



GRAND VALLEY

Council Planning Report

To: Mayor Soloman & Council
From: Mark H. Kluge, MCIP RPP, Town Planner
Date: November 26, 2024
Report No.: PLN2024-102
Subject: **Public Meeting and Decision - Proposed Consent and Zoning Files B01-204 and Z07-2024 – 402287 County Road 15**

Recommendation:

THAT Report No. PLN2024-102, Public Meeting and Decision - Proposed Consent and Zoning Files B01-204 and Z07-2024 – 402287 County Road 15 dated November 26, 2024, be received;

AND FURTHER THAT application B01-2024 from the property owners of 402287 County Road 15 (Roll #207300) for a Consent Application, to permit a lot line adjustment, as generally shown in **Appendix 3: Severance Sketch** and as per the conditions outlined in **Appendix 4: Consent Decision**, be approved;

AND FURTHER THAT application Z07-2024 from the property owners of 402287 County Road 15 (Roll #207300) for a Zoning By-law Amendment, to rezone a portion of the lands from the Agricultural (A) Zone to a Rural Residential Exception Thirty-seven (RR-37) Zone, as generally shown in **Appendix 5: Zoning By-law**, be approved and the necessary By-law be adopted.

Key Points:

The following are key points for consideration with respect to this report:

- A proposed lot line adjustment between two existing farm properties
- No new building lot is being created

- Zoning prohibits a Hobby Farm but permits a Barn to remain

Background

Location:

The subject property is located at **402287 County Road 15 Roll #207300**, in the **RURAL** area of Grand Valley. The subject lands contain working farm fields, a single detached dwelling and accessory buildings including a Barn, see **Appendix 1: Location Map**.

Site Characteristics:

Municipal/Emergency Address	402287 County Road 15
Roll Numbers	207300
Legal Description	CON 11 PT LOT 29 Part 2 Reference Plan 7R-2720
Current Use	Rural Farm Lot
Site Area	22.23 ha (55 Acres)
Official Plan	<i>Agricultural</i>
Current Zoning	Agricultural (A)
Proposed Zoning	Rural Residential Exception Thirty-seven (RR-37)

Surrounding Land Uses:

NORTH	Agricultural
SOUTH	Agricultural
EAST	Agricultural
WEST	Agricultural

Proposed Development:

On November 1, 2024, Everett Lusk of Van Harten Surveying Inc., the Agent for the Owners, submitted Consent (Lot Line Adjustment) and Zoning By-law Amendment applications for a proposed lot line adjustment between the Owner's property (Roll #207300) and the adjoining farm (Roll #207400) owned by Dayne DEAKEN. The proposal

is to sell 19.25 ha (47.6 acres) to DEAKEN while retaining 2.98 ha (7 acres) for themselves, see **Appendix 2: Justification Cover Letter and Appendix 3: Survey Sketch and Appendix 4 – Consent Decision.**

The proposed zoning is to rezone the RETAINED parcel to a Rural Residential Exception Thirty-seven (RR-37) Zone to prohibit a Hobby Farm use and permit the Barn to remain. The SEVERED lands will be merged with the DEAKEN property (Roll #207400) to the west and will retain the Agricultural (A) Zone.

No new building lot is being created as a result of this application. The process is starting with two properties Roll # 207300 (BOND) and Roll #207400 (DEAKEN) and ending with two properties, and the only difference is their area.

The Applications were deemed complete on November 1, 2024. All submission materials can be viewed on the Town's website under Current Planning Applications available for Public Review – **402287 County Road 15 File Nos. B01-2024 and Z07-2024**, via this link:

<https://www.townofgrandvalley.ca/en/doing-business/current-and-approved-applications.aspx>

Current Planning Context

Provincial Planning Statement 2024 (PPS 2024):

All new development within the Province must conform to Provincial Planning Statement 2024. Section 4.3.3, subsection 2 of the PPS 2024 states:

Lot Line adjustments in prime agricultural areas may be permitted for legal or technical reasons.

