



Public Meeting Report

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Report To:	Joint Committees	
Date of Meeting:	September 13, 2021	Report Number: PDS-042-21
Submitted By:	Ryan Windle, Director of Planning and Development Services	
File Number:	COPA2021-0004 & ZBA2021-0012	Resolution#:
Report Subject:	Official Plan and Zoning By-law Amendment applications to facilitate the severance of a farm dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels	

Purpose of Report:

The purpose of this report is to provide information to the public and Council. It does not constitute, imply or request any degree of approval.

Recommendations:

1. That Report PDS-042-21 and any related communication items, be received;
2. That the application to amend the Clarington Official Plan and Zoning By-law 84-63 continue to be processed;
3. That Staff receive and consider comments from the public and Council with respect to OPA2021-0004 and ZBA2021-0012; and
4. That all interested parties listed in Report PDS-042-21 and any delegations be advised of Council's decision.

Report Overview

Chiel Vissers has submitted applications for an Official Plan Amendment and Zoning By-law Amendment to facilitate the severance of a surplus farm dwelling as a result of a non-abutting farm consolidation at 4382 Green Road in Hampton. The Clarington Official Plan Amendment would permit a farm parcel less than 40 hectares. The Zoning By-law Amendment would prohibit future severances and residential development on the retained parcel. An easement is also required for access to the larger retained parcel.

1. Application Details

1.1 Applicant: Chiel Vissers

1.2 Agent: Clark Consulting Services

1.3 Proposal: **General**

To facilitate the severance of a surplus farm dwelling at 4382 Green Road in Hampton. The retained farm parcel would consolidate with non-abutting farmlands owned by Vissers Sod Farms Ltd.

Official Plan Amendment

To permit a farm parcel less than 40 hectares and a residential parcel larger than 0.6 hectares. The retained farm parcel would be 36.5 hectares and the severed residential parcel would be 0.608 hectares.

Zoning By-law Amendment

To prohibit future severances and residential development on the retained farm parcel.

