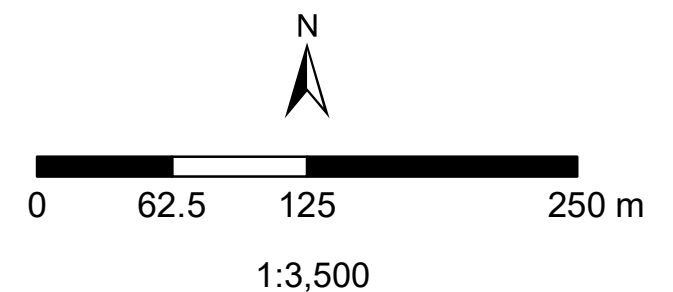
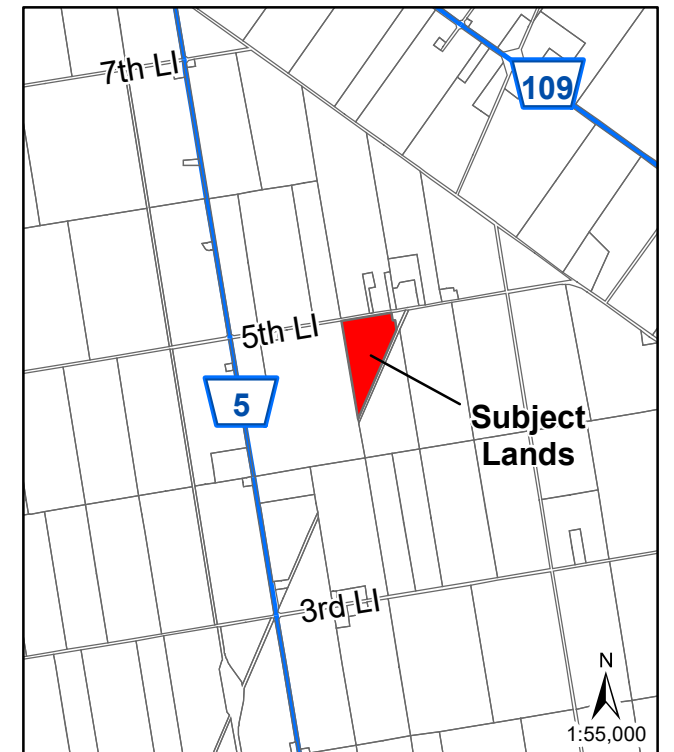


COUNTY OF WELLINGTON LAND DIVISION

B71-21

Applicant:
J & K Agro Services Inc.
BJ&S Enterprises Inc.

