

**The Corporation of the Township of Brock**

**Statutory Public Meeting Agenda**

**Electronic Meeting**

**Session Three**

**Monday, July 13, 2020**

A Statutory public meeting is required under the Planning Act for certain types of planning applications. Public meetings are open to the public and provide an opportunity for those in attendance at the meeting to provide feedback and ask questions about the application(s).

**1. Call to Order – 6:30 p.m. - Mayor Debbie Bath Hadden**

**2. Purpose of the Meeting and Overview of the Application(s)**

To hold a public meeting to consider three (3) applications for amendments to Zoning By-law Number 287-78-PL

- 1) Bob Clark, Clark Consulting Services, on behalf of Darryl Phoenix  
Part of Lot 22, Concession 6 (Sunderland)  
Township of Brock  
File No. 12-2019-RA

The amendment, upon approval, serves to rezone the subject land from Rural (RU) and Environmental Protection (EP) zone categories to Rural Exception (RU-X)(A) and Rural Exception (RU-X)(B) and Environmental Protection (EP) zone categories. This will allow for the severance of a Surplus Farm Dwelling and to prohibit future residential use on the retained agricultural lands (RU-X)(A) and prohibit livestock on the severed parcel (RU-X)(B).

- 2) Bob Clark, Clark Consulting Services, on behalf of Darmar Farms, Dale McFeeters  
Part of Lot 23, Concession 12 (Cannington)  
Township of Brock  
File No: 02-2020-RA

The amendment, upon approval, serves to rezone the subject land from Rural (RU) and Environmental Protection (EP) zone categories to Rural Exception (RU-X) and Environmental Protection (EP) zone categories. This will allow for the severance of a Surplus Farm Dwelling and to prohibit future residential use on the retained agricultural lands.

- 3) Bob Clark, Clark Consulting Services, on behalf of Edward Arthur Holder  
Lot 9, Concession 1 (Cannington)  
Township of Brock  
File No. 03-2020-RA

The amendment, upon approval, serves to rezone the subject land from Rural (RU) and Environmental Protection (EP) zone categories to Rural Exception (RU-X) and Environmental Protection (EP) zone categories. This will allow for the severance of a Surplus Farm Dwelling and to prohibit future residential use on the retained agricultural lands.

**3. Representation from Applicants to provide additional information**

**4. Public Feedback and Questions**

**5. Response to Questions from Staff/Applicant**

**6. Adjournment**

The Clerk's Department will capture all feedback received during a public meeting in the minutes to provide a written record for Staff and Council.

**Participation Details**

**Location:** Online with Microsoft Teams. Please go to [https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_OTc4OThmMmltZjZlZC00ZTg3LTg2MDMtMTBjYmNjYWM4YTVi%40thread.v2/0?context=%7b%22Tid%22%3a%2216baf992-3e40-4846-8575-f62d5d1b98da%22%2c%22Oid%22%3a%22461346b6-4a8f-49bb-9778-54a9aa9e861a%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_OTc4OThmMmltZjZlZC00ZTg3LTg2MDMtMTBjYmNjYWM4YTVi%40thread.v2/0?context=%7b%22Tid%22%3a%2216baf992-3e40-4846-8575-f62d5d1b98da%22%2c%22Oid%22%3a%22461346b6-4a8f-49bb-9778-54a9aa9e861a%22%7d) and click the “Join Teams” meeting link.

**Telephone Participation:** For telephone participation, please call the following teleconference number between 6:15 pm and 6:30 pm on Monday, July 13, 2020: 647-749-9362 and enter Conference ID: 237 619 729# .

**Watch Live:** Should you wish to just observe the meeting without the option of speaking to the application, please enter the following link into your web browser to view the live-streaming of the meeting: <https://www.townshipofbrock.ca/en/municipal-office/meeting-live-stream.aspx>

**Provide Written Comments:** Please submit written comments (with reference to the Project and File Number of the application) to [planning@townshipofbrock.ca](mailto:planning@townshipofbrock.ca) on or before noon on Monday, July 13, 2020. Comments may also be mailed or dropped off at the Township Office at 1 Cameron Street East, Cannington, ON L0E 1E0. Your comments shall be available to any interested person for inspection (*Statutory Powers Procedure Act*).

Please be advised that if you join the meeting after 6:30 pm this application may have already been heard. If you have accessibility needs and require alternate formats of this documents or other accommodations, please contact the Clerks Department at 705-432-2355.

## Purpose

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1. The purpose of this public meeting is to obtain public input in respect of three (3) applications for an amendment to Zoning By-law Number 287-78-PL.

- 1) Bob Clark, Clark Consulting Services, on behalf of Darryl Phoenix  
Part of Lot 22, Concession 6 (Sunderland)  
Township of Brock  
File No. 12-2019-RA

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2. There will be no decision made on behalf of the Township of Brock in respect of the application at this meeting.

3. The Council of the Township of Brock will consider the merits of this application at a later date, taking into consideration all input received on the subject application.
4. Persons who wish to be notified of further meetings of Council dealing with this rezoning application must submit a written request. Persons who wish to be notified of the decision of this rezoning application, if approved by Council, must submit a written request. Notification forms are available from staff in attendance.
5. If a person or public body does not make oral submissions at the public meeting or make written submissions to the Township of Brock before the by-law is enacted (if approved), the person or public body is NOT entitled to appeal the decision of the Council of the Township of Brock to the Local Planning Appeal Tribunal.

Further, the person or public body may NOT be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Board, there are reasonable grounds to do so.

6. In the event that the actual by-law is enacted by Council, it will be circulated in the formal manner under the provisions of the *Planning Act* and at that time, if objections are received, a hearing will be held before the Local Planning Appeal Tribunal, at which time the objectors will be informed of a hearing date.
7. **Call upon the applicant/agent** to outline the proposal for the benefit of those in attendance.
  - 1) Bob Clark, Clark Consulting Services, on behalf of Darryl Phoenix  
Part of Lot 22, Concession 6 (Sunderland)  
Township of Brock  
File No. 12-2019-RA
  - 2) Bob Clark, Clark Consulting Services, on behalf of Darmar Farms, Dale McFeeters  
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  - 3) Bob Clark, Clark Consulting Services, on behalf of Edward Arthur Holder  
Lot 9, Concession 1 (Cannington)  
Township of Brock  
File No. 03-2020-RA



8. **Open the meeting to the public** to receive input and request the name of the individual(s) speaking to the application.
9. Inquire of those present if anyone has any further input to make at this time. If not, request a motion to officially close the public meeting in respect of the subject application.



The Corporation of the Township of Brock  
1 Cameron Street E., P.O. Box 10 Cannington, ON L0E 1E0 (705) 432-2355

## NOTICE OF APPLICATION AND PUBLIC MEETING

**Project Number:** 12-2019-PL      **File Number:** 12-2019-RA

### **WHY YOU ARE RECEIVING THIS NOTICE**

This notice is being sent to all residents within 200m of the subject property. This is an application to approve a surplus farm dwelling severance. The Regional Official Plan Amendment process and the Land Division process relating to this application have been approved. The final stage of this planning process is to rezone the lands to reflect the proper use on each of the now two parcels of land.

### **NOTICE OF PUBLIC MEETING**

The Council of the Corporation of the Township of Brock will hold a public meeting on the **13th day of July, 2020 at 6:30 p.m.**, via a Microsoft Teams meeting format (please see details below), to consider a proposed amendment to Zoning By-law No. 287-78-PL, the comprehensive Zoning By-law, in accordance with Section 34 of the *Planning Act*, R.S.O. 1990, as amended.

The application has been submitted by Bob Clark, Clark Consulting Services, on behalf of Darryl Phoenix (File No. 12-2019-RA).

### **PARTICIPATION DETAILS**

**Location:** Online with Microsoft Teams. Please go to [https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_OTc4OThmMmltZjZlZC00ZTg3LTg2MDMtMTBjYmNjYWM4YTVi%40threa.d.v2/0?context=%7b%22Tid%22%3a%2216baf992-3e40-4846-8575-f62d5d1b98da%22%2c%22Oid%22%3a%22461346b6-4a8f-49bb-9778-54a9aa9e861a%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_OTc4OThmMmltZjZlZC00ZTg3LTg2MDMtMTBjYmNjYWM4YTVi%40threa.d.v2/0?context=%7b%22Tid%22%3a%2216baf992-3e40-4846-8575-f62d5d1b98da%22%2c%22Oid%22%3a%22461346b6-4a8f-49bb-9778-54a9aa9e861a%22%7d) and click the "Join Teams" meeting link.

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**Provide Written Comments:** Please submit written comments (with reference to the Project and File Number of the application) to [planning@townshipofbrock.ca](mailto:planning@townshipofbrock.ca) on or before noon on Monday, July 13, 2020. Comments may also be mailed or dropped off at the Township Office at 1 Cameron Street East, Cannington, ON L0E 1E0. Your comments shall be available to any interested person for inspection (*Statutory Powers Procedure Act*).

Please be advised that if you join the meeting after 6:30 pm this application may have already been heard. If you have accessibility needs and require alternate formats of this documents or other accommodations, please contact the Clerks Department at 705-432-2355.

### **LOCATION OF SUBJECT LAND**

The subject land, consisting of approximately 133.46 acres, is located at S2165 Concession Road 6, Sunderland. The property is within part of Lot 22, Concession 6 (Sunderland). The location is shown on the Key Map on the reverse side.

### **PURPOSE OF AMENDMENT**

The amendment, upon approval, serves to rezone the subject land from Rural (RU) and Environmental Protection (EP) zone categories to Rural Exception (RU-X)(A) and Rural Exception (RU-X)(B) and Environmental Protection (EP) zone categories. This will allow for the severance of a Surplus Farm Dwelling and to prohibit future residential use on the retained agricultural lands (RU-X)(A) and prohibit livestock on the severed parcel (RU-X)(B).

**REPRESENTATION AND ADDITIONAL INFORMATION**

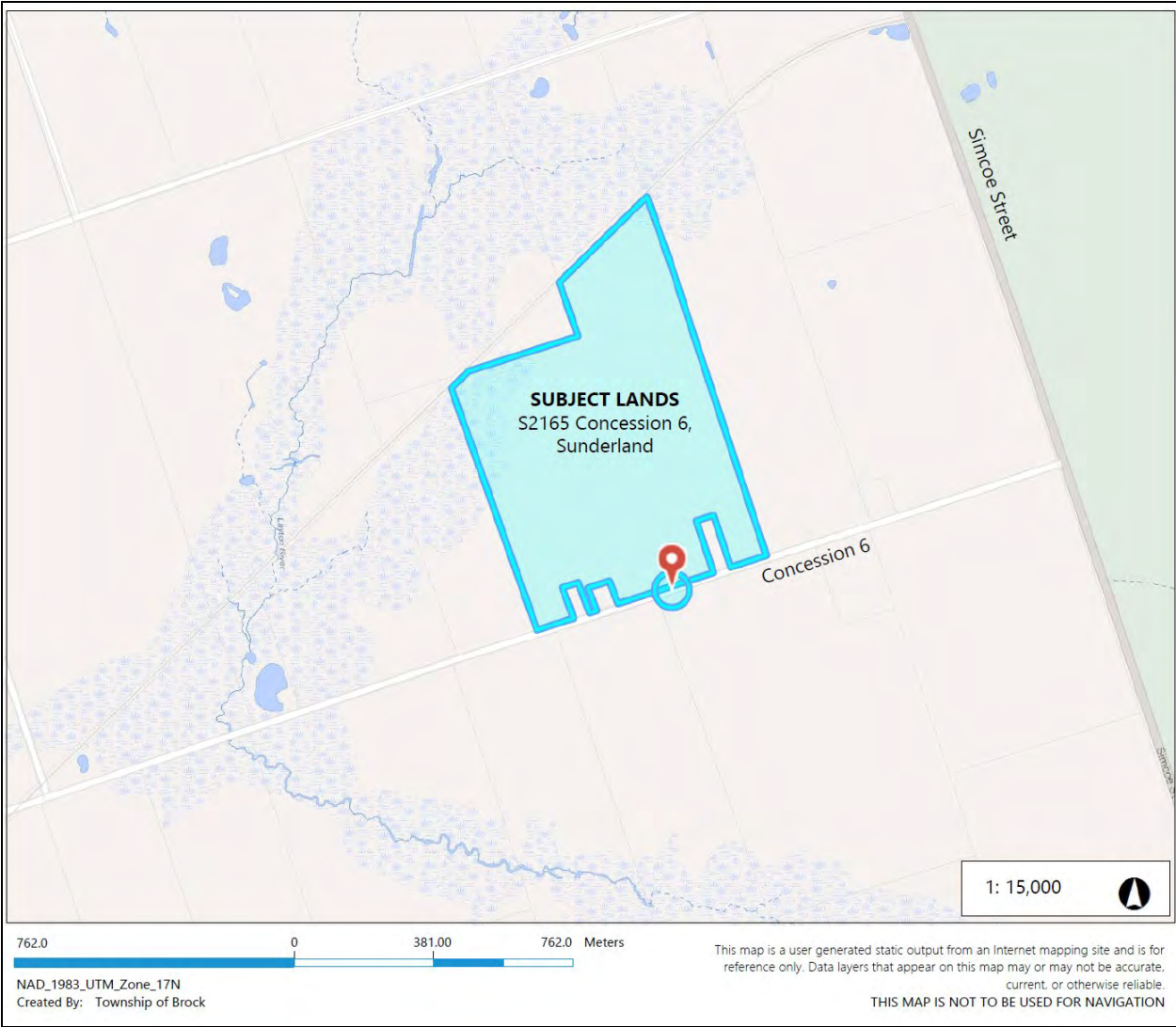
If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Brock before the by-law is enacted (if approved), the person or public body is NOT entitled to appeal the decision of the Council of the Township of Brock to the Local Planning Appeal Tribunal. Further, the person or public body may NOT be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Additional information relating to the draft By-law Amendment is available for inspection during regular office hours at the Municipal Administration Building. For additional information about the application, or if you wish to request further notifications regarding this application (this will entitle you to be advised of a possible Local Planning Appeal Tribunal hearing), please contact Debbie Vandenakker at [dvandenakker@townshipofbrock.ca](mailto:dvandenakker@townshipofbrock.ca) or by phone at 705-432-2355 ext. 235 and reference the above-noted Project and File number.

Dated at the Corporation of the Township of Brock this 23<sup>rd</sup> day of June, 2020.

Becky Jamieson  
Municipal Clerk  
Corporation of the Township of Brock  
1 Cameron Street East, Box 10  
Cannington, Ontario, L0E 1E0  
705-432-2355  
[bjamieson@townshipofbrock.ca](mailto:bjamieson@townshipofbrock.ca)

**Subject Land Key Map**





## The Corporation of the Township of Brock

Zoning By-law Amendment Application  
(To be Submitted in Duplicate)

Office Use Only			
Date Received:	_____		
Zoning By-law File No.:	_____		
Regional Official Plan	_____ Yes	_____ No	File: _____
Township Official Plan	_____ Yes	_____ No	File: _____
Site Plan Application	_____ YES	_____ No	File: _____

Pursuant to the provisions of the *Planning Act*, R.S.O. 1990, as amended, I/We hereby submit an application for amendment (as hereinafter set out), to By-law No. \_\_\_\_\_ as otherwise amended, of the Corporation of the Township of Brock, in respect of the lands hereinafter described.

I/We enclose herewith the non-refundable fee in accordance with Planning Fees By-law No. 1290-94-PL and **agree to pay any further costs which may be determined by the Council of the Township of Brock (i.e., legal, planning, engineering, etc.).** In addition, depending on the nature of the application, you may be required to enter into a Financial Agreement with the municipality, pursuant to Planning Fees By-law No. 1290-94-PL, as amended, to cover the cost of consulting services rendered to the Township in conjunction with the processing of this application. I/We also agree to reimburse the Township of Brock for any costs which may be incurred before the Ontario Municipal Board and awarded by that Board arising as a result of this application. Further, **additional fees** for agency review (Durham Region Planning/Durham Region Health (private services only)/Conservation Authority) are payable at the time of application to the Township of Brock. Please contact the Clerk's Department for current agency review fees that apply to your application.

## To Be Completed by Applicant or Agent

1. a) **Applicant:** Daryl Phoenix  
**Address:** S14450 Side Rd. 17, Sunderland, ON L0C 1H0  
 \_\_\_\_\_  
 \_\_\_\_\_  
**Phone:** 705-357-3449 **Fax:** \_\_\_\_\_ **Email:** daryl.phoenix@sympatico.ca
- b) **Authorized Agent:** Robert K. Clark, Clark Consulting Services  
**Address:** 52 John St., Port Hope, ON L1A 2Z2  
 \_\_\_\_\_  
 \_\_\_\_\_  
**Phone:** 905-885-8023 **Fax:** \_\_\_\_\_ **Email:** bob@clarkcs.com

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- c) **Registered Owner:** Daryl Phoenix  
**Address:** same as above  
 \_\_\_\_\_  
 \_\_\_\_\_  
**Phone:** \_\_\_\_\_ **Fax:** \_\_\_\_\_ **Email:** \_\_\_\_\_
- d) **Date of Acquisition of Subject Land:** November 1, 2018
- e) **Applicant's Interest in Land (Must be Owner or Prospective Buyer, If Latter, Verified Copy of Offer to Purchase Must be Submitted together with Acknowledgement of Owner)**  
owner  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- f) **Matters Related to this Application Should be Addressed To:**  
 Applicant \_\_\_\_\_ Or Agent x \_\_\_\_\_ Or Owner \_\_\_\_\_

**2. Property Description:**

Township Lot Part of Lot 22 Concession 6  
 Registered Plan No. Part of 40R-1394 Lot \_\_\_\_\_  
 Municipal Address S2165 Conc. Rd.6., Sunderland, ON L0K 1H0  
 Former Municipality Brock  
 Dimensions of Entire Property (Metric):  
 Area: 54.01ha (133.46ac) Frontage 20.12m  
 Depth 1385.25m  
 Dimensions of the Land Subject of Application:  
 Area: 54.01ha Frontage 20.12m  
 Depth 1385.25m

**3. Existing Land Use Designation**

Durham Regional Official Plan: Prime Agriculture Areas, Major Open Space Areas  
 Brock Township Official Plan: Prime Agriculture Areas, Major Open Space Areas

**4. Zoning By-law Category:**

Current: Rural (Ru); Environmental protection (EP) Proposed: RU Exception -# , EP

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## 5. Has An Application Been Submitted For:

	Yes	No	File/Status
Regional Official Plan	yes		Approved, Dec. 18, 2019 Amendment #177
Township Official Plan		no	
Consent (Severance)	yes		In Circulation scheduled for LDC April 2020
Subdivision		no	
Condominium		no	
Site plan		no	

## 6. Has the Subject Land Been the Subject of a Previous Application for Rezoning:

\_\_\_\_\_ Yes \_\_\_\_\_ no \_\_\_\_\_ No \_\_\_\_\_ Unknown

If yes, indicate application file number and decision made on the application.

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## 7. Reasons for Requesting Zoning By-law Change:

To meet conditions of a Surplus Farm Dwelling Severance as required by PPS, Regional and Township policy, must rezone the retained parcel to prohibit future severances and residential land uses; revise the boundaries of the EP zone in accordance with CA comments and include a site specific provision to prohibit the housing of livestock on the severed parcel.

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## 8. Land Use:

a) Present Use of Property: Agriculture and rural residential

b) Length of Time Existing Uses of Subject Land Have Continued:  
more than 40 years

c) Proposed Use of Property: no change

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d) Buildings:

Building & Type	Setback from Lot Line (Metres)			Height of Building	Dimensions
	Front	Rear	Sides		
Existing Bldg. #1 house	38.38	21.24	17.2		
Existing Bldg. #2 metal clad	37.72	17.68		8.05	
Existing Bldg. #3					
Proposed Bldg. #1					
Proposed Bldg. #2					
Proposed Bldg. #3					

e) Adjacent Land Use: North agriculture  
 South agriculture  
 East agriculture  
 West wooded

9. Is the proposed application located within 500 metres of an existing livestock facility? yes Yes            No

If yes, please complete the attached form entitled data sheet MDS.

10. **Services:** MDS not required in accordance with Guideline 9- Please see Planning Report

Water Supply: Municipal Water            Yes no No  
 Private Well yes Yes            No  
 Other (Specify)           

Sewage Disposal: Municipal            Yes no No  
 Private yes Yes            No  
 Other (Specify)           

Road Access: Municipal Concesion 6 Brock Regional             
 Provincial           

11. **Environmental Site Screening Questionnaire** Please see SSQ completed by GHD completed

a) What is the current use of the property? Check the appropriate use (see O.Reg. 153/04):

           Industrial  
           Commercial  
           Community Use  
X Residential  
           Institutional  
X Parkland or Agricultural

Note: daycare uses are defined as institutional. See Ontario Regulation 153/04, as amended, for definitions.

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- b) Does this application involve a change to a more sensitive land use i.e.: change from industrial, commercial or community use to residential, institutional, parkland or agricultural use? Refer to sections 11, 12, 13, 14, and 15 of O. Reg. 153/04, as amended.

Yes \_\_\_\_\_ No X

- c) Is the application on land or adjacent to lands that were previously used for the following:

- i) Industrial Uses: Yes \_\_\_\_\_ No X

If yes, please describe the approximate dates and type of industry.

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- ii) Commercial uses where there is a potential for site contamination, e.g., automotive repair garage, a bulk liquid dispensing facility including a gasoline outlet, chemical warehousing or for the operation of dry-cleaning equipment? Yes \_\_\_\_\_ No X

If yes, please describe the approximate dates and type of commercial activities.

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- iii) Has the grading of the subject land been changed by adding earth or materials and/or filling occurred on the subject lands?  
Lands where filling has occurred? Yes \_\_\_\_\_ No X

- iv) Have the subject lands ever been subjected to chemical spills or hazardous chemical uses i.e. an orchard where cyanide products may have been used as pesticides? Yes \_\_\_\_\_ No X

- v) Have the subject lands or adjacent lands ever been used as an agricultural operation where herbicides or sewage sludge have been applied to the property? Yes \_\_\_\_\_ No X

- vi) Have the subject lands or adjacent lands ever been used as a weapons firing range? Yes \_\_\_\_\_ No X

- vii) Is the nearest boundary of the application within 250 metres of the fill area of an operating or former landfill or dump, or a waste transfer station or PCB storage site? Yes \_\_\_\_\_ No X

- viii) If there are existing or previously existing buildings, are there any building materials remaining on the site which are potentially hazardous to human health (e.g., asbestos, PCB's, etc.)? Yes \_\_\_\_\_ No X

- ix) Has there been a heating fuel oil spill on the property? Yes \_\_\_\_\_ No X

- x) Are there or have there ever been above ground or underground storage tanks on the property? Yes \_\_\_\_\_ No X



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- xi) Has waste (garbage, solid wastes, liquid wastes) ever been placed on this property? Yes\_\_\_\_\_ No x

Provide a description of waste materials:

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- xii) Have hazardous materials ever been stored or generated on the property (e.g. Has Hazardous Waste Information Network (HWIN) registration or other permits been required? Yes\_\_\_\_\_ No x

Please summarize:

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- xiii) Does the property support or has it ever supported one or more of the potentially contaminating activities set out in Table 2 of Schedule D of Ontario Regulation 153/04, as amended (see attachment)? Yes\_\_\_\_\_ No x

If yes, provide details:

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- xiv) Is there any other reason to believe that the subject property may be potentially contaminated based on historical use of this or an abutting property? Yes\_\_\_\_\_ No x

If yes, provide details:

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**If the answer to any of the questions above was YES, a Phase 1 and/or Phase 2 Environmental Site Assessment (ESA), which satisfies the requirements of O.Reg. 153/04, as amended, is required. Please submit two copies with your application.**

- d) Has an Environmental Site Assessment been prepared for this site within the last 5 years, or is an Environmental Site Assessment currently being prepared for this site? Yes\_\_\_\_\_ No x

**If YES, please submit two copies of the Phase 1 Assessment with the application.**

- e) Has a Risk Assessment been accepted by the Ministry of Environment (MOE) or a Certificate of Property Use been issued by the MOE for this site? Yes\_\_\_\_\_ No x

**If YES, please submit two copies of the Risk Assessment and the Certificate of Property Use with the application.**

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**Declaration:** This form must be completed and signed by the Property Owner. If the answer to Question 11(f) was "Yes", this form must also be signed by a Qualified Person, as defined in O. Reg. 153/04. The signature of a Qualified Person may also be required if the answer to any of Questions 11 (a) through (d) was "Yes".

To the best of my knowledge, the information provided in this questionnaire is true, and I do not have any reason to believe the subject site contains contaminants at a level that would interfere with the proposed property use.

**12. Conformity with Provincial Plans:**

a) Is this application consistent with the Provincial Policy Statement? Yes X No       

b) Is the subject land within the Greenbelt Area? Yes X No         
If yes, please specify whether the application conforms to or does not conflict with the Greenbelt Plan:

Yes the application conforms to the Greenbelt Plan section 4.6.1.f which permits severance of a residence surplus to a farming operation with criteria which the proposed severance meets.

c) Please specify whether the application conforms to or does not conflict with the Growth Plan for the Greater Golden Horseshoe:

Yes the application conforms to the Growth Plan section 2.2.9 Rural Areas which permits new residential lots in site specific locations with approved zoning or designation in an official plan that permitted this type of development as of June 16, 2006.

**13. Supplementary and Supporting Material:**

Survey or Sketch (2 Copies) Showing Thereon:

- a) Applicants/Owners Total Holdings
- b) Land which is the subject of the amendment clearly marked thereon.
- c)
  - i) The boundaries and dimensions of the subject land.
  - ii) The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the building or structures from the front yard lot line, rear lot line and side yard lot lines.
  - iii) The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples of features include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
  - iv) The current uses on land that is adjacent to the subject land.
  - v) The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right-of-way.
  - vi) If access to the subject land is by water only, the location of the parking and docking facilities to be used.
  - vii) The location and nature of any easement affecting the subject land.

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14. **Certificate-** (To be signed by Owner, If agent has been appointed)

As of the date of this application I am the registered Owner of the lands described in this application. I have examined the contents of this application, certified as to the correctness of the information submitted with the application insofar as I have knowledge of these facts, and concur with the submission of this application to the Corporation of the Township of Brock by:

Robert Clark

OF Clark Consulting Services

Who I have appointed as my Agent

Signature of Property Owner

Date

15. **Affidavit**

I/We Robert Clark of the Municipality  
of Port Hope in the Region/County of Northumberland  
do solemnly declare that:

All above statements and the statements contained in all of the exhibits transmitted herewith, are true, and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of "The Canada Evidence Act."

DECLARED before me at Municipality  
of Port Hope in the Region/County of  
Northumberland this 20<sup>th</sup> day of  
April, 2 020 A.D.

Robt. K. Clark  
Applicant's Signature

Meaghan Adams  
A Commissioner, etc.

Meaghan Michelle Adams  
Barrister and Solicitor, Notary Public  
Meaghan Adams Legal Prof. Corp.  
40 John Street  
Port Hope, Ontario L1A 2Z2

16. **Affidavit of Professional Engineer** (If required as per question 11)

I/We \_\_\_\_\_ of the \_\_\_\_\_  
of \_\_\_\_\_ in the Region/County of \_\_\_\_\_  
do solemnly declare that:

All of the above statements contained herein are true, and I make this solemn declaration conscientiously believing it to be true and knowing that it is the same force and effect as if made under oath and by virtue of "The Canada Evidence Act."

DECLARED before me at the \_\_\_\_\_  
of \_\_\_\_\_ in the Region/County of \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_  
, 2 \_\_\_\_\_ A.D.