1.4 Area: 37.108 ha

1.5 Location: 4382 Green Road, Hampton (See Figure 1)

1.6 Roll Number: 181701008019900

1.7 Within Built Boundary: No

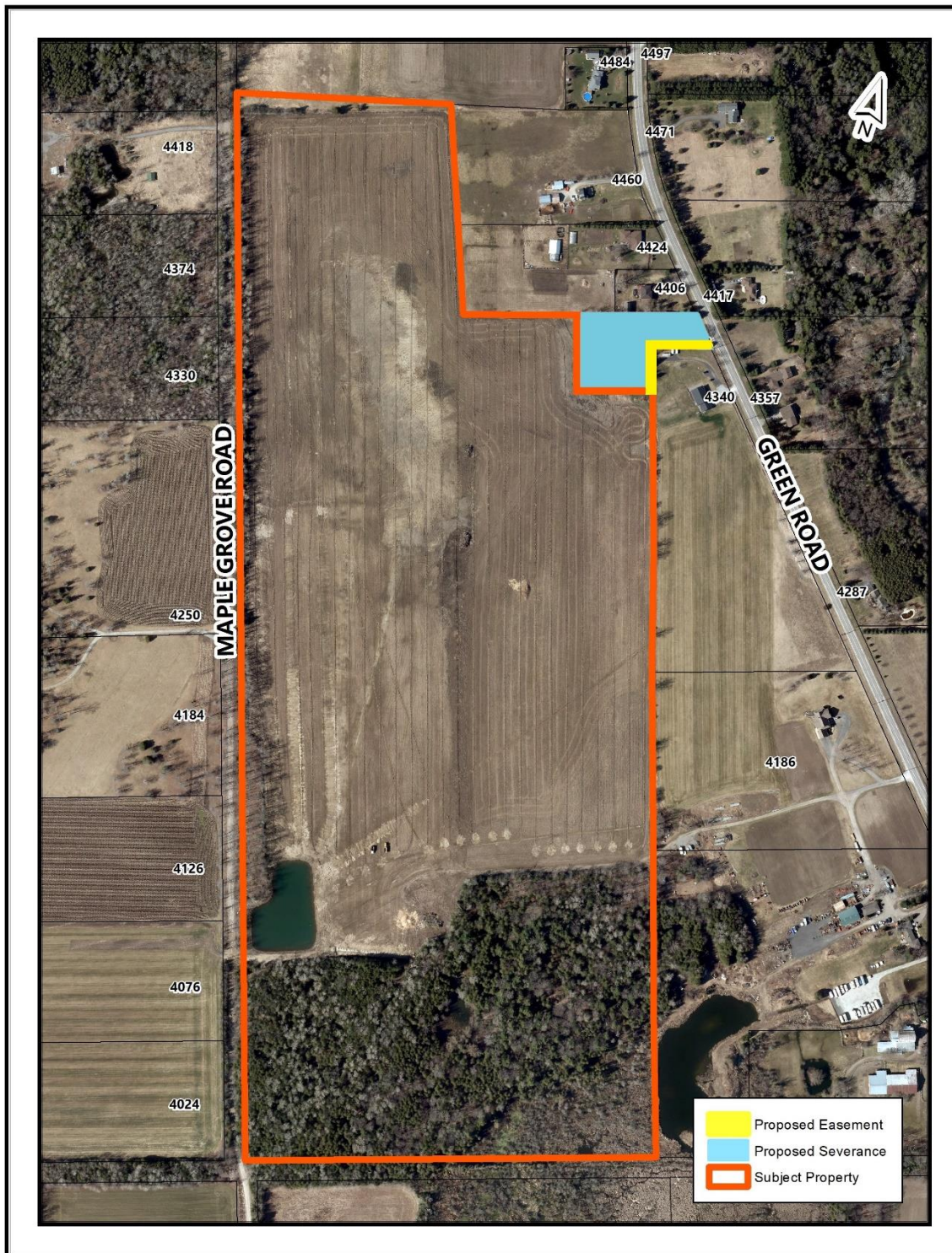


Figure 1: 4382 Green Road, proposed severed and retained parcels

2. Background

- 2.1 On January 17, 2020, a Pre-consultation meeting (PC2019-0043) was held for the proposed severance of a farm dwelling rendered surplus at 4382 Green Road with Chiel and Tony Vissers, Vissers Sod Farms Ltd..
- 2.2 On July 5, 2021, Chiel Vissers submitted applications for an Official Plan Amendment and Zoning By-law Amendment to facilitate the severance of a surplus farm dwelling. An application for the associated Regional Official Plan Amendment (ROPA2021-007) has been submitted to the Region of Durham.
- 2.3 Should these applications be approved, a future Land Division would be required to sever the surplus farm dwelling. As the severed agricultural parcel fronts onto an unopened portion of Maple Grove Road, the applicant is also proposing a 5 metre easement on the residential parcel to access the larger retained parcel. An easement would be required as part of the Land Division application.
- 2.4 The Clarington Official Plan requires the retained farm parcel maintain a minimum of 40 hectares and the severed residential parcel a maximum of 0.6 hectares. An Official Plan Amendment was submitted to permit the retained farm parcel with an area of 36.5 hectares and the severed residential parcel with an area of 0.608 hectares. The retained parcel would consolidate with non-abutting farmlands owned by Vissers Sod Farms (See Figure 2).
- 2.5 A Zoning By-law Amendment is required to prohibit future severances and residential development on the retained farm parcel.
- 2.6 The applicant has submitted the following reports in support of the applications:
 - Planning Justification Report prepared by Clark Consulting; and
 - Site Screening Questionnaire (SSQ) prepared by GHD