Town of Minto
6167 Minto Line 5

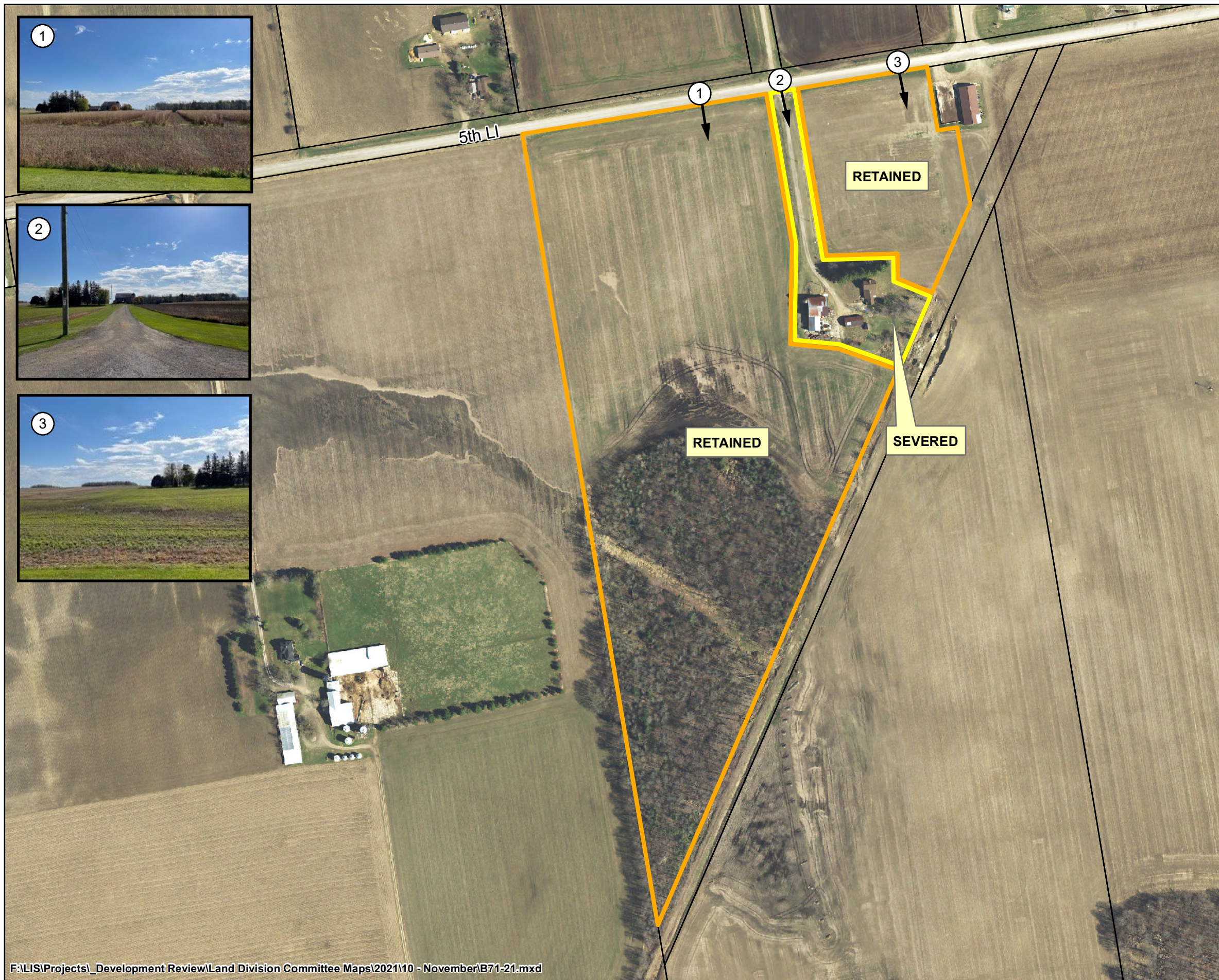


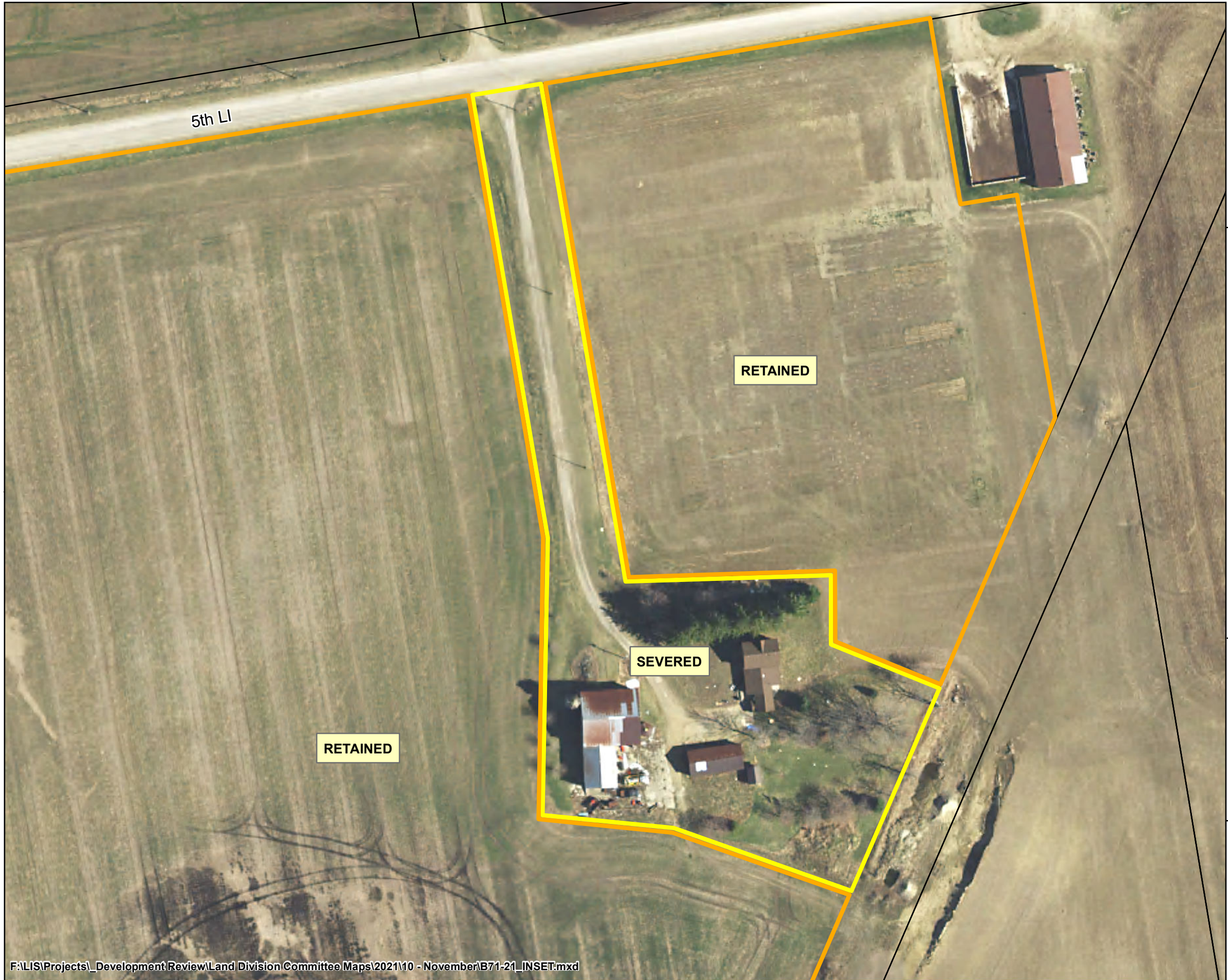
Date: October 2021

Produced by: County of Wellington Planning & Development Department

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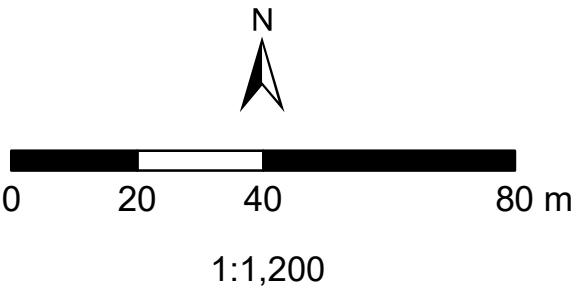
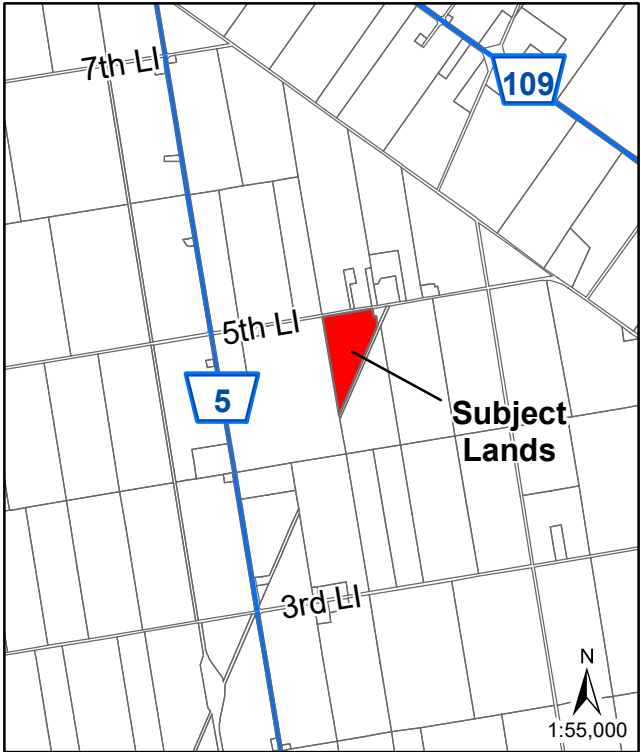
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COUNTY OF WELLINGTON
LAND DIVISION

B71-21

Applicant:
J & K Agro Services Inc.
BJ&S Enterprises Inc.

