



**PUBLIC MEETING | March 8, 2023**

**PROPOSED AMENDMENT TO ZONING BY-LAW No. 2011-100**

# Public Meeting Process

- The Proposed Zoning By-Law Amendment is outlined
- Opportunity for **public** comments
  - Those persons wishing to speak to the proposed amendment will have a chance to speak
- Opportunity for **applicant** comments
  - The applicant will have an opportunity to address any concerns or items raised

# Notice of Public Meeting

- Notice of the Public Meeting was sent to all owners of land within 120 metres of the subject lands via First Class Mail on February 16, 2023
- The Notice was posted on a sign at the entrance to the property on February 16, 2023
- Notice was also given electronically to the prescribed list established under the Planning Act

# Opportunity for Appeal

- If a person or public body would otherwise have an ability to appeal the decision of the Township of South Stormont to the Ontario Land Tribunal (OLT), but they do not make oral or written submissions to the Township before the by-law is passed:
  - the person or public body is not entitled to appeal the decision; and,
  - the person or public body may not be added as a party to the hearing of an appeal before the OLT unless, in the opinion of the Tribunal, there are reasonable grounds to do so

# Council Action

- Upon consideration of the comments made and documentation provided, Council will decide one of the following at a future meeting:
  - pass and/or amend the By-Law;
  - defer the decision; or
  - refuse the zoning amendment application

# APPLICATION Z-2023-01 (Beaudette)

# Z-2023-01 | Subject Area 1

## Severed Portion (B-205-21):

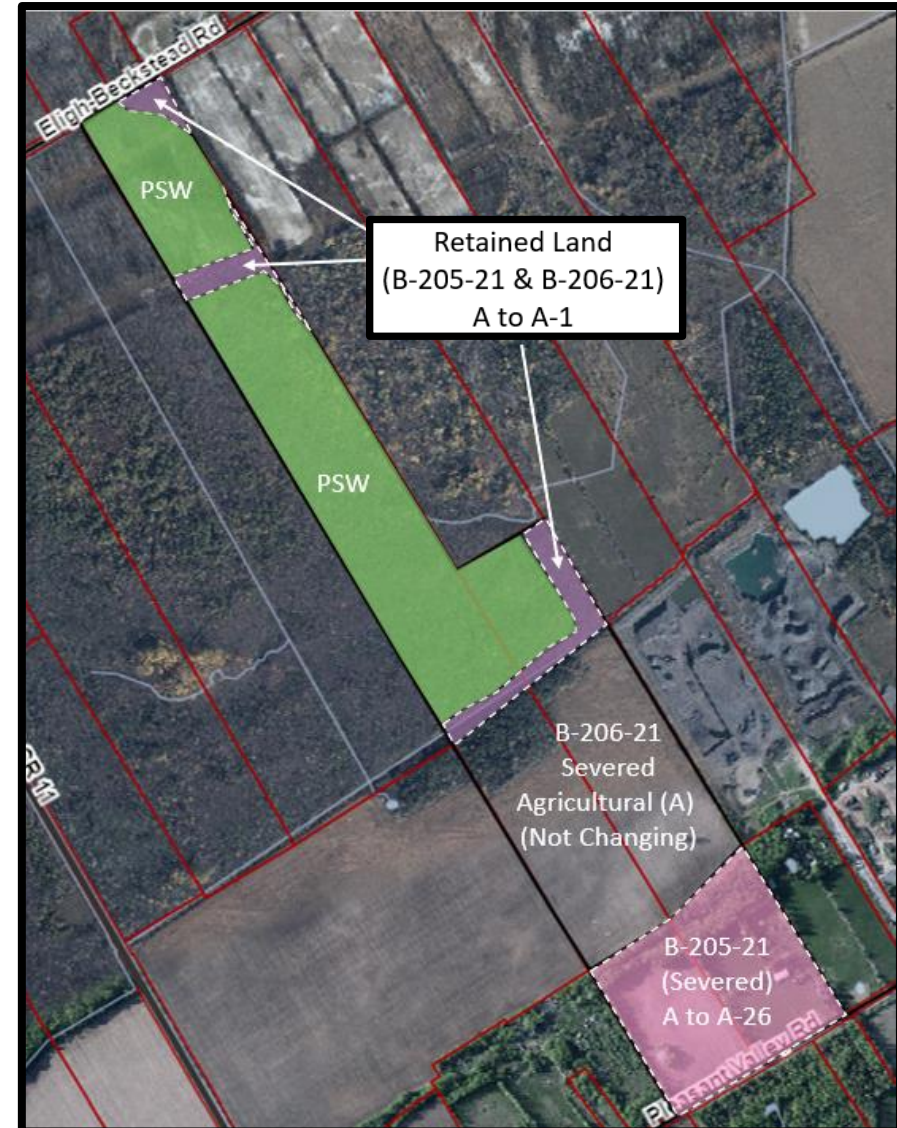
- Parts 2, 3, and 4 on Reference Plan 52R-8602; PT Lot 28, Concession 5, Geographic Osnabruck, Township of South Stormont
  - Approximately 13.5 ha (33.3-acres)
  - 14457 Pleasant Valley Road, Ingleside, ON



