



The Regional Municipality of Durham Report

To: Planning and Economic Development Committee
From: Commissioner of Planning and Economic Development
Report: #2022-P-19
Date: December 6, 2022

Subject:

Public Meeting Report

Application to Amend the Durham Regional Official Plan, submitted by Clark Consulting Services, on behalf of Wechsel Farms, to permit the severance of a farm dwelling rendered surplus as a result of the consolidation of non-abutting farm properties, in the Township of Brock, File: OPA 2022-004.

Recommendation:

That the Planning and Economic Development Committee recommends:

- A) That Commissioner's Report #2022-P-19 be received for information, and
 - B) That all submissions received be referred to the Planning Division for consideration.
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Report:

1. Purpose

- 1.1 On August 18, 2022, Clark Consulting Services on behalf of Wechsel Farms submitted an application to amend the Regional Official Plan (ROP) to permit the severance of a dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels in the Township of Brock.
- 1.2 A "Notice of Complete Application and Public Meeting" regarding the application has been advertised in the appropriate newspaper. Notice of this meeting has also been

mailed to those who own land within 120 metres of the subject site. This report was made available to the public prior to the meeting.

2. Background

- 2.1 The subject site is located on the north side of Regional Road 15, west of Thorah Sideroad and is approximately 2.4 kilometres east of the Beaverton Urban Area, in the Township of Brock (refer to Attachment 1). The property is municipally known as B1845 Regional Road 15, and is described as Part of Lot 6, Concession 5, in the Former Township of Thorah.
- 2.2 The subject site is roughly square in shape and is approximately 40 hectares (100 acres) in size. The southern portion of the site contains an existing house, barn, and other outbuildings to be removed. The White's Creek watercourse is located along the site's southeast property line. A woodlot is located in the northwest corner of the site. The house is rented to a tenant who is not involved with the farming operation.
- 2.3 Wechsel Farms is a private farm business and produces cash crops. As shown on Attachment 2, the applicant owns a total of five agricultural properties in the Township of Brock with present land holdings of 234 hectares (578 acres), of which 206 hectares (509 acres) are workable. In 2010, Garth Wechsel purchased the subject site, and the lands are used for cultivating crops. Two of the agricultural properties contain a house. The applicant's family lives in the homestead located at B2005 Concession Road 6. The house located on the subject site is not utilized by a farm employee and is surplus to the farm operation.
- 2.4 The applicant has concurrently filed a Zoning By-law Amendment Application (Application 13-2022-RA) with the Township of Brock to rezone the proposed retained farm parcel to prohibit any further severances and the construction of any new dwellings.
- 2.5 The surrounding land uses to the subject site includes:
 - a. North - agricultural lands and rural residences
 - b. East - Thorah Sideroad, rural residences, agricultural lands, and White's Creek
 - c. South - rural residences, Regional Rd. 15, a woodlot, White's Creek, and agricultural lands
 - d. West - wooded areas, agricultural lands, and rural residences

3. Reports Submitted in Support of the Application

- 3.1 A Planning Justification Report/Agricultural Assessment prepared by Clark Consulting Services Ltd. dated August 8, 2022, has been submitted in support of the application. The report concludes that the proposed amendment meets the objectives and requirements of the Provincial Policy Statement, the Greenbelt Plan, the Regional Official Plan, and the Provincial Minimum Distance of Separation requirements.
- 3.2 An Environmental Site-Screening Questionnaire (SSQ) completed by GHD Ltd. indicated that there is a low level of environmental concern at the subject site.

4. Policy Context

Provincial Policy Statement and Greenbelt Plan

- 4.1 The subject site is located within the Protected Countryside designation of the Greenbelt Plan. Both the Provincial Policy Statement and the Greenbelt Plan permit the severance of a residence surplus to a farming operation as a result of farm consolidation, provided the planning authority ensures that a residential dwelling is not permitted on the proposed retained farm lot created by the severance and will be limited to the minimum size needed to accommodate the use.

Durham Regional Official Plan

- 4.2 The subject site is located within the “Prime Agricultural Areas” designation in the ROP. The site is also located within the Provincial Agricultural System. The northwest and southeast corner of the site contains Key Natural Heritage and/or Hydrologic Features. Severance applications for agricultural uses may be considered in accordance with the relevant policies of the Sub-Section 9A of the ROP.
- 4.3 Policy 9A.2.10 of the ROP permits the severance of a farm dwelling rendered surplus as a result of a farmer acquiring a non-abutting farm, provided that:
- a. the dwelling is not needed by a farm employee;
 - b. the farm parcel is of a size which is viable for farming operations;
 - c. within the Protected Countryside of the Greenbelt Plan Area, the dwelling was in existence as of December 16, 2004; and
 - d. the farm parcel is zoned to prohibit any further severances and the establishment of any residential dwelling.

