

MEMORANDUM

To: Ms. Denise Holmes, CAO
From: Chris D. Jones MCIP, RPP
Date: May 14, 2015
Re: Application for Consent (Schill Land Holdings)

1.0 BACKGROUND

The Township has received an application for consent to sever lands from an agricultural parcel owned by Schill Land Holdings Inc. The subject lands are located in Part of Lot 22, Concession 7, S.W.T.S.R and have a lot area of 49 hectares (121 acres) and a lot frontage of approximately 1,280 metres (4,200 feet) on the 260 Side Road. The lands also have a divided frontage on the 7th Line S.W. with 242 metres in one location and 8.4 metres in another location of the 7th Line.

It is noted that the 8.4 metre frontage is the location of the current driveway used to the property.

The lands are occupied by a detached dwelling and two small sheds.

The applicant, Schill Land Holdings, is a corporate entity that acquires agricultural holdings. On this basis, the dwelling located on the subject lands would be surplus to the needs of the owner and they have applied to sever the existing dwelling from the larger agricultural parcel. The proposed lot would have an area of 0.62 ha (1.5 acres) and a frontage of 8.4 metres (27.5 feet).

2.0 PROVINCIAL POLICY STATEMENT (PPS)

Given that the subject lands are located in a prime agricultural area of the Township, the policies of Section 2.4.3.1 of the PPS would be applicable. Specifically Section 2.4.3.1 c) of the PPS permits the severance of a residence surplus to a farm consolidation in prime agricultural areas provided:

1. *The new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and,*
2. *The planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance.*

3.0 OFFICIAL PLAN

The lands subject to the severance are primarily located in the Agriculture designation on Schedule C to the recently approved new Official Plan. A very small portion of the subject lands (the driveway), is located within the Community designation of the Official Plan, given that the lands are proximate to the rural settlement of Riverview. The new Official Plan provides for the severance of a surplus farm dwelling through Section 5.2.5 b) iii) of the new official plan.

4.0 ZONING BY-LAW

The subject lands are primarily located in the General Agricultural (A1) Zone, with a small portion, including the lands to be severed, being located in the Development (D) Zone. The D Zone is an old zone category intended to identify lands with development potential located proximate to settlement areas. If the consent is granted, the retained agricultural parcel would need to be rezoned for "agricultural purposes only" (APO) as required by Section 2.4.3.1 c) of the PPS and Section 5.2.5 b) iii) of the Township's Official Plan.

Furthermore, the severed residential lot would also need to be rezoned to the Hamlet Residential (R1) Zone and would require a special zone exemption to address the following areas of non-compliance:

- Minimum Lot Frontage is 8.4 metres and should be 30 metres; and,
- Existing Side and Rear Yard Setback for a Detached Storage Building is 1.2 metres and should be 1.5 metres.

5.0 ANALYSIS

The proposed consent would be consistent with the PPS and would be in conformity with the Township's Official Plan, provided the farm parcel is rezoned for agricultural purposes only (no residential use) and the severed residential lot is zoned to permit residential use, subject to exceptions for lot frontage and the rear and side yard setbacks for a detached storage building.

It is noted there is no existing barn or livestock building located on either the lot to be severed or retained.

We have considered that the proposed 8.4 metre lot frontage represents a substantial reduction from the 30 metre minimum frontage required in the R1 Zone, however, it is noted that the 8.4 metre frontage is the existing driveway access to this lot, and we do not see an alternate location to establish a new driveway without making the lot larger. We do believe it would be prudent for the owner to fence the lot lines along the side of the driveway to minimize encroachments and to address potential hazards caused by

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a narrow driveway located proximate to two existing residential lots.

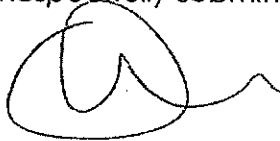
On May 13, 2015 we conducted a site visit of the proposed lot and we note there was a number of derelict vehicles located on the lot. In our opinion, this potential approval presents an opportunity to require these vehicles to be removed from the lot.

6.0 SUGGESTED CONDITIONS

Should Committee be satisfied that the proposed consent is good planning, the following conditions are recommended:

- a) That the applicant submit a reference plan suitable for registration purposes;
- b) That the farm parcel be rezoned for agricultural purposes only and the severed parcel be rezoned to the Hamlet Residential (R1) Exception Zone;
- c) That a barrier fence be installed along the lot lines up to 21 metres from the 7th Line; and,
- d) That all derelict vehicles, equipment and refuse on-site be removed and sent to an authorized recycler and/or salvage yard.

Respectfully Submitted,



Chris D. Jones MCIP, RPP