\_\_\_\_\_  
Professional Engineer's  
Signature & Seal

\_\_\_\_\_  
A Commissioner, etc.

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**Data Sheet - MDS****Part I - To Be Completed By Applicant**      **MDS not required as per Guideline 9**

This is to be completed and attached to the application when applying for a new non-farm use within 500 metres (1,640 feet) of an existing livestock facility. Complete one sheet for each different set of buildings used for housing livestock.

Owner of Livestock Facility: \_\_\_\_\_

Telephone: \_\_\_\_\_ Twp.: \_\_\_\_\_

Lot: \_\_\_\_\_ Concession: \_\_\_\_\_

Closest distance from livestock facility to the property boundary of the new lot(s) or the change in land use (metres) \_\_\_\_\_

Closest distance from the manure storage to the property boundary of the new lot(s) or the change in land use (metres) \_\_\_\_\_

Tillable hectares where livestock facility located \_\_\_\_\_

Type of Livestock	Existing Housing Capacity #	Manure System (Check One Box)			
		Covered Tank	Open Solid Storage	Open Liquid Tank	Earthen Manure Storage
DAIRY <input type="checkbox"/> Milking Cows <input type="checkbox"/> Heifers					
BEEF <input type="checkbox"/> Cows (Barn Confinement) <input type="checkbox"/> Cows (Barn with yard) <input type="checkbox"/> Feeders (Barn confinement) <input type="checkbox"/> Feeders (Barn with yard)					
SWINE <input type="checkbox"/> Sows <input type="checkbox"/> Weaners <input type="checkbox"/> Feeder Hogs					
POULTRY <input type="checkbox"/> Chicken Broiler/Roasters <input type="checkbox"/> Caged Layers <input type="checkbox"/> Chicken Breeder Layers <input type="checkbox"/> Pullets <input type="checkbox"/> Meat Turkeys (>10kg) <input type="checkbox"/> Meat Turkeys (5-10kg) <input type="checkbox"/> Meat Turkeys (<5kg) <input type="checkbox"/> Turkeys Breeder Layers					
HORSES					
SHEEP <input type="checkbox"/> Adult Sheep <input type="checkbox"/> Feeder Lambs					
MINK - Adults					
WHITE VEAL CALVES					
GOATS <input type="checkbox"/> Adult Goats <input type="checkbox"/> Feeder Goats					
OTHER					

- 10 -

The above information was supplied by:

Name: Bob Clark Signature: Robt. K. Clark  
(Please Print)

Firm (If Applicable): CLARK CONSULTING SERVICES  
(Please Print)

**Part II - To Be Completed By The Township**

File/Application No.: _____	
Minimum Separation Distance: _____	
Does the Application Comply With the MDS Requirements?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Prepared by: _____	Date: _____



## Planning Justification Report/Agricultural Assessment

In Support of a Regional Official Plan Amendment, Consent and Zoning By-law  
Amendment Applications to Sever a Surplus Farm Dwelling

S2165 Concession Road 6  
Lot 22 & 23 Conc. 6, Township of Brock  
Regional Municipality of Durham  
CCS Project No. 4360

Date: April 2020

Prepared for: Daryl Phoenix  
Prepared by: Clark Consulting Services

### 1. INTRODUCTION

Clark Consulting Services (CCS) was approached to provide an Agricultural Assessment and Planning Justification Report in support of the planning applications required to sever a surplus farm dwelling from a prime agricultural lot. A Pre-consultation meeting was held on April 8, 2019, please see *Attachment A*.

In accordance with Regional Official Plan policy as the abutting farmlands are in different ownership, an amendment to the Durham Regional Official Plan (ROPA) was required to permit the severance of the surplus farmhouse (ROP Policy 9A.2.10). ROPA was approved on December 18, 2019 as Amendment #177 to the Region of Durham Official Plan. A consent application has been submitted to the Region of Durham Land Division Committee and was on the agenda for the April 18, 2020 hearing date but has been postponed to a future date due to the con-vid pandemic. This Planning Justification Report and Agricultural Assessment Report is submitted in support of a Zoning Bylaw Amendment (ZBA) Application being submitted to the Township of Brock for consideration.

### 2. PROPOSAL

The lands subject to this application are described as Part of Lot 22 and 23, Concession 6 in the





Township of Brock in the Regional Municipality of Durham (*Figure 1 - Location Map*). The subject lands are 54.01ha (133.46 acres) of which 100 acres are workable. There have been 3 properties severed from the subject lands in the past the most recent being 1987.

The proposal is to sever a 0.60ha (1.48ac) parcel of land that contains an existing residential dwelling that is surplus to the farm operation from the retained agricultural lot of 53.41ha (131.98ac). Please see *Figure 2 - Consent Sketch* and *Figure 3 - Draft R-Plan*. The subject lands and surrounding land uses are predominantly agricultural.

The proposed severed lot contains a one storey frame house built in 1978 and a metal clad building currently used as a barn. The existing barn will not be eligible for livestock upon approval of the severance and will be turned into a storage shed. The existing well and septic system are identified on the survey sketch and Draft R-Plan. An area has been identified for a replacement septic bed if needed in the future.

A ZBA is required by PPS policy which requires the retained farm parcel be rezoned to prohibit any future residential development. The zoning will also work to better reflect the natural heritage features located on the retained farm parcel and prohibit the housing of livestock in the existing structure on the severed residential parcel.

### 3. APPLICANT'S LANDS

The applicant is a private farm corporation which owns a total of 18 farm properties and farms over 3500 acres of crops including corn, soya beans and wheat. Mr. Phoenix owns a total of six farms properties in the Township of Brock. There are four houses on the six properties, three are rented to tenants with no interest in the farm business and one is vacant. The residence on the subject site is currently vacant is not required for the farm operation.

The proposed retained agricultural parcel is of a size that will remain viable for farming. Recently the Region of Durham has required the date of a recently acquired farm parcel for ROPA applications. The farmer acquired a new farm parcel in Nov. 2018, please see *Attachment B- Farm Inventory*.

#### 3.1 Nature of Farm Potential for Subject Lands

The subject property is approximately 54.01ha (133.46 acres) of which 40.5ha, 75%, is workable and under active cultivation. The Soils Map (*Figure 4*) indicates that the subject lands are predominantly Otonabee Sandy Loam (Osl) with a small area of Pontypool Sandy Loam identified in the northeast corner.

Otonabee Series soils have a range of topography and are well drained both internally and externally. Stones and boulders are very common but can be removed easily. This soil is used principally for general farming and are medium in fertility and have a high lime content. Cereal grains, hay, clover, ensilage corn, and pasture are the crops most commonly grown. When



used for the growing of inter tilled crops, the need for erosion control is great. This is especially true because of the relative shallowness of the profile and the steepness of the slopes. A good proportion of hay and clover will protect the soil against erosion and at the same time help maintain the organic matter content.

The Canada Land Inventory (*Figure 5*) classifies the subject lands as predominantly Class 1 Soil Capability and therefore has no significant agricultural limitations. They can be managed and cropped without difficulty. Based upon this review and our site visit, we conclude that the majority of the subject lands are viable farmlands.

#### 4. REVIEW OF PLANNING DOCUMENTS

In preparing this justification, we have reviewed the following Planning Documents:

##### 4.1 Provincial Policy Statement

The Provincial Policy Statement came into effect April 30, 2014. Section 1.1.4 provides policies for Rural Areas in Municipalities that ensure compliance with the Minimum Distance Separation formulae, promote development that is compatible with the rural landscape, can be sustained by rural service levels and protects locally important agricultural areas.

Section 2.3.4.1 c) specifically addresses lot creation related to residential surplus to a farming operation and states:

*“A residence surplus to a farming operation as a result of farm consolidation provided that the planning authority ensures that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance.”*

The PPS is being updated on May 1, 2020. The proposed document has been reviewed to ensure that the proposed ZBA meets the update. There are no changes proposed to the policy related to surplus farm severances.

The proposed surplus farm dwelling severance is consistent with the Provincial Policy Statement. A ZBA is being submitted to prohibit any future residential development on the retained farm parcel.

##### 4.2 Greenbelt Plan 2017

The Greenbelt Plan was approved by the Provincial Government in 2017. The Greenbelt is a cornerstone of the Greater Golden Horseshoe Growth Plan. Schedule 1 of the Greenbelt Plan designates the subject lands Protected Countryside (*Figure 6*).

Section 4.6.1- Lot Creation contains policy for lands designated Protected Countryside. Subsection (f) states:





*“f) The severance of a residence surplus to a farming operation as a result of a farm consolidation, on which a habitable residence was an existing use, provided that:*

*i. The severance will be limited to the minimum size needed to accommodate the use and appropriate sewage and water services; and*

*ii. The planning authority ensures that a residential dwelling is not permitted in perpetuity on the retained lot of farmland created by this severance. Approaches to ensuring no new residential dwellings on the retained lot of farmland may be recommended by the Province, or municipal approaches that achieve the same objective should be considered.”*

The proposed surplus farm dwelling severance lot is 0.60ha (1.48ac) in area. This area is the minimum size possible to service the existing house. A zoning bylaw amendment is being submitted to the Township of Brock to re-zone the retained farm lot to prohibit any future residential development.

Figure 6 contains an excerpt of Schedule 4 of the Greenbelt Plan- Natural Heritage Systems that identifies Natural Heritage Systems on the retained parcel that are. These areas are regulated by Kawartha Conservation under Ontario Regulation 182/06 (Figure 10). This Natural Heritage System contains sections of a tributary of the Layton River and the Layton River Complex Provincially Significant Wetland (PSW). Kawartha Conservation reviewed the proposed severance and provided preliminary comments, see Attachment D. It was noted that as there is no new development proposed on the retained section of the subject lands and the proposed severed lot is greater than 120m from these features. An EIS was not required.

The following Key Natural Heritage Features and Key Hydrologic Features are identified on the retained lands: wetlands, fish habitat, significant wildlife habitat, valley lands, woodlands and permanent streams. Greenbelt policy 3.2.2.3 Natural Heritage System Policies is applicable which states that new development in the natural heritage system shall demonstrate that there are no negative impacts. There is no change of land use or development proposed in any area containing a natural heritage system and therefore no negative impact on natural heritage systems.

Policy 3.2.5.1 Key Natural Heritage Features and Key Hydrologic Features is applicable which does not permit development in *key natural heritage feature* or a *key hydrologic feature* including any associated vegetation protection zone. There is no development proposed in the areas identified as Key Natural Heritage Features and Key Hydrologic Features thereby meeting this policy. The wetland and its associated buffer will be placed in a protective zone, as requested by Kawartha Region Conservation Authority to protect the ecological and hydrologic function of the features.

Based upon this review, we conclude that the proposed application conforms to the Greenbelt Plan.

#### 4.3 Durham Region Official Plan

The Durham Regional Official Plan Schedule 'A', Map A1 (Figure 7) designates the subject lands as



Rural System- Prime Agricultural Area, with a portion designated Greenlands System- Major Open Space Areas.

As the farmland operations to be consolidated are non-abutting Section 9A.2.10 is applicable which states:

*"9A.2.10 Notwithstanding Policy 9A.2.9, the severance of a farm dwelling rendered surplus as a result of a farmer acquiring a non-abutting farm may be allowed, by amendment to this Plan, provided that:*

- a) the dwelling is not needed for a farm employee; see Section 3 of this report.*
- b) the farm parcel to be acquired is of a size which is viable for farming operations; the retained farm parcel is 131.98ac (53.41ha) which is a viable size for the farming operation.*
- c) within the Protected Countryside of the Greenbelt Plan Area, the dwelling was in existence as of December 16, 2004; and the subject lands are within the Protected Countryside of the Greenbelt Plan area and the dwelling was built in 1978 and was therefore in existence prior to December 16, 2004.*
- d) the farm parcel to be acquired is zoned to prohibit any further severances and the establishment of any residential dwelling. A Zoning Bylaw Amendment Application is being submitted.*

A ROPA application was approved on December 18, 2019 as Amendment #177 to the Region of Durham Official Plan.

It should be noted that the adjacent parcel to the east is under separate ownership but part of the Phoenix Farm inventory. There is a surplus farm house on that parcel as well. Due to the way policy is written the farmer would like to sever the subject lands first as non-abutting farm consolidation and in the future will sever the adjacent surplus farm dwelling lot and consolidate the abutting retained farm parcels at that time. The intent of Surplus farm dwelling policy is met as the resultant farm lands are consolidated and zoned to prohibit any future residential development.

The portion of the proposed retained lands designated Major Open Space Areas on Schedule A is identified on Schedule 'B', Map B1a, as a Greenbelt Natural Heritage System (*Figure 8*) containing Key Natural Heritage and Hydrologic Features. Kawartha Conservation has reviewed the proposed development and noted that the proposed severed parcel does not impact the existing key features, see *Attachment D*.

On this basis, we conclude that the proposed application meets the intent of the Durham Region Official Plan and conforms to the relevant policy contained within.

#### 4.4 Township of Brock Official Plan

The Official Plan of the Township of Brock was adopted June 26th, 2006 and approved by the Regional Municipality of Durham on May 9th, 2007.





Section 1.1 establishes the context of the Official Plan and states: *"The main focus of the Official Plan is to provide policy direction and designations for the settlement areas in Brock Township. Policy directions and designations for the rural area are contained in the Durham Regional Official Plan."*

The subject lands are located in the rural area of the Township and therefore policy contained in the Region of Durham Official Plan is applicable. Please see section 4.3 of this report.

On this basis, the proposed development complies with the Township of Brock Official Plan.

#### 4.5 Township of Brock Zoning By-law

Land use within the Township of Brock is regulated by Zoning By-law 287-78-PL. Plate A2 includes the subject lands in the Rural (RU) Zone (See *Figure 9*). There is an Environmental Protection (EP) zone to the north of the subject lands.

The lands subject to the proposed surplus farm severance are currently zoned Rural. The proposed development does not impact the existing EP zone. As outlined above, Kawartha Conservation has requested that the EP zone be revised to better reflect the location and buffer of existing key features. Please see Kawartha comments in *Attachment D*. The proposed zoning Bylaw Amendment revises the boundary of the EP zone based on Conservation Authority mapping.

Plate D sets out the minimum lot area and frontage for lands in the Rural (RU) Zone. The minimum lot area is 40 ha. The minimum lot frontage is 60 m. The proposed severed lot will not meet these provisions however there is a special provision for Farm Oriented Residential Development which is applicable to the subject lands. It states:

#### *"7.c. FARM ORIENTED RESIDENTIAL DEVELOPMENT*

*Notwithstanding the minimum lot area and frontage requirements of this By-law for the Rural (RU) and Rural Buffer (RB) Zones, lots having a minimum area of 0.4 hectare and a minimum frontage of 46 metres are permitted in the Rural (RU) and Rural Buffer (RB) Zones. However, such lots may only be created under the following conditions:*

*ii. FARM CONSOLIDATION: A bona-fide farmer, who enlarges his farm or specialized farm holding by acquiring an additional farm or specialized farm, may be permitted to sever a parcel of land upon which a surplus farmhouse is in existence on the acquired farm or specialized farm, provided such farmhouse is not needed for a farm employee's dwelling."*

Section 7.u. sets out provisions for setbacks for new dwellings in proximity to a farm. This section states:

#### *"ii. FARM AND SPECIALIZED FARM*

*No new dwelling house or dwelling unit shall be permitted to locate closer to a farm or specialized farm, as defined herein, except for a single-family dwelling house or unit if occupied by a farmer or a*



*dwelling house or unit for the accommodation of persons employed full-time on such farm or specialized farm, unless at a distance in conformity with the Minimum Distance Separation Formulae, as revised, amended or replaced from time to time."*

The Minimum Distance Separation Formula is addressed in the Section 5.0 below. The metal clad accessory structure on the proposed severed parcel will no longer be permitted to house livestock. The ZBA will include a site specific provision to prohibit housing livestock on the severed parcel.

The severed parcel meets the special provisions as outlined above. The severed parcel is 0.6ha (1.48 acres) with 88.65m of frontage on Brock Concession Road 6.

As outlined in the policy outlined above, a Zoning By-law Amendment will: prohibit further severance and residential uses on the retained farm parcel; prohibit livestock in the existing barn on the severed farm parcel; and to revise the boundary of the existing EP Zone to better reflect the existing key features and required buffer area.

## 5. MINIMUM DISTANCE SEPARATION (MDS)

The Minimum Distance Separation formulae were developed as a method of ensuring minimum separation distances between proposed new, enlarged or remodeled livestock facilities and/or permanent manure storage and other existing or approved development. These formulae were updated and enacted on March 1, 2017.

Implementation Guideline 9 is applicable to lot creation for a residence surplus to a farming operation. Part 1 of Implementation Guideline #9 states, *"Where the existing dwelling to be severed and the nearby livestock facility or anaerobic digester are located on separate lots prior to the consent, an MDS setback is not required for the consent application (or associated rezoning) unless otherwise required by a municipal official plan policy. This is because a potential odour conflict may already exist between those surrounding livestock facilities or anaerobic digesters and the existing dwelling."*

As there is no livestock facility permitted on the proposed severed parcel it is proposed that a condition of consent require the ZBA to prohibit the housing of livestock in the metal clad structure on the proposed severed parcel. We conclude that the proposed consent complies with the MDS formulae guidelines.

## 6 ENVIRONMENTAL SITE SCREENING

As required, an Environmental Site Screening was conducted by GHD; the report is included as *Attachment C* and is signed by Mr. Nyle McIlveen, P.Eng of GHD. The report concludes that the property has a low level of concern from an environmental assessment perspective and is suitable for the proposed severance deeming that there is no reason to believe that the subject site contains contaminants at a level that would interfere with the proposed property use.





## 7 KAWARTHA CONSERVATION AUTHORITY

As stated above Kawartha Conservation Authority reviewed the proposed site configuration during the pre-application review process and supports the proposed lot configuration as it does not impact the key features on the site. *Figure 10* illustrates the Kawartha Lakes Conservation Authority Regulated Areas. As the application does not propose new development on the subject site and any regulated features are located on the retained parcel and the proposed severed parcel is over 120m from the identified PSW, an EIA was not required. Please see *Attachment D* for Kawartha Conservation Authority comments. As noted above the zoning bylaw amendment revises the boundaries of the existing Open Space zone to better reflect the existing natural heritage features.

## 8 ACCESS

There are 2 farm accesses to the retained farm parcel from Concession Road 6 located east of the proposed severed lot.

## 9 PLANNING OPINION/CONCLUSIONS

Based on the above, it is our conclusion that the proposed applications required to sever a surplus farm dwelling are consistent with policy outlined in the PPS, and conforms to policy outlined in the Greenbelt Plan, Durham Regional Official Plan and Township of Brock Official Plan. As well, the Kawartha Conservation Authority has been consulted and supports the proposed lot configuration.

The Zoning By-law Amendment application is submitted to the Township of Brock to meet conditions of consent the will require the rezoning of the retained parcel to prohibit future severances or residential uses and prohibit the housing of livestock in the existing structure on the severed parcel. The boundaries of the Open Space zone have also been revised as requested by the Conservation Authority.

It is the opinion of Clark Consulting Services that the proposed Zoning Bylaw Amendment application is consistent with the PPS and conforms to all other provincial, regional and municipal policy and represents sound planning practice.

If you require any further information, please don't hesitate to contact our office.

Sincerely,



Bob Clark, P.Eng., P.Ag., MCIP, RPP, OLE  
Principal Planner



**Figures**

- Figure 1 - Location Map
- Figure 2 - Consent Sketch
- Figure 3 - Draft R-Plan
- Figure 4 - Soils Map
- Figure 5 - CLI Map
- Figure 6- Greenbelt Plan Schedule 1 and Schedule 4
- Figure 7 - Excerpt from Durham Region Official Plan, Schedule 'A' Map A1
- Figure 8 - Excerpt from Durham Region Official Plan, Schedule 'B'
- Figure 9 - Excerpt from Township of Brock Zoning By-law Plate 'A2'
- Figure 10 – Kawartha Lakes Conservation Authority- Regulated Areas

**ATTACHMENTS**

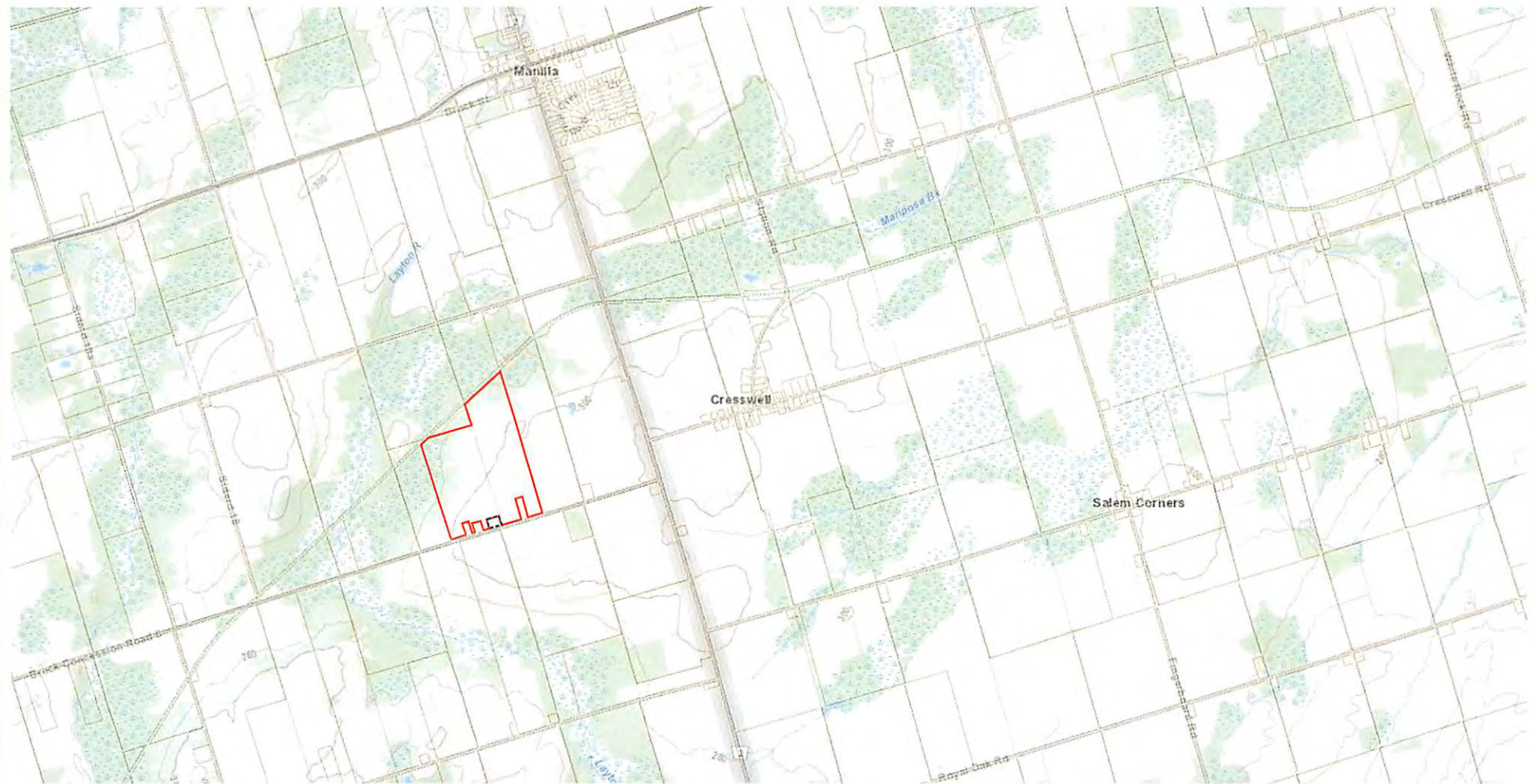
- Attachment A- Record of Pre-consultation- ROPA
- Attachment B- Inventory of Land Holdings
- Attachment C- Environmental Site Screening, GHD
- Attachment D- Kawartha Conservation Review- 2165 Concession Road 6, Brock
- Attachment E- Amendment #177

z:\4360 Phoenix\ROPA \4360-Planning Justification Report April 2020





Figure 1 - Location Map  
S2165 Concession Road 6  
Part Lots 22 and 23, Concession 6  
Township of Brock, Regional Municipality of Durham



**Legend**

- Subject Lands
- Proposed Lands to be Severed (1.48 ac)

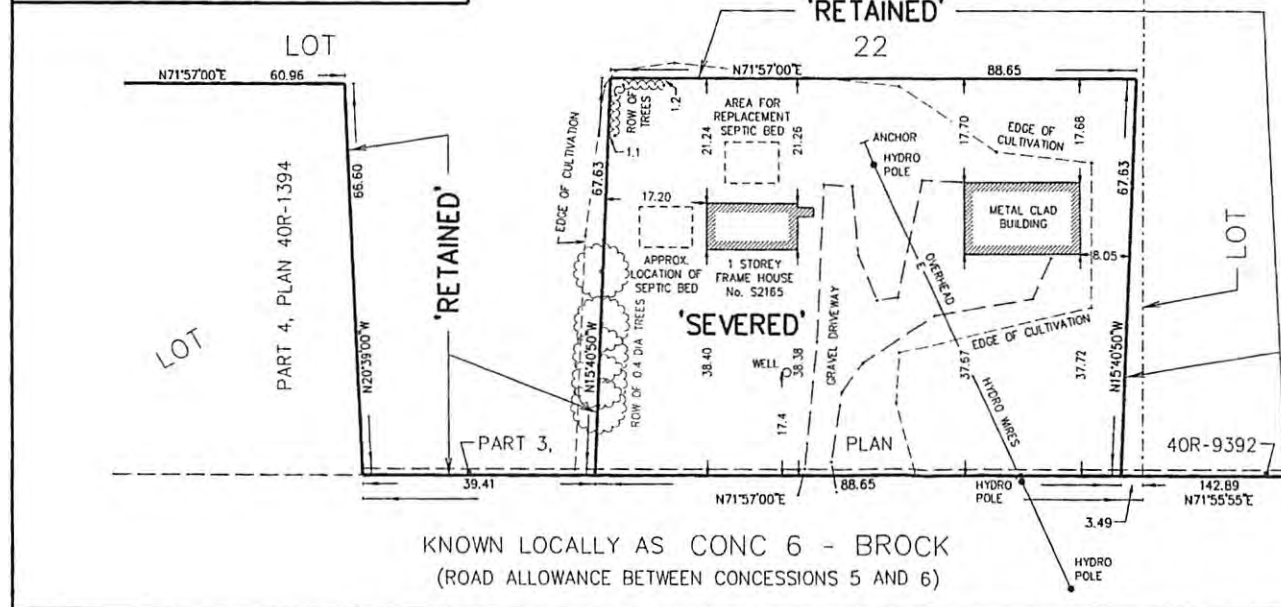
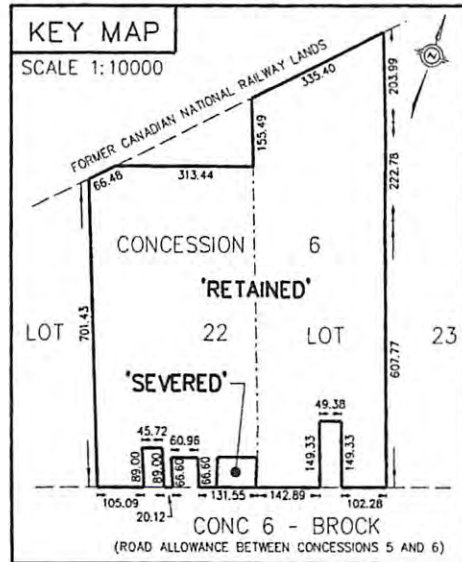


Figure 2 - Consent Sketch

S2165 Concession Road 6

Part Lots 22 and 23, Concession 6

Township of Brock, Regional Municipality of Durham



SKETCH FOR SEVERANCE  
**S2165 CONCESSION ROAD 6**  
GEOGRAPHIC TOWNSHIP OF BROCK  
NOW IN THE  
**TOWNSHIP OF BROCK**  
REGIONAL MUNICIPALITY OF DURHAM

SCALE 1 : 750

© COPYRIGHT 2019

**METRIC** DISTANCES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

**SUBJECT LANDS**

PART OF LOT 22, CONCESSION 6  
GEOGRAPHIC TOWNSHIP OF BROCK  
BEING PART 3, PLAN 40R-1394 EXCEPT, PART 2, PLAN 40R-9392  
AND PARTS 2 & 4, PLAN 40R-10846 (PIN 72007-0018(LT)).

