



**TOWNSHIP OF MELANCTHON - ELECTRONIC MEETING  
COMMITTEE OF ADJUSTMENT - THURSDAY, SEPTEMBER 17, 2020 - 6:00 P.M.**

*(For information on how to join the meeting, please go to the Council Meetings page on the Township Website to find the link, meeting code and password)*

**1. APPROVAL OF MINUTES - August 13, 2020**

***Motion - that the minutes of the Committee of Adjustment Meeting held on August 13, 2020 be approved as circulated.***

**2. BUSINESS ARISING FROM MINUTES**

**3. APPLICATION FOR CONSENT**

1. B6/20 - Bonnefield Farmland Ontario II Inc. - East Part of Lot 28, 27, Part of Lot 26, Concession 2 O.S.

**4. APPLICATION FOR MINOR VARIANCE**

**5. APPLICATIONS ON FILE**

1. B1/19 & B2/19 - Angelo Carnevale - Applications for Consent - Part of the East Part Lot 13, Concession 2 O.S. & East Part Lot 13, Concession 2 O.S.
2. B5/20 - Allen Clark - Application for Consent - Part of East Part of Lot 2, Concession 1 O.S., Part 1, RP 7R-6636

**6. DELEGATES**

**7. CORRESPONDENCE**

1. Letter from Sherri Gray, Dufferin Federation of Agriculture regarding Consent B3/20

**8. ADJOURNMENT**

***Motion - That we adjourn Committee of Adjustment at \_\_\_\_\_ p.m. to meet again on Thursday, October 15, 2020 at 6:00 p.m. or at the call of the Chair.***

**MEMORANDUM**

**To:** Chairman White and Members of Committee  
**Copy:** Ms. Denise Holmes, CAO  
**From:** Chris Jones MCIP, RPP  
**Date:** September 14, 2020  
**Re:** Application for Consent – File B6/20 (Bonnewfield Farmland Ontario II Inc.)

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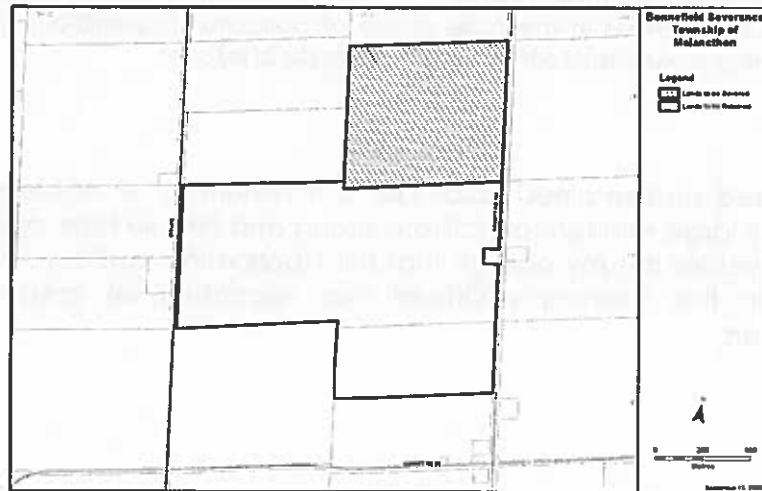
**BACKGROUND**

The Township is in receipt of an application for consent submitted by Bonnewfield Farmland Ontario Inc. The purpose of the application is to sever a new farm parcel from lands located in the East Part of Lot 28 and Part of Lots 26 and 27, Concession 2 O.S. The subject lands have a total lot area of approximately 142 hectares (351 acres) and municipal records indicate the parcel is not occupied by any buildings.

The purpose of the application is to sever the subject lands in the manner illustrated in Figure 2 to create two farm parcels. Through this application the East Half of Lot 28, with a lot area of 40.7 hectares, would be severed from the southerly Lot 27 and Part of Lot 26, Concession 2 O.S. with a lot area of approximately 101 hectares.

In this scenario, the severed parcel would have a resultant lot frontage on County Road 124 of 615 metres and the retained lot would have a frontage on County Road 124 of 883 metres and 615 metres of 3<sup>rd</sup> Line.

**Figure 2 – Severed and Retained Lands**



## PROVINCIAL POLICY STATEMENT (2020)

The subject lands are located in a prime agricultural area.