# Z-2023-01 | Subject Area 2

## Retained Land:

- Part of W ½ PT of Lot 28, Concession 5, and Part of E ½ Lot 28, Concession 5, Geographic Osnabruck, Township of South Stormont; PIN No. 60241-0198 and PIN No. 60241-0063
  - Approximately 4.29-ha (10.6-acres) combined of the overall 30.7 ha (75.81 acres) parcel, with the balance to remain PSW Zone.
  - Roll No. 0406000601900212 (new)





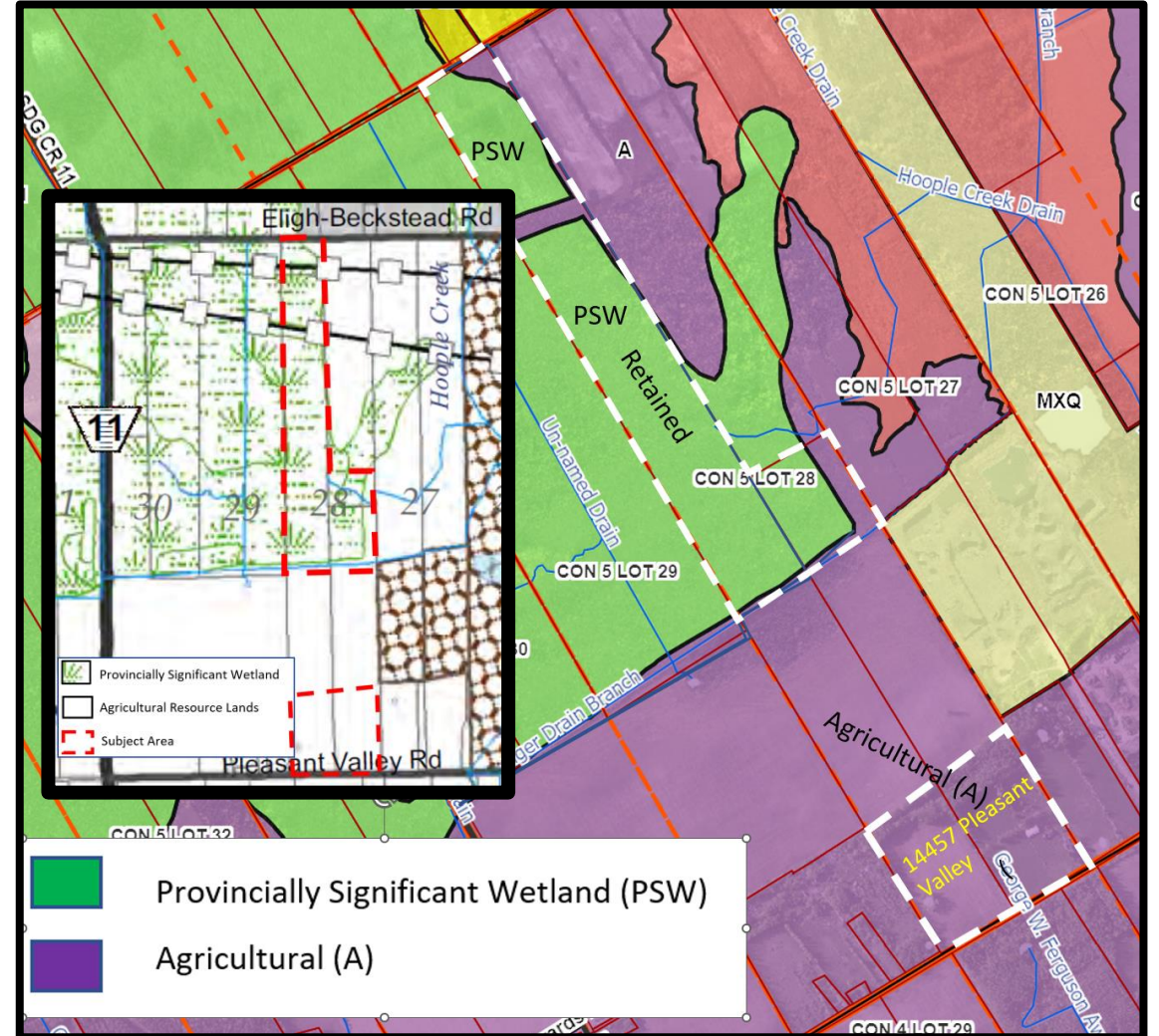
# Z-2023-01 | Current Designation & Zoning

