

MEMORANDUM

DATE: AUGUST 11, 2021
TO: TOWNSHIP OF EDWARDSBURGH CARDINAL – COUNCIL
FROM: NOVATECH
RE: 1013 COUNTY ROAD 21 – DOBBIE FARMS INC ZONING BY-LAW AMENDMENT

Background

A Zoning By-law amendment application was received for a property located at Part of Lot 9, East Half of Lot 10, Concession 6, known locally as 1013 County Road 21. The application has been filed to fulfil conditions of consent related to a surplus farm dwelling severance that was conditionally approved by the United Counties of Leeds and Grenville Consent Granting Authority on June 9, 2021. The purpose of the zoning amendment application is to rezone the retained lands of the consent application to prohibit any future non-agricultural (including residential) development on the lands.

The subject property is located within a rural agricultural area along the south side of County Road 21. The hamlet of Shanly is located approximately 0.7 km east of the subject lands. Surrounding uses are primarily agriculture, with a few rural residential lots nearby.

The subject property is approximately 45.9 hectares (113 ac) in area, with approximately 380m of frontage on County Road 21. The property is currently developed with a single dwelling and storage shed and is primarily used for agricultural purposes. On June 9, 2021, the Consent Granting Authority approved a consent application which severed the dwelling and storage shed from the agricultural lands (File No. B-31-21). The consent application proposed to divide the subject lands as follows for a surplus farm dwelling consent:

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|---|---|
| 1) Severed Lands (Single Dwelling & Storage Shed) | 2) Retained Lands (Agricultural Fields) |
| • Lot Area – 1.41 ha (3.5 acres) | • Lot Area – 44.5 ha (110 acres) |
| • Lot Frontage – 76.2 m (250 ft) | • Lot Frontage – 304.8 m (1,000 ft) |

Condition No. 3 of the decision requires that the applicant rezone the retained lands to prohibit any future non-agricultural (including residential) development on the lands. The Zoning By-law amendment application was filed to fulfil conditions of consent and rezone the 44.5 ha retained lands to prohibit future non-agricultural uses.

Planning Discussion

The proposed zoning by-law amendment application has been reviewed against the following planning policy documents:

2020 Provincial Policy Statement

The Provincial Policy Statement has specific policies related to severances on Agricultural lands. Policies under Section 2.3.4.3 prohibit the creation of new residential lots in prime agricultural areas, except in specific cases where a residence has become surplus to a farming operation, as a result of farm consolidation. Specifically, Section 2.3.4.1(c)(2) requires that the planning authority ensure new residential dwellings are prohibited on the remnant parcel of farmland created by the severance. As the purpose of the consent application was to sever the existing dwelling from the remaining farmlands through a surplus farm consent, the zoning amendment application is necessary to meet the intent of the PPS by prohibiting future residential dwellings on the remnant agricultural property.

United Counties of Leeds & Grenville Official Plan

The subject property is designated Agricultural Area on Schedule A of the United Counties of Leeds and Grenville Official Plan. Section 3.2.5(c) permits the creation of lots within the Agricultural Area where a residence has been deemed to be surplus to a farming operation, provided that the retained farm parcel is zoned to prohibit the construction of any additional dwellings. The Counties Plan also establishes a minimum lot area for agricultural properties of 40 ha (Section 3.2.5(a)). The proposed zoning amendment would fulfill the Counties requirement to prohibit future residential dwellings on the farm parcel and the lot area of the agricultural lands maintains the minimum lot area of the Counties Plan.

Township of Edwardsburgh Cardinal Official Plan

The subject property is designated Agricultural Resource Policy Area on Schedule A of the Township's Official Plan. Schedule B of the Township's Official Plan also identifies Bedrock Resources and Sand & Gravel Resources Mineral Aggregate Reserves over a portion of the rear of the property. In keeping with the Provincial Policy Statement and the Counties' Plan, the Edwardsburgh Cardinal Official Plan has policies to limit lot creation within agricultural areas, with the intention of preserving agricultural land and ensuring the viability of farming into the future. Section 3.5.3.2 requires that certain conditions be placed on the retained farm parcel rendered vacant as a result of the farm-related residential severance. The proposed zoning amendment would fulfill this requirement.

There are no concerns with respect to the Bedrock Resources and Sand & Gravel Resources Mineral Aggregate Reserves identified on the property as no new development is proposed and the existing dwelling is to be severed from the farmlands. The remnant farm parcel is proposed to be rezoned to prohibit future residential uses on the lands. Any future *Planning Act* application would be required to address Official Plan policies relating to these constraints and policies of the Agricultural Resource Policy Area designation.

Township of Edwardsburgh Cardinal Zoning By-law 2012-35

The subject property is currently zoned Agricultural (A) on Schedule A of the Edwardsburgh Cardinal Zoning By-law. The severance of the surplus farm dwelling would create a retained parcel that meets all the provisions as they relate to an agricultural use in terms of minimum lot area and frontage. The proposed amendment would introduce a special exception to prohibit residential uses on the 45.5 ha retained parcel that is currently zoned Agricultural (A). The Zoning By-law amendment would ensure that no future residential uses could be constructed on the property and would fulfill conditions of consent.

The severance of the surplus farm dwelling creates a severed parcel that also meets the minimum provisions of the Agricultural (A) zone with respect to lot area and lot frontage for the residential use

of the property. No special exception zoning provisions are required for the severed lands based on information provided with the applicant's application.

Public Comments

A public meeting was held on Tuesday August 3, 2021 at 6:00pm, prior to the Township's August Community Development Committee meeting. There were no oral comments made at the public meeting and no written comments have been received from the public or commenting agencies regarding the proposed amendment at the time of writing this report.

Recommendation

The proposed Zoning By-law amendment is found to be consistent with the 2020 Provincial Policy Statement and is in conformity with both the United Counties of Leeds and Grenville and Township of Edwardsburgh Cardinal Official Plans. Accordingly, a Zoning By-law amendment has been prepared for Council's consideration. The zoning amendment has been drafted to create an Agricultural Special Exception (A-12) Zone, which removes an Accessory Dwelling and Single Detached Dwelling from the list of permitted uses on the subject lands. The amendment would meet the requirements of Condition No. 3 of consent decision B-31-21, issued by the United Counties of Leeds and Grenville Consent Granting Authority.

Sincerely,

NOVATECH



Jordan Jackson, MCIP RPP
Planner