Town of Minto
6167 Minto Line 5

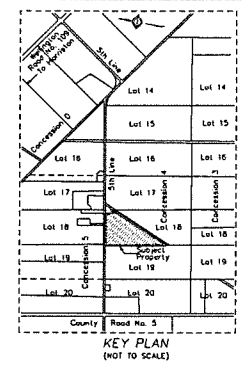
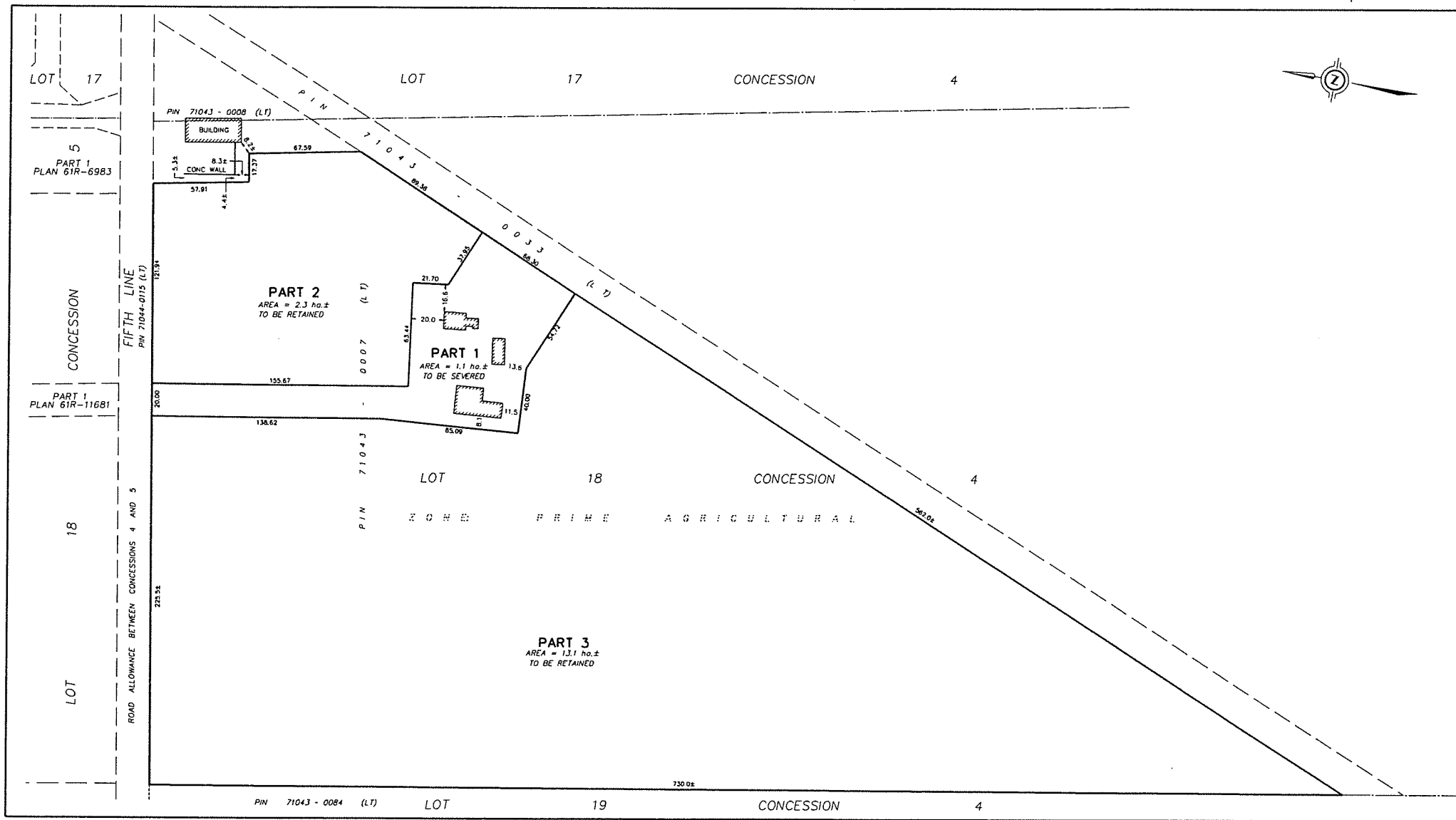


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TOWN OF MINTO
(Geographic Township of Minto)
SKETCH
PREPARED FOR SEVERANCE APPLICATION

SCALE 1 : 1500
0 30 60 90 metres

METRIC: DISTANCES SHOWN ON THIS PLAN ARE IN METERS AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048

CAUTION: THIS IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

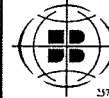
NOTES:
1. THIS PLAN REPRESENTS A COMPILATION OF VARIOUS PLANS AND DEEDS AND DOES NOT REFLECT THE RESULTS OF AN ACTUAL CURRENT FIELD SURVEY.

THIS SKETCH WAS PREPARED FOR JIM McLAUGHLIN AND THE UNDERSIGNED ACCEPTS NO RESPONSIBILITY FOR USE BY OTHER PARTIES.

SEPTEMBER 9, 2021
DATE

Kim F. Hillis
KIM F. HILLIS
ONTARIO LAND SURVEYOR

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BSR&D ONTARIO LAND SURVEYORS SURVEYING
URBAN & RURAL PLANNERS MAPPING
A wholly owned subsidiary of J.D. Barnes Ltd. G15

257 WOODLAWN ROAD WEST, UNIT 101, GUELPH, ON N1H 4J1
T: (519) 822-4031 F: (519) 822-1220 www.jdbarnes.com

DRAWN BY: RPA	CHECKED BY: RJS	REFERENCE NO.: 20-14-318-00-SEV
PLOTTED: 9/9/2021		DATED: SEP. 9, 2021

REPORT SUMMARY

**OWNER, APPLICANT or AGENT SHOULD ATTEND THE CONSIDERATION OF THIS APPLICATION
NOTE: IF EXPEDITED ATTENDANCE NOT REQUIRED BEFORE THE LAND DIVISION COMMITTEE.
SIGN AND RETURN 'AGREEMENT TO CONDITIONS' LETTER IMMEDIATELY.**

Date of Consideration: 11/18/2021 **Time:** 9:05 A.M.
File Number: B71-21
Applicant: J & K Agro Services Inc.
Subject Lands: Town of Minto - Part Lot 18, Concession 4

Proposal is a request for consent to convey fee simple for a proposed Surplus Farm Dwelling rural residential lot 1.1 ha, 20m fr existing dwelling and drive shed (Part 1 on sketch); retained being 13.1 ha (Part 3) and 2.3 ha (Part 2) on sketch

SUMMARY of FILED REPORTS and COMMENTS:

Planning Review	notice cards were posted at time of site visit; application is being submitted under surplus farm dwelling policies; subject lands adjacent to abandoned CN Railway line - applicant intent is to have railway line merge with adjacent parcels and continue as agricultural use. staff recommend that the Committee give consideration to a reduced severed parcel size to ensure that two smaller retained parcels will not be created in prime agricultural area; see proposed lot reduction plan in comments; conditions to apply
Town of Minto	Council in support of application with recommended conditions; application generally conforms to the County of Wellington Official Plan once re-zoning is complete to prohibit residential development on retained; severed lot requires re-zoning to permit for a reduced lot frontage of 20.0 m whereas 30.5m is required
Maitland Valley CA	application in general conformance with Natural Hazard policies - no objections