## OFFICIAL PLAN DESIGNATION

Agricultural Resource Lands (Schedule A4)

## CURRENT ZONING

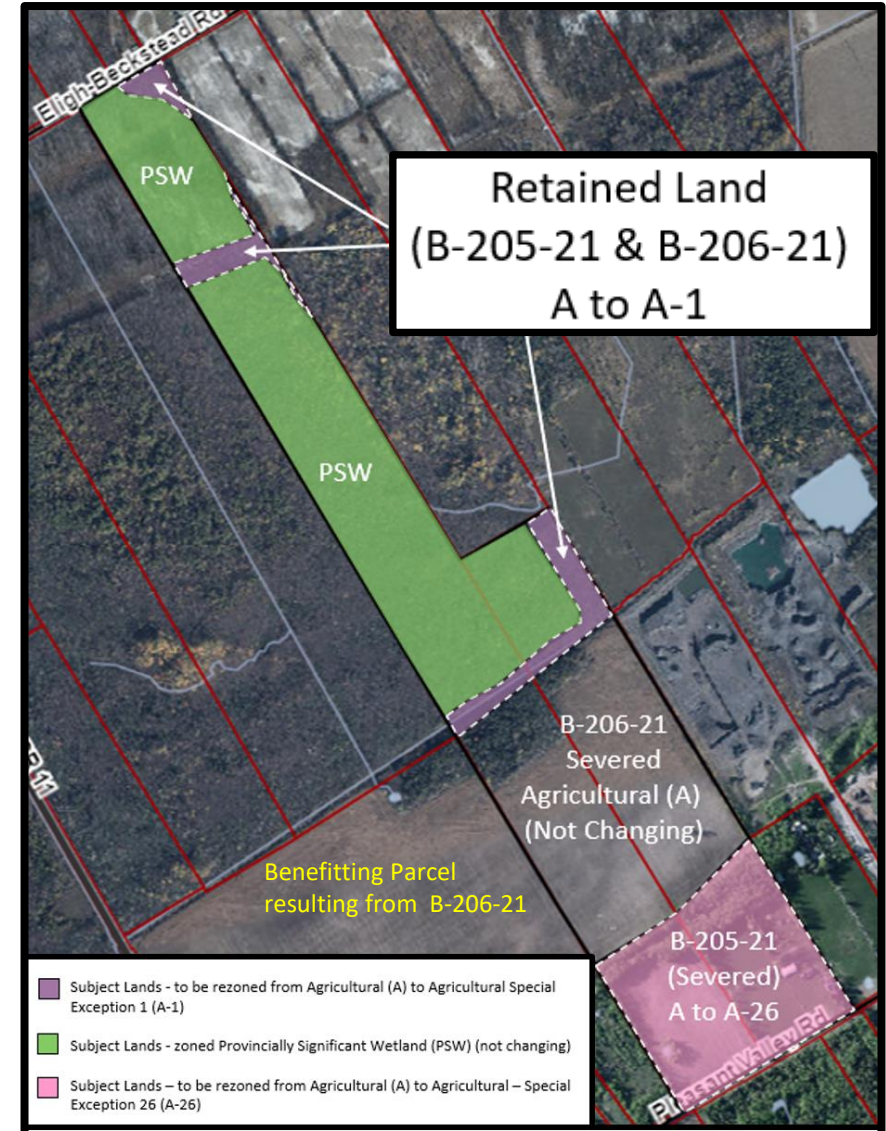
- 14457 Pleasant Valley (B-205-21/South)  
Agricultural (A)
- Retained (north portion)  
Agricultural (A) & Provincially Significant Wetland (PSW)