In Planning's opinion the proposed lot line adjustment conforms to the PPS 2024, as no new building lot is being created with the Consent application.

Dufferin County Official Plan:

The subject lands are designated *Prime Agricultural* under the recent Minister adopted (October 2024) County Official Plan Schedule B.

Grand Valley Official Plan:

The subject property is designated *Agricultural* in the Town’s Official Plan (OP). Section 8.10 **Technical Consents** states that, in addition to severances permitted in each designation, consents may be permitted for the following purposes:

- b) a lot addition, deed correction or boundary adjustment that does not create an additional lot or result in a significant reduction of the land area actively farmed.**

The proposed lot line adjustment conforms to the Town’s Official Plan and an Official Plan Amendment is not required.

Grand Valley Zoning By-law 2009-10:

The subject lands are zoned **Agricultural (A) Zone**. A Zoning By-law Amendment is proposed to rezone the RETAINED lands to a **Rural Residential Exception Thirty-seven (RR-37) Zone**, see **Appendix 5: Zoning By-Law**.

The proposed zoning is to recognize the RETAINED parcel as a non-farm lot, which will prohibit a Hobby Farm, but permit the existing Barn to remain. Hobby farms are not permitted through a Surplus Farm Dwelling Severance or a Lot Line Adjustment applications. The Owners have requested to keep the existing Barn for personal storage. The barn has never been used for agricultural uses since the BONDS have owned the property.

Public Consultation:

Notice of this Public Meeting, via e-mail, mailout and signage, was provided pursuant to the *Planning Act* on November 1, 2024. As of the writing of this report, Planning has not received any comments from the Public.

Town and Agency Consultation:

The applications were circulated for technical review on November 1, 2024. As of the writing of this report, Dufferin County has provided conditions and comments. County staff are not in support of the applications, see **Appendix 6: County Comments**. Where applicable Planning has included the County’s conditions in the Consent Decision, regarding private services and a required road widening. No other technical comments were received.

Planning Analysis

Planning conducted a site visit on November 18, 2024, prior to the Public Meeting to view the property.

The Agent on behalf of the Owners has submitted consent and zoning applications to facilitate the sale of 19.25 ha of the current 22.23 ha to the adjacent property (Roll #207400) owned by DEAKEN.

The applications are to permit a lot line adjustment where the majority of the agricultural lands are merged with the adjoining property to the West (Roll #207400). This would leave the RETAINED parcel at 2.98 ha to be rezoned Rural Residential Exception Thirty-seven (RR-37), to prohibit a Hobby Farm, but to permit the existing Barn to remain.

No new lot is being created with these applications. There are only two properties involved:

- Roll #207300 *BOND* who is keeping the retained parcel (2.98 ha), and:
- Roll #207400 *DEAKEN* who is receiving the severed parcel (19.25 ha) from BOND.

It is Planning's opinion that the proposed applications are consistent with the Provincial Planning Statement 2024, conform to the Town's Official Plans and meet the requirements of the Town's Zoning By-law. No new lot is being created and the zoning will prohibit a Hobby Farm on the retained parcel. For these reasons, Planning can recommend approval with conditions of these applications.

Attachments:

Appendix 1: Location Map
Appendix 2: Justification Cover Letter
Appendix 3: Survey Sketch
Appendix 4: Consent Decision
Appendix 5: Zoning By-law
Appendix 6: County Comments

Report Submitted by

Mark H. Kluge, MCIP RPP
Town Planner
519-928-5652 extension 225
mkluge@townofgrandvalley.ca

Public Meeting and Decision - Proposed Consent and Zoning Files B01-204 and Z07-2024 –
402287 County Road 15

Report Approved by

Meghan Townsend, CAO/Clerk

519-928-5652 extension 222

mtownsend@townofgrandvalley.ca