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
- 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) as well as a digital PDF copy to the secretary-treasurer of the Planning and Land Division Committee.
- 5) **THAT** the Owner receive zoning compliance and classification from the Town of Minto 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 Town of Minto 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.
- 6) **THAT** the owner/applicant satisfies all the requirements of the Town of Minto, financial and otherwise, which the Town of Minto may deem to be necessary for the proper and orderly development of the subject lands, including but not limited to, the payment of any monies owed to the Town of Minto, and that all accounts are in good standing; 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.
- 7) **THAT** the owner/applicant obtains written confirmation, from the road authority with jurisdiction and to the satisfaction of the Town of Minto, that there is satisfactory access for both the severed and retained parcels; 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/applicant supplies to the Town of Minto proof that a new Drainage Assessment Schedule has been approved to ensure the reapportionment of the applicable municipal drain(s) has been completed to 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.
- 9) **THAT** the Town conducts a site visit to verify that the existing barn has been demolished, to the satisfaction of the Town; 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.
- 10) **THAT** the owner/applicant obtains a written statement from the Town of Minto confirming the proposed lots and associated land uses, buildings and structures comply with all applicable requirements in 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.

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

October 28, 2021

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 B71-21

APPLICANT

J & K Agro Services Inc.
BJ&S Enterprises Inc.
6167 5th Line
Palmerston N0G 2P0

LOCATION OF SUBJECT LANDS

Town of Minto
Part Lot 18
Concession 4

Proposed severance is 1.1 hectare with 20m frontage (Part 1 on sketch), existing and proposed rural residential use with existing dwelling and drive shed.

Retained parcels are 13.1 hectares with 225.5m frontage (Part 3 on sketch) & 2.3 hectares with 121.94m frontage (Part 2 on sketch), existing and proposed agricultural use.

AND FURTHER TAKE NOTICE that the Committee has appointed **THURSDAY, NOVEMBER 18, 2021 AT 09:05 AM** for the purpose of considering this matter.

CONSIDERATION WILL BE HELD IN THE:

Council Chambers
County of Wellington Administration Centre
74 Woolwich Street
Guelph, Ontario N1H 3T9

PLEASE NOTE: To avoid application deferral, any **new** information addressing comments presented in the attached Report Summary are to be submitted to the Secretary Treasurer of Land Division **no later than FRIDAY, NOVEMBER 12, 2021 by 1:00 pm.**

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 Land Tribunal 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**
- ⇒ **Agenda & Minutes**
- ⇒ **Select Land Division Committee**
- ⇒ **choose month & year in drop down menus**
- ⇒ **open appropriate agenda**

To: J & K Agro Services Inc.
Cuesta Planning Consultants



RECEIVED

OCT 20 2021

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

Application	B71/21
Location	Part Lot 18, Concession 4 TOWN OF MINTO
Applicant/Owner	J & K Agro Services Inc.

PLANNING OPINION: This application would sever a 1.1 ha (2.71 ac) rural residential parcel with an existing house and a drive shed. Two vacant agricultural parcels Part 2 at 2.3 ha (5.68 ac) in size and Part 3 at 13.1 ha (32.37 ac) in size will be retained. This application is being submitted under the surplus farm dwelling policies.

The subject lands are adjacent to an abandoned CN Railway line. The applicant owns the lands both to the north and south of the abandoned railway line. The intent is to have the railway line merge with the adjacent parcels and continue as an agricultural use. At this time the abandoned CN Railway line is a separate parcel, therefore planning staff recommend the proposed severed parcel be reduced in size. The rear line of the severed parcel should be adjusted to ensure that the proposed retained lands remain together as one parcel (not as two as currently proposed). A sketch showing the reconfiguration is shown below.

Staff would recommend that the Committee give consideration to a reduced severed parcel size. This is to ensure that two smaller retained parcels will not be created in the prime agricultural area. We would have no other concerns provided that the following matters are addressed as conditions of approval:

- a) That driveway access can be provided to the retained lands to the satisfaction of the local municipality;
- b) That the barn on the severed parcel is removed to the satisfaction of the local municipality; and
- c) That the retained lands be rezoned to restrict residential development to the satisfaction of the local municipality and the County of Wellington Planning and Development Department.

PLACES TO GROW: No issues

PROVINCIAL POLICY STATEMENT (PPS): No issues

WELLINGTON COUNTY OFFICIAL PLAN: The subject property is designated PRIME AGRICULTURAL, GREENLANDS and CORE GREENLANDS. The identified environmental feature is a Hazard Lands, Significant Wooded Areas, Wetlands and Provincially Significant Wetlands regulated by Maitland Conservation Authority. The proposed severed parcel is well removed from any environmental features.

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) 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.

With respect to criteria a) above, Staff recommend that the proposed severed parcel be reduced in size so that the parcel does not abut the abandoned CN Railway line. (See figure 1 below) This is to ensure that two smaller retained parcels will not be created in the prime agricultural area.

With respect to the above criteria, we are satisfied that this application conforms to criteria b), c), d) and e). Item f) can be addressed as a condition of approval.



In terms of the overall farm operation, we have been provided with a farm information form including a list of other farm holdings owned by the applicants, which demonstrates that this application would constitute a farm consolidation.