5. Proposed Official Plan Amendment

- 5.1 The proposed amendment to the ROP would facilitate the severance of a 0.49 ha (1.21 acre) parcel of land containing a farm dwelling, retaining a 39.76 ha (98 acre) farm parcel. The subject dwelling was in existence prior to December 16, 2004.

6. Consultation

- 6.1 A copy of the proposed ROP Amendment has been circulated to the Ministry of the Municipal Affairs and Housing; the Township of Brock; the Lake Simcoe Region Conservation Authority; the Regional Health Department; the Regional Works Department; and the Durham Agricultural Advisory Committee.

7. Public Consultation

- 7.1 A “Notice of Complete Application” and “Notice of Public Meeting” regarding this application was advertised in the Brock Citizen and a notice was posted on the Region’s website. Notice of this meeting has also been mailed out to those who own land within 120 metres (400 feet) of the subject site. The report was also made available to the public prior to the meeting.
- 7.2 Anyone who attends or participates in a public meeting may present an oral submission and/or provide a written submission to the Planning and Economic Development Committee on the proposed amendment. Also, any person may make written submissions at any time before Regional Council makes a decision.
- 7.3 If a person or public body does not make oral submissions at a public meeting, or does not make written submissions before the proposed official plan amendment is adopted, the person or public body:
- a. Is not entitled to appeal the decision of the Region of Durham to the Ontario Land Tribunal (OLT); and
 - b. May not be added as a party to the hearing of an appeal before the OLT, as appropriate, unless in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.
- 7.4 Anyone who wants to be notified of Regional Council’s decision on the proposed ROP Amendment must submit a written request to:

Brian Bridgeman, MCIP, RPP
Commissioner of Planning and Economic Development
Planning and Economic Development Department
Regional Municipality of Durham
Durham Regional Headquarters
605 Rossland Road East
Whitby, ON L1N 6A3

8. Future Regional Council Decision

- 8.1 The Planning and Economic Development Department Committee will consider the proposed ROP Amendment at a future meeting and will make a recommendation to Regional Council. Council's decision will be final unless appealed.
- 8.2 All persons who make oral submissions, or have requested notification in writing, will be given notice of the future meeting of the Planning and Economic Development Committee and Regional Council at which the subject application will be considered.

9. Previous Reports and Decisions

- 9.1 There are no previous reports on this matter.

10. Relationship to Strategic Plan

- 10.1 In the processing of Regional Official Plan Amendment applications, the objective is to ensure responsive, effective and fiscally sustainable service delivery.

11. Attachments

Attachment #1: Location Sketch

Attachment #2: Wechsel Farms Agricultural Land Holdings

Respectfully submitted,

Original signed by

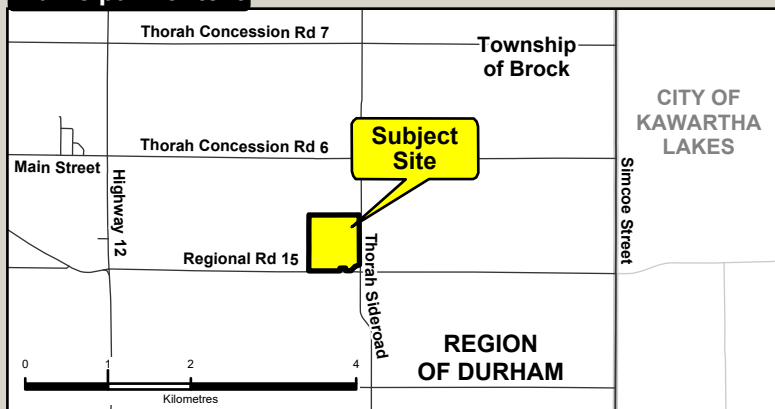
Brian Bridgeman, MCIP, RPP
Commissioner of Planning and
Economic Development