TOTAL AREA = 54.01± ha. (133.46± ac.)

**SEVERED**

AREA = 0.60 ha. (1.48 ac.)

**RETAINED**

AREA = 53.41± ha. (131.98± ac.)

**CURRENT ZONING:**

RURAL (RU) ZONE

**CAUTION:**

THIS PLAN IS NOT A PLAN OF SURVEY AND SHALL NOT BE USED EXCEPT FOR THE PURPOSE INDICATED IN THE TITLE BLOCK.

**COE FISHER CAMERON**  
LAND SURVEYORS  
A wholly owned subsidiary of J.D. Barnes Limited  
3 COMMERCE PLACE, UNIT 201, LINDSAY, ON K9V 0N5  
T: (705) 324-4152 F: (705) 324-8806 www.jdbarnes.com

DATE: 04/25/19  
DRAWN BY: DHT  
CHECKED BY: GGH  
SATISFIED BY: [Signature]  
19-17-040-00

G:\19-17-060\001\Drawing\19-17-060-00-Sk.dwg

4/25/2019



**CLARK**  
SURVEYORS



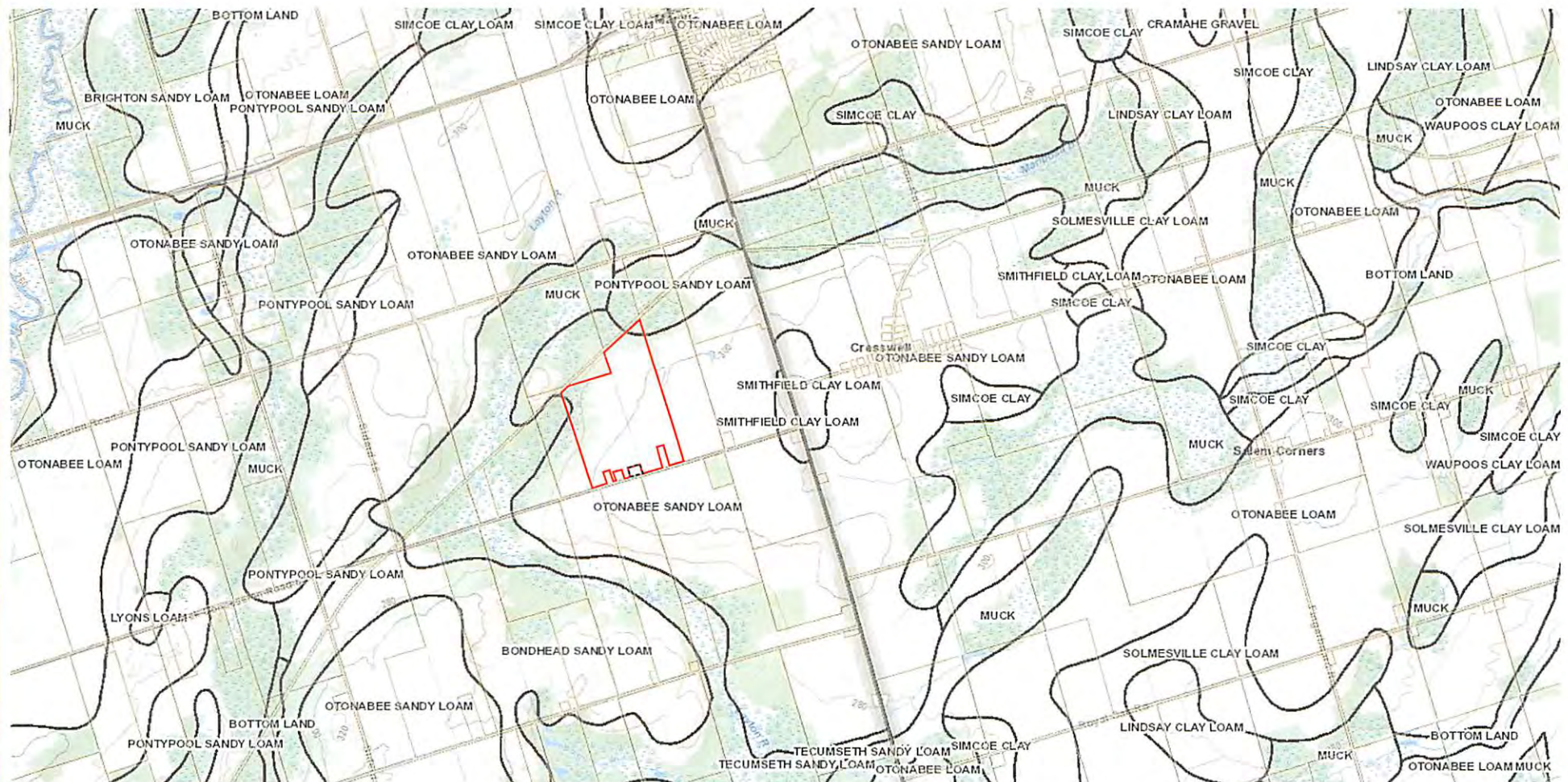




S2165 Concession Road 6

Part Lots 22 and 23, Concession 6

Township of Brock, Regional Municipality of Durham

**Legend**

Subject Lands

Proposed Lands to be Severed (1.48 ac)



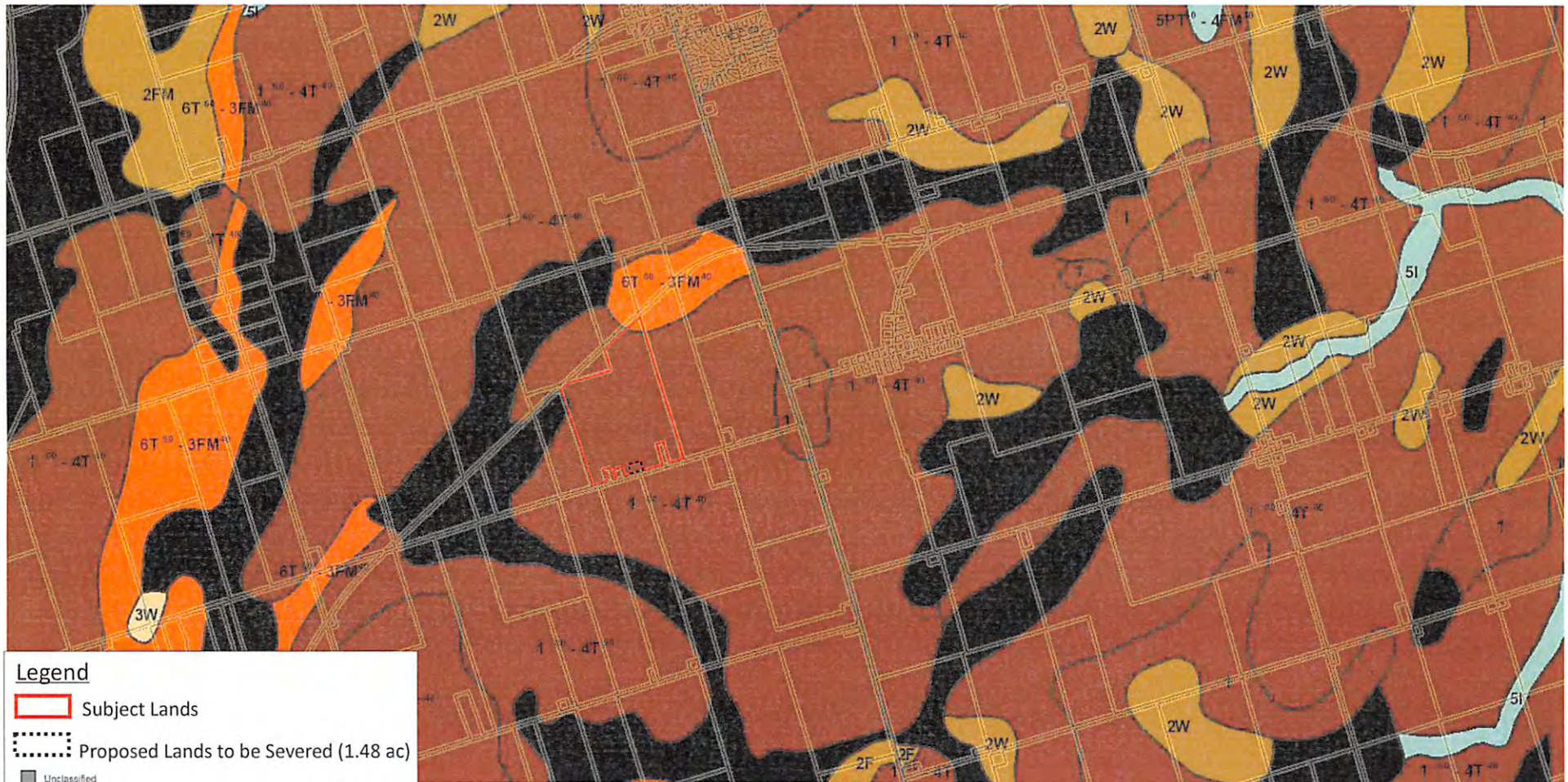


Figure 5 - CLI Map

S2165 Concession Road 6

Part Lots 22 and 23, Concession 6

Township of Brock, Regional Municipality of Durham

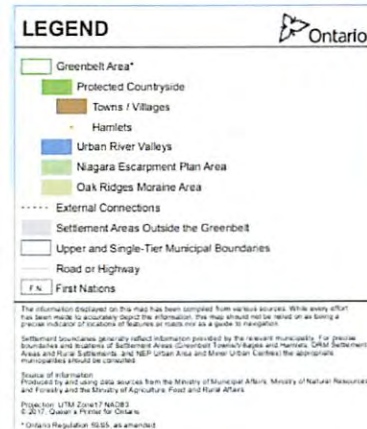
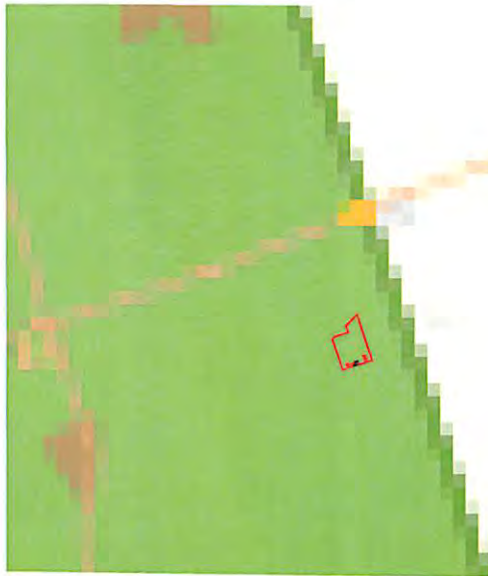
**Legend**

- Subject Lands
- Proposed Lands to be Severed (1.48 ac)
- Unclassified
- Class 1
- Class 2
- Class 3
- Class 4
- Class 5
- Class 6
- Class 7
- Organic Soil
- Water



Figure 6 - Greenbelt Plan Excerpts  
 Schedule 1 (Greenbelt Area) and Schedule 4 (Natural Heritage System)  
 S2165 Concession Road 6  
 Part Lots 22 and 23, Concession 6  
 Township of Brock, Regional Municipality of Durham

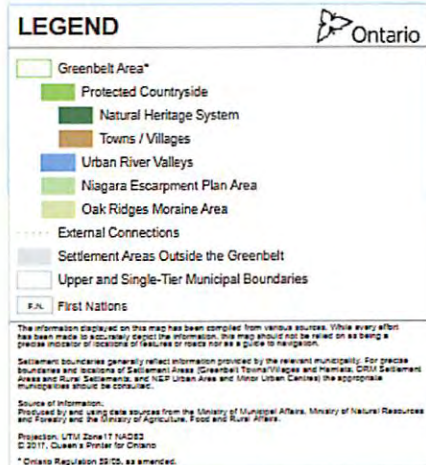
### Schedule 1 - Greenbelt Area



### Legend

- Subject Lands
- Proposed Lands to be Severed (1.48 ac)

### Schedule 4 - Natural Heritage System



### Legend

- Subject Lands
- Proposed Lands to be Severed (1.48 ac)



**CLARK**  
 CONSULTING SERVICES

# Figure 7 - Official Plan Excerpt, Schedule 'A' (Region of Durham)

S2165 Concession Road 6

Part Lots 22 and 23, Concession 6

Township of Brock, Regional Municipality of Durham

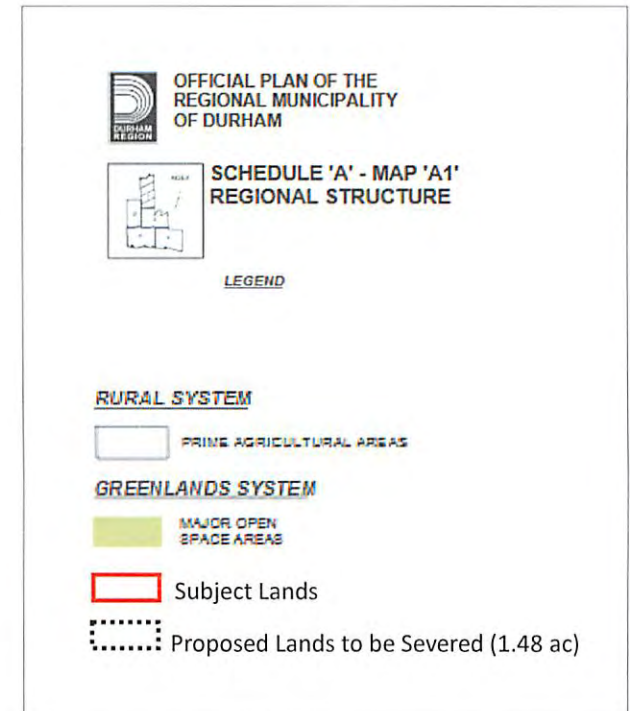
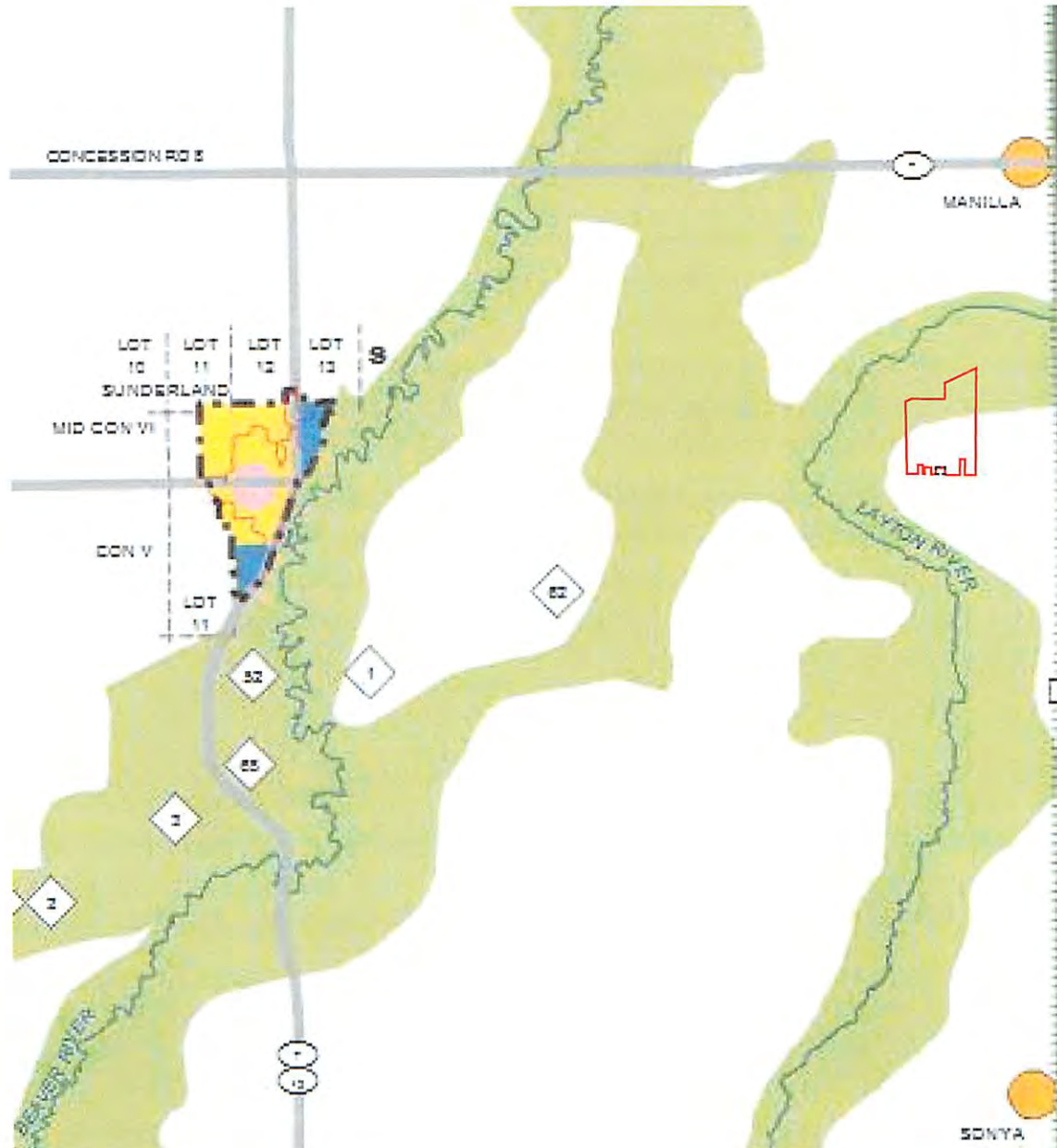


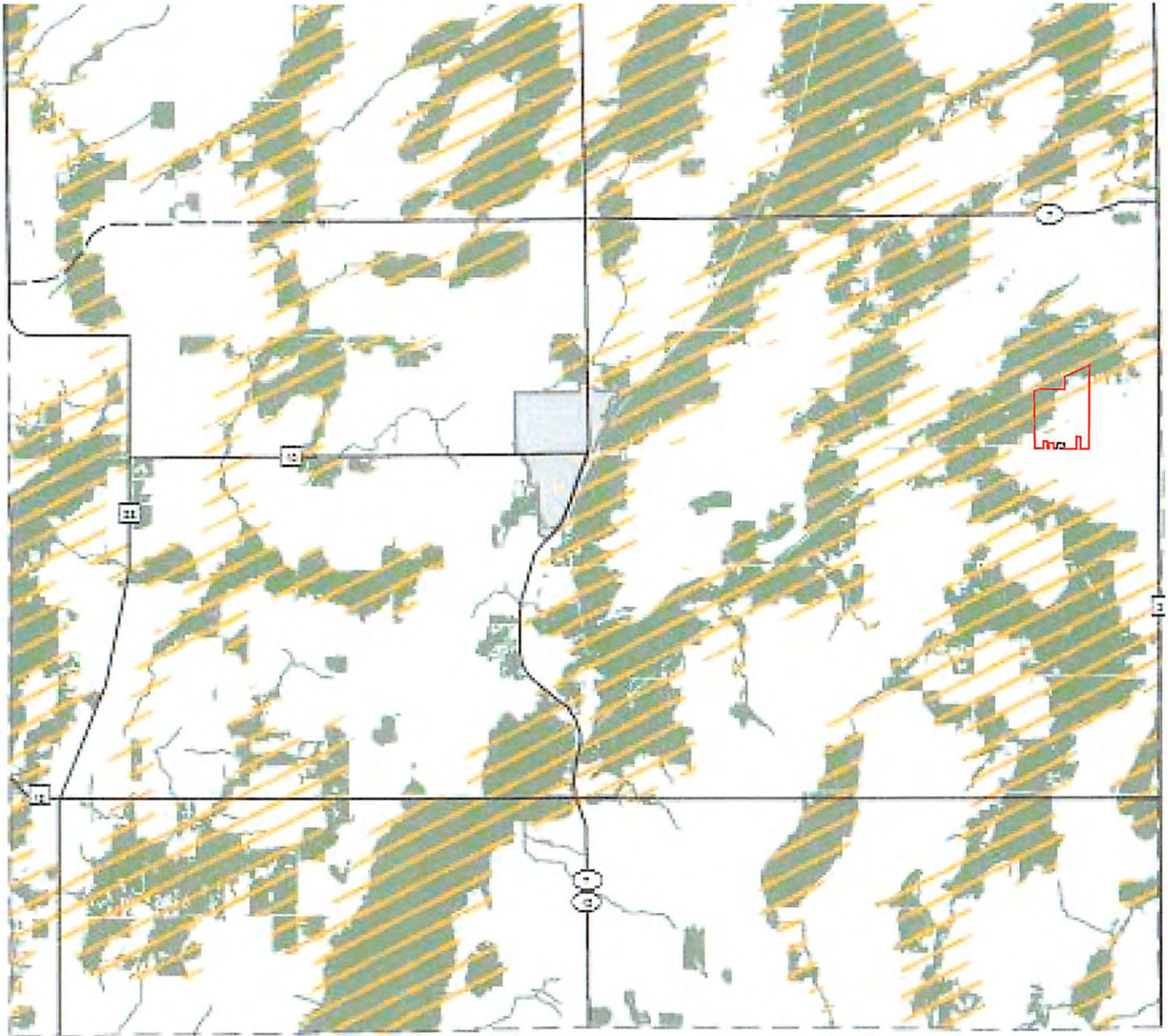


Figure 8 - Official Plan Excerpt, Schedule 'B' (Region of Durham)

S2165 Concession Road 6

Part Lots 22 and 23, Concession 6

Township of Brock, Regional Municipality of Durham



**Legend**

- Subject Lands
- Proposed Lands to be Severed (1.48 ac)
- KEY NATURAL HERITAGE AND HYDROLOGIC FEATURES
- GREENBELT NATURAL HERITAGE SYSTEM
- OAK RIDGES MORaine CONSERVATION PLAN AREA BOUNDARY
- URBAN AREA
- LANDS APPEALED TO OMB, REFER TO POLICY 14.12.1.
- SPECIFIC POLICY AREA



**CLARK**  
CONSULTING SERVICES



Figure 9 - Zoning By-law Excerpt, Plate 'A-2'  
 S2165 Concession Road 6  
 Part Lots 22 and 23, Concession 6  
 Township of Brock, Regional Municipality of Durham

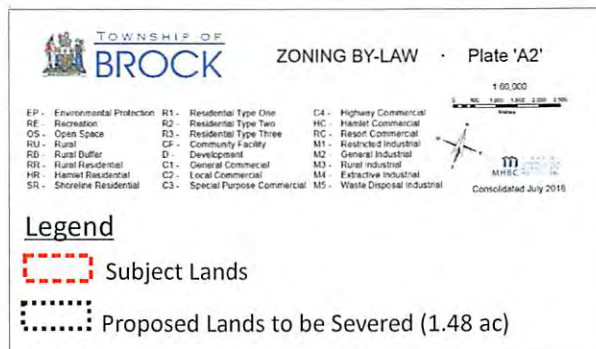
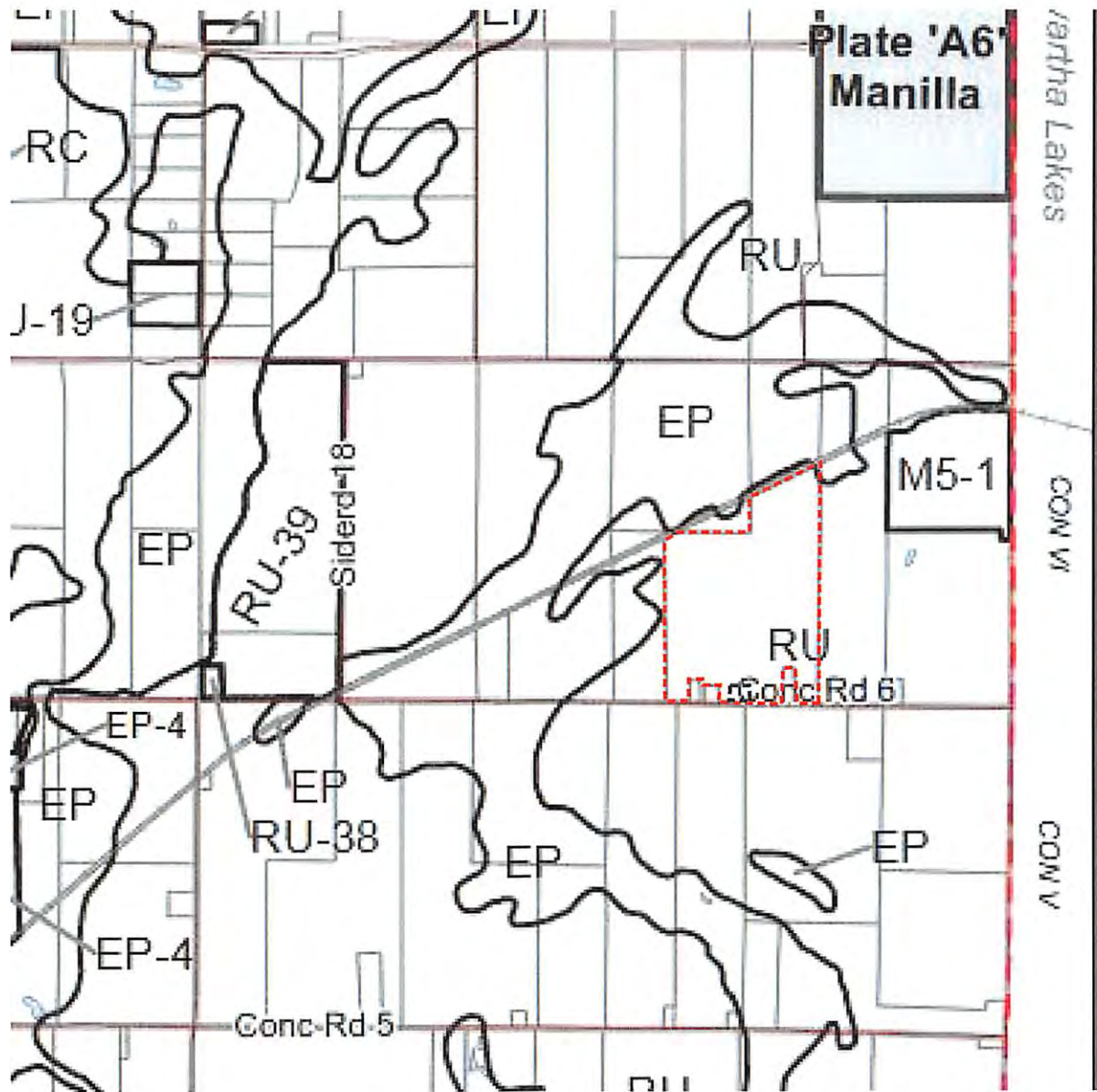
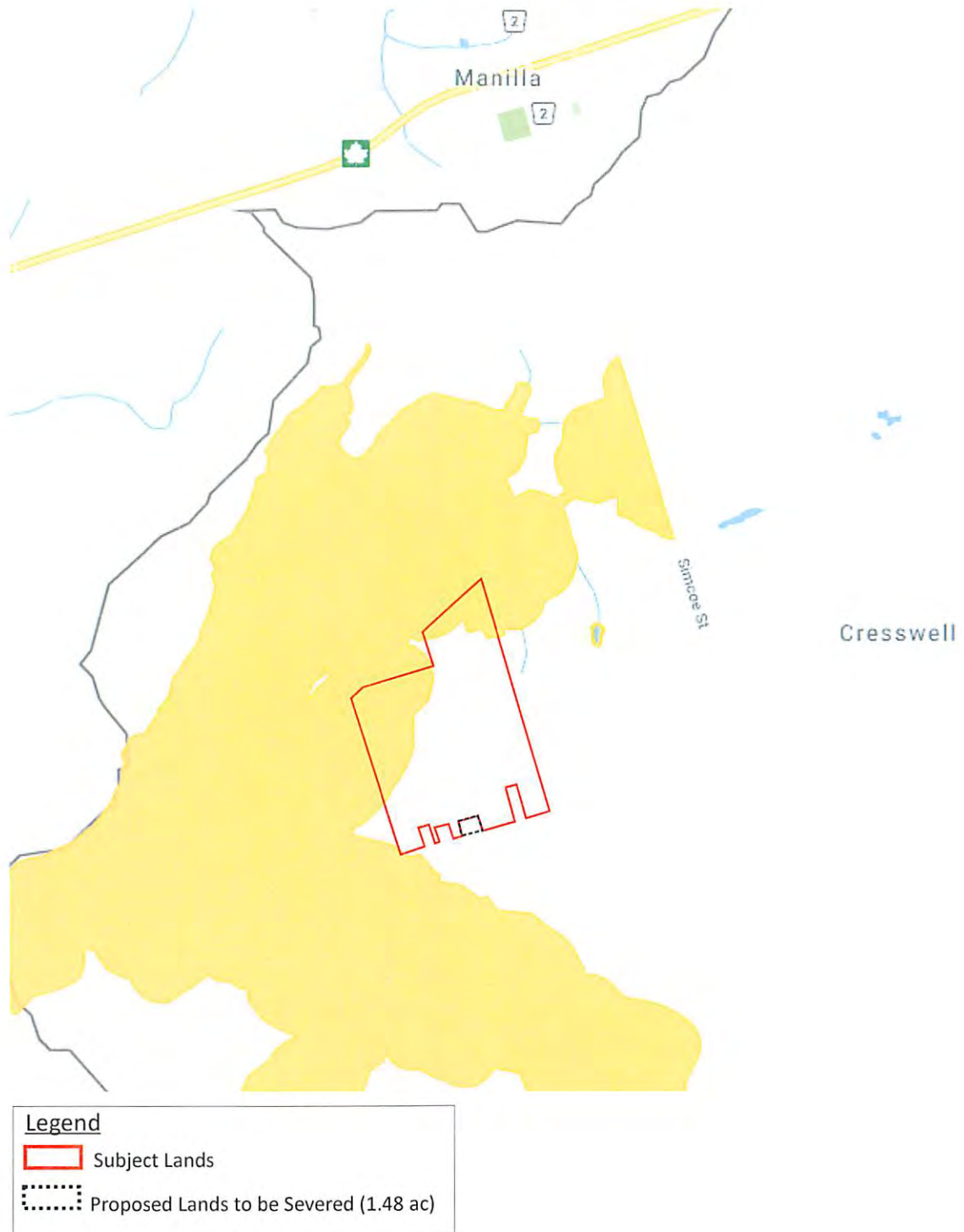


