulation (Ontario Regulation 169/06, as amended).

"Development" and Alteration

Subsection 28(25) of the Conservation Authorities Act defines "development" as:

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.*

According to Section 5 of Ontario Regulation 169/06, as amended, alteration 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.

Permission for Development or Alteration

If development or alteration including construction, reconstruction, conversion, grading, filling or excavation is proposed in or near the Regulated Area, the SVCA should be contacted as permission may be required.

Conclusion

The application for consent is acceptable to the SVCA. All of the plan review functions listed in the Agreement have been assessed with respect to this proposal. The SVCA is of the opinion that this application for consent appears to conform to the relevant policies of the Wellington County Official Plan and Provincial Policies referred to in the Agreement.

We trust this information is helpful. Should you have any questions, please do not hesitate to contact this office.

Sincerely,

Valerie Lamont

Valerie Lamont
Environmental Planning Technician (Acting)
Saugeen Conservation

VL\

cc: Nolan Moss, Consultant – Cuesta Planning Consultants Inc. (via email)
Kurtis & Brianna Dykstra, Owners (9759 Ayton Road, RR # 3, Clifford, ON, N0G 1M0)
Steve McCabe, SVCA Director (via email)

County of Wellington Planning and Land Division Committee
Deborah Turchet, Secretary-Treasurer
Wellington County Administration Centre
74 Woolwich Street, Guelph ON N1H 3T9

RECEIVED
FEB 13 2015
SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

January 16, 2015

NOTICE OF AN APPLICATION FOR CONSENT

Ontario Planning Act, Section 53(4)

The County of Wellington Planning and Land Division Committee requests your written comments on this application for consent.

APPLICATION SUBMITTED ON: December 11, 2014

FILE NO. B147/14

APPLICANT

Kurtis & Brianna Dykstra
9759 Ayton Road
RR#3
Clifford ON N0G 1M0

LOCATION OF SUBJECT LANDS:

TOWN OF MINTO
Part Lots 27 & 28
Concession 17

Surplus Farm Dwelling Application

Proposed severance is 1.21 hectares with 57.1m frontage, existing and proposed rural residential use with existing house, shed, barn & silo.

Retained parcel is 48.15 hectares with 361.2m frontage, existing and proposed agricultural use.

IF YOU WISH TO SUBMIT COMMENTS ON THIS APPLICATION, WE MUST HAVE YOUR WRITTEN COMMENTS BEFORE

February 18, 2015

Please note that if the Comments are not received by the requested date, the Planning and Land Division Committee may proceed to consider the application, and may assume that you have no objection to this APPLICATION for CONSENT.

Please also be advised that if a person or public body that files an appeal of a decision of the County of Wellington Planning and Land Division Committee in respect of the proposed consent has not made written submission to the County of Wellington Planning and Land Division Committee before it gives or refuses to give a provisional consent, then the Ontario Municipal Board may dismiss the appeal.

If you wish to be **NOTIFIED OF THE DATE AND TIME OF THE CONSIDERATION** of this application - **please make your request in writing** to the Planning and Land Division Committee before the "Comments Return Date" noted above.

If you wish to be **NOTIFIED OF THE DECISION** of the County of Wellington Planning and Land Division Committee in respect of this proposed consent, **you must make a request in writing** to the County of Wellington Planning and Land Division Committee. This will also entitle you to be advised of a possible Ontario Municipal Board Hearing. Even if you are the successful party, you should request a copy of the decision since the County of Wellington Planning and Land Division Committee's decision may be appealed to the Ontario Municipal Board by the applicant or another member of the Public

INFORMATION REGARDING THE APPLICATION is available to the public during regular business hours, Monday to Friday at the County of Wellington Planning and Land Division Office- 74 Woolwich St. Guelph ON N1H 3T9. Phone: (519) 837-2600 x2170 Fax: (519) 837-8875

COUNTY OF WELLINGTON
ENGINEERING SERVICES
NO OBJECTION
NOTICE OF DECISION REQ'D.
PASQUALE COSTANZO, CET
ENGINEERING TECHNOLOGIST
FEB 03 2015
Date:

MAILED TO:

Local Municipality – Minto County Planning Conservation Authority – Saugeen Valley

County Engineering

Bell Canada County Clerk Roads

Neighbour - as per list verified by local municipality and filed by applicant with this application