Recommended for Presentation to Committee

Original signed by

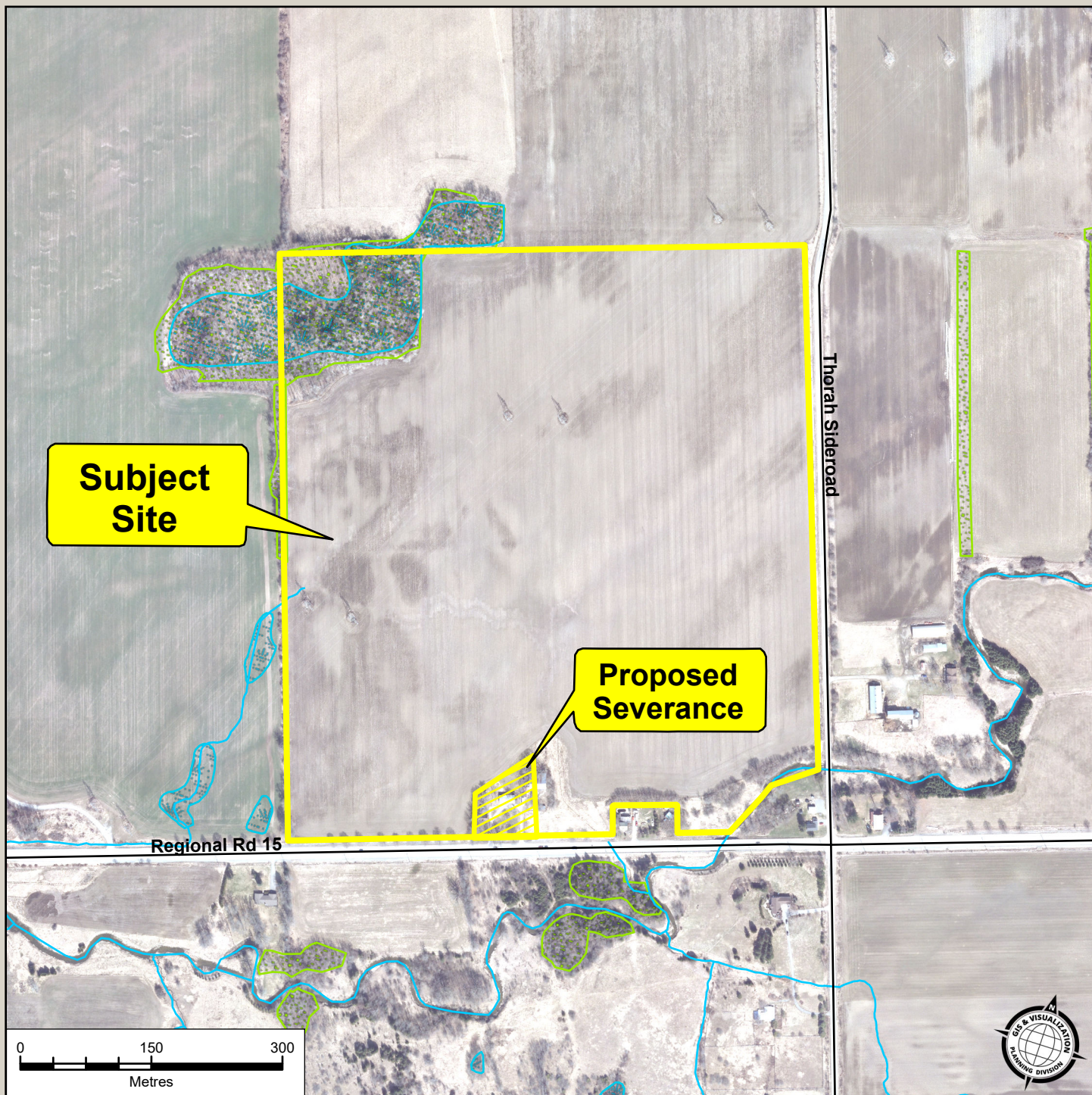
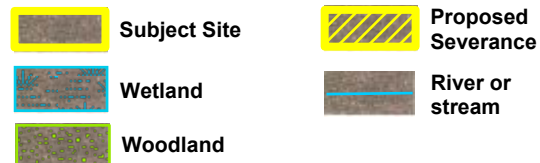
Elaine C. Baxter-Trahair
Chief Administrative Officer

Municipal Context

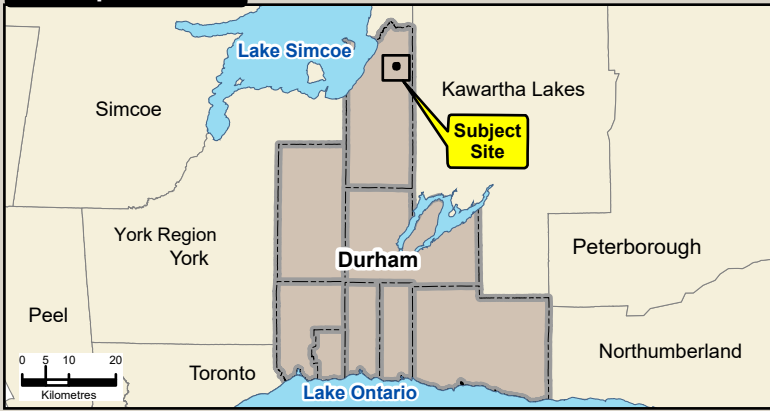


Attachment #1 Commissioner's Report: #2022-P-19 File: ROPA 2022-004 Municipality: Township of Brock

Legend



Municipal Context



Attachment #2
 Commissioner's Report: #2022-P-19
 File: ROPA 2022-004 Municipality:
 Township of Brock

Legend



Subject Site



Other Lands
 Owned by
 Wechsel Farms