Figure 10 - Kawartha Lakes Conservation Authority Regulated Areas  
 S2165 Concession Road 6  
 Part Lots 22 and 23, Concession 6  
 Township of Brock, Regional Municipality of Durham





## ATTACHMENT A

### Record of Pre-consultation ROPA



Via Email Only



The Regional  
Municipality  
of Durham

Planning and Economic  
Development Department

Planning Division

605 ROSSLAND RD. E.  
4TH FLOOR  
PO BOX 623  
WHITBY ON L1N 6A3  
CANADA  
905-668-7711  
1-800-372-1102  
Fax: 905-666-6208  
Email: [planning@durham.ca](mailto:planning@durham.ca)

[www.durham.ca](http://www.durham.ca)

Brian Bridgeman, MCIP, RPP  
Commissioner of Planning  
and Economic Development

April 15, 2019

Mr. Jaqueline Mann, MCIP, RPP  
Senior Planner  
Clark Consulting Services  
52 John Street Port Hope, ON L1A 2Z2

Dear Ms. Mann,

**Re: Record of Pre-consultation for a proposed Regional Official  
Plan Amendment**

**Proponent:** Clark Consulting Services  
Daryl Pheonix

**Property Location:** S2165 Concession Road 6  
Part of Lots 22 & 23, Concession 6  
Township of Brock (former Brock)

---

In accordance with By-law 2-2008 of the Regional Municipality of Durham, this letter is to confirm that a pre-consultation meeting was conducted in accordance with the provisions of this By-law. Comments from the Township of Brock may be provided at a later date.

**Pre-consultation Date:** Monday, April 08, 2019

**Parties in Attendance:**

Jaqueline Mann - Clark Consulting Services, Senior Planner  
Karl Kiproff - Region of Durham, Health Inspector  
Lori Riviere-Doersam - Region of Durham, Principal Planner

**Regrets:**

Kent Stainton - KRCA, Resources Planner  
Jeff Almeida, Regional Works, Development Approvals  
Kent Randall, Eco Vue Consulting, on behalf of Brock Township

**Site Location/Description:**

The agricultural property is located on the north side of Brock Concession Road 6.

*"Service Excellence  
for our Communities"*

If this information is required in an accessible format, please contact Planning Reception at 1-800-372-1102, extension 2551.

The agricultural property is approximately 52 hectares (130 acres) in size. There is a woodland/wetland located in the north-western portion of the property. Three properties have been severed from the subject site in the past (most recently in 1987).

**Purpose of the Amendment Application:**

The purpose of the applicant's proposal is to amend the Regional Official Plan (ROP) to permit the severance of a 1 hectare (2.5 acres) parcel of land with an existing dwelling, retaining a 51 hectare (128 acre) agricultural parcel. The proponent would demolish the existing barn/livestock facilities.

**Durham Regional Official Plan (ROP) Designation:** Prime Agricultural Areas and Major Open Space

**Is the proposal in Conformity with the ROP:** No

**Conformity Details:**

The agricultural property is located within the "Prime Agricultural Areas" and "Major Open Space" designation in the Regional Official Plan (ROP). Lands within the Prime Agricultural Areas are intended for a full range of agricultural, agricultural-related and secondary uses.

The severance of a dwelling rendered surplus as a result of the consolidation of a non-abutting surplus farm dwelling is permitted by an amendment to Policy 9A.2.10 of the ROP subject to the applicant demonstrating / agreeing that:

- a) the dwelling is not needed for a farm employee;
- b) the farm parcel to be acquired is of a size which is viable for farming operations;
- c) within the Protected Countryside of the Greenbelt Plan Area, the dwelling was in existence as of December 16, 2004; and
- d) the farm parcel to be acquired is zoned to prohibit any further severances and the establishment of any residential dwelling.

No further severance from the retained farm parcel shall be granted.

**Information/Studies Required:**

Regional Planning and Economic Development Department will require the following information to be submitted to support the proposed ROPA and related severance application for the farm property:

- ***A Planning Rational/Justification Report and an Agricultural Assessment Report*** - address conformity with relevant Provincial Plans and Policies and Regional Official Plan policies, including the Provincial Policy Statement, and the Greenbelt Plan. Provide proof that the proposal will not result in fragmentation of farm land or impact the natural features within and abutting the subject lands and provide information on the age of the dwelling. Provide a statement of Conformity with Minimum Distance Separation Formulae;
- ***A Total Land Holding Report/Land Inventory Report*** - identify all farm properties owned by the farming operation (include a map) with a description of current use, including the primary home;
- ***A Record of Site Condition Compliant Phase One Environmental Site Assessment (ESA) Report or a Site-Screening Questionnaire*** completed and signed by a Qualified Person. If a Phase One ESA is submitted, the Region's Reliance Letter and Certificate of Insurance forms are required; and
- A Survey Sketch or Draft 40-R Plan.

**Regional Official Plan Amendment Fees**

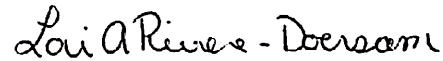
- Region of Durham's fee for a Minor ROPA \$7,000.00;
- a Deposit fee of \$1,000 for publication costs associated with the notification of the public meeting;
- Regional Health Department's fee for a ROPA \$260.00; and
- KRCA review fee.

We recommended the fee amounts be confirmed at the time of submission of the applications. Payments should be by Certified Cheque, Money Order, or Bank Draft.

In accordance with our procedures, please advise whether you concur with the above-noted information and study requirements within seven (7) days of receiving this Record of Pre-Consultation. Should you not agree with the above-noted requirements, another pre-consultation meeting may be requested.

Please contact me at (905) 668-4113, ext. 2572, if you have any questions.

Yours truly,

A handwritten signature in cursive script that reads "Lori A Riviere - Doersam".

Lori Riviere-Doersam, MCIP, RPP  
Principal Planner

cc: Kent Randall, Eco Vue Consulting  
Kent Stainton, KRCA  
Karl Kiproff, Regional Health Department  
Jeff Almeida, Regional Works Department

## ATTACHMENT B

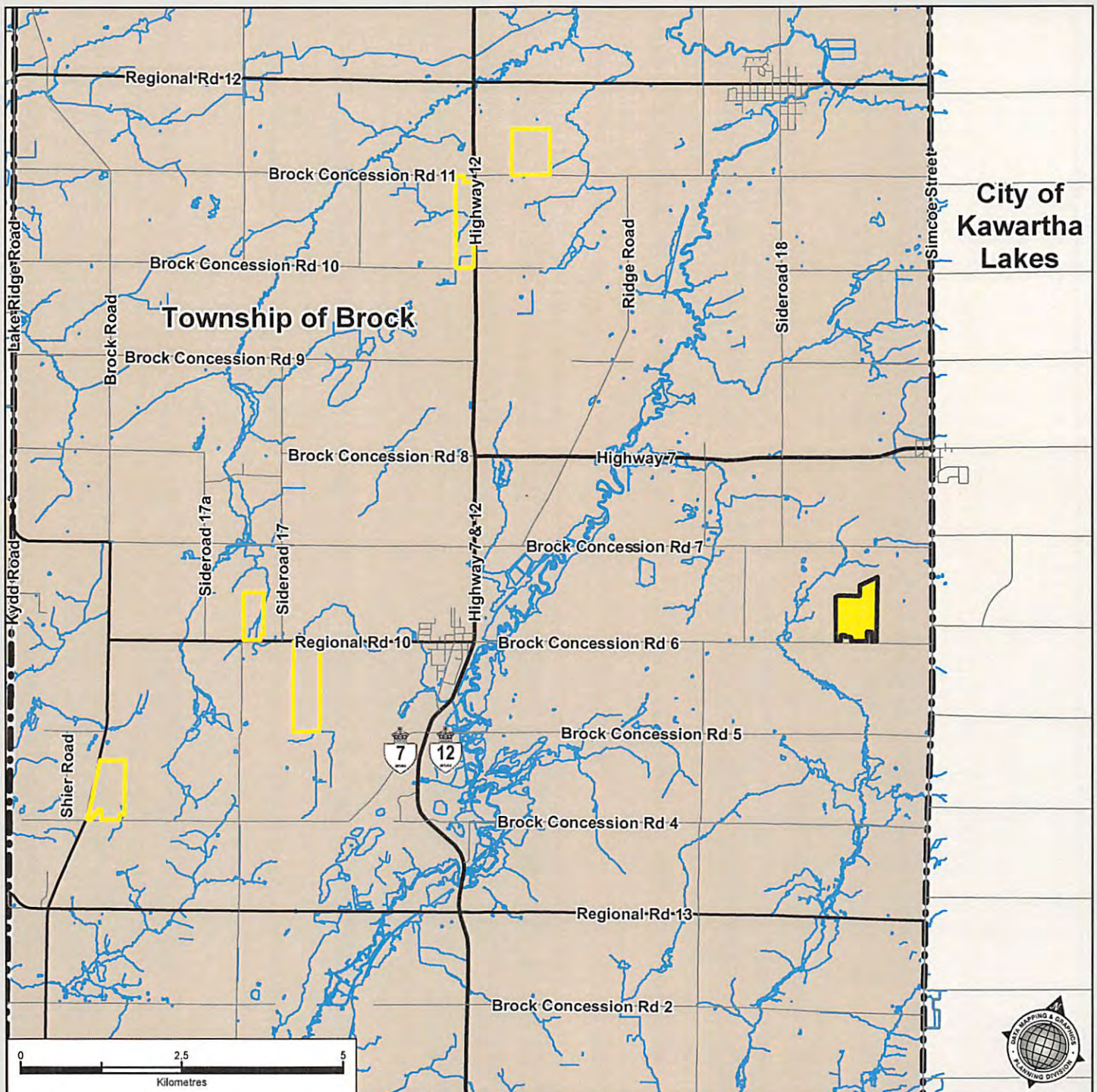
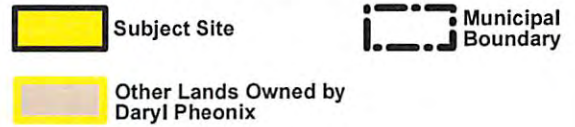
### Inventory of Land Holdings in Brock Township



Phoenix Farm Inventory  
Township of Brock  
January 28.2020

1. 2165 Concession Road 6- PT LT 22 CON 6, BROCK (subject site)- house is vacant
2. 1345 Concession Road 11- PT LT 14 CON 11, BROCK AS IN D260137 ; TOWNSHIP OF BROCK- house is rented to persons with no involvement in farming operation.
3. 19790 Highway 12- PT S 1/2 & N 1/2 LT 12 CON 10 BROCK AS IN D498766 TOWNSHIP OF BROCK - house is rented to persons with no involvement in farming operation.
4. PT SW 1/4 LT 7 CON 6 BROCK PT 2, 40R12972; TOWNSHIP OF BROCK- no house
5. 790 Regional Road 10- PT LT 8 CON 5 BROCK, AS IN D494011; TOWNSHIP OF BROCK - house rented to persons with no involvement in farming operation.
6. PT LT 3 CON 4, BROCK, PT 1, 40R12580, SAVE & EXCEPT PART 1, PLAN 40R27428 TOWNSHIP OF BROCK-no house.



**Municipal Context****Legend**

Data Sources:  
 PARCEL DATA: Ownership © Teranet Inc. and its suppliers. Assessment © 2019 MPAC and its suppliers.  
 All rights reserved. May not be reproduced without permission. This is not a plan of survey.

This map has been produced from a variety of sources.  
 The Region of Durham does not make any representations concerning the accuracy, likely results, or reliability of the use of the materials.  
 The Region hereby disclaims all representations and warranties.



## **ATTACHMENT C**

Environmental Site Screening, GHD  
(Under Separate Cover)



## ATTACHMENT D

### Kawartha Conservation Review



Best,  
Kent

**Kent Stainton**  
Resources Planner  
KAWARTHA CONSERVATION  
277 Kenrei Road  
Lindsay, ON K9V 4R1

Tel: 705.328.2271 ext. 232  
Fax: 705.328.2286

[KawarthaConservation.com](http://KawarthaConservation.com)



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**From:** Lori Riviere-Doersam [mailto:Lori.Riviere-Doersam@Durham.ca]  
**Sent:** Wednesday, March 27, 2019 2:33 PM  
**To:** Thomas Gettinby; Karl Kiproff; Kent Stainton; jacqueline@clarkcs.com; Jeff Almeida  
**Cc:** Lino Trombino  
**Subject:** Pre-consultation Meeting - S2165 Concession Road 6, Brock

Hi all,

I would like to set up a pre-consultation meeting for a proposed amendment to the Regional Official Plan for the severance of a non-abutting surplus farm dwelling.

The subject site is S2165 Concession Road 6 in the Township of Brock. Described as Part of Lots 22 and 23, Conc.6, (former Brock). It is located on the north side of Concession Road 6, east of Sideroad 18. Please see attached sketch.

Possible dates for the meeting are:

Tuesday April 2 (all day)  
Wednesday April 3 (afternoon)  
Friday April 5 (all day)  
Monday April 8 (all day)  
Tuesday April 9 (all day)

## Lori Riviere-Doersam

**From:** Kent Stainton <kstainton@kawarthaconservation.com>  
**Sent:** Tuesday, April 02, 2019 11:59 AM  
**To:** Lori Riviere-Doersam  
**Cc:** Ron Warne  
**Subject:** RE: Pre-consultation Meeting - S2165 Concession Road 6, Brock

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Lori,

Kawartha Conservation has reviewed the proposed non-abutting surplus farm dwelling severance at S2165 Concession Road 6 (Part of Lots 22 & 23, Concession 6, Brock Twp.) and offer the following comments:

- The northern portions of the property are regulated by Kawartha Conservation under Ontario Regulation 182/06 as it contains sections of a tributary of the Layton River and the Layton River Complex Provincially Significant Wetland (PSW). Kawartha Conservation regulates from the greater of the flooding/erosion hazard associated with the tributary of the Layton River and the PSW feature. It appears the PSW is the greatest regulated feature. Kawartha Conservation regulates the PSW and all lands within 120 metres from the limit of the PSW.
- No development, including site alteration, grading, structures, etc., is permitted within Kawartha Conservation's regulated area prior to obtaining a Permit pursuant to Ontario Regulation 182/06.
- According to Section of 2.1.8 the Provincial Policy Statement (PPS, 2014) Development and site alteration shall not be permitted on adjacent lands to the natural heritage features and areas identified in policies 2.1.4, 2.1.5, and 2.1.6 unless the ecological function of the adjacent lands has been evaluated and it has been demonstrated that there will be no negative impacts on the natural features or on their ecological functions. Development and site alteration within 120m of a PSW would typically require an Environmental Impact Study (EIS); however, the proposed severed parcel is greater than 120m from the PSW feature. Staff are of the opinion that an EIS will not be required due to the nature of the application (no new development proposed) and the proximity of the newly created lot from the feature(s).
- The subject property is located within the Protected Countryside Designation of the Greenbelt Plan (2017). In accordance with Section 3.2.2.3 (Natural Heritage System Policies), it appears the following Key Natural Heritage Features and Key Hydrologic Features are present on the retained lands: wetlands, fish habitat, significant wildlife habitat, valley lands, woodlands and permanent streams. The features are also identified within the Regional Municipality of Durham's Official Plan as Key Natural Heritage Features.
- A component of the Planning Justification Report (submitted as part of the ROPA) should identify relevant policies of the Greenbelt Plan by outlining and addressing conformity and consistency with the policies for Non-agricultural Uses in the Protected Countryside Area including the identification of all Key Natural Heritage Features and Key Hydrologic Features and their respective Minimum Vegetative Protection Zones. Note that the newly created lot is greater than 120 metres from any KNHF/KHF
- It is recommended that the wetland and its associated buffer be placed in a protective zoning (ie. Environmental Protection, Open Space, Hazard) to protect the ecological and hydrologic function of the features, in perpetuity.
- Kawartha Conservation requests to be circulated on any Planning Act applications (ie. ROPA, Consent, ZBA) associated with the proposed severed and retained lands.

I trust this is of assistance. If you have any additional questions, do not hesitate to contact me.

## **ATTACHMENT E**

### **Amendment #177**



**NOTICE THAT DECISION OF REGIONAL COUNCIL IS FINAL  
WITH RESPECT TO  
AMENDMENT #177  
TO THE DURHAM REGIONAL OFFICIAL PLAN**

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**File Number: OPA 2019-005**

**Related File Number: None**

Further to Regional Council's decision to adopt Amendment #176 to the Durham Regional Official Plan, by By-law #60-2019 on December 18, 2019, this is to advise that no notices of appeal were received within the specified appeal period.

Therefore, in accordance with Section 17(27) of the Planning Act, the decision is final and in full force and effect as of January 10, 2020.

Clerk



### **Amendment #177 to the Regional Official Plan**

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- Purpose and Effect:** The purpose of this Amendment is to permit the severance of a residential dwelling rendered surplus as a result of the consolidation of non-abutting farm parcels on lands designated "Prime Agricultural Areas," and "Major Open Space" in the Township of Brock.
- Location:** The subject site is located on the on the north side of Concession Road 6 and west of Simcoe Street. The parcel is municipally known as S2165 Concession Road 6, Part of Lot 22, Concession 6, in the Township of Brock.
- Basis:** The subject site has been consolidated with other non-abutting farm parcels owned by the applicant. The residential dwelling on the subject site is not required by, and is surplus to, the farm operation. This amendment conforms to the Durham Regional Official Plan, the Greenbelt Plan, and the Growth Plan for the Greater Golden Horseshoe and is consistent with the Provincial Policy Statement.
- Amendment:** The Durham Regional Official Plan is hereby amended by adding the following policy exception to Section 9A.3.2:  
*"9A.3.2 ww) A surplus dwelling is severed from the parcel identified as Assessment No. 18-39-050-008-08100 located in Part of Lot 22, Concession 6, in the Township of Brock, subject to the inclusion of provisions in the zoning by-law to prohibit further severances, the construction of any dwelling on the retained parcel; and the use of the existing shed for housing livestock."*
- Implementation:** The provisions set forth in the Durham Regional Official Plan regarding the implementation of the Plan shall apply in regards to the Amendment.
- Interpretation:** The provisions set forth in the Durham Regional Official Plan regarding the interpretation of the Plan shall apply in regards to this Amendment.



The Corporation of the Township of Brock  
1 Cameron Street E., P.O. Box 10 Cannington, ON L0E 1E0 (705) 432-2355

## NOTICE OF APPLICATION AND PUBLIC MEETING

**Project Number:** 02-2020-PL      **File Number:** 02-2020-RA

### **WHY YOU ARE RECEIVING THIS NOTICE**

This notice is being sent to all residents within 200m of the subject property. This is an application to approve a surplus farm dwelling severance. If you have questions or concerns regarding the required rezoning of these lands to accommodate the severance of a surplus farm dwelling, you are invited to attend the statutory public meeting.

### **NOTICE OF PUBLIC MEETING**

The Council of the Corporation of the Township of Brock will hold a public meeting on the **13th day of July, 2020 at 6:30 p.m.**, via a Microsoft Teams meeting format (please see details below), to consider a proposed amendment to Zoning By-law No. 287-78-PL, the comprehensive Zoning By-law, in accordance with Section 34 of the *Planning Act*, R.S.O. 1990, as amended.

The application has been submitted by Bob Clark, Clark Consulting Services, on behalf of Darmar Farms, Dale McFeeters (File No. 02-2020-RA).

### **PARTICIPATION DETAILS**

**Location:** Online with Microsoft Teams. Please go to [https://teams.microsoft.com/join/19%3ameeting\\_OTc4OThmMmltZjZlZC00ZTg3LTg2MDMtMTBjYmNjYWM4YTVi%40thread.v2/0?context=%7b%22Tid%22%3a%2216baf992-3e40-4846-8575-f62d5d1b98da%22%2c%22Oid%22%3a%22461346b6-4a8f-49bb-9778-54a9aa9e861a%22%7d](https://teams.microsoft.com/join/19%3ameeting_OTc4OThmMmltZjZlZC00ZTg3LTg2MDMtMTBjYmNjYWM4YTVi%40thread.v2/0?context=%7b%22Tid%22%3a%2216baf992-3e40-4846-8575-f62d5d1b98da%22%2c%22Oid%22%3a%22461346b6-4a8f-49bb-9778-54a9aa9e861a%22%7d) and click the "Join Teams" meeting link.

**Telephone Participation:** For telephone participation, please call the following teleconference number between 6:15 pm and 6:30 pm on Monday, July 13, 2020: 647-749-9362 and enter Conference ID: 237 619 729# .

**Watch Live:** Should you wish to just observe the meeting without the option of speaking to the application, please enter the following link into your web browser to view the live-streaming of the meeting: <https://www.townshipofbrock.ca/en/municipal-office/meeting-live-stream.aspx>

**Provide Written Comments:** Please submit written comments (with reference to the Project and File Number of the application) to [planning@townshipofbrock.ca](mailto:planning@townshipofbrock.ca) on or before noon on Monday, July 13, 2020. Comments may also be mailed or dropped off at the Township Office at 1 Cameron Street East, Cannington, ON L0E 1E0. Your comments shall be available to any interested person for inspection (*Statutory Powers Procedure Act*).

Please be advised that if you join the meeting after 6:30 pm this application may have already been heard. If you have accessibility needs and require alternate formats of this documents or other accommodations, please contact the Clerks Department at 705-432-2355.

### **LOCATION OF SUBJECT LAND**

The subject land, consisting of approximately 55.9 acres, is located at 396 Cameron Street, Cannington. The property is within part of Lot 23, Concession 12. The location is shown on the Key Map on the reverse side.

### **PURPOSE OF AMENDMENT**

The amendment, upon approval, serves to rezone the subject land from Rural (RU) and Environmental Protection (EP) zone categories to Rural Exception (RU-X) and Environmental Protection (EP) zone categories. This will allow for the severance of a Surplus Farm Dwelling and to prohibit future residential use on the retained agricultural lands.