* NO ENTRANCE COND'D REQ'D *

PLANNING REPORT

Proposed Surplus Farm Dwelling Consent

5782 Wellington Road 2
Pt Lot 27, Pt Lot 28, Concession 17
Geographic Township of Minto
Town of Minto
County of Wellington

Prepared for:
Kurtis & Brianna Dykstra
9759 Ayton Road
R.R. #3, Clifford
Town of Minto
County of Wellington
Ontario N0G 1M0

Prepared by:

Cuesta Planning Consultants Inc.
978 First Avenue West
Owen Sound, ON N4K 4K5
Tel: 519-372-9790
Fax: 519-372-9953
cuesta@cuestaplanning.com

File No. 21420

Cuesta PLANNING CONSULTANTS
Urban and Rural Planning and Resource Management

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PLANNING JUSTIFICATION REPORT

ZBA & Consent

5782 Wellington Road 2
RR #3, Clifford
Township of Minto
County of Wellington

1.0 BACKGROUND & CONTEXT

1.1 Purpose of Report

Cuesta Planning Consultants Inc. has been retained by Mr. Kurtis Dykstra to prepare and submit applications in order to sever a dwelling that is surplus to his needs. The subject property is located at 5782 Wellington Road 2 and legally described as Part of Lots 27 and 28, Concession 17, in the Township of Minto, in the County of Wellington.

The following report provides a description of the property and surrounding land uses, followed by an evaluation of the proposal with regard to the relevant land use policy. In determining the appropriateness of the proposed consent, the following analysis will consider the nature of the proposal itself, along with its compatibility with the surrounding land use and the intent and purpose of the land use policy for this area.

This report and accompanying applications are intended as well, to satisfy the requirements of Section 53 (2 & 3) of the *Planning Act* regarding the submission of a complete application.

1.2 Location and Description of Subject Lands Figure 1

The land subject to this proposal contains an original township lot (Part Lot 27, Concession 17), as well as a ±10 hectare addition from Lot 28, Concession 17. In total, this holding contains 49.36 hectares (±121.97 acres) of land, with ±418.3 metres of frontage on Wellington Road 2.

Approximately 85% of the property is tillable with the balance of the land containing a wooded area. The wooded lands and a small watercourse on the northern portion of the property are the only natural features on the property.