Section 2.3.4.1 a) of the PPS, referenced below, permits the creation of new lots for agricultural purposes:

*Lot creation in prime agricultural areas is discouraged and may only 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.*

## OFFICIAL PLAN

The lands subject to the proposed severance are currently designated Agricultural. Section 5.2.5 (b) i) is the salient consent policy applicable to the application, it states:

*Lots may be created for agricultural uses, provided such lots are of a size appropriate for the type of agricultural uses that are common in this area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations. Compliance with the policies of subsection 5.2.2 (h) is particularly important in this regard. The applicable minimum agricultural lot size provisions shall be addressed in the implementing Zoning By-law and new lots for agricultural uses shall be approximately 40 hectares or the original survey lot size, whichever is lesser.*

Section 5.2.2 (h), referenced in the above-mentioned policy states:

*Farm parcel size shall be sufficiently large to facilitate strong and flexible farm operations on a long-term basis. The fragmentation of agricultural land holdings into parcels inappropriate for typical local agricultural operations shall not be permitted. All new lots must remain sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations. The implementing zoning by-law shall set minimum agricultural lot sizes.*

## ANALYSIS

The severed and retained lands are a minimum of 40 hectares in lot area and are sufficiently large enough to facilitate strong and flexible farm operations on a long-term basis. Therefore it is my opinion that this application conforms with the salient consent policies in the Township's Official Plan regarding lot creation in the Agricultural designation.

**RECOMMENDATION**

If Committee is in agreement with this report, it is recommended that application B6/20 be approved subject to the standard conditions of approval.

Respectfully,



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Chris D. Jones MCIP, RPP

Ph: (519) 925-5525  
Fax: (519) 925-1110

**TOWNSHIP OF MELANCTHON  
Committee of Adjustment**

157101 Highway 10  
Melancthon, Ontario  
L9V 2E6

**NOTICE OF PUBLIC MEETING  
Application for Consent**

File No. **B6/20**

Date of Meeting: **September 17, 2020** Time: **6:00 p.m.**

Name of Owner/Applicant: **Bonnefield Farmland Ontario II Inc.**

Location of Public Meeting: **157101 Highway 10, Melancthon Office (Virtual Meeting - see note below)**

**NOTE:** This will be a virtual meeting. If you wish to attend the virtual meeting, please call or e-mail the Township office prior to the day of the public meeting so you can be provided with a link to the meeting. If you do not have the capability to attend a virtual meeting, please provide written comments and a phone number where you can be reached to the Township Clerk prior to the public meeting.

**PROPOSED SEVERANCE: East Part of Lot 28, 27, Part of Lot 26, Concession 2 O.S.**

Existing Use: **Agriculture** Proposed Use: **Agriculture**

Road Frontage: **615 m** Depth: **665 m**

Area: **40.7 ha**

**RETAINED PORTION: East Part of Lot 27, Part of Lot 26, Concession 2 O.S.**

Existing Use: **Agriculture** Proposed Use: **Agriculture**

Road Frontage: **883 m** Depth: **1,347 m**

Area: **101 ha**

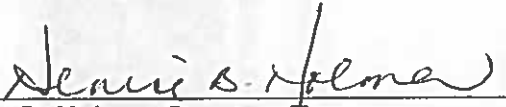
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The land is not the subject of an application under the Act for an Official Plan Amendment, Zoning By-law Amendment, or Minor Variance application.