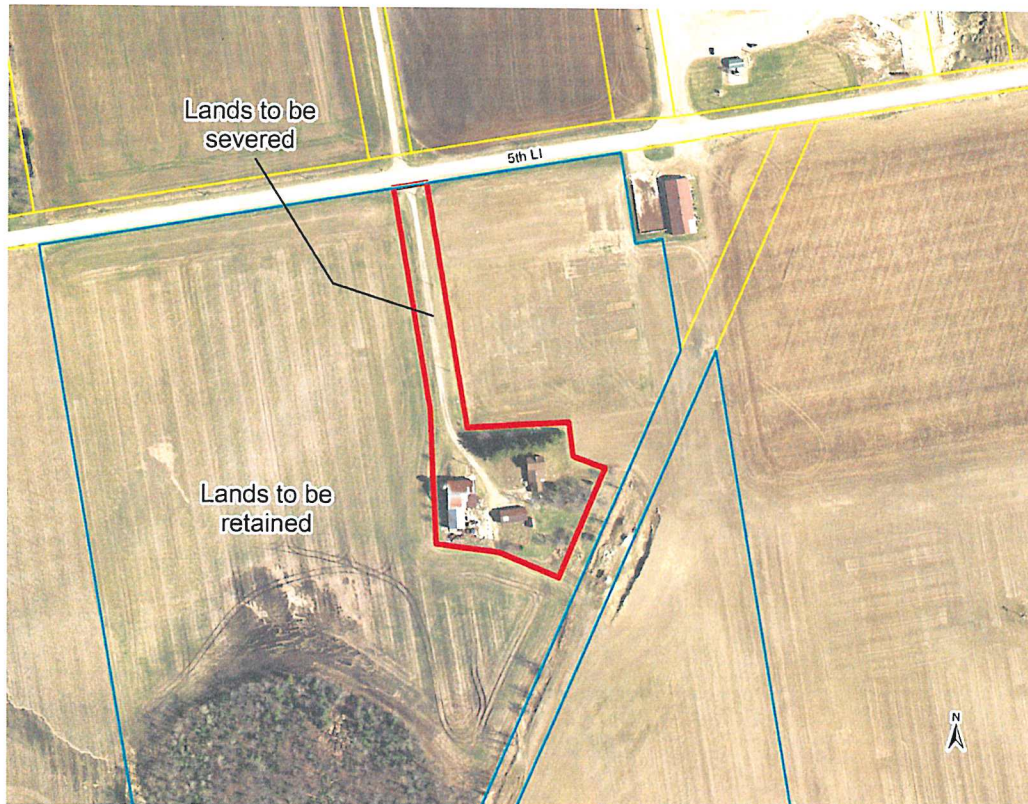


Figure 1: proposed lot configuration recommended by staff.

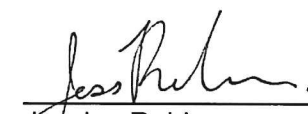
WELL HEAD PROTECTION AREA: The subject property is not located within a WHPA.

LOCAL ZONING BY-LAW: The subject property is currently zoned Agricultural (A) Zone and Natural Environment (NE). Section 8.2.1 b) indicated:

"A new lot created by consent or new parcels created by lot line adjustment pursuant to the provisions of the Planning Act, and which parcel (severed and/or retained lands) lacks either the required frontage or area, or both the required frontage and area, shall be deemed to comply with the lot frontage and lot area regulations of Section 8.2.1 and 8.2.2."

Therefore, the proposed severed and retained lands meet the minimum lot area and frontage requirements.

SITE VISIT INFORMATION: The subject property was visited and photographed on October 20th, 2021. Notice Cards were posted and the survey sketch appears to meet the application requirements.



Jessica Rahim
Senior Planner
October 20th, 2021

MUNICIPALITY COMMENTING FORM

The Planning and Land Division Committee, in considering the following application, respectfully requests input from the municipality. The Application and Sketch are enclosed for your information.

File: B71-21

RECEIVED

OCT 20 2021

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE

APPLICANT

J & K Agro Services Inc.
BJ&S Enterprises Inc.
6167 5th Line
Palmerston NOG 2P0

LOCATION OF SUBJECT LANDS

Town of Minto
Part Lot 18
Concession 4

Proposed severance is 1.1 hectare with 20m frontage (Part 1 on sketch), existing and proposed rural residential use with existing dwelling and drive shed.

Retained parcel is 13.1 hectares with 225.5m frontage (Part 3 on sketch) & 2.3 hectares with 121.94m frontage (Part 2 on sketch), existing and proposed agricultural use.

PLEASE PROVIDE COMPLETE PROPERTY ASSESSMENT ROLL NUMBER: 23-41-000-004-07600-0000

Does this description reasonably describe the parcel holdings? YES (☒) No (☐)

If the answer is no, please provide new information: _____

Do you consider this proposal to conform to your Official Plan? YES (☒) No (☐)

It generally conforms to the County of Wellington Official Plan and will conform once the re-zoning is complete for the farmland to prohibit residential development.

What sections does it conform to or contravene? (Please specify)

The County of Wellington Official Plan designates the subject property as Prime Agriculture, Greenlands and Core Greenlands. Section 10.3 c) allows for surplus farm dwelling severances. Section 10.3.4 allows for a severance for an existing residence provided that the remaining farmland is large enough to function and farm efficiently and without difficulty, the severed lot is kept to a minimum size, and the residence is habitable. For more information, please refer to the Town of Minto staff report.

Will the Severed Parcel comply with all requirements of the Zoning By-law? YES (☐) No (☒)

(Please Specify): The lot will be considered a Reduced Agricultural Lot subject to the provisions under Section 8.5 of the Town of Minto's Comprehensive Zoning By-law, as amended. The lot requires a re-zoning to permit for a reduce lot frontage of 20.0m whereas 30.5m is required.

Will the Retained Parcel comply with all requirements of the Zoning By-law? YES (☒) No (☐)

(Please Specify): The existing use is permitted with the current zoning. The parcel will be required to be rezoned to prohibit residential development on the farmland portion.

If necessary, would the Municipality be prepared to consider an Amendment to the Zoning By-law to permit the proposal to conform? YES (☒) NO (☐) NA (☐) or Minor Variance YES (☒) NO (☐) NA (☐)

Is the proposal on an opened maintained year-round public road? YES (☒) No (☐)

If the answer is NO, is municipality willing to enter into an agreement regarding the use of the seasonal road, or opening up the road?

(Please Specify): _____

Is the Proposed Lot(s) serviced now by Municipal Water? YES (☐) No (☒)

Is the Retained Lot serviced now by Municipal Water? YES (☐) No (☒)

Is the Proposed Lot(s) serviced now by Municipal Sewers? YES (☐) No (☒)

Is the Retained Lot serviced now by Municipal Sewers? YES (☐) No (☒)

Is there a Capital Works Project underway to service these lots in the near future? YES (☐) No (☒)

Approximate Time of Servicing Availability: N/A

Are there any other servicing arrangements, Municipal easements or Municipal Drains on the subject lands?

MUNICIPALITY COMMENTING FORM

File: B71-21

Is the Municipality’s Building Official satisfied that there is a sufficient site on the severed parcel for individual well and septic services?

YES (**X**) NO ()

The septic/well services for the house are existing.

Is there any further information that may assist the Planning and Land Division Committee?
(A letter may be attached if there is insufficient space to explain)

Please see attached the Town of Minto’s staff report to Council, as well as the recommended conditions on behalf of the Town of Minto.

Is the Municipality in support of this application? YES (**X**) NO ()

Yes, with the recommended conditions. Please see attached the Town of Minto’s staff report to Council, as well as the recommended conditions on behalf of the Town of Minto.

What Conditions, if any, are requested by the Municipality if the Consent is granted?

Please see attached the Town of Minto’s staff report to Council, as well as the recommended conditions on behalf of the Town of Minto.