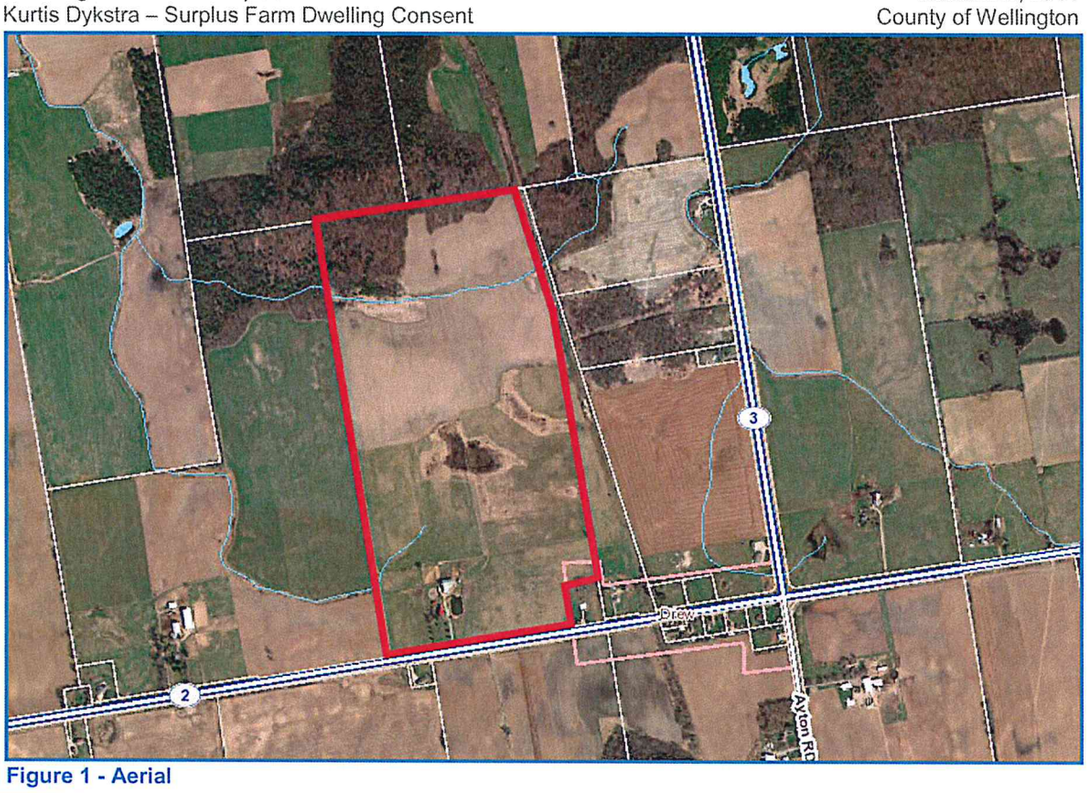

Figure 1 - Aerial

1.3 Description of Proposal

The lot to be severed would contain a farm residence and a number of outbuildings including, a garage/shed, barn and associated grain bin. A pond feature would be included in the lot to be created. A new entrance will be required for the retained parcel

The property is designated almost entirely "Prime Agricultural," with the wooded area designated as "Greenlands." The northeast portion of the property contains a "Mineral Aggregate Area" designation.

The parcel to be severed is approximately 1.21 hectares (±2.99 acres), leaving a retained parcel of 48.15 hectares (±118.98 acres).

In keeping with the Provincial Policy Statement and County of Wellington Official Plan, the remnant parcel will be rezoned to prohibit future residential development. This rezoning will also address any zone conformity issues created by the new lot in regard to the rear and side yard setbacks and hobby barn size. Amending the setbacks will not limit the servicing function of the residential use.

The barn on the property will be included with the severed parcel. The well that services the dwelling is located within the existing barn.

The existing barn is larger than a hobby barn, which is a permitted use. To compensate for the barn's size, the parcel will be zoned to prohibit the housing of

more than five (5) horses, a number equal to that of a hobby barn. The floor area limitations for a lot of this size provides for a hobby barn of 37.2 m^2.

1.4 Surrounding Land Use — Figure 2

Southeast of the subject land is the rural hamlet of Drew. This is a small rural community of approximately 11 rural residential lots. Northeast, bordering the property, there is a former railway allowance. Beyond this, and along the eastern boundary, is agriculture and wooded land. North and west of the property the lands are primarily agriculture with associated woodland. South of the parcel to be severed agricultural uses are located.