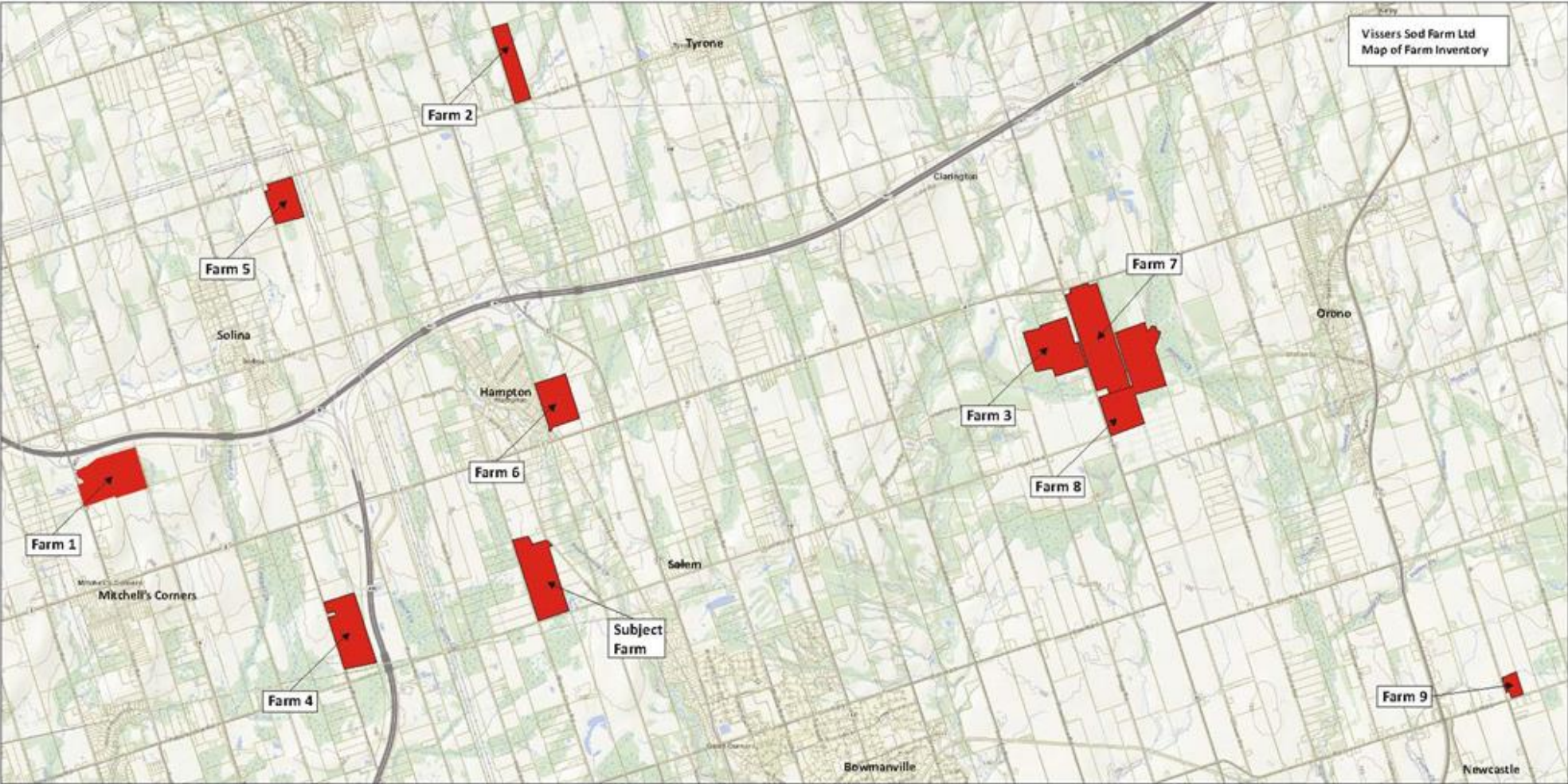


Figure 2: Vissers Sod Farms Ltd. Land Holdings

3. Land Use Characteristics and Surrounding Uses

3.1 The subject lands are 37.108 hectares in size with an existing detached dwelling on the northeast side of the property, fronting Green Road. The site is a sod farm and to the south of the property is a woodlot. There are no other structures on the property. To the west of the property is an unopened portion of Maple Grove Road. The residential dwelling and agricultural lands are accessed by Green Road. The unopened portion of Maple Grove Road is also utilized to access the agricultural lands. The southernmost portion of the property is regulated by the Conservation Authority, CLOCA.

3.2 The surrounding land uses areas follows:

North	Agricultural lands
South	Agricultural lands and woodlot
East	Rural residential and agricultural lands
West	Agricultural lands

4. Provincial Policy

Provincial Policy Statement

4.1 The Provincial Policy Statement (PPS) protects prime agricultural areas for long-term agricultural uses. The PPS permits lot creation in prime agricultural areas for the severance of a surplus farm dwelling as a result of farm consolidation subject to the criteria outlined in Policy 2.3.4.1(c).

Greenbelt Plan

4.2 The policies of the Greenbelt Plan are intended to protect prime agricultural areas for long-term agricultural uses. Within the Protected Countryside designation of the Greenbelt Plan, lot creation is permitted for the severance of a surplus farm dwelling as a result of farm consolidation, provided that the surplus farm dwelling area is limited in size and no new residential dwellings are constructed on the retained parcel of farmland.

4.3 The subject property is within the Natural Heritage System of the Greenbelt Plan. As the severance is not for any proposed new development, the application is considered to have minimal impacts on the connectivity and key features of Natural Heritage System and complies with the relevant policy

5. Official Plans

Durham Region Official Plan

- 5.1 The Durham Region Official Plan designates the subject property as “Major Open Space Areas” within “Key Natural Heritage System Lands”. Within this area, the severance of a farm dwelling rendered surplus as a result of a non-abutting farm consolidation is permitted by amendment to the Regional Official Plan.
- 5.2 The applicant has applied for a Regional Official Plan Amendment (ROPA2021-007). The Region of Durham’s Planning and Economic Development Committee will hold a Public Meeting at a date yet to be determined.

