Minutes of the Public Meeting

October 19, 2021
6:30 PM
Municipal Council Chamber

Present: Allan Alls Mayor
John Brennan Councillor
Rob Smith Councillor
Jamie Cheyne Councillor
Michael Robins Councillor

Staff Present: Lisa Campion Director of Legislative Services & Clerk
Becky Montyro Director of Building/Enforcement & CBO

1. Call to Order
2. Approval of Agenda

Resolution # 21-253

Moved By Councillor Brennan
Seconded By Councillor Robins

Be it resolved that the agenda be approved as circulated.

Carried

3. Disclosure of Pecuniary Interest
None.

4. Items for Discussion

4.1 File Number: Z21-04 A & A Family Farms Ltd., 5886 Ninth Line

Mayor Alls read the following:
This is a Public Meeting as required by the Ontario Planning Act to deal with planning matters regarding land development in the Province of Ontario.
If a person or public body would otherwise have an ability to appeal the decision of the Council of the Town of Erin and/or to the Local Planning Appeal Tribunal (LPAT) but the person or public body does not make oral submissions at a public meeting or make written submissions to the Town of Erin before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Town of Erin before the by-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal (LPAT) unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Council requests that anyone wishing to provide comments or concerns to Town Council and/or Staff do so in written form to ensure that the message is provided effectively and accurately and to record their interest in the matter and to request a notice of decision of the matter.

This meeting is to provide information for Council, exchange views, generate input, etc. Council has not taken a position on the matter; Council’s decision will come after full consideration of input from the meeting, submissions from the public and comments from the various agencies.

Town Senior Planner- Tanjot Bal

Provided an overview of the proposed Zoning By-law Amendment Application submitted by John Cox on behalf of A&A Family Farms Limited and owners Neil and Gale Baldwin.

- The purpose of this Zoning By-law Amendment Application is to rezone the retained parcel from the current agricultural zone to a site specific agricultural zone that prohibits the erecting of a detached dwelling.
- The proposed amendment is to satisfy a condition of Land Division Application B11-21 which was approved on May 19th 2021.
- The applicant is proposing to prohibit detached dwellings on the remnant parcel of farmland created by Land Division Application B11-21.
- The size of the severed parcel was increased slightly after it was considered by the Land Division Committee which County Planning Staff deemed a minor revision increasing it from 1.9 ha to 2.1 ha. No further amendments are required.

Described the location and usage of the property:
• The subject site is located on the south side of ninth line north of Wellington Road 22 municipally known as 5886 Ninth Line.

• The site area is 38.9 ha in area and has a lot frontage of 567 meters onto 9th line.

• The subject site is occupied by a detached dwelling, a barn and a detached garage.

• Surrounding land uses are primarily agricultural and rural residential uses. The site is subject to land division application B11-21 which proposes to sever a 9.1 ha parcel surplus farm dwelling from a larger agricultural lot.

• All structures on the severed parcel will remain and the property will be used for residential purposes and as a hobby farm.

Provided a policy context for the amendment:

The Provincial Policy Statement 2020

1) Allows lot creation within prime agricultural areas subject to specific criteria;

2) The lot must be a minimum size to accommodate appropriate sewage and water services and;

3) New residential dwellings are prohibited on the remnant parcel of farm land.

The County of Wellington Official Plan

• Designates the subject property as prime agricultural, green belt natural heritage system and green belt protected country side. The County Official Plan allows for lot creation within prime agricultural areas if a residence is surplus to a farm operation.

• The County Official Plan provides criteria for a lot surplus residence provided but not limited to:

1) The retained parcel is large enough to function as a significant part of an overall farm unit;

2) Removal of the surplus dwelling does not render the retained farmlands difficult or inefficient to farm and;
3) The vacant parcel of farm land is re-zoned to prohibit a residential use.

**The Town of Erin Official Plan**

- Designates the subject property as prime agricultural and core green lands and is in keeping with the County’s Official Plan.
- The property is currently zoned agricultural and rural environmental protection within the Towns Zoning By-law.
- The Agricultural Zone permits agricultural uses and a detached dwelling.
- Existing uses, buildings and structures are permitted within the EP2 Zone as of the date of passing the Town’s Zoning By-law.
- No buildings or structures may be erected in the EP2 Zone without written approval from the Grand River Conservation Authority which has jurisdiction in this area.
- A Zoning By-law Amendment is necessary to prohibit the construction of a dwelling on a retained parcel of Land Division Application B11-21 under the surplus farm policies.

**Commenting Agencies**

- To date the Town has received comments from the County of Wellington, Town of Erin Fire Services, Infrastructure Services, Building Services, Canada Post and Source Water Protection; none of which have a concern with this application.
- To date, no comments have been received from members of the public.

Following the review of any public and Council comments, staff will provide a recommendation report to Council

### 4.1.1 Applicant/Agent Comments

**John Cox**

The retained farmland parcel is almost 37 ha in size. This application is with respect to a surplus farm dwelling severance and the amendment application will implement the conditions of Land Division Application B11-21.

The application is consistent with the Provincial Policy Statement 2020 as well as the Wellington County Official Plan.
The size of the severed parcel was increased slightly after it was considered by the Land Division Committee which County Planning Staff deemed a minor revision increasing it from 1.9 ha to 2.1 ha.

There are existing buildings on the property which include a garage, shed and barn. By increasing the size, the buildings were then brought into compliance with the Zoning By-law and the owners intend to continue to operate it as a residential farm dwelling unit as well as a hobby farm.

Applicant
Nothing further to add.

The public meeting was adjourned.

4.1.2 Oral Submissions from the Public
None.

4.1.3 Comments/Questions from Council
None.

Resolution # 21-254

Moved By Councillor Cheyne
Seconded By Councillor Smith

Be it resolved that Council hereby receive report number Pd2021-26 "Zoning By-law Amendment (Z21-04) A & A Farms Ltd., 5886 Ninth Line, Erin (Surplus Farm Dwelling Severance), Public Meeting" for information.

Carried

5. By-laws

Resolution # 21-255

Moved By Councillor Brennan
Seconded By Councillor Robins

Be it resolved that the Council of the Corporation of the Town of Erin given due consideration to the following By-law 21-48 as reproduced in this days Council agenda be passed and authorize the Mayor and Clerk to sign and seal same.

21-48
A By-law to adopt, ratify and confirm the proceedings for the Council of the Corporation of the Town of Erin at its Public Meeting held on October 19th 2021.

Carried

6. Adjournment

Resolution # 21-256

Moved By Councillor Robins
Seconded By Councillor Smith

Be it resolved that the meeting be adjourned at the hour of 6:42 PM

Carried

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Mayor Allan Alls

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Clerk Lisa Campion