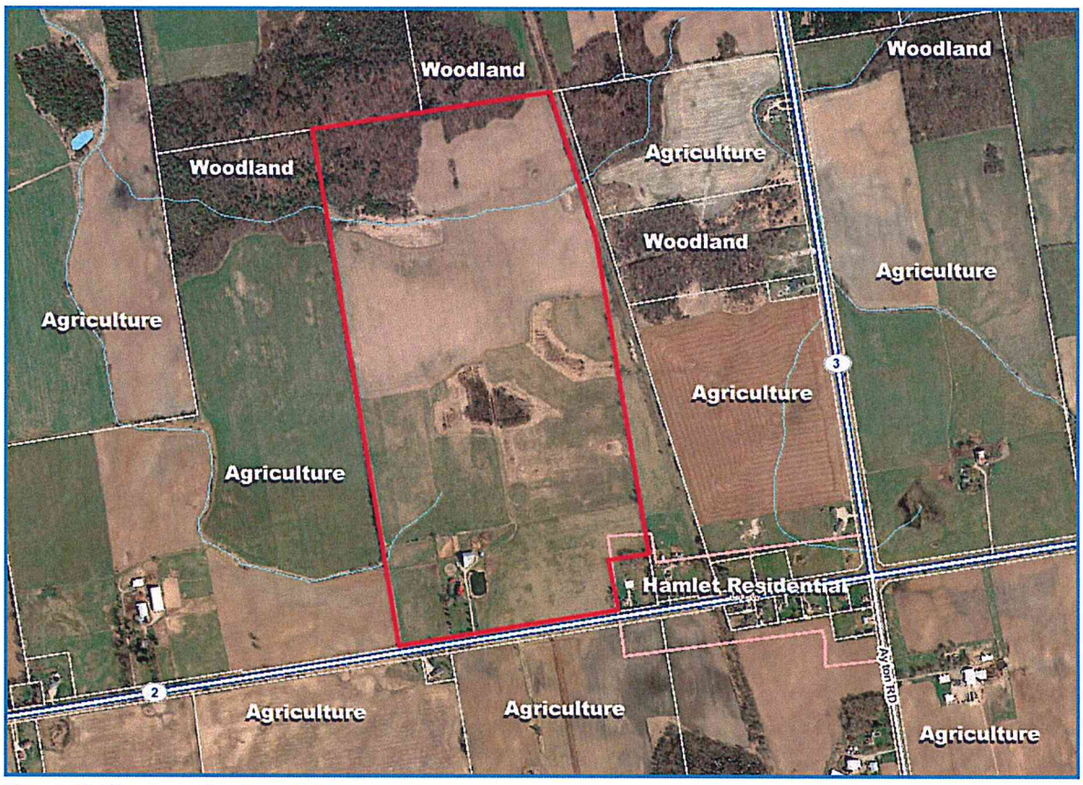

Figure 2 - Surrounding Land Use

2.0 LAND USE POLICY CONSIDERATIONS

Based on the initial review of provincial, county and local land use policy and our consultation with planning staff, the approvals required are identified in Table 1.

Table 1 – **Required Approvals**

Application	Approval Authority
Zoning By-Law Amendment	**Township of Minto**

2.1 Provincial Policy Statement (PPS)

Section 3 of the Planning Act permits the Ministry of Municipal Affairs and Housing to issue policy statements that reflect provincial interest in municipal planning. Section 3 also requires municipal decision-makers, when making municipal land use planning decisions, to be consistent with the PPS. The April 30th, 2014 Provincial Policy Statement is intended to reflect the changing planning environment in all sections of the province. This proposal conforms to this update, as is demonstrated in the subsequent section.

2.1.1 Evaluation of Provincial Policy Statement

Any land use discussion must be tested against the applicable provisions of the PPS. Although the PPS is to be read in its entirety, the following provisions are considered the most applicable with respect to the proposed applications:

- Section 1.1 "**Managing and Directing Land Use ... Patterns**"
- Section 2.1 "**Natural Heritage**"
- Section 2.3 "**Agriculture**"

Table 2 – Provincial Policy Statement		
Section	Policy	Evaluation
1.1.4 Rural Areas in Municipalities		
1.1.4.1 Healthy, integrated and viable rural areas should be supported by:		
a)	*building upon rural character, and leveraging rural amenities and assets;*	This proposal will protect the agrarian resource and rural character on the remnant parcel by prohibiting future residential development in this area of the property.
d)	*encouraging the conservation and redevelopment of existing rural housing stock on rural lands;*	The prospective owner of the new parcel will have greater incentive to maintain the property, thereby conserving the rural housing stock.
e)	*using rural infrastructure and public service facilities efficiently;*	Rural infrastructure and public hard and soft services will not be affected by this proposal, as no new residential development will occur.
2.3 Agriculture		
.1	*Prime agricultural areas shall be*	As stated previously, the remnant

	protected for long-term use for agriculture	parcel will be rezoned to prohibit future residential development, thereby preserving the land base for agrarian purposes.
2.3.3 Permitted Uses		
.1	*In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses.*	The remnant parcel will retain its agrarian use. The parcel to be severed will contain a surplus farm dwelling, a permitted use under Section 2.3.4.
.2	*In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.*	The remnant parcel will be of sufficient size (48.15 hectares) to accommodate a wide variety of agricultural uses.
.3	*New land uses, including the creation of lots, and new or expanding livestock facilities shall comply with the minimum distance separation formulae.*	There are no livestock facilities within 500 metres of any lot lines of the proposed severance.
2.3.4 Lot Creation and Lot Adjustment		
.1	*Lot creation in prime agricultural areas is discouraged and may only be permitted for: (c) a residence surplus to a farming operation as a result of farm consolidation, provided that: (1) the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and (2) the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective; and*	This proposal qualifies as a surplus dwelling consent. Furthermore, and as mentioned above, the severed parcel will minimize the inclusion of agricultural land within the proposed boundaries and will be of an appropriate size to include the dwelling, outbuildings, well and septic system. The inclusion of the barn is necessary, as it houses the well that will service the property. The proposal will rezone the remnant parcel to prohibit future residential development.

2.2 County of Wellington Official Plan

Prime Agriculture is the principal designation on the subject land under the County of Wellington Official Plan. The northern most portion of Part Lot 27 and Part of Lot 28, Concession 17, contains a 'Greenlands' designation which is more than 600 metres north of the parcel to be severed. The County of Wellington Official Plan also identifies a Mineral Aggregate area, approximately 365 metres northeast from the land subject to this consent.