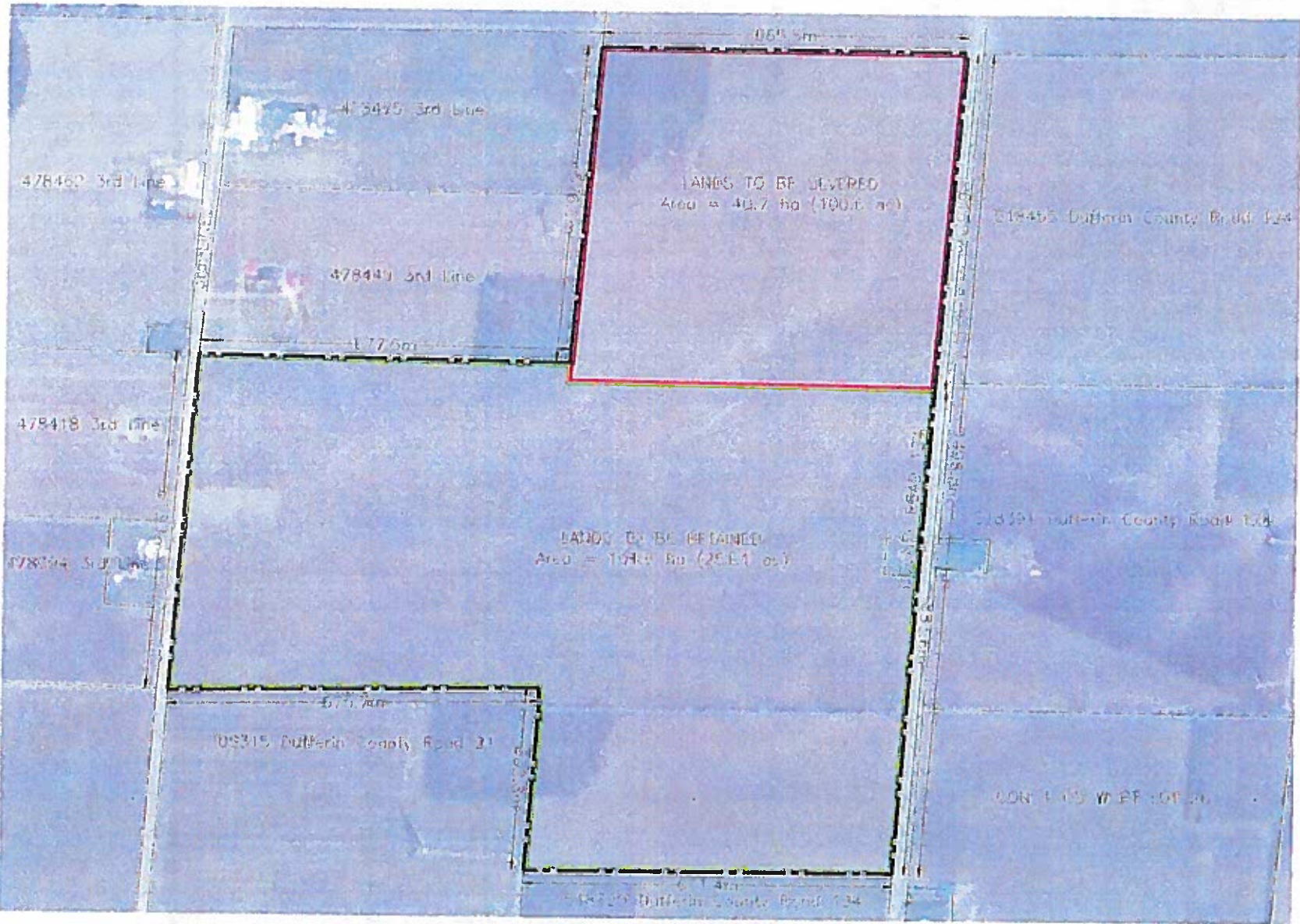
If you require additional information on this application, it may be obtained by contacting the Secretary-Treasurer at the above address during regular office hours.

If a person or public body that files an appeal of a decision of the Melancthon Township Committee of Adjustment in respect of the proposed consent does not make a written submission to the Committee of Adjustment before it gives or refuses to give a provisional consent, the Local Planning Appeal Tribunal may dismiss the appeal.

If you wish to be notified of the decision of the Committee of Adjustment in respect of the proposed consent, you must make a written request to the Committee of Adjustment, Township of Melancthon, 157101 Highway 10, Melancthon, Ontario, L9V 2E6.

  
Denise B. Holmes, Secretary-Treasurer





KEY PLAN



**CONSENT SKETCH**

EAST 1/2 of LOT 26, CON 2 OS (MELANCTHON),  
 LOT 27, CON 2 OS (MELANCTHON), NORTH  
 of EAST 1/2 of LOT 26, CON 2 OS (MELANCTHON)

PREPARED BY: M. ANDREWS  
 COUNTY OF DUFFERIN

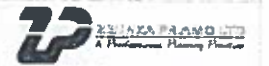
KEY NO: 2016-01

DATE: 05/25/2016

- EXISTING LINES
- LANDS TO BE SEVERED
- LANDS TO BE RETAINED

DRAWN BY: M. ANDREWS COUNTY OF DUFFERIN

NO. 103315



DATE: MAY 25, 2016  
 SCALE: 1:200 A4/D4

## Denise Holmes

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**From:** Sherri Gray <sherri.dfa@hotmail.com>  
**Sent:** Thursday, September 3, 2020 5:48 PM  
**To:** Denise Holmes  
**Cc:** Jenny Li; anneleis.eckert@ontario.ca; david.marriott@ontario.ca; chris\_mplanningservices@rogers.com; harveylyon38@gmail.com; Peter Jeffery  
**Subject:** Severance on Prime Agricultural Land - Melancthon  
**Attachments:** RE Consent B3 20.pdf

Dear Ms. Holmes,

Please see attached.