# Z-2023-01 | Background

Prior to accepting two (2) severance applications, staff worked with the United Counties of SDG to ensure conformity with the current PPS and OP:

1. As a condition of severance for B-205-21, a successful Zoning By-law Amendment is required to recognize the parcel of land with an existing apple orchard and dwelling (14457 Pleasant Valley Drive) as an undersigned lot.
  - A to A-26
2. As a condition of severance, the retained land (B-205-21 and B-206-21) rezoned to prohibit residential development.
  - A to A-1

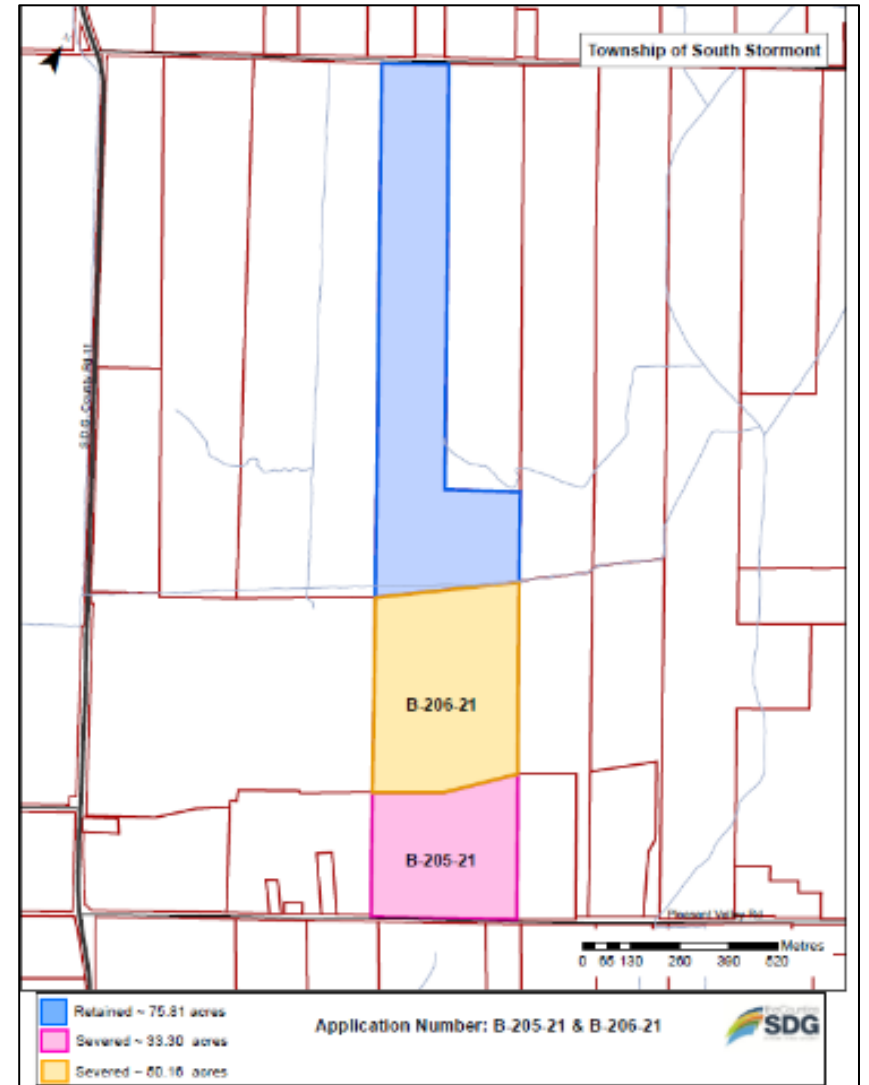


# Z-2023-01 | Background Continued

Prior to 2021, pre-consultation began regarding two (2) separate parcels of land owned by the applicants, a potential benefitting farmer/neighbour (i.e., lot addition/technical severance), and a potential undersized agricultural parcel (apple orchard, dwelling) to the south.