Does the Municipality request a Notice of the Decision? YES (**X**) NO ()

SIGNATURE	<u>Ashley Sawyer (Ashley Sawyer)</u>
TITLE	<u>Planning Technician/Administrative Assistant</u>
ADDRESS	<u>5941 Highway 89, Harriston ON NOG 2P0</u>
DATE	<u>October 20th, 2021</u>



County of Wellington
Deborah Turchet
Secretary-Treasurer Land Division
Email: debt@wellington.ca

October 20th, 2021

Re: B71/21 – Consent Application
J & K Agro Services Inc. and BJ & S Enterprises Inc. (McLaughlin)
6167 5th Line
Concession 4, Part Lot 18

The Council of the Town of Minto met on October 19th, 2021 to consider the above noted and passed the following Resolution:

MOTION: COW 2021-185

Moved By: Councillor Dirksen

Seconded By: Councillor Anderson

THAT the Council of the Town of Minto recommends the County of Wellington Land Division Committee approve the Consent Application for B71/21 – J & K Agro Services Inc. and BJ & S Enterprises Inc. (McLaughlin), for land legally described as Concession 4, Part Lot 72, with a municipal address of 6167 5th Line, in the Town of Minto, and that the following conditions be considered:

1. THAT the owner/applicant satisfies all the requirements of the Town of Minto, financial and otherwise, which the Town of Minto may deem to be necessary for the proper and orderly development of the subject lands, including but not limited to, the payment of any monies owed to the Town of Minto, and that all accounts are in good standing; 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.

5941 Highway #89
Harriston, Ontario
NOG 1Z0

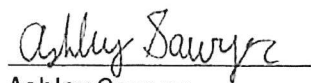
tel: 519-338-2511
fax: 519-338-2005

www.town.minto.on.ca

2. **THAT** the owner/applicant obtains written confirmation, from the road authority with jurisdiction and to the satisfaction of the Town of Minto, that there is satisfactory access for both the severed and retained parcels; 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.
3. **THAT** the owner/applicant supplies to the Town of Minto proof that a new Drainage Assessment Schedule has been approved to ensure the reapportionment of the applicable municipal drain(s) has been completed to 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.
4. **THAT** the owner/applicant obtain zoning compliance for both the severed and retained parcels, including but not limited to, for the proposed reduced minimum lot frontage of the severed parcel and to prohibit residential development on the retained parcel, 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.
5. **THAT** the Town conducts a site visit to verify that the existing barn has been demolished, to the satisfaction of the Town; 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.
6. **THAT** the owner/applicant obtains a written statement from the Town of Minto confirming the proposed lots and associated land uses, buildings and structures comply with all applicable requirements in 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.

Please consider this as formal notice of Council's decision on this matter. The Town of Minto staff report and Municipal Commenting Form is also attached for your review.

Sincerely,



Ashley Sawyer

Planning Technician/Administrative Assistant





TOWN OF MINTO

DATE: October 19th, 2021
TO: Mayor Bridge and Members of Council
FROM: Ashley Sawyer, Planning Technician/Administrative Assistant
RE: Consent (Severance – Surplus Farm Dwelling)
B71/21 – J & K Agro Services Inc. and BJ & S Enterprises Inc.
(McLaughlin)
6167 5th Line
Concession 4, Part Lot 18

RECOMMENDATION

THAT the Council of the Town of Minto recommends the County of Wellington Land Division Committee approve the Consent Application for B71/21 – J & K Agro Services Inc. and BJ & S Enterprises Inc. (McLaughlin), for land legally described as Concession 4, Part Lot 72, with a municipal address of 6167 5th Line, in the Town of Minto, and that the following conditions be considered:

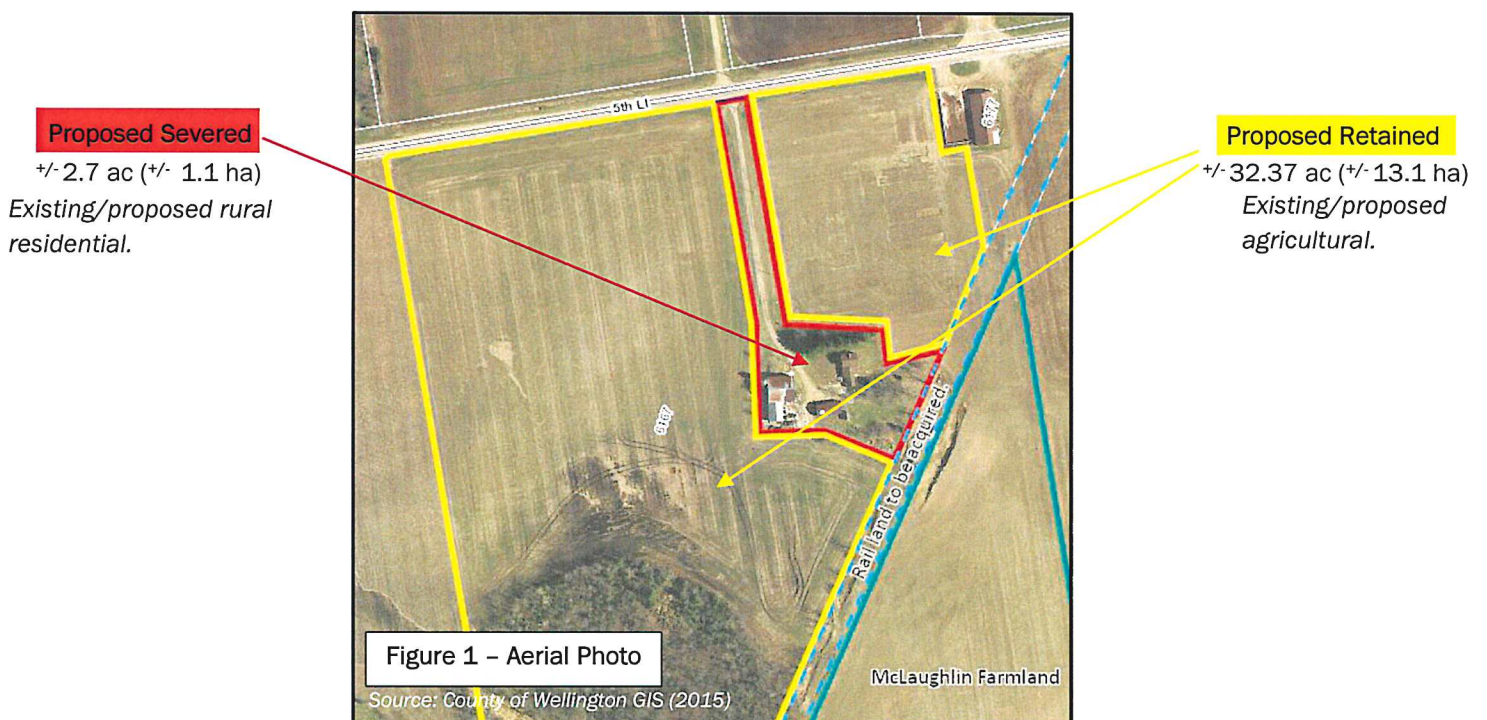
1. THAT the owner/applicant satisfies all the requirements of the Town of Minto, financial and otherwise, which the Town of Minto may deem to be necessary for the proper and orderly development of the subject lands, including but not limited to, the payment of any monies owed to the Town of Minto, and that all accounts are in good standing; 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.
2. THAT the owner/applicant obtains written confirmation, from the road authority with jurisdiction and to the satisfaction of the Town of Minto, that there is satisfactory access for both the severed and retained parcels; 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.
3. THAT the owner/applicant supplies to the Town of Minto proof that a new Drainage Assessment Schedule has been approved to ensure the reapportionment of the applicable municipal drain(s) has been completed to 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.
4. THAT the owner/applicant obtain zoning compliance for both the severed and retained parcels, including but not limited to, for the proposed reduced minimum lot frontage of the severed parcel and to prohibit residential development on the retained parcel, 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