Thank you

***Sherri Gray***  
*Dufferin Federation of Agriculture*  
[sherri.dfa@hotmail.com](mailto:sherri.dfa@hotmail.com)

Per Bill McCutcheon President, Dufferin Federation of Agriculture



**Dufferin Federation of Agriculture**  
P.O. Box 101 Orangeville, ON L9W 2Z5

September 3, 2020

Council and Committee of Adjustment  
Township of Melancthon  
157101 Highway 10  
Melancthon, Ontario

RE: Application for Consent B3/20

The Dufferin Federation of Agriculture (DFA) is concerned about a recent consent given by the Melancthon Council. Your approval of the Application for Consent B3/20 continues a disturbing trend across Dufferin of disregard for Official Plans and the Provincial Policy Statement which guides land use planning in Dufferin and Ontario.

Chris Jones of Municipal Planning Services Ltd. has highlighted most the concerns of DFA so there is no need for DFA to itemize those concerns again. Why does Council bother with analysis of a professional land use planner if Council will just ignore the advice? Also, Harvey Lyon, a farmer and resident of Melancthon has expressed his concerns in a well-written, hand-written submission to Council. DFA echoes the concerns of both Chris Jones and Harvey Lyon.

Allowing a severance for a residence surplus to a farming operation is a contentious issue within the farm community. Wellington Federation of Agriculture advised Wellington County to not allow surplus residence severances. Wellington went forward regardless and there have been a number of over-sized residential lots created and that arguably was not the intent of the land use policy. The intent is to minimize lot size and maximize the amount of farmed land. The Region of Waterloo limits the surplus residential severance to those homes identified under the Heritage Act.

In the era of "retirement lots" Dufferin was very generous in creating many new residential lots in prime agriculture areas. Wellington was less generous, and Waterloo was rather stingy in comparison. Dufferin has already fragmented prime agricultural lands to a much greater degree than other counties with a similar agricultural economy. "Retirement lots" were created with the best of intentions for farm families by allowing older members to retire close to the farm. But unfortunately, farm family members resided briefly in the homes built on these lots. A study showed that the period of residency turned out to be about two to three years on average. Those lots then sold to non-farm residents.

Peppering the blocks of prime agriculture with even more residential lots aggravates an existing problem - non-farm residents intolerant of farm businesses. Remember, the era of "retirement lots" contributed to the necessity for the Farm and Food Production Protection Act and the Normal Farm Practices Review Board. Too many farmers have spent too much time across Ontario in front of tribunals arguing that farms are businesses and not parkland for the pleasure of rural estate owners.



Creating residential lots for dwellings surplus to farming operations has potential to aggravate farm versus non-farm conflicts. The DFA understands that the Provincial Policy Statement (PPS, 2014) only allows for a surplus severance under a strict set of conditions in order to minimize the number of residential lots on prime farmland. From this understanding the DFA expects the following:

- a “habitable” dwelling exists at the time of consent for the severance,
- all farm outbuildings are removed as a part of the consent,
- the lot size of the residential lot be a maximum of 1 hectare or less.

The intent of the PPS is to preserve contiguous blocks of prime farmland to maximize the land’s agricultural potential. The ability to create lots for residences surplus to farming operations should be a rare exception not a loophole for estate housing development.

If the rural municipalities of Dufferin continue to disregard protections to stop further fragmentation of prime agriculture land, then there is one inevitable result. DFA and the farm community will expect equivalent disregard for land use planning when it’s time for a new barn. What is good for the goose is good for the gander.

Respectfully,

Original Copy Signed

Bill McCutcheon, President  
Dufferin Federation of Agriculture

CC:

Jenny Li, Planning Coordinator, County of Dufferin  
AnneleisEckert, Rural Planner, Central West Ontario, OMAFRA  
David Marriott, Rural Planner, Western Ontario, OMAFRA  
Chris Jones, Municipal Planning Services Ltd  
Harvey Lyon, farmer, Melancthon, ON  
Peter Jeffery, Senior Farm Policy Analyst, OFA

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