**REPRESENTATION AND ADDITIONAL INFORMATION**

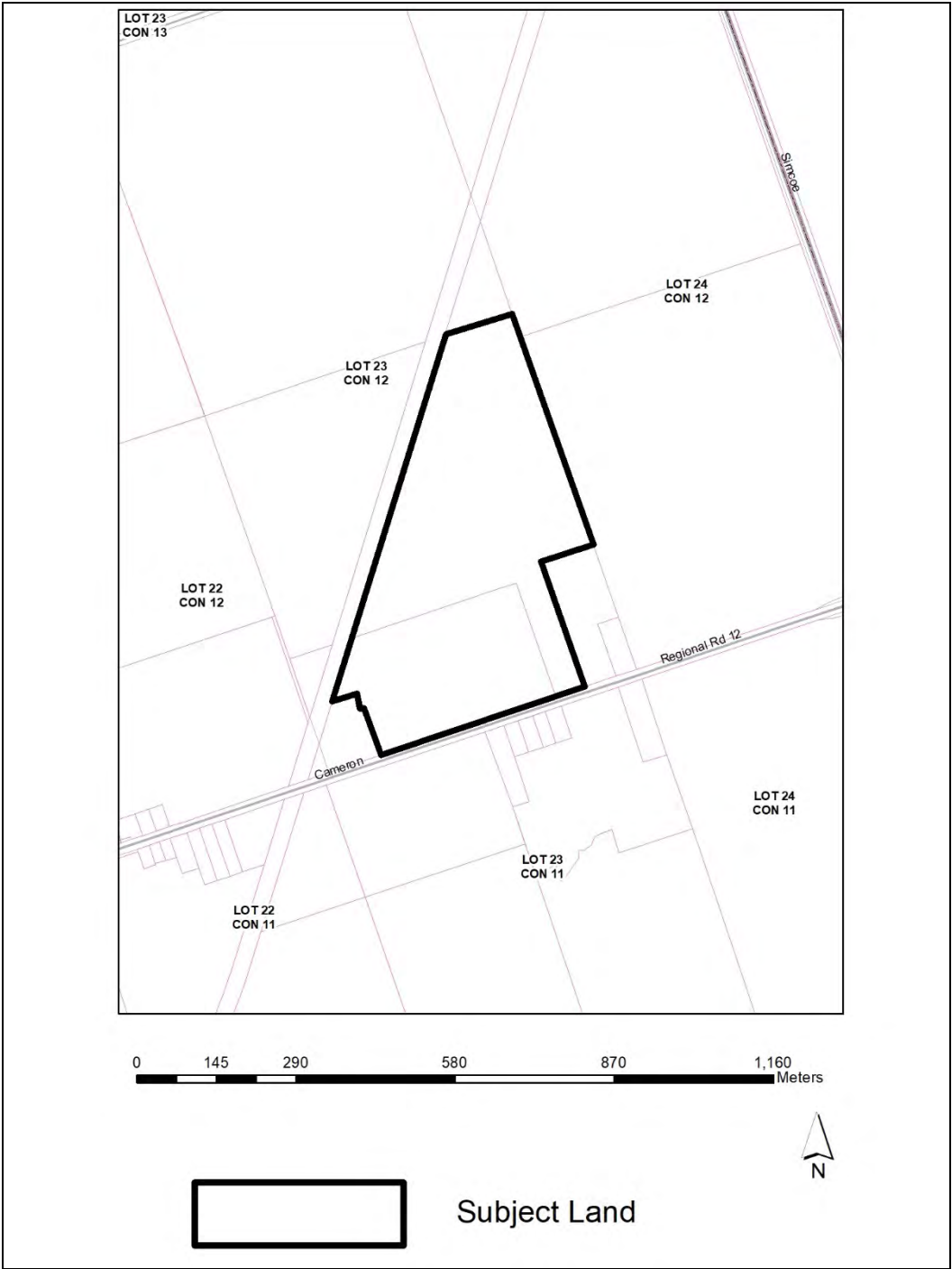
If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Brock before the by-law is enacted (if approved), the person or public body is NOT entitled to appeal the decision of the Council of the Township of Brock to the Local Planning Appeal Tribunal. Further, the person or public body may NOT be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Additional information relating to the draft By-law Amendment is available for inspection during regular office hours at the Municipal Administration Building. For additional information about the application, or if you wish to request further notifications regarding this application (this will entitle you to be advised of a possible Local Planning Appeal Tribunal hearing), please contact Debbie Vandenakker at [dvandenakker@townshipofbrock.ca](mailto:dvandenakker@townshipofbrock.ca) or by phone at 705-432-2355 ext. 235 and reference the above-noted Project and File number.

Dated at the Corporation of the Township of Brock this 23<sup>rd</sup> day of June, 2020.

Becky Jamieson  
Municipal Clerk  
Corporation of the Township of Brock  
1 Cameron Street East, Box 10  
Cannington, Ontario, L0E 1E0  
705-432-2355  
[bjamieson@townshipofbrock.ca](mailto:bjamieson@townshipofbrock.ca)

**Subject Land Key Map**







The Corporation of the Township of Brock  
Zoning By-law Amendment Application  
(To be Submitted in Duplicate)

Office Use Only			
Date Received: _____			
Zoning By-law File No.: _____			
Regional Official Plan	_____ Yes	_____ No	File: _____
Township Official Plan	_____ Yes	_____ No	File: _____
Site Plan Application	_____ YES	_____ No	File: _____

Pursuant to the provisions of the *Planning Act*, R.S.O. 1990, as amended, I/We hereby submit an application for amendment (as hereinafter set out), to By-law No. 287-78-PL as otherwise amended, of the Corporation of the Township of Brock, in respect of the lands hereinafter described.

I/We enclose herewith the non-refundable fee in accordance with Planning Fees By-law No, 1290-94-PL and agree to pay any further costs which may be determined by the Council of the Township of Brock (i.e., legal, planning, engineering, etc.). In addition, depending on the nature of the application, you may be required to enter into a Financial Agreement with the municipality, pursuant to Planning Fees By-law No. 1290-94-PL, as amended, to cover the cost of consulting services rendered to the Township in conjunction with the processing of this application. I/We also agree to reimburse the Township of Brock for any costs which may be incurred before the Ontario Municipal Board and awarded by that Board arising as a result of this application. Further, **additional fees** for agency review (Durham Region Planning/Durham Region Health (private services only)/Conservation Authority) are payable at the time of application to the Township of Brock. Please contact the Clerk's Department for current agency review fees that apply to your application.

To Be Completed by Applicant or Agent

1.	a)	Applicant:	<u>Darmar Farms Inc.</u>		
		Address:	<u>2300 Concession Rd 14, Cannington</u>		
			<u>_____</u>		
			<u>_____</u>		
		Phone:	<u>705.879.2154</u>	Fax:	<u>_____</u>
				Email:	<u>dale.mcf@hotmail.com</u>
	b)	Authorized Agent:	<u>Clark Consulting Services, Bob Clark</u>		
		Address:	<u>52 John St, Port Hope, L1A 2Z2</u>		
			<u>_____</u>		
			<u>_____</u>		
		Phone:	<u>905.885.8023</u>	Fax:	<u>_____</u>
				Email:	<u>bob@clarkcs.com</u>

- c) **Registered Owner:** Darmar Farms Inc.  
**Address:** 2300 Concession Rd 14, Cannington  
\_\_\_\_\_  
\_\_\_\_\_  
**Phone:** 705.879.2154 **Fax:** \_\_\_\_\_ **Email:** dale.mcf@hotmail.com
- d) **Date of Acquisition of Subject Land:** February 13, 2009
- e) **Applicant's Interest in Land (Must be Owner or Prospective Buyer, If Latter, Verified Copy of Offer to Purchase Must be Submitted together with Acknowledgement of Owner)**  
Owner  
\_\_\_\_\_  
\_\_\_\_\_
- f) **Matters Related to this Application Should be Addressed To:**  
 Applicant \_\_\_\_\_ Or Agent Yes Or Owner \_\_\_\_\_

## 2. Property Description:

Township Lot Pt S ½ Lt 23 Concession 12 Brock  
 Registered Plan No.. 40R13288 Lot \_\_\_\_\_  
 Municipal Address 396 Cameron St E, Cannington, L0G 1R0  
 Former Municipality Brock  
 Dimensions of Entire Property (Metric):  
 Area: 22.6277 ha Frontage 388 m  
 Depth 687 m  
 Dimensions of the Land Subject of Application:  
 Area: 0.4 ha Frontage 80 m  
 Depth 52 m

## 3. Existing Land Use Designation

Durham Regional Official Plan: Prime Agricultural Areas  
 Brock Township Official Plan: Prime Agricultural Areas (ROP)

## 4. Zoning By-law Category:

**Rural (RU) and Environmental Protection (EP)**  
 Current: Environmental Protection (EP) Proposed: and Rural Exception (RU-XX)

	Yes	No	File/Status
Regional Official Plan	Yes		Concurrent with ZBA
Township Official Plan		No	
Consent (Severance)		No	Will be subm. after ROPA
Subdivision		No	
Condominium		No	
Site plan		No	

           Yes      No No                 Unknown

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**Application to sever a Surplus Farm House as defined in PPS, and which requires**

**the retained land be rezoned to prohibit future residential use.**

a) Present Use of Property: Agricultural

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b) Length of Time Existing Uses of Subject Land Have Continued: Over 50 years

---

c) Proposed Use of Property: Agricultural (Retained)  
Residential (Severed)

Building & Type	Setback from Lot Line (Metres)				Height of Building	Dimensions
	Front	Rear	Sides			
Existing Bldg. #1	7 m	20.3 m	11 m	42 m	2 storey	20 x 12 m
Existing Bldg. #2						
Existing Bldg. #3						
Proposed Bldg. #1						
Proposed Bldg. #2						
Proposed Bldg. #3						

e)	Adjacent Land Use:	North	<b>Agricultural</b>
		South	<b>Residential</b>
		East	<b>Agricultural</b>
		West	<b>Agricultural</b>

**10. Services:**

Water Supply:	Municipal Water	<u>Yes</u>	Yes	<u>          </u>	No
	Private Well	<u>          </u>	Yes	<u>No</u>	No
	Other (Specify)				

Sewage Disposal:	Municipal	<u>          </u>	Yes	<u>    <b>No</b>    </u>	No
	Private	<u>    <b>Yes</b>    </u>	Yes	<u>          </u>	No
	Other (Specify)	<u>                                </u>			

Road Access: Municipal \_\_\_\_\_ Provincial \_\_\_\_\_

**Please see GHD SSQ, Dec 16, 2019**

## 11. Environmental Site Screening Questionnaire

a) What is the current use of the property? Check the appropriate use (see O.Reg. 153/04):

- \_\_\_\_\_ Industrial
- \_\_\_\_\_ Commercial
- \_\_\_\_\_ Community Use
- \_\_\_\_\_ Residential
- \_\_\_\_\_ Institutional
- \_\_\_\_\_ Parkland or Agricultural

Note: daycare uses are defined as institutional. See Ontario Regulation 153/04, as amended, for definitions.



- b) Does this application involve a change to a more sensitive land use i.e.: change from industrial, commercial or community use to residential, institutional, parkland or agricultural use? Refer to sections 11, 12, 13, 14, and 15 of O. Reg. 153/04, as amended.

Yes \_\_\_\_\_ No \_\_\_\_\_

- c) Is the application on land or adjacent to lands that were previously used for the following:

- i) Industrial Uses: Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please describe the approximate dates and type of industry.

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- ii) Commercial uses where there is a potential for site contamination, e.g., automotive repair garage, a bulk liquid dispensing facility including a gasoline outlet, chemical warehousing or for the operation of dry-cleaning equipment? Yes \_\_\_\_\_ No \_\_\_\_\_

If yes, please describe the approximate dates and type of commercial activities.

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- iii) Has the grading of the subject land been changed by adding earth or materials and/or filling occurred on the subject lands?  
Lands where filling has occurred? Yes \_\_\_\_\_ No \_\_\_\_\_

- iv) Have the subject lands ever been subjected to chemical spills or hazardous chemical uses i.e. an orchard where cyanide products may have been used as pesticides? Yes \_\_\_\_\_ No \_\_\_\_\_

- v) Have the subject lands or adjacent lands ever been used as an agricultural operation where herbicides or sewage sludge have been applied to the property? Yes \_\_\_\_\_ No \_\_\_\_\_

- vi) Have the subject lands or adjacent lands ever been used as a weapons firing range? Yes \_\_\_\_\_ No \_\_\_\_\_

- vii) Is the nearest boundary of the application within 250 metres of the fill area of an operating or former landfill or dump, or a waste transfer station or PCB storage site? Yes \_\_\_\_\_ No \_\_\_\_\_

- viii) If there are existing or previously existing buildings, are there any building materials remaining on the site which are potentially hazardous to human health (e.g., asbestos, PCB's, etc.)? Yes \_\_\_\_\_ No \_\_\_\_\_

- ix) Has there been a heating fuel oil spill on the property? Yes \_\_\_\_\_ No \_\_\_\_\_

- x) Are there or have there ever been above ground or underground storage tanks on the property? Yes \_\_\_\_\_ No \_\_\_\_\_

- xi) Has waste (garbage, solid wastes, liquid wastes) ever been placed on this property? Yes\_\_\_\_\_ No\_\_\_\_\_

Provide a description of waste materials:

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- xii) Have hazardous materials ever been stored or generated on the property (e.g. Has Hazardous Waste Information Network (HWIN) registration or other permits been required? Yes\_\_\_\_\_ No\_\_\_\_\_

Please summarize:

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- xiii) Does the property support or has it ever supported one or more of the potentially contaminating activities set out in Table 2 of Schedule D of Ontario Regulation 153/04, as amended (see attachment)? Yes\_\_\_\_\_ No\_\_\_\_\_

If yes, provide details:

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- xiv) Is there any other reason to believe that the subject property may be potentially contaminated based on historical use of this or an abutting property? Yes\_\_\_\_\_ No\_\_\_\_\_

If yes, provide details:

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If the answer to any of the questions above was **YES**, a Phase 1 and/or Phase 2 Environmental Site Assessment (ESA), which satisfies the requirements of O.Reg. 153/04, as amended, is required. Please submit two copies with your application.

- d) Has an Environmental Site Assessment been prepared for this site within the last 5 years, or is an Environmental Site Assessment currently being prepared for this site? Yes\_\_\_\_\_ No\_\_\_\_\_

If **YES**, please submit two copies of the Phase 1 Assessment with the application.

- e) Has a Risk Assessment been accepted by the Ministry of Environment (MOE) or a Certificate of Property Use been issued by the MOE for this site? Yes\_\_\_\_\_ No\_\_\_\_\_

If **YES**, please submit two copies of the Risk Assessment and the Certificate of Property Use with the application.

**Declaration:** This form must be completed and signed by the Property Owner. If the answer to Question 11(f) was "Yes", this form must also be signed by a Qualified Person, as defined in O. Reg. 153/04. The signature of a Qualified Person may also be required if the answer to any of Questions 11 (a) through (d) was "Yes".

To the best of my knowledge, the information provided in this questionnaire is true, and I do not have any reason to believe the subject site contains contaminants at a level that would interfere with the proposed property use.

**12. Conformity with Provincial Plans:**

- a) Is this application consistent with the Provincial Policy Statement? Yes   X   No
- b) Is the subject land within the Greenbelt Area? Yes   X   No         
If yes, please specify whether the application conforms to or does not conflict with the Greenbelt Plan:

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- c) Please specify whether the application conforms to or does not conflict with the Growth Plan for the Greater Golden Horseshoe:

**Conforms**

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**13. Supplementary and Supporting Material:**

Survey or Sketch (2 Copies) Showing Thereon:

- a) Applicants/Owners Total Holdings
- b) Land which is the subject of the amendment clearly marked thereon.
- c) i) The boundaries and dimensions of the subject land.
- ii) The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the building or structures from the front yard lot line, rear lot line and side yard lot lines.
- iii) The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples of features include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
- iv) The current uses on land that is adjacent to the subject land.
- v) The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right-of-way.
- vi) If access to the subject land is by water only, the location of the parking and docking facilities to be used.
- vii) The location and nature of any easement affecting the subject land.

- 8 -

**14. Certificate- (To be signed by Owner, If agent has been appointed)**

As of the date of this application I am the registered Owner of the lands described in this application. I have examined the contents of this application, certified as to the correctness of the information submitted with the application insofar as I have knowledge of these facts, and concur with the submission of this application to the Corporation of the Township of Brock by:

Clark Consulting Services

OF Municipality of Port Hope

Who I have appointed as my Agent

\_\_\_\_\_  
Signature of Property Owner

\_\_\_\_\_  
Date

**15. Affidavit**

I/We \_\_\_\_\_ of the Municipality  
of Port Hope in the Region/County of Northumberland

do solemnly declare that:

All above statements and the statements contained in all of the exhibits transmitted herewith, are true, and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of "The Canada Evidence Act."

DECLARED before me at \_\_\_\_\_ )  
of \_\_\_\_\_ in the Region/County of \_\_\_\_\_ )  
\_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ ) Applicant's Signature  
\_\_\_\_\_, 2 \_\_\_\_\_ A.D. )

\_\_\_\_\_  
A Commissioner, etc.

**16. Affidavit of Professional Engineer (If required as per question 11)**

I/We \_\_\_\_\_ of the \_\_\_\_\_  
of \_\_\_\_\_ in the Region/County of \_\_\_\_\_

do solemnly declare that:

All of the above statements contained herein are true, and I make this solemn declaration conscientiously believing it to be true and knowing that it is the same force and effect as if made under oath and by virtue of "The Canada Evidence Act."

DECLARED before me at the \_\_\_\_\_ )  
of \_\_\_\_\_ in the Region/County of \_\_\_\_\_ )  
\_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ ) Professional Engineer's  
\_\_\_\_\_, 2 \_\_\_\_\_ A.D. ) Signature & Seal

\_\_\_\_\_  
A Commissioner, etc.



**Data Sheet - MDS**

**Part I - To Be Completed By Applicant**

Please see Section 6 of the Planning Report,  
CCS January 10, 2020

This is to be completed and attached to the application when applying for a new non-farm use within 500 metres (1,640 feet) of an existing livestock facility. Complete one sheet for each different set of buildings used for housing livestock.

Owner of Livestock Facility: \_\_\_\_\_

Telephone: \_\_\_\_\_ Twp.: \_\_\_\_\_

Lot: \_\_\_\_\_ Concession: \_\_\_\_\_

Closest distance from livestock facility to the property boundary of the new lot(s) or the change in land use (metres) \_\_\_\_\_

Closest distance from the manure storage to the property boundary of the new lot(s) or the change in land use (metres) \_\_\_\_\_

Tillable hectares where livestock facility located \_\_\_\_\_

Type of Livestock	Existing Housing Capacity #	Manure System (Check One Box)			
		Covered Tank	Open Solid Storage	Open Liquid Tank	Earthen Manure Storage
DAIRY <input type="checkbox"/> Milking Cows <input type="checkbox"/> Heifers					
BEEF <input type="checkbox"/> Cows (Barn Confinement) <input type="checkbox"/> Cows (Barn with yard) <input type="checkbox"/> Feeders (Barn confinement) <input type="checkbox"/> Feeders (Barn with yard)					
SWINE <input type="checkbox"/> Sows <input type="checkbox"/> Weaners <input type="checkbox"/> Feeder Hogs					
POULTRY <input type="checkbox"/> Chicken Broiler/Roasters <input type="checkbox"/> Caged Layers <input type="checkbox"/> Chicken Breeder Layers <input type="checkbox"/> Pullets <input type="checkbox"/> Meat Turkeys ( >10kg) <input type="checkbox"/> Meat Turkeys (5-10kg) <input type="checkbox"/> Meat Turkeys (<5kg) <input type="checkbox"/> Turkeys Breeder Layers					
HORSES					
SHEEP <input type="checkbox"/> Adult Sheep <input type="checkbox"/> Feeder Lambs					
MINK - Adults					
WHITE VEAL CALVES					
GOATS <input type="checkbox"/> Adult Goats <input type="checkbox"/> Feeder Goats					
OTHER					

The above information was supplied by:

Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
(Please Print)

Firm (If Applicable): \_\_\_\_\_  
(Please Print)

**Part II - To Be Completed By The Township**

File/Application No.: \_\_\_\_\_

Minimum Separation Distance: \_\_\_\_\_

Does the Application Comply With the MDS Requirements? ☐ YES ☐ NO

Prepared by: \_\_\_\_\_ Date: \_\_\_\_\_

# Planning Rationale/Justification Report Agricultural Assessment Report



Date: **January 10, 2020**

Prepared for: Darmar Farms Inc.  
Subject Land: 396 Cameron Street, Cannington  
Prepared by: Clark Consulting Services  
CCS Project: No. 4242

Oak Ridges Moraine Conservation Plan: **No**  
Greenbelt Conservation Plan: **Protected Countryside Areas**  
Durham Reg. Official Plan Designation: **Prime Agricultural, Major Open Space**  
Township of Brock Zoning By-law: **Rural (RU)**  
Legal: **Part of Lot 23 Concession 12 Brock, Pt 2, 40R-13288, Township of Brock.**  
Roll: **1839 030 003 20800 & 1839 030 009 13600**



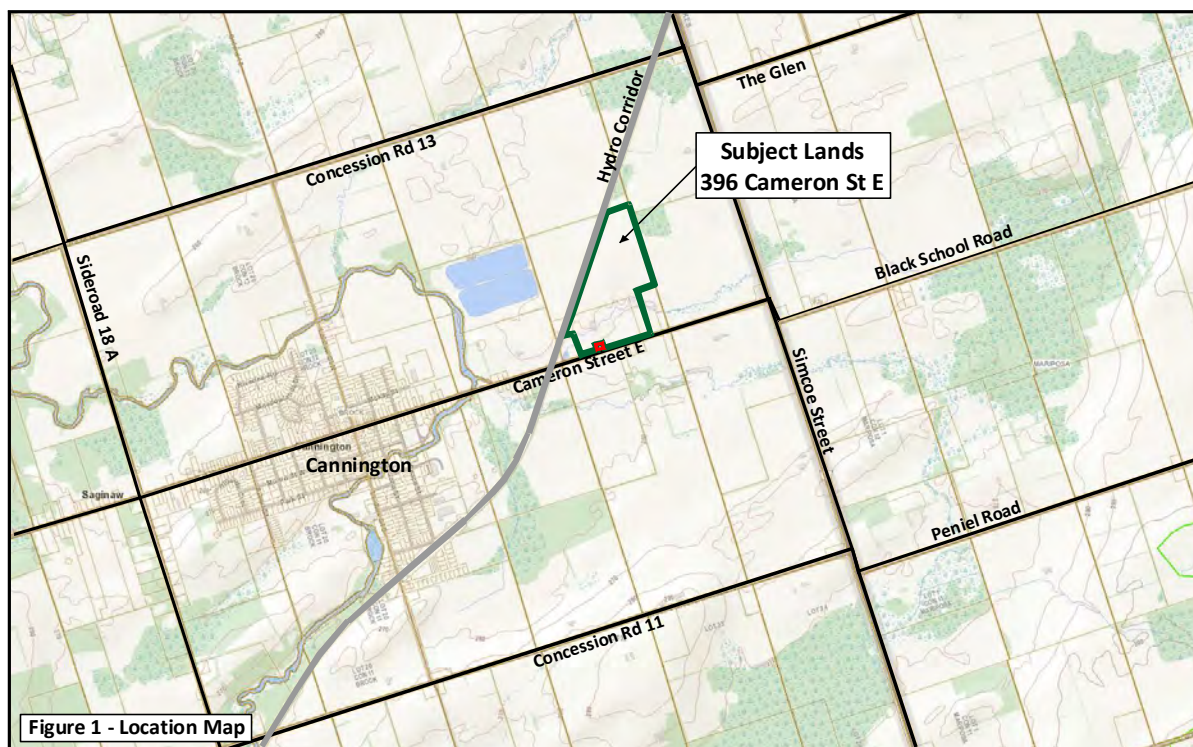
## 1. INTRODUCTION

Clark Consulting Services (CCS) has been retained to prepare the applications and planning justification in support of a consent application for a surplus farmhouse at 396 Cameron St. E, Cannington, in Brock Township. The farm property is approximately 22.63 ha (55.9 acres). The farm is part of a larger grouping of lands owned by Darmar Farms Inc. within Durham Region and City of Kawartha Lakes. The application is for a non-abutting farmhouse severance application.

The proposal is to sever the farmhouse and enough land to support the septic system. The house is served by municipal water. The severance is approx. 0.4 ha with 77 m of frontage on Cameron Street and the retained lands are approx. 22.23 ha with approximately 311 m frontage.

A Pre-Consultation meeting was held in the Township of Brock offices in Cannington on June 24, 2019 to introduce the proposal and receive direction and comments on how to proceed. A copy of the Minutes of Pre-Consultation are provided at the end of this report as '**Attachment A**'.

The location of the farm is shown on *Figure 1 - Location* below.



## 2. DESCRIPTION AND OWNERSHIP OF SUBJECT LANDS

The property subject to the application is located at 396 Cameron St E, east of Cannington. The farmland western boundary is the former railway line which is now owned by Hydro One.





The subject parcel, the boundaries as shown on mapping from OnLand, the Ontario Registry Office Online program, is a parcel of 22.63 ha. The Provincial Agricultural Information Atlas shows the parcel is larger and is comprised of two parts with two assessment numbers. These two parts are approximately 7.5 ha and 15.1 ha. The small portion has the roll number **1839 030 003 20800** and the larger portion has the roll number **1839 030 009 13600**. This is shown on *Figure 2 - Lot Configuration* in Red outline.



Darmar Farms Inc. owns the vacant farmland of 12.3 ha (30.2 ac) on the opposite side of the Hydro One corridor. This farmland, triangularly shaped, may have been part of the subject farmland if it were not bisected by the rail bed. The parcel is shown on *Figure 2* outlined in orange. The orange and brown outlined parcel and the subject parcel are farmed as one parcel and linked by way of an access across the hydro corridor resulting in a farmed area of 34.9 ha (86.4 ac).



The Agricultural Information Atlas provides assessment roll numbers. This shows that the 7.5 ha parcel has the roll number **1839 030 003 20800** and the 15.1 ha parcel has the roll number **1839 030 009 13600**. It also shows that the orange 12.3 ha and red 15.1 ha parcel share the same roll number as shown on Figure 2. The small brown outlined part (PIN 72019-0122(LT)) has the same roll number as the smaller red outlined parcel shown as PIN 72019-0123(LT).

When Darmar Farms Inc. purchased the subject farms the parcel registers show both parcels outlined in red and the lands outlined in orange and brown were purchased at the same time. The two parcel registers prove the ownership of the parcels in the name Darmar Farms Inc., and that both parcels were purchased on the same date, 2009.02.13.

Based on the above it seems reasonable to consider that the farm parcels on both sides of the Hydro One corridor are intended to be farmed together, and that the combined farmland of 34.9 ha constitute a viable farm parcel. These registers are included at the back of this report as "**Attachment B**".

### **3. APPLICANT'S LANDS AND FARMING OPERATION**

Darmar Farms Inc. is a bona fide farming operation that operates farms in The Region of Durham and The City of Kawartha Lakes. The farm at 396 Cameron St. E, Cannington, includes a residence that is not required for a family member or employee of Darmar Farms Inc.

A map and list of farms owned by Darmar Farms Inc. is included as "**Attachment C**" to this report.



#### 4. AGRICULTURAL ASSESSMENT

An Agricultural Assessment is defined in the Growth Plan and Greenbelt Plan as:

"a study that evaluates the potential impacts of non-agricultural development on agricultural operations and the *Agricultural System* and recommends ways to avoid or, if avoidance is not possible, minimize and mitigate adverse impacts."

The proposal is for the severance of an existing house. The house is located on a fully developed lot with mature trees, lawn, septic, driveway, dwelling, and detached garage. Minimum lot size within the Township of Brock Zoning Bylaw for a Residential use in a Rural area severed by way of a surplus farmhouse severance is 4,000 m<sup>2</sup>.

In completing the application the creation of a lot for the surplus house is required. Since the minimum lot size is 4,000 m<sup>2</sup> the lot lines must include cultivated soils. Because of this there will be a loss of approximately 1,000 m<sup>2</sup> of productive lands. This review will focus on how the loss of these lands, and the presence of a severed non-farm dwelling, may impact the farming operation and the local farming community.

##### 4.1. Loss of Product

As shown above the creation of a 4,000 m<sup>2</sup> minimum sized lot requires the removal of approximately 1,000 m<sup>2</sup> of cultivated land from farm production. The following is a review of average land yield for corn within the Region of Durham and amount and value of the possible feed corn after the completion of the applications.

To determine the yield expectancy for soils in Durham Region we have relied upon figures from OMAFRA under "Grain Corn: Area and Production by County, 2011". This shows that the average expected yield is **145.3 bushels per acre** in the Region of Durham.

The highest price **per tonne** for corn from September 2018 to February 2019 is **\$203.94**. There are approximately just under **40 bushels of corn per tonne**.

From the above information we can determine the following:

- 1 acre = 0.405 ha. 1,000 m<sup>2</sup> (0.1 ha) is approximately 1/4 acre.
- 145.3 bushels per acre = 36 bushels per 1/4 acre
- 36 bushels will weigh approximately 0.9 tonne.
- At \$203.94 per tonne, 0.9 tonne is worth **\$183.55**

##### Value of Crop from Entire Farm

We have determined the land area on the subject lands and additional lands across the Hydro lands are approximately 35 ha. Of that the lands available to production are about 90% of the farm (loss of a low lying wet area to the north of the house). Land available to cropping is about



31.5 ha. or 78 acres. If we apply the above valuation figures to the cultivated lands we find the following:

- 78 acres yielding 145.3 bushels per acre will produce 11,333 bushels.
- This calculates to approximately 283 tonnes.
- Value of this will be approximately \$57,783.