The Lot Addition in the center of the property dictated the resulting lot configurations and undersized agricultural lot submitted for Consent Application No. B-205-21.

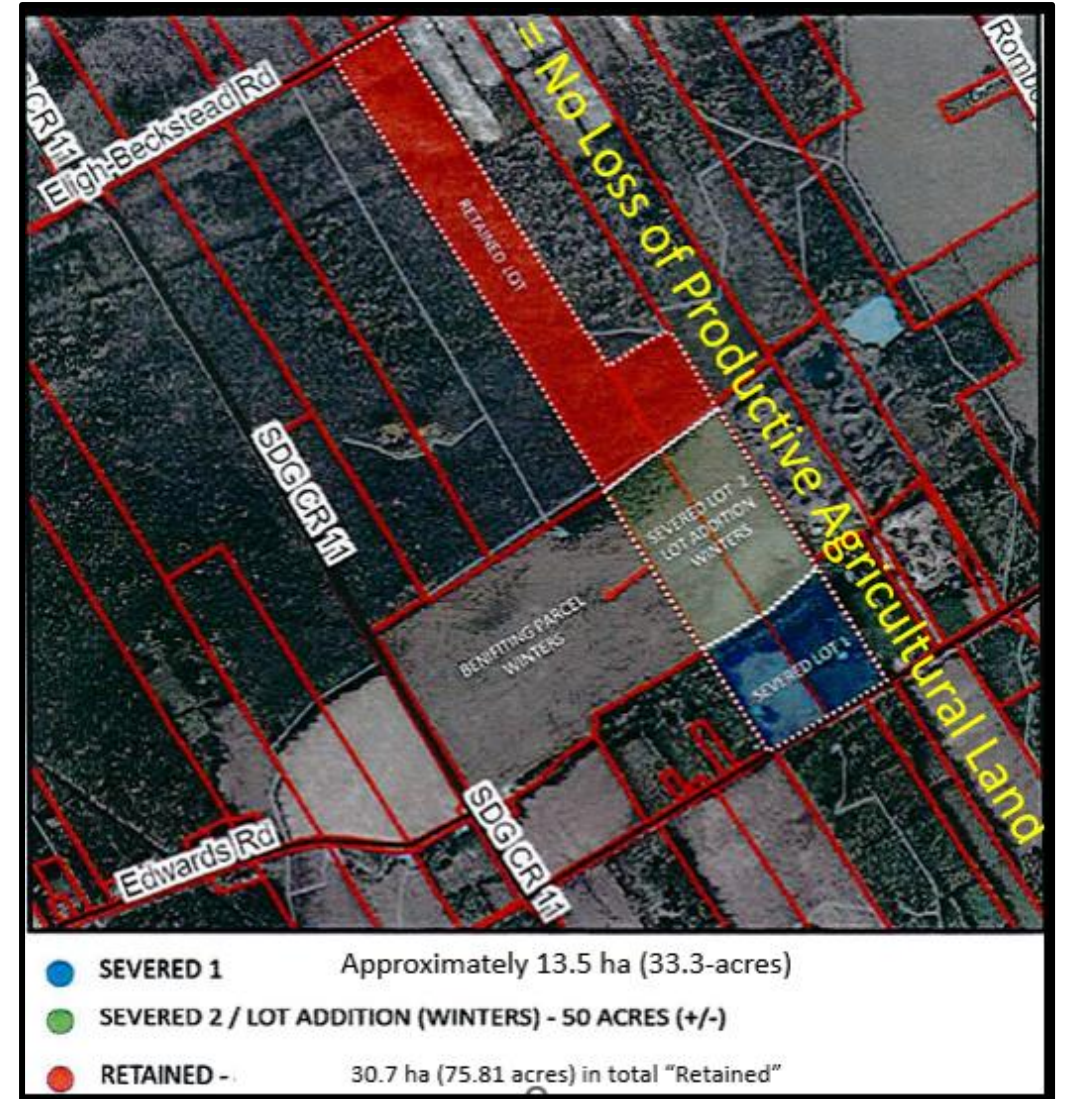
The submission proposed no net loss of agricultural land resulting from severances, however, as a condition of consent the applicant required a successful ZBA.