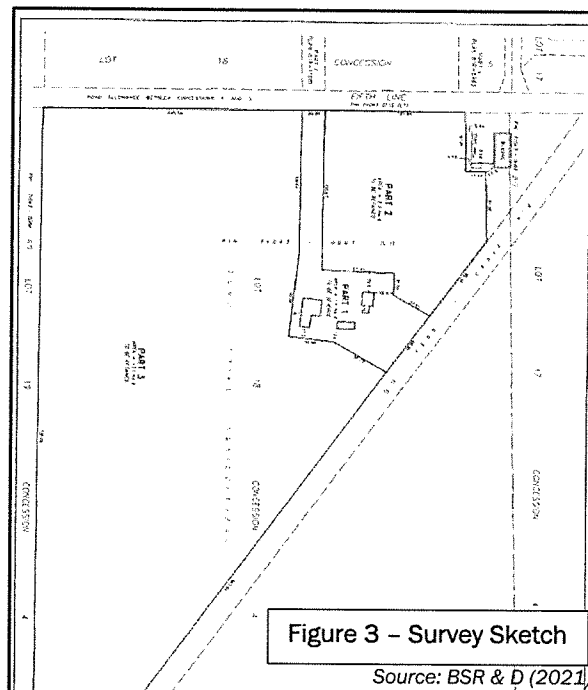
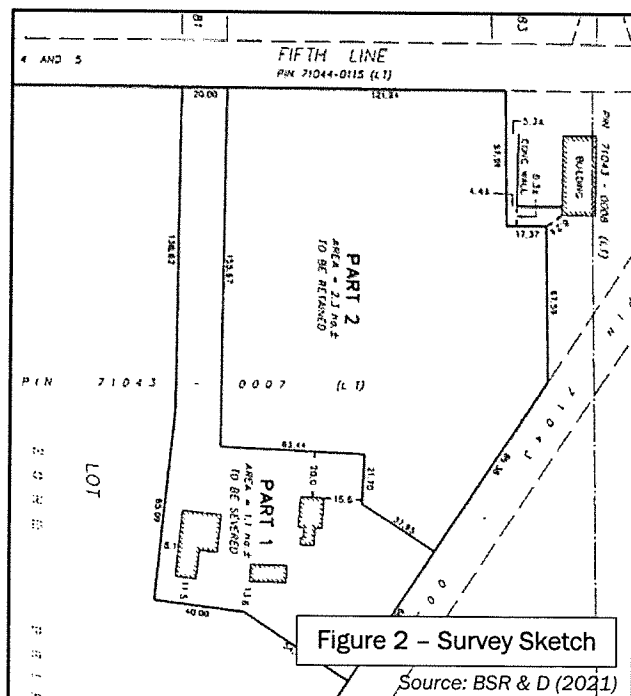
a letter of clearance of this condition.

5. THAT the Town conducts a site visit to verify that the existing barn has been demolished, to the satisfaction of the Town; 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.
6. THAT the owner/applicant obtains a written statement from the Town of Minto confirming the proposed lots and associated land uses, buildings and structures comply with all applicable requirements in 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.

BACKGROUND

Consent application B71/21 is being considered before the County of Wellington Land Division Committee to sever ± 2.7 ac (± 1.1 ha) with an existing and proposed rural residential use (existing dwelling and drive shed), and to retain ± 32.37 ac (± 13.1 ha) with an existing and proposed agricultural use.





The applicant is applying for a Surplus Farm Dwelling Consent to sever the existing rural residential portion of the property from the remainder of the farmland. The farmland is currently used for cash cropping and has a former CN Rail line running through it that has not been utilized for 30+ years. The Town understands that the applicant is in the process of acquiring the abandoned rail line to normalize the lot fabric and farm the property more efficiently.

Provincial Policy Statement

Section 2.3.4.1 of the Provincial Policy Statement states that lot creation in prime agricultural areas may be permitted for limited reasons, with c) specifying that a lot may be created for a residence surplus to a farming operation. The lot must be limited to a minimum size needed to accommodate the use and appropriate sewage and water services, and new residential dwellings must be prohibited on any remnant parcel of farmland created.

County of Wellington Official Plan

The subject property is currently designated by the County of Wellington Official Plan as Prime Agriculture, Greenlands and Core Greenlands.

Section 10.3 c) of the Official Plan states that new lots in Prime Agricultural designations are permitted for a residence surplus to a farm operation. Section 10.3.4 states that a severance may be considered for an existing residence provided that the remaining vacant farmland is large enough to function and farm efficiently and without difficulty, the severed lot is kept to the minimum size needed for residential purposes, the residence is habitable, Minimum Distance Separation will be met, and that the vacant farmland is rezoned to prohibit a residential use. The Official Plan notes that “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.”