We know the figures used are averages and various soils yield various amounts of product. However from the above calculations we can see that the percentage value of lost production is  $\$183.55 / \$57,783 = 0.3\%$ , which is a very small percentage of total product.

Since the expected product loss is so small we do not anticipate a financial impact on the farming operation following the loss of approximately 1,000 m<sup>2</sup> of tillable land.

#### **4.2. Local Farming Community**

Darmar Farms Inc. includes a number of farms within the Region of Durham and the City of Kawartha Lakes. These farms are used in a cash cropping operation. The operation grows common field crops and provides product locally and provincially. The approval of the application represents a loss of a small land area and grain yield grown by Darmar Farms Inc.

Based on this review the loss of productive farmland following the surplus farmhouse represents a very small amount of farm product and does not represent a negative impact on the local farming community.





## 5. PLANNING POLICY REVIEW

### 5.1. PROVINCIAL POLICY STATEMENT (PPS)

The 2014 Provincial Policy Statement was approved and came into effect April 30, 2014. It was issued under Section 3 of the Planning Act to provide policy direction on matters of provincial interest. Section 1.1.4.1.i) states that healthy, integrated and viable rural areas should be supported by providing opportunities for economic activities in prime agricultural designations. The proposed application meets this policy.

Lot creation in prime agricultural areas is discouraged and may only be permitted for specific situations. Section 2.3.4.1(c) states:

*"A residence surplus to a farming operation as a result of farm consolidation, provided that:*

*1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and*

**The lot has been limited to a size to accommodate the existing residence and the existing septic area. Water is supplied by a main public system.**

*2. the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective;*

**A zoning bylaw amendment will be submitted to prohibit any new residential land uses on the retained farm parcel.**

The proposed lot creation does not affect any natural features and areas, in accordance with Section 2.1.1 and 2.1.8.

The proposed consent complies with policy contained in the Provincial Policy Statement.

### 4.2 GROWTH PLAN 2019

The Growth Plan for the Greater Golden Horseshoe was updated on May 2019. The Growth Plan provides that lot creation is to be directed to settlement areas. Development (*Development is defined as "The creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the Planning Act"*) outside of settlement areas is permitted on Rural lands if they are rural land uses that are not appropriate in settlement areas provided they meet the following criteria (Section 2.2.9(3)c):

*i. are compatible with the rural landscape and surrounding local land uses;*

**The house at 396 Cameron Street has existed for approximately 100 years, is well removed from active livestock barns and is compatible with neighbouring land uses.**



ii. will be sustained by rural service levels; and

**The house at 396 Cameron Street is currently serviced by a private septic system and a public water system.**

iii. will not adversely affect the protection of agricultural uses and other resource-based uses such as mineral aggregate operations.

**The house at 396 Cameron Street is existing and does not represent an adverse effect on local land uses.**

#### 4.3 GREENBELT PLAN 2017

The Greenbelt Plan was approved by the Provincial Government in 2017. The Greenbelt is a cornerstone of the Greater Golden Horseshoe Growth Plan. Schedule 1 of the Greenbelt Plan designates the subject lands Protected Countryside (Figure 2 - Greenbelt Plan).

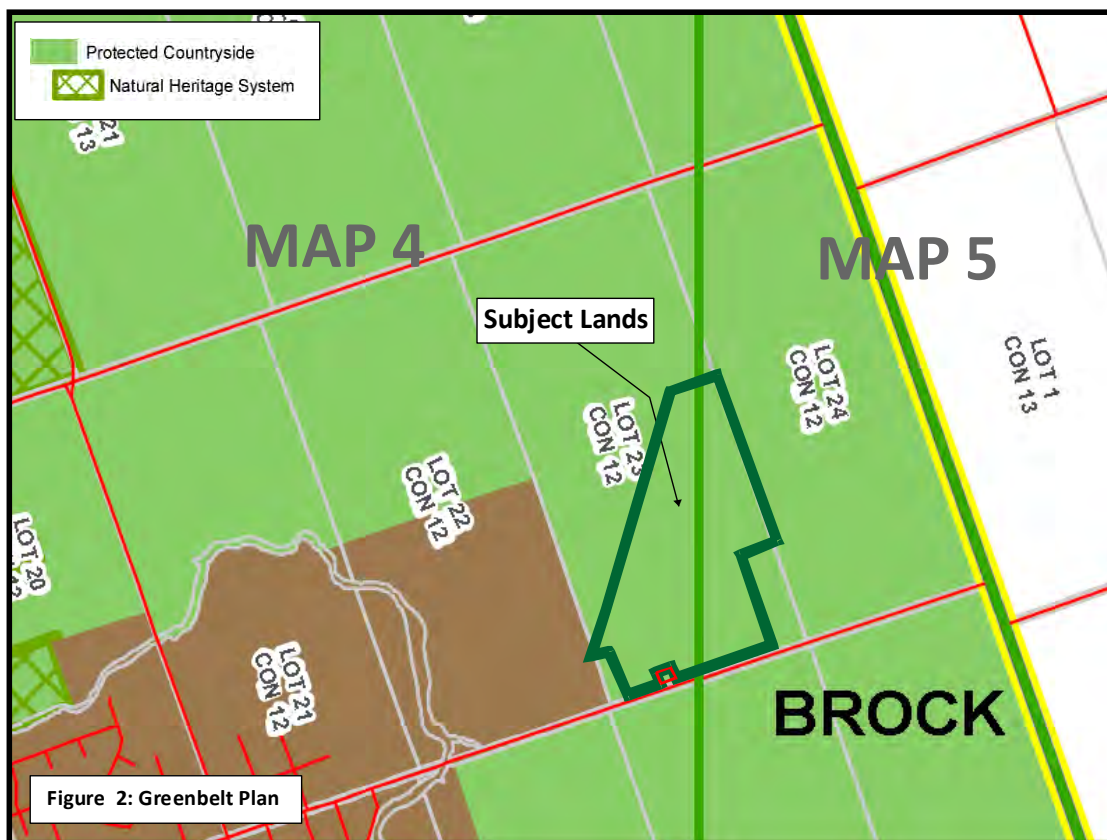


Figure 2 is an excerpt from Schedules 4 and 5 of the Greenbelt Plan.

Section 4.6.1- Lot Creation contains policy for lands designated Protected Countryside.

“f) The severance of a *residence surplus to a farming operation* as a result of a farm consolidation, on which a habitable residence was an *existing use*, provided that:



i. The severance will be limited to the minimum size needed to accommodate the use and appropriate sewage and water services; and  
**The proposed surplus farm dwelling severance lot is the minimum size to service the existing house.**

ii. The planning authority ensures that a residential dwelling is not permitted in perpetuity on the retained lot of farmland created by this severance. Approaches to ensuring no new residential dwellings on the retained lot of farmland may be recommended by the Province, or municipal approaches that achieve the same objective should be considered."

**A zoning bylaw amendment will be submitted to re-zone the retained farm lot to prohibit any future residential development.**

Based upon this review, we conclude that the proposed consent conforms to the Greenbelt Plan.

#### **4.4 OAK RIDGES MORaine CONSERVATION PLAN (2017)**

The subject lands are outside of the Oak Ridges Moraine Conservation Plan areas and so are not subject to specific ORMCA policies.

#### **4.5 DURHAM REGION OFFICIAL PLAN**

The Durham Region Official Plan designates the subject lands as "Prime Agricultural Areas" on Schedule 'A' - Map 'A1' Regional Structure as shown on *Figure 3 - Durham Region Official Plan*.

As the farmland operations to be consolidated are non-abutting Section 9A.2.10 is applicable which states:

*"9A.2.10 Notwithstanding Policy 9A.2.9, the severance of a farm dwelling rendered surplus as a result of a farmer acquiring a non-abutting farm may be allowed, by amendment to this Plan, provided that:*

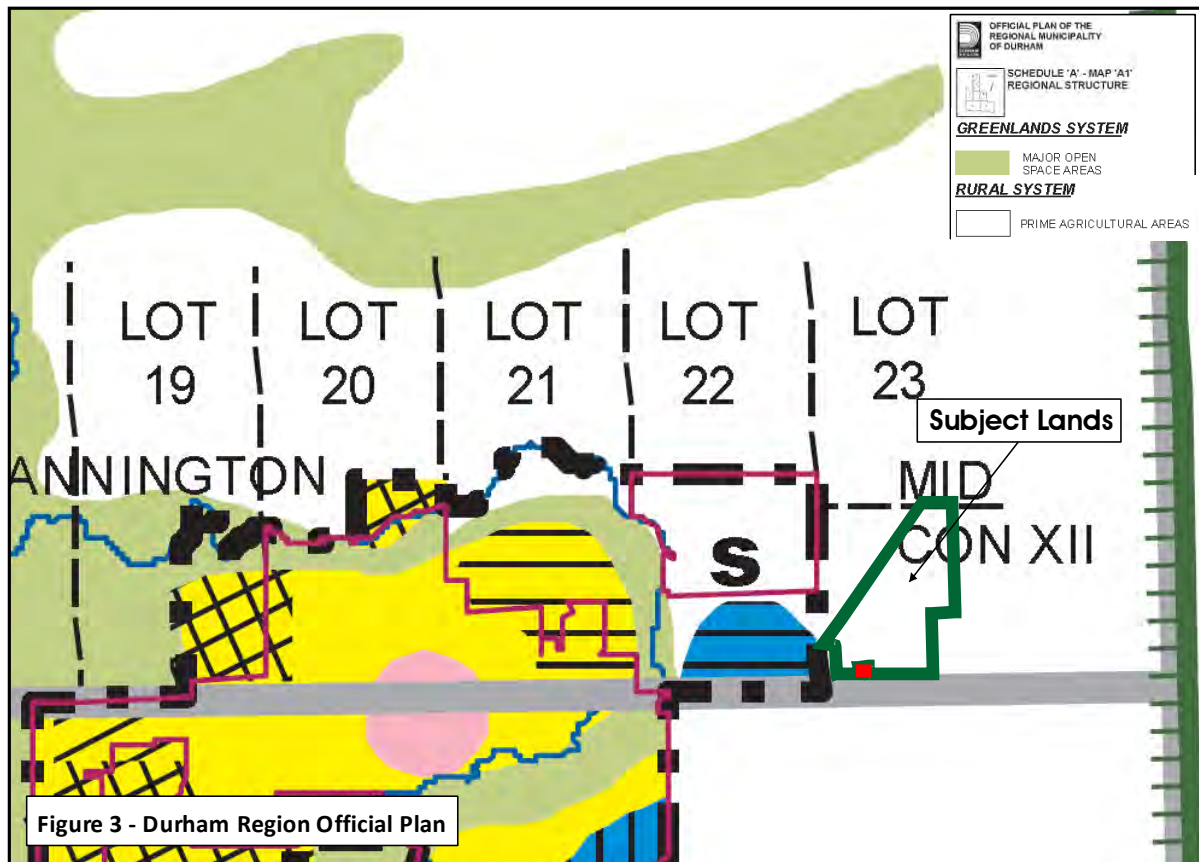
- a) the dwelling is not needed for a farm employee;  
**we confirm the house is neither needed for a family member nor an employee.**
- b) the farm parcel to be acquired is of a size which is viable for farming operations;  
**the retained farm parcel is approx. 22 ha of which almost the entire area is arable. Farm productivity, as shown in Section 4 above, is high, and this farm is a valuable addition to the Darmar farming operation. The lands are owned and worked with the farm lands west of the old rail bed, and is a viable and productive addition to the farming operation.**
- c) within the Protected Countryside of the Greenbelt Plan Area, the dwelling was in existence as of December 16, 2004; and



**the subject lands are within the Protected Countryside of the Greenbelt Plan area and the older dwelling was built prior to December 16, 2004.**

- d) the farm parcel to be acquired is zoned to prohibit any further severances and the establishment of any residential dwelling.

**a Zoning Bylaw Amendment Application will be submitted as a condition of severance.**



On this basis, we conclude that the proposed consent application meets the intent of the Durham Region Official Plan and conforms to the relevant policy contained within.





**4.6 THE TOWNSHIP OF BROCK OFFICIAL PLAN**

The Township of Brock Official Plan was adopted by Council on June 26, 2006, and approved by the Region of Durham on May 9, 2007. The introduction to the plan provides direction for policy and designations:

*The main focus of the Official Plan is to provide policy direction and designations for the settlement areas in Brock Township. Policy directions and designations for the rural area are contained in the Durham Regional Official Plan.*

The subject lands are designated as Prime Agricultural Areas in the Durham Regional Official Plan and therefore follows the policy direction of that document for the rural area. General policies regarding Lot Creation apply to this application. Section 3.2.1.7 states:

*A separate lot may be created by consent where a residence surplus to a farming operation as a result of farm consolidation, which may include farm holdings which are either abutting or non-abutting, provided that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance.*

This proposal is for a residence surplus to a farming operation with retained farmlands to be merged with non-abutting lands. The retained farmlands will be zoned to prohibit further residential development. After reviewing the Township of Brock Official Plan in its entirety, it is our belief this application conforms to the policies and intent of the document.

**4.7 THE TOWNSHIP OF BROCK ZONING BY-LAW**

Land use in the Township of Brock is regulated by Zoning By-law 287-78-PL. The subject lands are shown on Plate A2 - Brock and Plate A4 - Cannington as within the Rural (RU) and Environmental Protection (EP) Zones. An excerpt from this plate is shown as *Figures 4 and 5 - Brock Township Zoning By-law*.

Section 7 outlines policies related to Farm Oriented Residential Development:

**c. FARM ORIENTED RESIDENTIAL DEVELOPMENT**

Notwithstanding the minimum lot area and frontage requirements of this By-law for the Rural (RU) and Rural Buffer (RB) Zones, lots having a minimum area of 0.4 hectare and a minimum frontage of 46 metres are permitted in the Rural (RU) and Rural Buffer (RB) Zones. However, such lots may only be created under the following conditions.

- i. Deleted by By-law Number 2209-2009-PL*
- ii. FARM CONSOLIDATION A bona-fide farmer, who enlarges his farm or specialized farm holding by acquiring an additional farm or specialized farm, may be permitted*



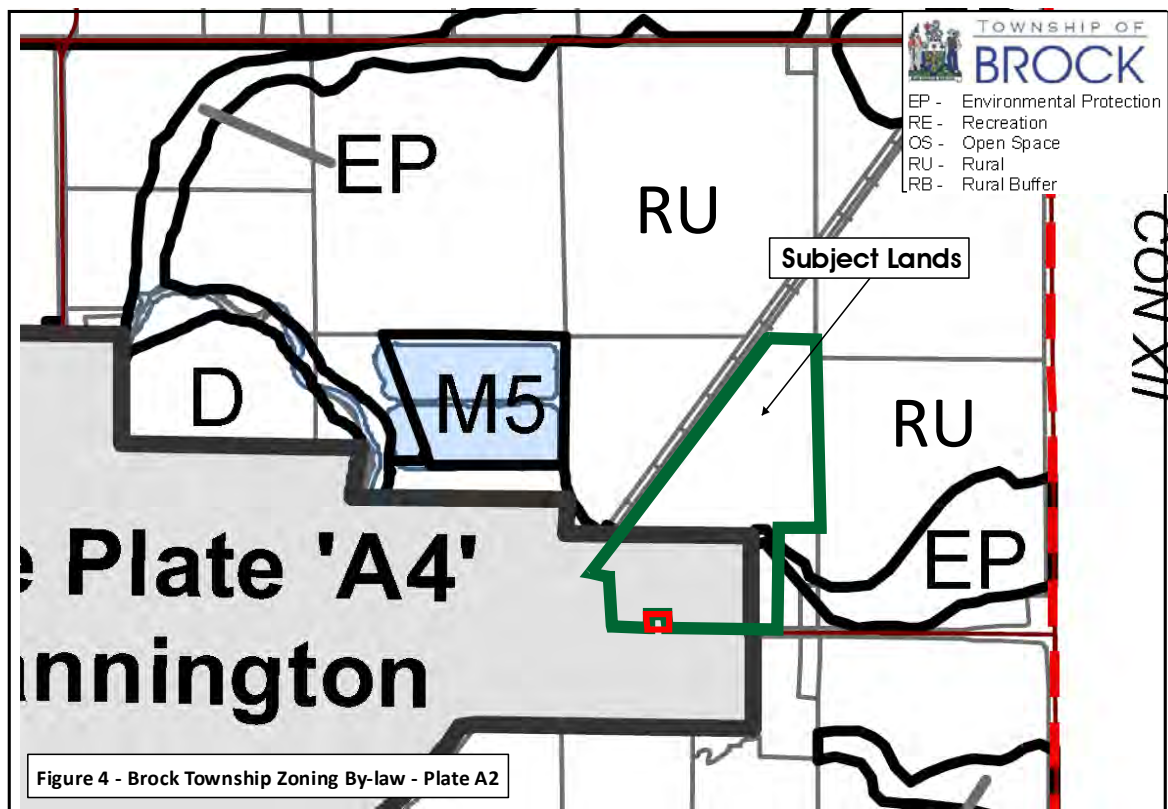
*to sever a parcel of land upon which a surplus farmhouse is in existence on the acquired farm or specialized farm,*

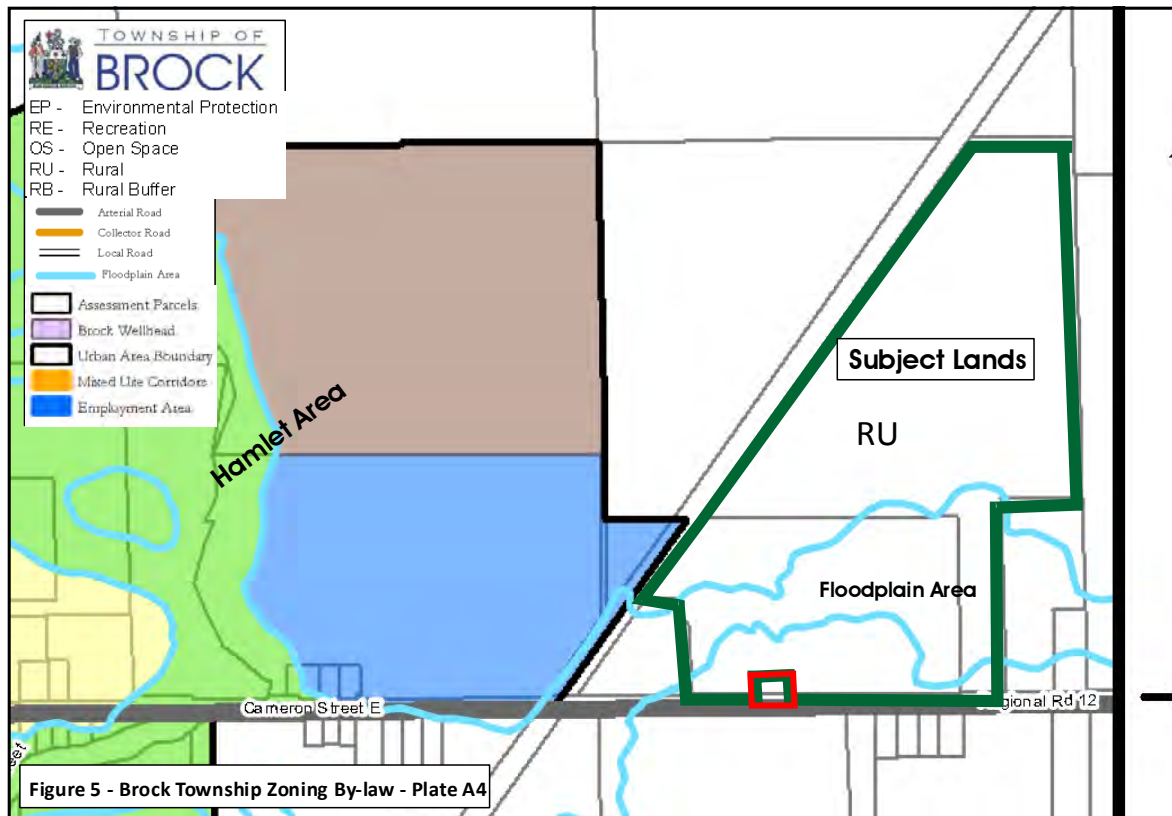
The applicant is a bona-fide farmer who is enlarging their farm holdings by acquiring the subject farm. The farmhouse is not needed for a farm employee and the retained lands will be zoned to prohibit residential development.

A Zoning By-law Amendment is required to ensure there will be no additional future residential uses on the retained lands.

From a review of Map 2A, Plate 4, (Figure 5 - Brock Township Zoning By-law - Map 2A) the southern part of the retained lands are within a 'Floodplain' area. The severed portion is not within the floodplain.

After reviewing the Township of Brock Zoning By-law in its entirety, we believe that subject to the above mentioned application the proposed consent conforms to the policies and intent of the Zoning By-law.





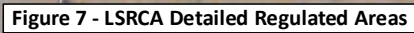
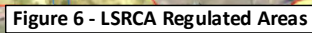
#### 4.8 LAKE SIMCOE REGION CONSERVATION AUTHORITY

The subject lands are within the Lake Simcoe Region Conservation Authority watershed. A review of watershed mapping showing regulated areas shows part of the farm is within the LSRCA regulated area. The entirety of the severed parcel is outside the regulated area as shown on *Figure 6 - LSRCA Regulated Areas*.

Additional LSRCA mapping shows the floodplain and meander belt areas. Neither of these include the severed parcel area. Land uses within the regulated areas are governed by the Conservation Authorities Act 1990. Comments from the LSRCA will be required.









## 6. Minimum Distance Separation (MDS)

Minimum Distance Separation Formulae, OMAFRA Publication 853, must be considered in development applications. In this case since the application is for a Surplus Farmhouse Severance. The application of MDS is directed by Guideline 9.

Guideline 9 specifically deals with the '*severance of a residence surplus to a farming operation*'. The Guideline provide the following:

1. Where the existing dwelling to be severed and the nearby livestock facility or anaerobic digester is located on separate lots prior to the consent, an MDS I setback is not required for the consent application (or associated rezoning) unless otherwise required by a municipal official plan policy. This is because a potential odour conflict may already exist between those surrounding livestock facilities or anaerobic digesters and the existing dwelling.

**The existing dwelling and any nearby livestock facilities are located on separate lots. Municipal Official Plan policy does not require a setback in this case.**

2. An MDS I setback is always required for a proposed lot with an existing dwelling when prior to the consent, that dwelling is located on the same lot as an existing livestock facility or anaerobic digester and after the consent the dwelling would be on a lot separate from that same existing livestock facility or anaerobic digester. This is because such a proposal could create a potential odour conflict as the dwelling and the livestock facility or anaerobic digester will be on separate conveyable lots if the severance is approved. This is the case regardless of how a municipality chooses to treat any existing livestock facilities on lots separate from the dwelling prior to the consent.

**No livestock facility current exists on the farm lot, and so the house is not separated from a livestock facility, therefore MDS is not applied under this section.**

3. Where a new lot is proposed with an existing dwelling AND an existing livestock facility or anaerobic digester on it, an MDS I setback is not required for that livestock facility or anaerobic digester in accordance with Implementation Guideline #14.

**This does not apply in this case.**

The proposal is for a severance in a Rural area and Planning Policy documents require compliance with the Minimum Distance Separation Formulae. Based on the direction provided Guideline 9 shows that the proposal meets each of the three subsections as shown above, and so the proposal complies with the requirements of MDS.



## 7. Site Screening Questionnaire

The applications require a Site Screening Questionnaire to comment on site conditions of the severed parcel. This Questionnaire has been completed by GHD who has prepared a report titled "Site Screening Questionnaire - Surplus Farmhouse Severance", dated December 16, 2019. This report concludes on Page 3 Section 6, *"Based on our observations, the information collected, and the present land use, it is our professional opinion that the Property identified at 396 Cameron Street East in Cannington, Ontario has a low level of concern from an environmental assessment perspective and is suitable for the proposed severance. **No further environmental assessment is recommended at this time.**"*

## 8. Planning Applications

The planning applications required to complete this non-abutting surplus farmhouse severance include a Regional Official Plan Amendment (ROPA), a Consent Application to the Region of Durham, Land Division Committee, and a Zoning By-law Amendment application to the Township of Brock.

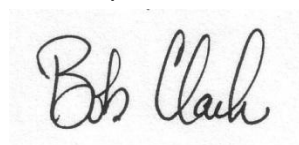
## 9. Planning Opinion/Conclusions

Based on the above assessment, it is our conclusion that the proposed application to sever a surplus farm dwelling is supportable as it is consistent with planning policy outlined in the PPS, and conforms to policy outlined in the Greenbelt Plan, Durham Regional Official Plan (following an amendment to Section 9A.2.10) and Township of Brock Official Plan.

Following the approval of a Regional Official Plan Amendment, as required, It is the opinion of Clark Consulting Services that the proposed consent is consistent with the PPS and conforms to all other provincial, regional and municipal policy and represents sound planning practice.

If you require any further information, please don't hesitate to contact our office.

Sincerely,



Bob Clark, P.Eng., P.Ag., MCIP, RPP, OLE  
Principal Planner

## ATTACHMENTS

Attachment A:	Record of Pre-Consultation Comments, July 2, 2019
Attachment B:	Parcel Registers for Subject Lands
Attachment C:	Inventory of Farms and Properties



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**ATTACHMENT A**

**Record of Pre-Consultation, July 2, 2019**



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**ATTACHMENT B**

**Parcel Registers for Subject Lands**





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## **ATTACHMENT C**

### **Inventory of Farms and Properties**





The Corporation of the Township of Brock  
1 Cameron Street E., P.O. Box 10 Cannington, ON L0E 1E0 (705) 432-2355

## NOTICE OF APPLICATION AND PUBLIC MEETING

**Project Number:** 03-2020-PL      **File Number:** 03-2020-RA

### **WHY YOU ARE RECEIVING THIS NOTICE**

This notice is being sent to all residents within 200m of the subject property. This is an application to approve a surplus farm dwelling severance. If you have questions or concerns regarding the required rezoning of these lands to accommodate the severance of a surplus farm dwelling, you are invited to attend the statutory public meeting.

### **NOTICE OF PUBLIC MEETING**

The Council of the Corporation of the Township of Brock will hold a public meeting on the **13th day of July, 2020 at 6:30 p.m.**, via a Microsoft Teams meeting format (please see details below), to consider a proposed amendment to Zoning By-law No. 287-78-PL, the comprehensive Zoning By-law, in accordance with Section 34 of the *Planning Act*, R.S.O. 1990, as amended.

The application has been submitted by Bob Clark, Clark Consulting Services, on behalf of Edward Arthur Holder (File No. 03-2020-RA).

### **PARTICIPATION DETAILS**

**Location:** Online with Microsoft Teams. Please go to [https://teams.microsoft.com/join/19%3ameeting\\_OTc4OThmMmltZjZlZC00ZTg3LTg2MDMtMTBjYmNjYWM4YTVi%40threa.d.v2/0?context=%7b%22Tid%22%3a%2216baf992-3e40-4846-8575-f62d5d1b98da%22%2c%22Oid%22%3a%22461346b6-4a8f-49bb-9778-54a9aa9e861a%22%7d](https://teams.microsoft.com/join/19%3ameeting_OTc4OThmMmltZjZlZC00ZTg3LTg2MDMtMTBjYmNjYWM4YTVi%40threa.d.v2/0?context=%7b%22Tid%22%3a%2216baf992-3e40-4846-8575-f62d5d1b98da%22%2c%22Oid%22%3a%22461346b6-4a8f-49bb-9778-54a9aa9e861a%22%7d) and click the "Join Teams" meeting link.