# Z-2023-01 | Background Continued

The location of the technical severance/lot addition, the sensitive nature of the subject land to the north, and the agricultural nature of the severance to the south necessitated a unique severance configuration, as well as Upper Tier discussions (County of SDG).

The retained portion of the land (north) would continue to be zoned PSW, and associated influence areas would continue to apply (120 m); however, the small pockets of Agricultural (A) land in between would necessitate rezoning to prohibit new residential development as per the current PPS and SDG OP.



# Z-2023-01 | Proposed Amendment

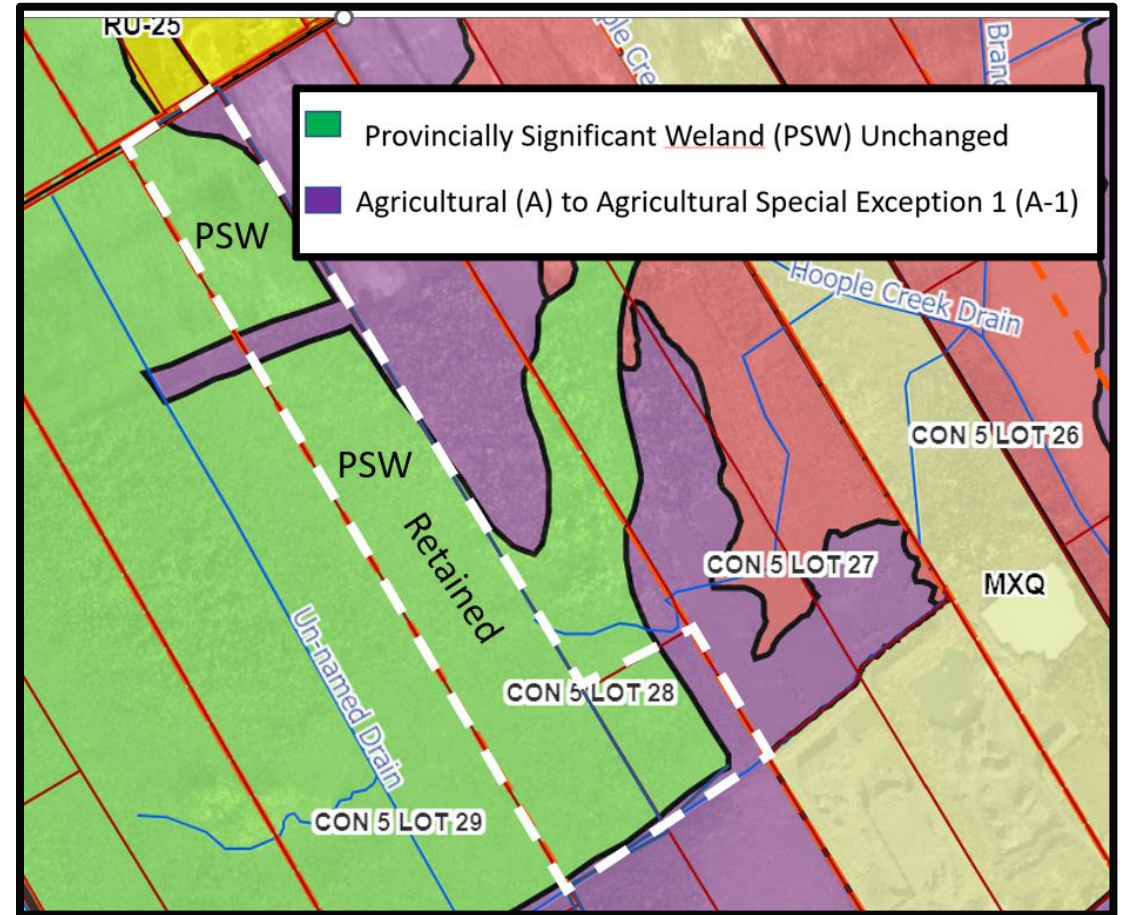
The first proposed amendment is to rezone part of the lands:

**From: Agricultural (A)**

**To: Agricultural Special Exception 1 (A-1)**

The proposal will continue to allow for agricultural uses upon the subject property, but single detached dwellings, dwelling accessory buildings, accessory apartments, type 1 group Homes, home industry, and home-based businesses will be prohibited.