Clarington Official Plan

- 5.3 The Clarington Official Plan designates the lands to be severed “Rural” and the retained lands “Rural” and “Environmental Protection”. The severance of a farm dwelling rendered surplus as a result of the consolidation of non-abutting farms is permitted provided that the farm is a minimum of 40 hectares, the land area of the parcel on which the surplus dwelling would be located is a maximum of 0.6 hectares and that the farm parcel is rezoned to prohibit the establishment of any new residential uses.
- 5.4 The retained farm parcel would be 36.5 hectares in size and the surplus farm dwelling would be 0.608 hectares. The applicant has submitted an application for an amendment to the Clarington Official Plan for the farm parcel to be less than the minimum required 40 hectares and for the residential parcel to be more than the maximum 0.6 hectares.

6. Zoning By-law

- 6.1 Zoning By-law 84-63 zones the subject property as Agricultural Exception (A-1) and Environmental Protection (EP). The 0.608 hectare residential parcel to be severed is entirely within the Agricultural Exception (A-1) Zone. The proposed Zoning By-law Amendment would prohibit future residential development on the retained, larger farm parcel.

7. Summary of Background Studies

- 7.1 A Planning Justification Report prepared by Clark Consulting was submitted in support of the applications. The Report concludes that the applications to sever a surplus farm dwelling meet the objectives and requirements of the Provincial Policy Statement, Region of Durham Official Plan policies and the intent of the Clarington Official Plan policies. A total of 10 land holdings, totalling 397 hectares including the subject lands, make up the Vissers Sod Farms Ltd. farming operation as shown on Figure 2.
- 7.2 A Site Screening Questionnaire was submitted by GHD. The Report concludes that the present land use has a low level of concern from an environmental assessment

perspective and is suitable for the proposed severance. No further environmental assessment was recommended.

8. Public Notice

- 8.1 Public notice was mailed to each landowner within 300 metres of the subject lands on August 20, 2021.
- 8.2 Public notice signage was installed on the Green Road frontage by August 24, 2021.

9. Agency Comments

- 9.1 The applications were circulated on August 20, 2021 to the Central Lake Ontario Conservation Authority, Durham Regional Planning Department, Durham Regional Works Department and Durham Regional Health Department. At the time of writing this report, no comments have yet been received.

10. Departmental Comments

- 10.1 The applications were circulated on August 20, 2021 to the Infrastructure Division of Public Works, Clarington Planning - Building Division, Clarington Planning – Development Review, Clarington Planning – Special Projects, Clarington Planning – Community Planning and the Emergency and Fire Services Department. At the time of writing this report, no comments have yet been received.

11. Discussion

- 11.1 The Provincial Policy Statement (PPS) encourages the long-term viability of agricultural areas and limits opportunities to create new parcels in rural and agricultural areas. The PPS encourages farm consolidations and recognizes that farmers may not be interested in acting as landlords when acquiring additional farmland. The Durham Region and Clarington Official Plans allow farm consolidation where possible to ensure the long-term viability of agricultural operations. The Regional and Clarington Official Plans set out regulations for the severance of a surplus farm dwelling as a result of farm consolidation. When a surplus farm dwelling is severed, no new residential dwellings are permitted on the retained agricultural parcel.
- 11.2 The severance of a dwelling rendered surplus as a result of a non-abutting farm consolidation is permitted by amendment to the Regional Official Plan. The applicant has submitted a Regional Official Plan Amendment (ROPA2021-007) to allow for a surplus farm dwelling severance as a result of non-abutting farm consolidation.
- 11.3 The Clarington Official Plan policies require that when a surplus farm dwelling is severed from a farm parcel that is non-abutting, the farm parcel must have a minimum lot area of 40 hectares. The purpose of this policy is to ensure that the lands are viable for a farm operation upon severing. In this case, the existing farm parcel is considered

smaller than a typical agricultural parcel, as it is 36.5 hectares, however the subject lands have been successfully farmed as a sod farm. The Official Plan also requires that the severed surplus dwelling be a maximum of 0.6 hectares. The application proposes an amendment to the Clarington Official Plan to permit a 36.5-hectare farm parcel and a 0.608-hectare residential parcel.

- 11.4 When a surplus farm dwelling is severed, the Regional and Clarington Official Plans, in conformity with Provincial policy, require that the retained farm parcel be rezoned to prohibit future residential development. The 0.608 hectare residential parcel to be severed is entirely within the Agricultural Exception (A-1) Zone. The application for a Zoning By-law Amendment would prohibit future residential development on the larger retained farm parcel.

12. Concurrence

- 12.1 Not applicable.

13. Conclusion

- 13.1 The purpose of this report is to provide background information on the development applications submitted by Chiel Vissers for the Public Meeting under the *Planning Act*. Staff will continue processing the applications including the preparation of a subsequent report.

Staff Contact: Sean Jeffrey, Planner I, (905) 623-3379 ext. 2420 or sjeffrey@clarington.net

Not Applicable

Interested Parties:

List of Interested Parties available from Department.