**Telephone Participation:** For telephone participation, please call the following teleconference number between 6:15 pm and 6:30 pm on Monday, July 13, 2020: 647-749-9362 and enter Conference ID: 237 619 729# .

**Watch Live:** Should you wish to just observe the meeting without the option of speaking to the application, please enter the following link into your web browser to view the live-streaming of the meeting: <https://www.townshipofbrock.ca/en/municipal-office/meeting-live-stream.aspx>

**Provide Written Comments:** Please submit written comments (with reference to the Project and File Number of the application) to [planning@townshipofbrock.ca](mailto:planning@townshipofbrock.ca) on or before noon on Monday, July 13, 2020. Comments may also be mailed or dropped off at the Township Office at 1 Cameron Street East, Cannington, ON L0E 1E0. Your comments shall be available to any interested person for inspection (*Statutory Powers Procedure Act*).

Please be advised that if you join the meeting after 6:30 pm this application may have already been heard. If you have accessibility needs and require alternate formats of this documents or other accommodations, please contact the Clerks Department at 705-432-2355.

### **LOCATION OF SUBJECT LAND**

The subject land, consisting of approximately 109.5 acres, is located at C1565 Thorah Concession 1, Cannington. The property is within Lot 9, Concession 1. The location is shown on the Key Map on the reverse side.

### **PURPOSE OF AMENDMENT**

The amendment, upon approval, serves to rezone the subject land from Rural (RU) and Environmental Protection (EP) zone categories to Rural Exception (RU-X) and Environmental Protection (EP) zone categories. This will allow for the severance of a Surplus Farm Dwelling and to prohibit future residential use on the retained agricultural lands.

**REPRESENTATION AND ADDITIONAL INFORMATION**

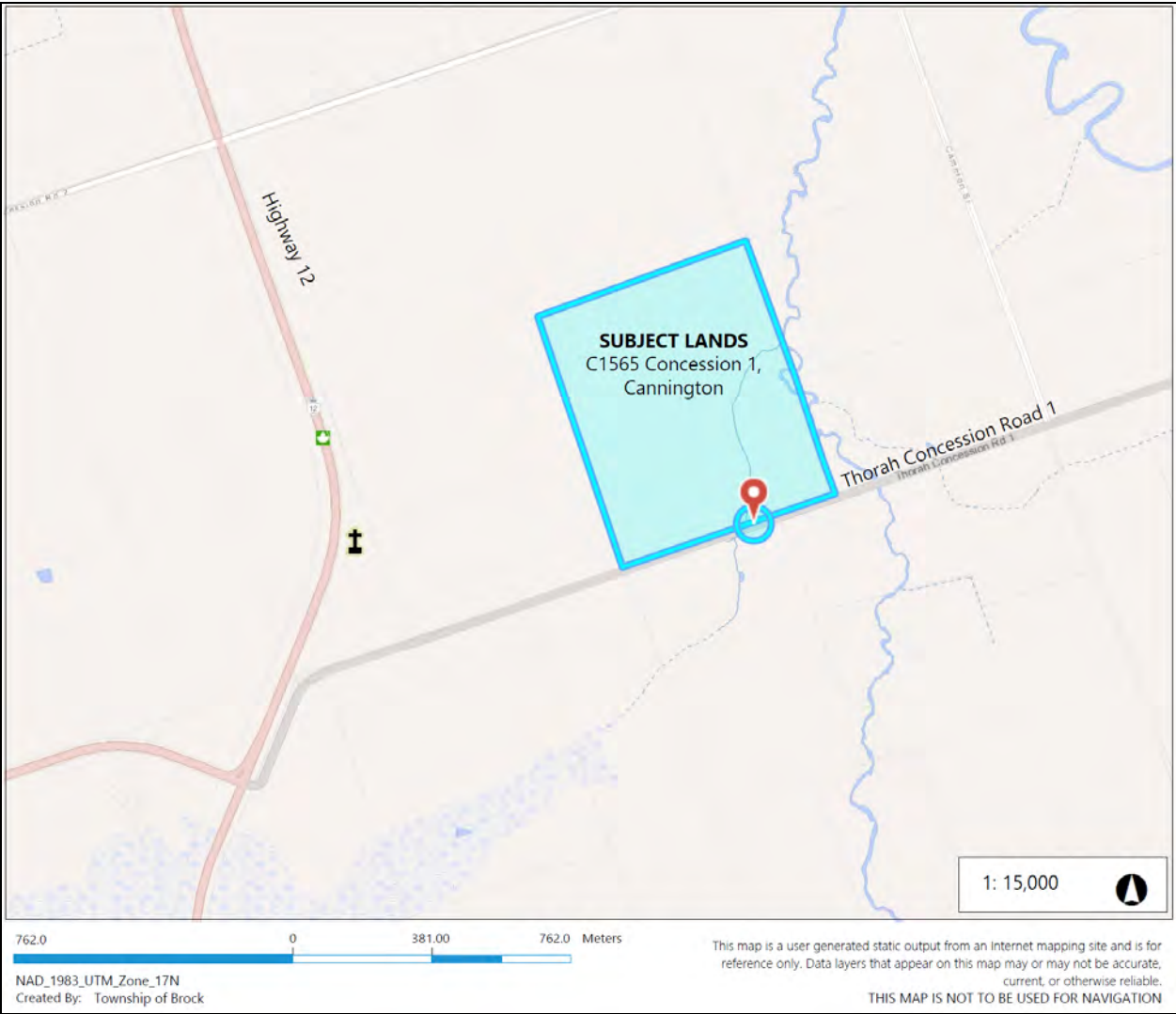
If a person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Brock before the by-law is enacted (if approved), the person or public body is NOT entitled to appeal the decision of the Council of the Township of Brock to the Local Planning Appeal Tribunal. Further, the person or public body may NOT be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

Additional information relating to the draft By-law Amendment is available for inspection during regular office hours at the Municipal Administration Building. For additional information about the application, or if you wish to request further notifications regarding this application (this will entitle you to be advised of a possible Local Planning Appeal Tribunal hearing), please contact Debbie Vandenakker at [dvandenakker@townshipofbrock.ca](mailto:dvandenakker@townshipofbrock.ca) or by phone at 705-432-2355 ext. 235 and reference the above-noted Project and File number.

Dated at the Corporation of the Township of Brock this 23<sup>rd</sup> day of June, 2020.

Becky Jamieson  
Municipal Clerk  
Corporation of the Township of Brock  
1 Cameron Street East, Box 10  
Cannington, Ontario, L0E 1E0  
705-432-2355  
[bjamieson@townshipofbrock.ca](mailto:bjamieson@townshipofbrock.ca)

**Subject Land Key Map**



**Zoning By-law Amendment Application  
(To be Submitted in Duplicate)**

Date Received: JANUARY 30, 2020

Zoning By-law File No.: 3-2020-PL

Regional Official Plan     x     Yes      No File:     

Township Official Plan      Yes      No File:     

Site Plan Application      YES      No File:     

I/We enclose herewith the non-refundable fee in accordance with Planning Fees By-law No. 1290-94-PL and **agree to pay any further costs which may be determined by the Council of the Township of Brock (i.e., legal, planning, engineering, etc.).** In addition, depending on the nature of the application, you may be required to enter into a Financial Agreement with the municipality, pursuant to Planning Fees By-law No. 1290-94-PL, as amended, to cover the cost of consulting services rendered to the Township in conjunction with the processing of this application. I/We also agree to reimburse the Township of Brock for any costs which may be incurred before the Ontario Municipal Board and awarded by that Board arising as a result of this application. Further, **additional fees** for agency review (Durham Region Planning/Durham Region Health (private services only)/Conservation Authority) are payable at the time of application to the Township of Brock. Please contact the Clerk's Department for current agency review fees that apply to your application.

1. a) **Applicant:** DS&B Farms Inc

**Address:** C1510 Thorah Concession Rd 1, Beaverton, Township of Brock  
ON L0K 1A0

**Phone:** 705.328.8123 **Fax:** \_\_\_\_\_ **Email:** ds&b farmsinc@gmail.com

b) **Authorized Agent:** Clark Consulting Services

**Address:** 52 John Street, Port Hope  
ON L1A 2Z2

**Phone:** 905.885.8023 **Fax:** \_\_\_\_\_ **Email:** bob@clarkcs.com



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- c) **Registered Owner:** Edward Arthur Holder
- Address: C1565 Thorah Concession Road 1, Beaverton
- ON LOK 1A0
- Phone: 705.426.9893 Fax: \_\_\_\_\_ Email: \_\_\_\_\_
- d) **Date of Acquisition of Subject Land:** Pending applications approval
- e) **Applicant's Interest in Land (Must be Owner or Prospective Buyer, If Latter, Verified Copy of Offer to Purchase Must be Submitted together with Acknowledgement of Owner)**
- Purchase agree to purchase farmlands, attached to application
- f) **Matters Related to this Application Should be Addressed To:**
- Applicant \_\_\_\_\_ Or Agent X Or Owner \_\_\_\_\_

## 2. **Property Description:**

Township Lot Lot 9 Concession 1

Registered Plan No. \_\_\_\_\_ Lot \_\_\_\_\_

Municipal Address C1656 Thorah Concession 1

Former Municipality Thorah

Dimensions of Entire Property (Metric):

Area: 44.3 ha Frontage 614.95 m

Depth 108.83 m

Dimensions of the Land Subject of Application:

Area: 0.97 ha Frontage 151.51 m

Depth 108.83 m

## 3. **Existing Land Use Designation**

Durham Regional Official Plan: Prime Agricultural Areas

Brock Township Official Plan: Prime Agricultural Areas

4. **Zoning By-law Category:**
- Current: Rural (RU) Environmental Protection (EP) Severed: Rural Residential (RR)
- Proposed: Environmental Protection (EP) Retained: Rural (RU)

5. Has An Application Been Submitted For:

	Yes	No	File/Status
Regional Official Plan	X		Submitted
Township Official Plan		X	
Consent (Severance)		X	To be submitted after ROPA
Subdivision		X	
Condominium		X	
Site plan		X	

6. Has the Subject Land Been the Subject of a Previous Application for Rezoning:

\_\_\_\_\_ Yes                          X     No                      \_\_\_\_\_ Unknown

If yes, indicate application file number and decision made on the application.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

7. Reasons for Requesting Zoning By-law Change:

An application for a Surplus Farm Severance has been submitted to the Region of Durham.  
A Zoning By-law Amendment is required to rezone the severed parcel to the Rural  
Residential (RR) Zone and to prohibit further residential development on the retained land.

\_\_\_\_\_

\_\_\_\_\_

8. Land Use:

- a) Present Use of Property: Residential and Agricultural
- b) Length of Time Existing Uses of Subject Land Have Continued: Greater than 50 years
- c) Proposed Use of Property: Residential (severed) and Agricultural (retained)

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d) Buildings:

Building & Type	Setback from Lot Line (Metres)				Height of Building	Dimensions
	Front	Rear	Sides			
Existing Bldg. #1 Dwelling	18.7m	18.0m	15.4m	>100m	1.5 storey	8m x 18m 140 m2
Existing Bldg. #2 Steel Shed	71.67m	12.5m	1.3m	25.6m	1 Storey	10 m x 24 m 242 m2
Existing Bldg. #3 Frame Shed	95.3m	1.5 m	23.8m	5.6m	1 storey	7.6 m x 12 m 91 m2
Proposed Bldg. #1						
Proposed Bldg. #2						
Proposed Bldg. #3						

e) Adjacent Land Use: North Agricultural  
 South Agricultural  
 East Agricultural  
 West Agricultural

9. Is the proposed application located within 500 metres of an existing livestock facility? \_\_\_\_\_ Yes X No

If yes, please complete the attached form entitled data sheet MDS.

10. Services:

Water Supply: Municipal Water \_\_\_\_\_ Yes X No  
 Private Well X Yes \_\_\_\_\_ No  
 Other (Specify) \_\_\_\_\_

Sewage Disposal: Municipal \_\_\_\_\_ Yes X No  
 Private X Yes \_\_\_\_\_ No  
 Other (Specify) \_\_\_\_\_

Road Access: Municipal X Regional \_\_\_\_\_  
 Provincial \_\_\_\_\_

11. Environmental Site Screening Questionnaire Please see SSQ April 18, 2019, GHD

a) What is the current use of the property? Check the appropriate use (see O.Reg. 153/04):

\_\_\_ Industrial  
 \_\_\_ Commercial  
 \_\_\_ Community Use  
 \_\_\_ Residential  
 \_\_\_ Institutional  
X Parkland or Agricultural

Note: daycare uses are defined as institutional. See Ontario Regulation 153/04, as amended, for definitions.

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- b) Does this application involve a change to a more sensitive land use i.e.: change from industrial, commercial or community use to residential, institutional, parkland or agricultural use? Refer to sections 11, 12, 13, 14, and 15 of O. Reg. 153/04, as amended.
- Yes \_\_\_\_\_ No \_\_\_\_\_
- c) Is the application on land or adjacent to lands that were previously used for the following:
- i) Industrial Uses: Yes \_\_\_\_\_ No \_\_\_\_\_
- If yes, please describe the approximate dates and type of industry.
- \_\_\_\_\_
- \_\_\_\_\_
- ii) Commercial uses where there is a potential for site contamination, e.g., automotive repair garage, a bulk liquid dispensing facility including a gasoline outlet, chemical warehousing or for the operation of dry-cleaning equipment? Yes \_\_\_\_\_ No \_\_\_\_\_
- If yes, please describe the approximate dates and type of commercial activities.
- \_\_\_\_\_
- \_\_\_\_\_
- iii) Has the grading of the subject land been changed by adding earth or materials and/or filling occurred on the subject lands?  
Lands where filling has occurred? Yes \_\_\_\_\_ No \_\_\_\_\_
- iv) Have the subject lands ever been subjected to chemical spills or hazardous chemical uses i.e. an orchard where cyanide products may have been used as pesticides? Yes \_\_\_\_\_ No \_\_\_\_\_
- v) Have the subject lands or adjacent lands ever been used as an agricultural operation where herbicides or sewage sludge have been applied to the property? Yes \_\_\_\_\_ No \_\_\_\_\_
- vi) Have the subject lands or adjacent lands ever been used as a weapons firing range? Yes \_\_\_\_\_ No \_\_\_\_\_
- vii) Is the nearest boundary of the application within 250 metres of the fill area of an operating or former landfill or dump, or a waste transfer station or PCB storage site? Yes \_\_\_\_\_ No \_\_\_\_\_
- viii) If there are existing or previously existing buildings, are there any building materials remaining on the site which are potentially hazardous to human health (e.g., asbestos, PCB's, etc.)? Yes \_\_\_\_\_ No \_\_\_\_\_
- ix) Has there been a heating fuel oil spill on the property? Yes \_\_\_\_\_ No \_\_\_\_\_
- x) Are there or have there ever been above ground or underground storage tanks on the property? Yes \_\_\_\_\_ No \_\_\_\_\_



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- xi) Has waste (garbage, solid wastes, liquid wastes) ever been placed on this property? Yes\_\_\_\_\_ No\_\_\_\_\_

Provide a description of waste materials:

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- xii) Have hazardous materials ever been stored or generated on the property (e.g. Has Hazardous Waste Information Network (HWIN) registration or other permits been required? Yes\_\_\_\_\_ No\_\_\_\_\_

Please summarize:

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- xiii) Does the property support or has it ever supported one or more of the potentially contaminating activities set out in Table 2 of Schedule D of Ontario Regulation 153/04, as amended (see attachment)? Yes\_\_\_\_\_ No\_\_\_\_\_

If yes, provide details:

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- xiv) Is there any other reason to believe that the subject property may be potentially contaminated based on historical use of this or an abutting property? Yes\_\_\_\_\_ No\_\_\_\_\_

If yes, provide details:

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**If the answer to any of the questions above was YES, a Phase 1 and/or Phase 2 Environmental Site Assessment (ESA), which satisfies the requirements of O.Reg. 153/04, as amended, is required. Please submit two copies with your application.**

- d) Has an Environmental Site Assessment been prepared for this site within the last 5 years, or is an Environmental Site Assessment currently being prepared for this site? Yes\_\_\_\_\_ No\_\_\_\_\_

**If YES, please submit two copies of the Phase 1 Assessment with the application.**

- e) Has a Risk Assessment been accepted by the Ministry of Environment (MOE) or a Certificate of Property Use been issued by the MOE for this site? Yes\_\_\_\_\_ No\_\_\_\_\_

**If YES, please submit two copies of the Risk Assessment and the Certificate of Property Use with the application.**

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**Declaration:** This form must be completed and signed by the Property Owner. If the answer to Question 11(f) was "Yes", this form must also be signed by a Qualified Person, as defined in O. Reg. 153/04. The signature of a Qualified Person may also be required if the answer to any of Questions 11 (a) through (d) was "Yes".

**To the best of my knowledge, the information provided in this questionnaire is true, and I do not have any reason to believe the subject site contains contaminants at a level that would interfere with the proposed property use.**

**12. Conformity with Provincial Plans:**

a) Is this application consistent with the Provincial Policy Statement? Yes\_\_\_\_\_ No\_\_\_\_\_

b) Is the subject land within the Greenbelt Area? Yes\_\_\_\_\_ No \_\_\_\_\_  
If yes, please specify whether the application conforms to or does not conflict with the Greenbelt Plan:

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c) Please specify whether the application conforms to or does not conflict with the Growth Plan for the Greater Golden Horseshoe:

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**13. Supplementary and Supporting Material:**

Survey or Sketch (2 Copies) Showing Thereon:

- a) Applicants/Owners Total Holdings
- b) Land which is the subject of the amendment clearly marked thereon.
- c)
  - i) The boundaries and dimensions of the subject land.
  - ii) The location, size and type of all existing and proposed buildings and structures on the subject land, indicating the distance of the building or structures from the front yard lot line, rear lot line and side yard lot lines.
  - iii) The approximate location of all natural and artificial features on the subject land and on land that is adjacent to the subject land that, in the opinion of the applicant, may affect the application. Examples of features include buildings, railways, roads, watercourses, drainage ditches, river or stream banks, wetlands, wooded areas, wells and septic tanks.
  - iv) The current uses on land that is adjacent to the subject land.
  - v) The location, width and name of any roads within or abutting the subject land, indicating whether it is an unopened road allowance, a public travelled road, a private road or a right-of-way.
  - vi) If access to the subject land is by water only, the location of the parking and docking facilities to be used.
  - vii) The location and nature of any easement affecting the subject land.

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**14. Certificate-** (To be signed by Owner, If agent has been appointed)

As of the date of this application I am the registered Owner of the lands described in this application. I have examined the contents of this application, certified as to the correctness of the information submitted with the application insofar as I have knowledge of these facts, and concur with the submission of this application to the Corporation of the Township of Brock by:

Clark Consulting ServicesOF Port Hope

Who I have appointed as my Agent

\_\_\_\_\_  
Signature of Property Owner\_\_\_\_\_  
Date**15. Affidavit**

I/We \_\_\_\_\_ of the \_\_\_\_\_  
of \_\_\_\_\_ in the Region/County of \_\_\_\_\_  
do solemnly declare that:

All above statements and the statements contained in all of the exhibits transmitted herewith, are true, and I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath and by virtue of "The Canada Evidence Act."

**DECLARED before me at** \_\_\_\_\_ )  
 )  
of \_\_\_\_\_ in the Region/County of \_\_\_\_\_ )  
 )  
\_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ )  
 )  
\_\_\_\_\_, 2\_\_\_\_\_ A.D. \_\_\_\_\_ )  
 )

\_\_\_\_\_  
Applicant's Signature\_\_\_\_\_  
A Commissioner, etc.**16. Affidavit of Professional Engineer** (If required as per question 11)

I/We \_\_\_\_\_ of the \_\_\_\_\_  
of \_\_\_\_\_ in the Region/County of \_\_\_\_\_  
do solemnly declare that:

All of the above statements contained herein are true, and I make this solemn declaration conscientiously believing it to be true and knowing that it is the same force and effect as if made under oath and by virtue of "The Canada Evidence Act."

**DECLARED before me at the** \_\_\_\_\_ )  
 )  
of \_\_\_\_\_ in the Region/County of \_\_\_\_\_ )  
 )  
\_\_\_\_\_ this \_\_\_\_\_ day of \_\_\_\_\_ )  
 )  
\_\_\_\_\_, 2\_\_\_\_\_ A.D. \_\_\_\_\_ )  
 )

\_\_\_\_\_  
Professional Engineer's  
Signature & Seal\_\_\_\_\_  
A Commissioner, etc.

**Data Sheet - MDS**

**Part I - To Be Completed By Applicant    Please see Planning Report, CCS, November 12, 2019**

This is to be completed and attached to the application when applying for a new non-farm use within 500 metres (1,640 feet) of an existing livestock facility. Complete one sheet for each different set of buildings used for housing livestock.

Owner of Livestock Facility: \_\_\_\_\_

Telephone: \_\_\_\_\_                      Twp.: \_\_\_\_\_

Lot: \_\_\_\_\_                      Concession: \_\_\_\_\_

Closest distance from livestock facility to the property boundary of the new lot(s) or the change in land use (metres) \_\_\_\_\_

Closest distance from the manure storage to the property boundary of the new lot(s) or the change in land use (metres) \_\_\_\_\_

Tillable hectares where livestock facility located \_\_\_\_\_

Type of Livestock	Existing Housing Capacity #	Manure System (Check One Box)			
		Covered Tank	Open Solid Storage	Open Liquid Tank	Earthen Manure Storage
DAIRY <input type="checkbox"/> Milking Cows <input type="checkbox"/> Heifers					
BEEF <input type="checkbox"/> Cows (Barn Confinement) <input type="checkbox"/> Cows (Barn with yard) <input type="checkbox"/> Feeders (Barn confinement) <input type="checkbox"/> Feeders (Barn with yard)					
SWINE <input type="checkbox"/> Sows <input type="checkbox"/> Weaners <input type="checkbox"/> Feeder Hogs					
POULTRY <input type="checkbox"/> Chicken Broiler/Roasters <input type="checkbox"/> Caged Layers <input type="checkbox"/> Chicken Breeder Layers <input type="checkbox"/> Pullets <input type="checkbox"/> Meat Turkeys ( >10kg) <input type="checkbox"/> Meat Turkeys (5-10kg) <input type="checkbox"/> Meat Turkeys (<5kg) <input type="checkbox"/> Turkeys Breeder Layers					
HORSES					
SHEEP <input type="checkbox"/> Adult Sheep <input type="checkbox"/> Feeder Lambs					
MINK - Adults					
WHITE VEAL CALVES					
GOATS <input type="checkbox"/> Adult Goats <input type="checkbox"/> Feeder Goats					
OTHER					



The above information was supplied by:

Name: \_\_\_\_\_ Signature: \_\_\_\_\_  
(Please Print)

Firm (If Applicable): \_\_\_\_\_  
(Please Print)

**Part II - To Be Completed By The Township**

File/Application No.: _____	
Minimum Separation Distance: _____	
Does the Application Comply With the MDS Requirements?	<input type="checkbox"/> YES <input type="checkbox"/> NO
Prepared by: _____	Date: _____

Planning Justification and  
Agricultural Assessment  
Surplus Farmhouse, non-abutting  
DS&B Farms, Beaverton  
Brock Township, Region of Durham



Date:	<b>November 12, 2019</b>
Prepared for:	<b>DS &amp; B Farms Inc</b>
Subject Land:	<b>C1565 Concession Road 1 Thorah</b>
Prepared by:	Clark Consulting Services
CCS Project:	No. 4267
Durham Region Official Plan Designation:	<b>Prime Agricultural Areas</b>
Township of Brock Zoning By-law:	<b>Rural (RU) and Environmental Protection (EP)</b>
Greater Golden Horseshoe Growth Plan:	<b>Greenbelt Area</b>
Greenbelt:	<b>Protected Countryside, Natural Heritage System</b>
Oak Ridges Moraine:	<b>No</b>
Niagara Escarpment Plan:	<b>No</b>



## 1. INTRODUCTION

Clark Consulting Services (CCS) has been retained by DS&B Farms Inc. to prepare the required applications for a surplus farm house severance at C1565 Concession Road 1, Beaverton. The subject farm is owned by the Holder family and the farm land is rented to DS&B Farms. DS&B wish to purchase the farm lands (Retained Parcel) with ownership of the farmhouse (Severed Parcel) remaining with the Holders.

The subject farm is in the Township of Brock, Region of Durham. A pre-consultation meeting was held in the offices of the Township of Brock on December 6, 2018. This report will constitute the Planning Justification and Agricultural Assessment in support of the proposal.

## 2. Proposal

DS&B Farms Inc. is proposing to purchase farm land at C1565 Concession Road 1 Thorah, Township of Brock. The farm has a residence which DS&B do not need as part of their farming operation. As such they wish to submit the applications required for a Surplus Farmhouse Severance. The sale of the property will depend on the successful completion of the applications.

DS&B rents abutting farmlands but does not own an abutting farm, and so this will be a non-abutting farmhouse severance.

The subject farm is 44.33 ha. There is about 30 ha of cultivated land, or 70% of the farmland, with the remainder used as woodland and low wet areas. The proposed severed land includes the house and the non-agricultural associated sheds, two operating wells and a septic system totaling approximately 0.93 ha. These lands are the basis of the Surplus Farmhouse Severance.

## 3. Location

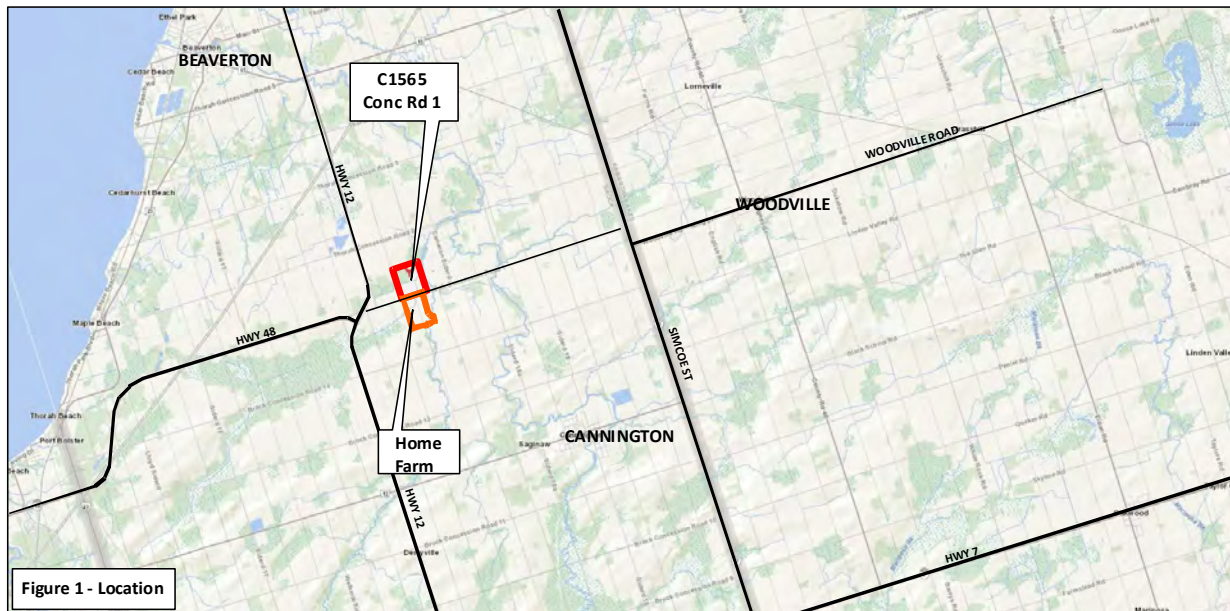


Figure 1 - Location



The subject farm is located at C1565 Concession Road 1 Thorah. The farm is 44.3 ha in size and is generally level with some sloping areas. The north west portion of the farm is treed. A watercourse passes through the farm. This watercourse divides the farmed land and no crossing currently exists. Two entrances are currently provided from Thorah Concession Road 1 for agricultural equipment to access the cultivated lands. The field entrance west of the dwelling is accessed across a proposed Right-of-Way over the severed land in favour of the retained parcel. This prevents creating a new access from Concession Road 1 for agricultural equipment.