The Provincially Significant Wetland (PSW) zone and associated influence areas will remain.



# Z-2023-01 | Proposed Amendment

The second proposed amendment is to rezone part of the lands:

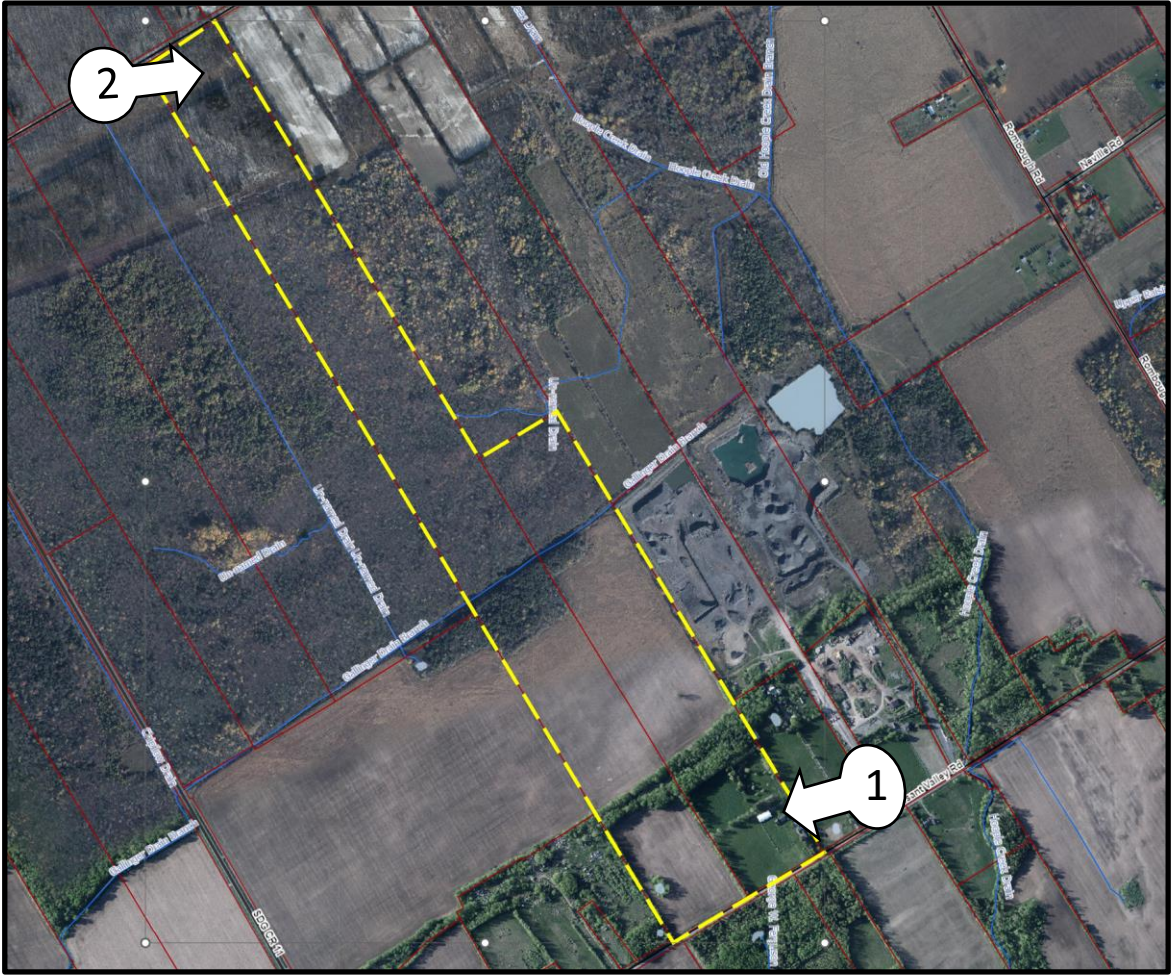
**From: Agricultural (A)**

**To: Agricultural Special Exception 26 (A-26)**

The proposal will allow for an undersized agricultural lot with continued agricultural uses upon the subject property (i.e., apple orchard, cropland/gardens, agricultural buildings).