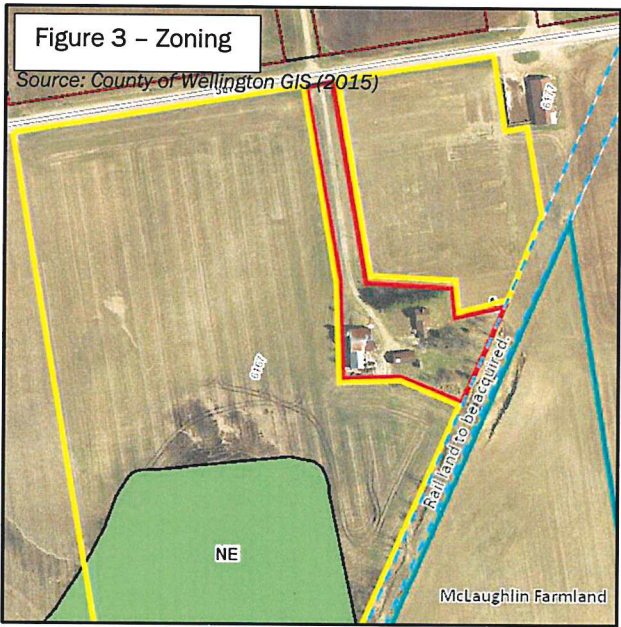
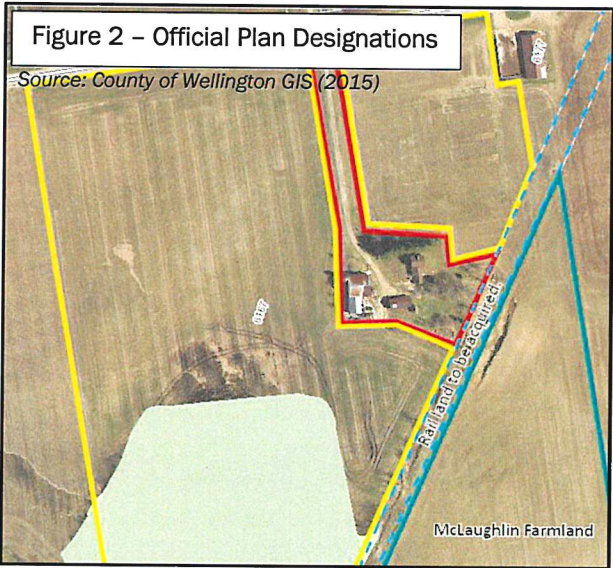
Additionally, under Section 10.1.3 – General Policies for Creating New Lots, states that matters to be considered include that new lots must be consistent with Official Plan and Zoning regulations, that the lot can be adequately serviced, that it will have adequate stormwater management, drainage, fire protection, roads, utilities and solid waste disposal to accepted municipal standards, that all lots have a safe driveway access to an all-season maintained public road, and that the proposed lots and uses are compatible with the surrounding use.

Town of Minto Zoning By-law

The subject property is currently zoned by the Town of Minto’s Comprehensive Zoning By-law 01-86, as amended, as Agricultural (A) and Natural Environment (NE). The severed lot is not proposed to be encompass any of the NE zone.

As this residential lot is less than 25.0 ac (10.1 ha) it will be considered a Reduced Agricultural Lot under Section 8.5 of the By-law. This permits for a single-detached residential dwelling as well as accessory uses, buildings, and structures. Town staff note that the minimum lot area and required front yard, rear yard, and interior side yard setbacks are met with the severance, however, the minimum lot frontage is not currently met. The required minimum lot frontage is 30.5 m (100 ft) whereas the applicant is proposing 20.0 m (65.62 ft). Additionally, the remnant farm parcel(s) is required to be rezoned to prohibit residential development. The reduced lot frontage and rezoning of the farmland can both be satisfied with a Zoning By-law Amendment. This is included as a recommended condition.

Town staff note that the existing accessory structure on the property is currently in compliance with the maximum square footage permitted for a parcel of this size. Additionally, there is an existing barn on the proposed severed portion of the property, as indicated in Figure 3 and on the Survey Sketch provided, which is in the process of being demolished. Town staff will conduct a site inspection to verify this and removal to the



satisfaction of the Town will be addressed as a recommended condition.

Section 8.5 – Agricultural (A) - Reduced Lot Regulations

Section 8.5.2	Required	Proposed	Complies
Lot Area Minimum Section 8.5.2.1	0.4 ha (1.0 ac)	1.1 ha (2.72 ac)	Yes
Lot Frontage Minimum Section 8.5.2.2	30.5 m (100 ft)	20.0 m (65.62 ft)	No

COMMENTS

Town staff were circulated the application for review and the following comments were received.

Clerks

Standard financial conditions are recommended, including the payment of any monies owed to the Town of Minto, and that all accounts are in good standing.

Building Department

Town staff note that zoning compliance for the reduced minimum lot frontage, as well as the rezoning of the retained farmland to prohibit future residential development must be completed to the satisfaction of the Town. In addition, a standard condition in relation to access is required. Town staff note that should the rail land be acquired, it is recommended to merge it with the remainder of the farmland to provide a more normalized lot fabric.

Public Works

Standard conditions pertaining to satisfactory access arrangements apply. In this case, the property is under the jurisdiction of the Town of Minto.

The above comments will be addressed through the Town of Minto’s recommended conditions. These conditions are standard for a consent application of this nature.

STRATEGIC PLAN

Ensure growth and development in Clifford, Palmerston and Harriston makes cost effective and efficient use of municipal services, and development in rural and urban areas is well planned, reflects community interests, is attractive in design and layout, and is consistent with applicable County and Provincial Policies.



Ashley Sawyer
Planning Technician/Administrative Assistant

SEP 16 2021

SECRETARY TREASURER
WELLINGTON COUNTY
LAND DIVISION COMMITTEE**MEMORANDUM**

TO: Jana Poechman, Planning Administrative Clerk, County of Wellington
CC: Annilene McRobb, Clerk, Town of Minto, via email
Cuesta Planning Consultants Inc., Authorized Agent, via email
FROM: Patrick Huber-Kidby, Environmental Planner / Regulations Officer
Maitland Valley Conservation Authority (MVCA)
DATE: September 16, 2021
SUBJECT: Application for Consent to Sever: B71-21
Concession 4, Part Lot 18, Town of Minto, County of Wellington, known
as 6167 5th Line

The Maitland Valley Conservation Authority (MVCA) has reviewed the above-noted application with regard for Provincial Policies and associated mapping related to Natural Hazard features in accordance with our Memorandum of Understanding for plan review with County of Wellington; and in accordance with our delegated responsibility for representing the "Provincial Interest" for natural hazards; and with regard for *Ontario Regulation 164/06*. Based on our review, we offer the following comments.

It is our understanding the purpose of the application is to sever a surplus farm dwelling.

Natural Hazards

The subject property features locally significant wetland captured by the current Natural Environment/Core Greenlands Zoning/Designation. Wetlands are flood prone areas potentially containing unstable soils not suitable for development.

MVCA Ontario Regulation 164/06

Locally significant wetlands plus 30 meters from the boundary of the wetland, are regulated pursuant to *Ontario Regulation 164/06* made under the *Conservation Authorities Act (R.S.O., 1990, chapter C.27)*. Subject to the Regulation, development (construction, reconstruction, filling, grading), alteration and interference within Authority regulated lands requires permission from MVCA, prior to undertaking the work.

Recommendations

This application does not create any parcels entirely within hazard lands, nor parcels inaccessible outside areas of natural hazard. The application is in general conformance with the Natural Hazard policies of the Provincial Policy Statement (PPS), 2020, MVCA has no objections.

MVCA has not received our \$240 fee for review of this application; as such we will invoice

the applicant's authorized agent directly.

Thank you for the opportunity to comment at this time. Feel free to contact our office if you have any questions.