Table 3 – County of Wellington Official Plan		
Section	**Policy**	**Evaluation**
6.4 Prime Agricultural Areas		
.3	*Permitted uses and activities in Prime Agricultural Areas may include: (d) existing uses (e) single detached homes*	The structures to be included in the severed parcel all exist and no new development is to occur. The barn will be included with the dwelling and is considered an accessory use. Hobby barns are a permitted accessory use. In this instance a hobby barn would be limited to a ground floor area of 37.2m^2. The existing barn will be restricted to provide for only five (5) horses at any given time as part of the rezoning, equal to what would be permitted in a 37.2m^2 hobby barn.
10. Creating New Lots		
10.3 Prime Agricultural Land		
.1	*Lot creation in prime agricultural areas will be restricted to the following: (c) a residence surplus to a farming operation.*	The structures on the property already exist and are surplus to the needs of the owner.
.4	*a) the remaining vacant farmland is large enough to function as a significant part of the overall farm unit; and* *b) the result of removing the surplus dwelling from the farm does not render the remaining farmlands difficult or inefficient to farm; and* *c) the amount of good farmland retained with the surplus house is kept to a minimum size needed for residential purposes, taking into consideration environmental and topographic features; and* *d) the surplus residence is habitable and is not expected to be demolished by a future owner; and* *e) the Minimum Distance Separation formula will be met, and*	The remnant parcel will be approximately 48.15 hectares, a size that can accommodate an array of agricultural functions. The farm parcel will have access onto Wellington Road 2. Removal of the surplus buildings will not affect the agricultural operation. The land to be severed is of an appropriate size to accommodate the dwelling, outbuildings and the private well and septic system. The dwelling is habitable and it is not to be demolished by a future owner. Since this is a surplus farm dwelling consent, any conflicts already exist and as such MDS I does not apply. There are no livestock facilities

		within 500 metres of the proposed consent.
	f) the vacant parcel of farmland is rezoned to prohibit a residential use	In accordance with provincial policy and the policy of this plan, the remnant parcel will be zoned to prohibit future residential development.
6.6 Mineral Aggregate Areas		
.2	*a) resource extraction use would not be feasible;*	With respect to the mineral aggregate deposit identified on Schedule A of the County Official Plan, due to the proximity of the hamlet of Drew and the fact that the dwelling already exists, the farmstead would represent an existing constraint regardless of whether or not it is severed. This application will, therefore have no impact on the extractability of the mineral aggregate deposit.

2.3 Township of Minto Comprehensive Zoning By-law NO. 01-86

This application is a traditional surplus farm dwelling consent, with the exception that the existing barn on the parcel to be severed is larger than the permitted size for a hobby barn. Through the rezoning process a limitation will be placed on the barn that will limit livestock use to a maximum of five (5) large framed horses.

Section 8 of the Town of Minto Comprehensive Zoning By-law describes the permitted uses and setbacks for Agricultural zones. The single detached dwelling is a permitted use, as are accessory structures. Under the umbrella of accessory structures are hobby barns. These are small scale barns and on the lot size being proposed, the maximum permitted size would have an area of 37.2m^2. This application proposes, as part of the rezoning, to limit the nutrient units and/or the number of horses permitted on the property to equal the capacity of a 37.2 m^2 hobby barn. This will maintain the intent of this zoning provision and allow for an existing structure to be maintained, as opposed to it removal and replacement with a hobby barn.

The proposal will also rezone the remnant parcel to prohibit future residential development in accordance with Provincial and County policy.

Additionally, the rezoning will address any deficiencies with respect to setbacks and other zoning regulations.

3.0 SUMMARY & CONCLUSIONS

Based on the forgoing report and analysis this proposal is consistent with the Provincial Policy Statement, and conform to the County of Wellington Official Plan, and is within the intent and spirit of the Township of Minto Comprehensive Zoning By-law. The proposal will sever the surplus farm dwelling and its associated outbuildings and include a minimal amount of agricultural land. The requisite rezoning will restrict the barn on the property to no more than five (5) horses and prohibit future residential development on the retained parcel.

Considering the above noted information and analysis it can be concluded that:

1) The proposal is consistent with the policies of the Provincial Policy Statement.
2) The proposed severance is in conformity with the intent and policies of the County of Wellington Official Plan.
3) The Township of Minto Zoning By-law Amendment should provide for a restriction on the number of horses permitted on the property and rezone the retained parcel to prohibit future residential development.
4) The proposal reflects good rural land use planning and should be approved.

Respectfully Submitted,

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