# Z-2023-01 | February 16, 2023 - Site Photos



# Z-2023-01 | Provincial Policy Statement

- **Section 2.3.1** stipulates prime agricultural areas shall be protected for long long-term use for agriculture.
- **Section 2.3.2** encourages planning authorities to use an agricultural system approach to maintain and enhance the geographic continuity of the agricultural land base and the functional and economic connections to the agri-food network.
- **Section 2.3.3.2** encourages all types, sizes and intensities of agricultural uses and normal farm practices in prime agricultural areas.
- **Section 2.3.4.1** states that lot creation in prime agricultural areas may be permitted for:
  - a) *Agricultural uses*, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
  - c) A residence surplus to a farming operation as a result of farm consolidation, provided that the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance.



# Z-2023-01 | Provincial Policy Statement

- **Section 2.3.4.3** The creation of new residential lots in *prime agricultural areas* shall not be permitted, except in accordance with policy 2.3.4.1(c). The municipality shall ensure the vacant agricultural portions are re-zoned to prohibit new residential buildings and structures.
- **Section 2.1 Natural Heritage (2.1.1 through 2.1.9)** shall be adhered to by means of respecting the PSW designation upon the subject lands, which also encompasses Areas of Natural and Scientific Interest (ANSI), Significant Woodlands, Unevaluated Wetland areas, etc. Furthermore, the proposed zoning By-law amendment will:
  - designate the Agricultural Resource Area as A-1, Agricultural Special Exemption (i.e., PSW adjacent lands).

Considering the above, Staff deem the proposal as consistent with the policies and direction established under the current provincial policies.

# Z-2023-01 | Official Plan (OP)

- The subject lands are designated “Agricultural Resource Lands”; the proposal is generally consistent with the policies and direction established for this district under the OP, including **Section 5.3.2**, Scope of Permitted Uses.
- **5.3.4 Lot Sizes** - Agricultural lots shall be of a size appropriate for the type of agricultural uses common in the area and sufficiently large to maintain flexibility for future changes in operations.
- **Section 5.3.8** Normal Farm Practices will be promoted and protected in prime agricultural areas, including outdoor recreation and hunting, an apple orchard, cropland, and a dwelling surplus to the larger farm.
- **Section Section 8.12.13.3 (7)** of the Official Plan establishes policies similar and consistent with the PPS for consents in Agricultural Resource Lands regarding parcel size, land use and protection of farmland. Both the retained and benefitting parcel is consistent with Official Plan policies.

Considering the above, the application conforms with the policies and direction established under the Official Plan and the Untied Counties of SDG.

# Z-2023-01 | Zoning By-Law (ZBL)

- The Subject lands are zoned “Agricultural” under Zoning By-Law 2011-100. The subject lands will continue to meet the requirements for permitted uses identified in the Agricultural (A) zone (**Section 10.1**).
- **Section 3.1** (Separation Distances), development shall continue to be restricted from the ANSI, the PSW, and MXQ-Mineral Extraction Quarry.
- **Section 16.1**, the Provincially Significant Wetland (PSW) Zone remains unchanged, and the influence area noted in 3.1 above also remains.
- The zoning amendment is a requirement resulting from Consent Application B-205-21 and B-206-21 which both received provisional consent from the United Counties of SDG on March 7, 2022. The Lot Addition in the center of the property dictates the resulting lot configurations.

# Z-2023-01 | Comments Received - TNPI

- To date, the RRCA and MTO have provided a written response, and both agencies do not have any adverse comments or concerns.
  - **MTO** - The proposal does not fall under MTO's Permit Control Area
  - **RRCA** - Due to Hosaic Creek Swamp, a Provincially Significant Wetland (PSW), the subject area falls under O. Reg. 175/06 (Development, Interference with Wetlands, and Alterations to Shorelines and Watercourses made under the Conservation Authorities Act.

No further commentary from the public or other circulated partners has been received as of March 2, 2023.

# Z-2023-01 | Further Comment