Bell Canada has an easement crossing the property east of the dwelling.

The severed land is shaped in such a way as to capture the septic system to the southeast of the dwelling. None of the severed lands are cultivated or used as part of the farming operation. The retained lands include all of the cultivated lands, treed lands and some lands in proximity to the house not used as part of the DS&B farming operation.

The retained lands are 43.33 ha and the severed lands are 0.97 ha. The severance is configured to meet all the requirements of the Township of Brock Zoning By-law.

#### **4. Severance Concept**

The severance sketch has been prepared by Coe Fisher Cameron. The sketch shows three structures as a 2 storey frame house, a metal clad building and a frame shed, and their sizes are 140 m<sup>2</sup>, 242 m<sup>2</sup> and 91 m<sup>2</sup> respectively. The severance sketch is included as Attachment "A" to this report.





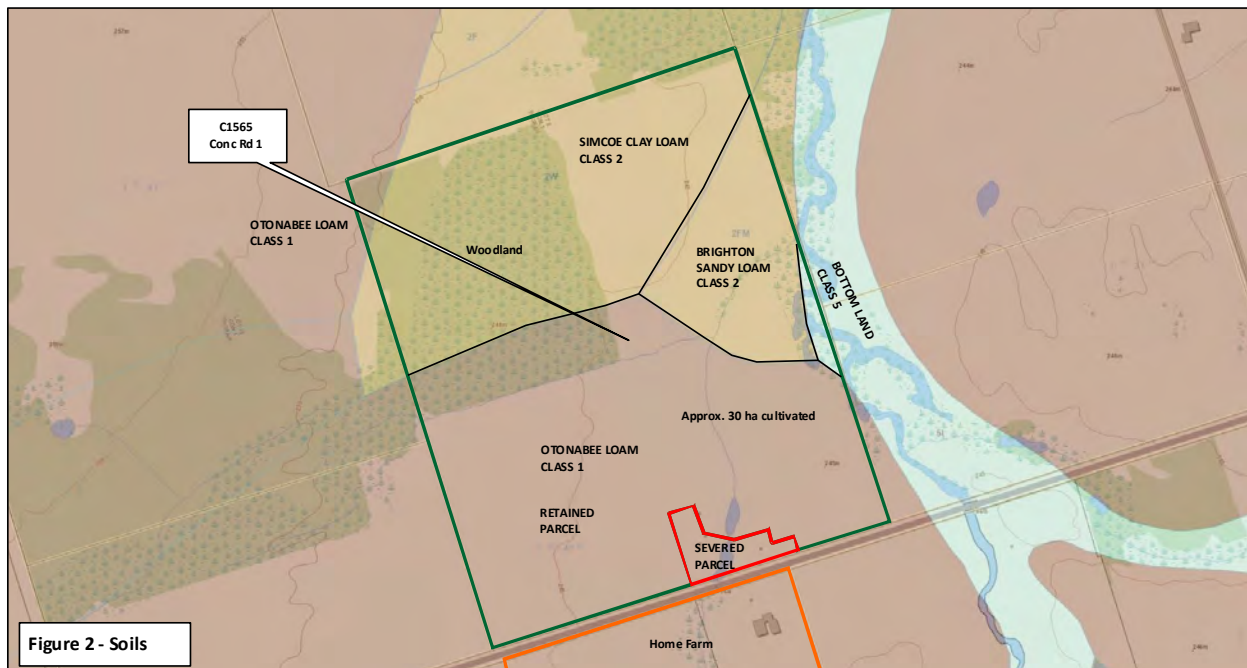
## 5. Agricultural Assessment

### 5.1. Viability of Farm

The farm at C1565 is comprised of woodland, cultivated land, an older farmhouse, and three sheds. None of the buildings are designed to house livestock and no livestock is kept on the farm.

The Agricultural Information Atlas (AIA), published and maintained by the Ontario Ministry of Agriculture, Food and Rural Affairs, provides mapping of the Canada Land Inventory (CLI) information as published in the Soil Survey of Ontario County, 1956. The AIA is found at: <https://www.gisapplication.lrc.gov.on.ca/AIA/index.html?viewer=AIA.AIA&locale=en-US>.

An excerpt from this mapping is shown as *Figure 2 - Soils*.



The soils are shown as:

- **Otonabee loam:**
  - Class 1 soil with few, if any, constraints to growing common field crops. The Survey describes this soil as developed from grey loam and sandy loam till.
  - approx. 22.7 ha, includes 2.9 ha of woodland
- **Simcoe clay loam:**
  - Class 2 soil with few constraints to growing common field crops. This soil is developed from lacustrine sediments.
  - approx. 15.7 ha, includes 8.5 ha of woodland





- **Brighton sandy loam:**
  - Class 2 soil with few constraints to growing common field crops. This soil is developed from outwash sands and gravel.
  - Approx. 5.5 ha, includes 1.4 ha of bottom land
- **Bottom Land:**
  - Class 5 soil lying within the flood-prone areas of the stream on the east side of the property.
  - Approx 0.5 ha

Based on current mapping the majority of the farm consists of Classes 1 and 2 soils which are considered good to fair soils for growing common field crops.

## **5.2. DS&B Farms Inc. and Owned/Rented Lands**

DS&B Farms Inc., is a bona fide farmer. They are registered with Agricorp and have a Farm Business Registration Number of 85721151 R 0001. The farming operation owns a number of farms in Brock Township and in the City of Kawartha Lakes. A list and map of the farms are included with this report as Attachment "B".

## **5.3. Use of Subject Lands**

The Subject Lands are approximately comprised of treed areas (11 ha), cultivated lands (29.4 ha), a watercourse and wet buffer land (3 ha), and residential lands with accessory structures (0.9 ha). Based on these current uses the cultivated part of the farm is approximately two-thirds of its total area.

## **5.4. Investment in Farming**

The local area is part of a larger farming community. Farming uses include beef and dairy production and cash crop operations. The majority of usable farm lands are actively farmed and good condition structures are seen throughout the area. This indicates ongoing investment by the farming community with a continued focus on long term agricultural use of local lands.

## **5.5. Assessment of Loss of Production**

The completion of the severance for the subject lands will not result in any reduction in agricultural production of the farm. None of the proposed severed lands are used for farming purposes.

## **5.6. Local Agricultural Practices**

The lands surrounding the subject lands have historically been part of a strong agricultural community and area. Farming included a mix of livestock and supporting crop production, with dairy being a prominent use. Livestock production has largely given way to cash cropping with horses being the predominant livestock in the greater community.

DS&B Farms owns and rents a number of farms and is a key player within the local agricultural



community. Although they farm almost 2,500 acres they are considered a family farm since the owners and workers are all part of the Brown family.

Currently DS&B rents and farms the subject lands. The farm owners live in the farmhouse and use only the severed land area and sheds. This arrangement is proposed to continue following completion of the severance. There will be no impact on the local agricultural community since the current practices and principles will continue as they are.



## 6. Planning Review

### 6.1. Provincial Policy Statement (PPS) 2014

In accordance with Section 3 of the Planning Act, a Provincial Policy Statement (PPS) was issued effective April 30, 2014. This revised PPS replaces Statements issued in 2005 and 1997. The purpose of the PPS is to provide direction on matters of provincial interest related to land use planning and development.

- Section 2.3.4 discusses policies pertaining to Lot Creation and Lot Adjustments:
- *2.3.4.1 Lot creation in prime agricultural areas is discouraged and may only be permitted for:*
  - (c) a residence surplus to a farming operation as a result of farm consolidation, provided that:*
    - *the new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services; and*
    - *the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective; and*
    - *The creation of new residential lots in prime agricultural areas shall not be permitted, except in accordance with policy 2.3.4.1(c).*

The proposed severance is less than one hectare and includes the house, well, septic, and the non-agricultural existing buildings in proximity to the house.

### 6.2. Oak Ridges Moraine Conservation Plan

The subject lands are outside of the Oak Ridges Moraine Conservation Plan areas and so are not subject to specific ORMCA policies.

### 6.3. Greater Golden Horseshoe Growth Plan/Greenbelt Plan

#### Growth Plan

The Growth Plan for the Greater Golden Horseshoe was updated on May 2019. The Growth Plan provides that lot creation is to be directed to settlement areas. Development (*Development is defined as "The creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the Planning Act"*) outside of settlement areas is permitted on rural lands if they are rural land uses that are not appropriate in settlement areas provided they meet the following criteria (Section 2.2.9(3)c):

*i. are compatible with the rural landscape and surrounding local land uses;*

**The house at C1565 Thorah Conc. Rd. 1 has existed for approximately 100 years, is well removed from active livestock barns and is well separated from the farmed lands.**



*ii. will be sustained by rural service levels; and*

**The house at C1565 Thorah Conc. Rd. 1 is currently serviced by a private well and septic system.**

*iii. will not adversely affect the protection of agricultural uses and other resource-based uses such as mineral aggregate operations.*

**The house at C1565 Thorah Conc. Rd. 1 is existing and so does not represent an adverse effect on local land uses.**

### **Greenbelt Plan**

The Greenbelt Plan 2017 was approved under the Greenbelt Act, 2005 and took effect in July 2017. The farm is within the Protected Countryside, Natural Heritage System areas as shown on *Figure 3 - Greenbelt Plan*. The Greenbelt Plan is the cornerstone of the Greater Golden Horseshoe Growth Plan and is intended to determine where urbanization should not occur and serves to protect the agricultural base of Ontario. This document has been reviewed as it relates to the proposed farm lot severance. *Figure 3 -Greenbelt Plan* shows the property is in the "Protected Countryside" and "Natural Heritage" designations.

The following policies are for land use within this area:

Section 3.1.3, Prime Agricultural Area Policies, says; "For lands falling within *prime agricultural areas* of the **Protected Countryside**, the following policies shall apply:

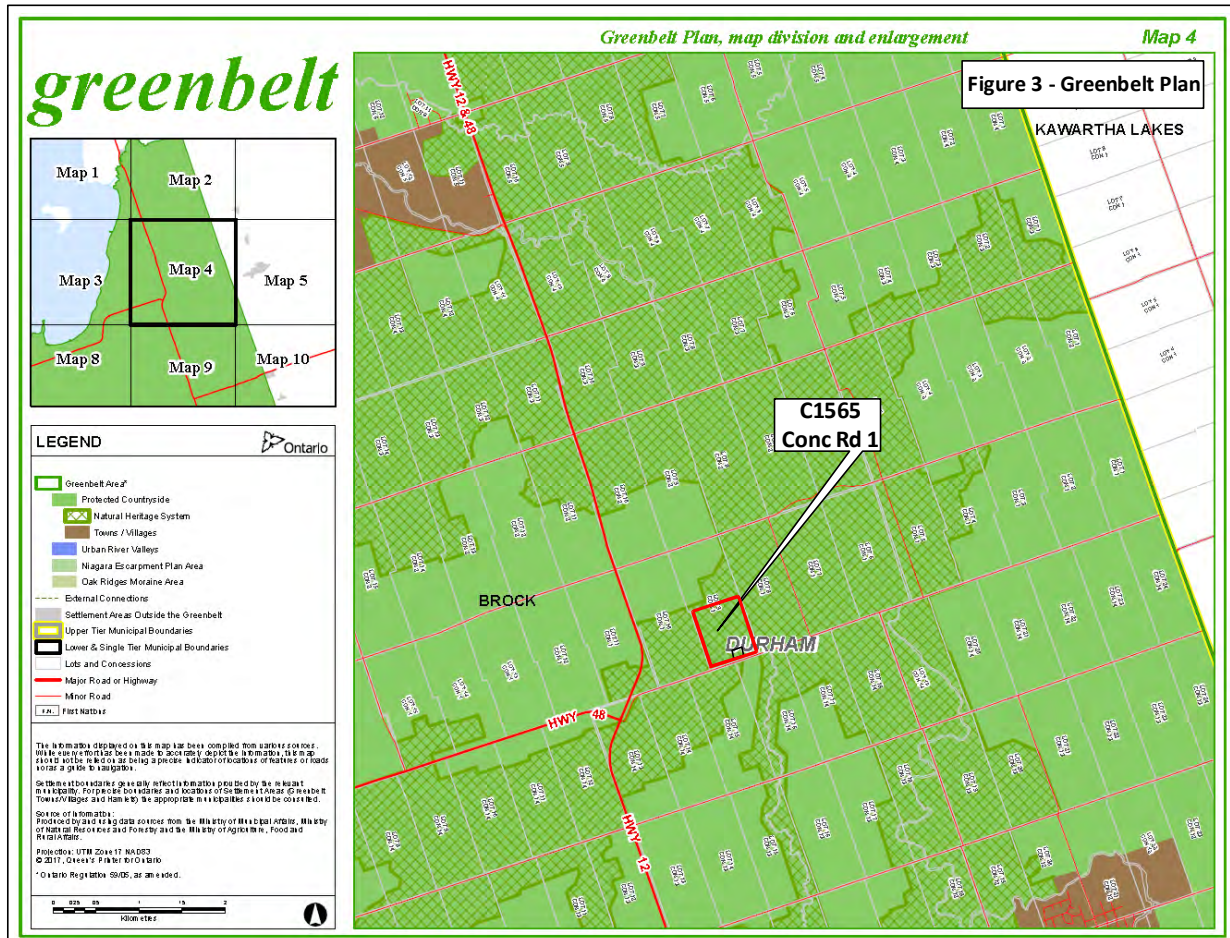
1. All types, sizes and intensities of *agricultural uses* and *normal farm practices* shall be promoted and protected and a full range of *agricultural uses*, *agriculture-related uses* and *on-farm diversified uses* are permitted based on provincial Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas. Proposed *agriculture-related uses* and *on-farm diversified uses* shall be compatible with and shall not hinder surrounding agricultural operations.  
**The proposal maintains the productive farmland and does not hinder surrounding farming operations.**
2. New land uses, including the creation of lots (as permitted by the policies of this Plan), and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.

Section 4.6.1 outlines the policies pertaining to surplus farm consolidation:

- f) The severance of a *residence surplus to a farming operation* as a result of a farm consolidation, on which a habitable residence was an *existing use*, provided that:
  - i. The severance will be limited to the minimum size needed to accommodate the use and appropriate sewage and water services; and
  - ii. The planning authority ensures that a residential dwelling is not permitted in



perpetuity on the retained lot of farmland created by this severance. Approaches to ensuring no new residential dwellings on the retained lot of farmland may be recommended by the Province, or municipal approaches that achieve the same objective should be considered.



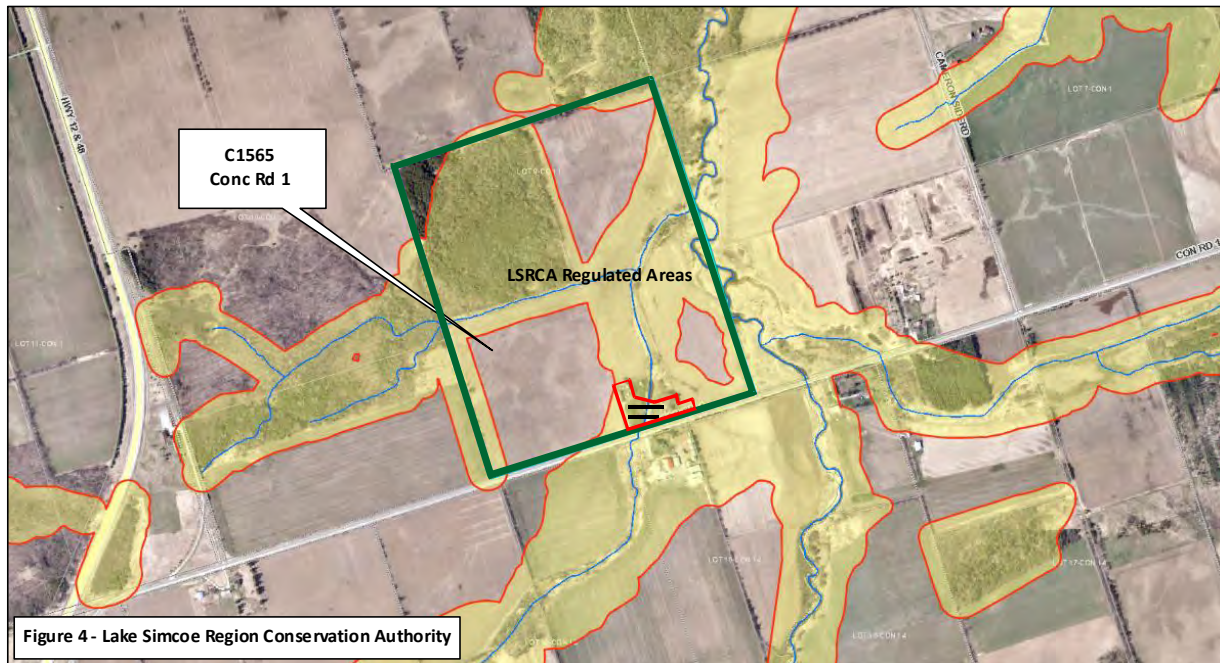
The residence is surplus to the needs of the farming operation. The size of the severed parcel is limited and contains the existing habitable dwelling, septic, well, and existing outbuildings. We conclude that the proposal meets the policies of Provincial planning documents.





## 7. Lake Simcoe Protection Plan and Lake Simcoe Region Conservation Authority

The Lake Simcoe Protection Plan was established to improve water quality in the lake, protect the watershed's natural heritage resources and manage the effects of climate change and invasive species. This document came into effect on June 2, 2009 and provides policy and direction to help carry out its objectives.



The subject lands are within the Beaver River Sub-Watershed. The Beaver river runs along the east boundary of the farm. The majority of the farm is within the Regulated Area. Development within the regulated area requires permits from the LSRCA.

The LSRCA Watershed Development Guidelines defines "Development" as:

- "(a) the construction, reconstruction, erection or placing of a building or structure of any kind,
- (b) any change to a building or structure that would have the effect of altering the use or potential use of the building or structure, increasing the size of the building or structure or increasing the number of dwelling units in the building or structure,
- (c) site grading, or
- (d) the temporary or permanent placing, dumping or removal of any material, originating on the site or elsewhere;"

Based on this definition the proposal does not include "development". Comments from LSRCA are generally supportive as long as the pond west of the dwelling is not divided by the severance.

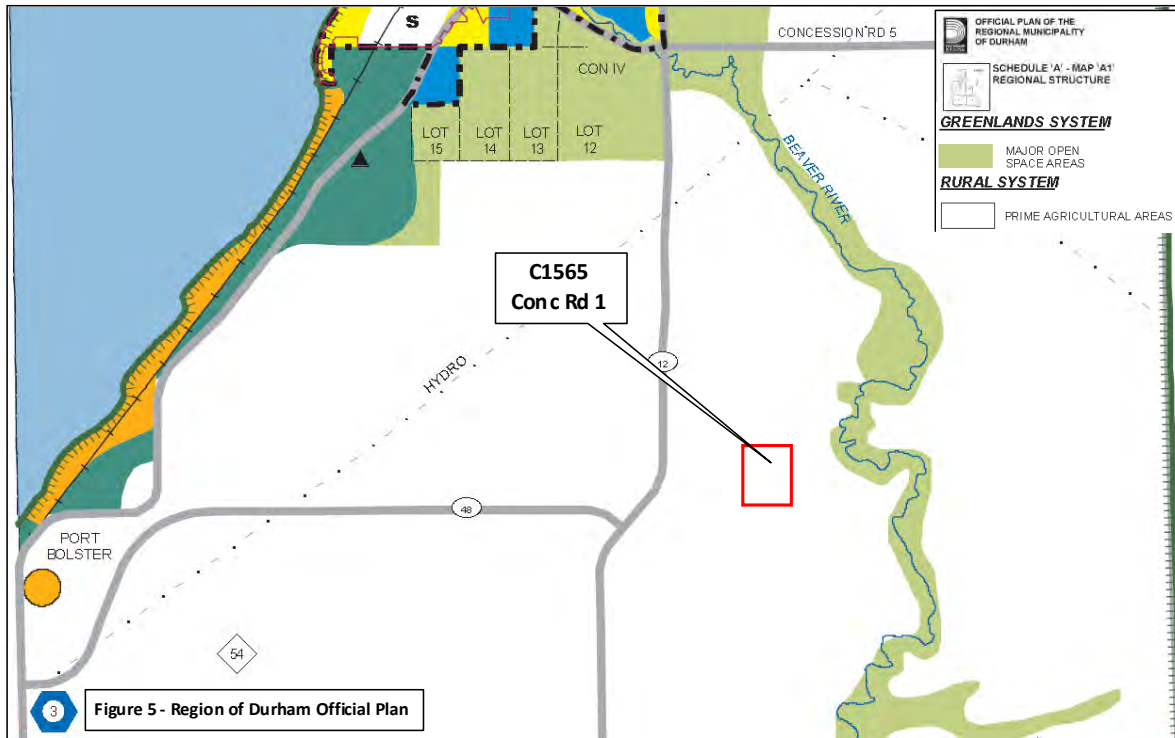
Based on comments from LSRCA the proposal generally conforms with the policies contained within the Lake Simcoe Protection Plan.



## 8. Regional and Local Policy and By-laws

### 8.1. Durham Regional Official Plan

The subject lands are designated as Prime Agriculture on Schedule A of the Durham Regional Official Plan as illustrated in *Figure 5*.



Section 9A.2.9 outlines policies pertaining to surplus farm consolidation:

Notwithstanding Policy 9A.2.9, the severance of a farm dwelling rendered surplus as a result of a farmer acquiring a non-abutting farm may be allowed, by amendment to this Plan, provided that:

- a) the dwelling is not needed for a farm employee;  
**We confirm the residence is not needed for an employee of the farming operation**
- b) the farm parcel to be acquired is of a size which is viable for farming operations;  
**The retained farmland is viable for farming operations**
- c) within the Protected Countryside of the Greenbelt Plan Area, the dwelling was in existence as of December 16, 2004; and  
**The residence is approximately 100 years old and so was built prior to December 16, 2004**



- d) the farm parcel to be acquired is zoned to prohibit any further severances and the establishment of any residential dwelling. No further severances shall be permitted from the acquired farm parcel.

**A zoning by-law amendment application has been prepared to address the above**

The dwelling is not needed for an employee of the farm and the dwelling has been in existence since before December 16, 2004. The retained farmlands will be zoned to prohibit residential development and to prohibit livestock in the existing barns.

In order to facilitate the severance a Regional Official Plan Amendment is required. The proposal includes the consolidation of the farm property with the farming operation. DS&B Farms is comprised of separate parcels of land illustrated as Properties 1 to 11 on Attachment "B" to this report.

## **8.2. Brock Township Official Plan**

The Township of Brock Official Plan was adopted by Council on June 26, 2006, and approved by the Region of Durham on May 9, 2007. The introduction to the plan provides direction for policy and designations.

The main focus of the Official Plan is to provide policy direction and designations for the settlement areas in Brock Township. Section 3.2.1.2 says that the Durham Region Official Plan provides policies and designations for the rural portion of the Township.

Section 3.2.1.7 comments on the proposal saying, *"A separate lot may be created by consent where a residence surplus to a farming operation as a result of farm consolidation, which may include farm holdings which are either abutting or non-abutting, provided that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance."*

**The farm is a non-abutting farm. The retained land will consolidate with farms within DS&B farm holdings.**

Section 8.4.2 further says, *"In accordance with the Greenbelt Plan, a separate lot may be created by consent where a surplus dwelling unit results from the consolidation of 2 or more farm holdings that are non-abutting, provided that new residential dwellings are prohibited on any vacant remnant parcel of farmland created by the severance."*

**The farm is a non-abutting farm.**

Since the lands are within the rural area and conform to the policies of the Durham Regional Official Plan, and since the severance is a permitted action within the Township Official Plan, then the proposal meets the requirements of the Township Official Plan.

This proposal is for a residence surplus to a farming operation. The retained farmlands will be zoned to prohibit additional residential development. After reviewing the Township of Brock Official Plan in its entirety, we believe this application conforms to the policies and intent of the



document.

### 8.3. Brock Township Zoning By-law

Land use in the Township of Brock is regulated by Zoning By-law 287-78-PL. The subject lands are shown on Plate A2 - Brock as within the Rural (RU) Zone and Environmental Protection (EP). An excerpt from this plate is shown as *Figure 6 - Brock Township Zoning By-law* below.

#### c. Farm Oriented Residential Development

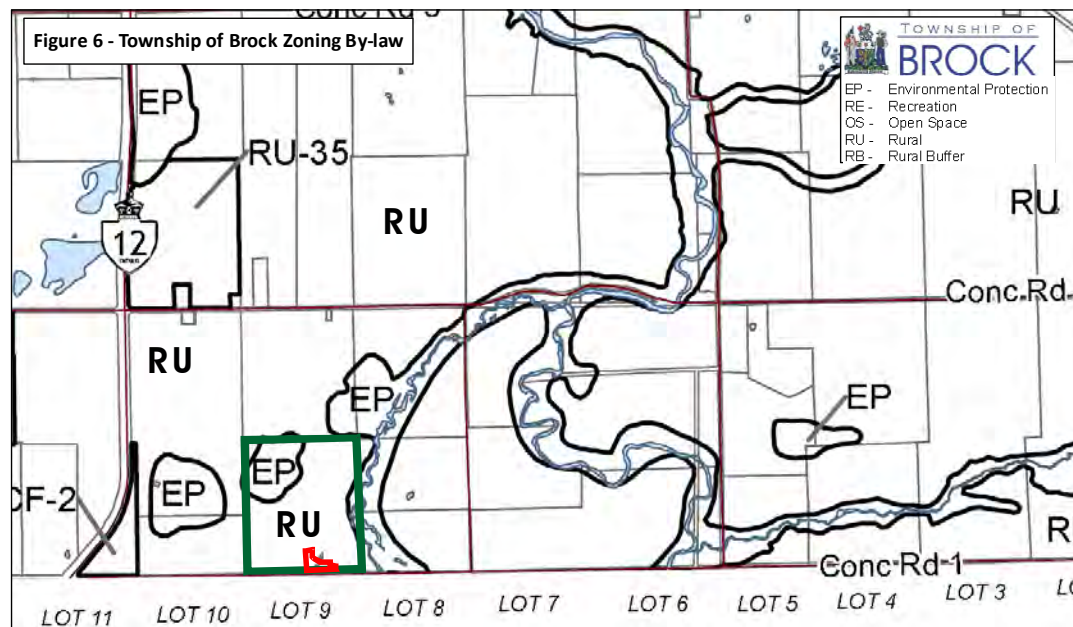
Notwithstanding the minimum lot area and frontage requirements of this By-law for the Rural (RU) and Rural Buffer (RB) Zones, lots having a minimum area of 0.4 hectare and a minimum frontage of 46 metres are permitted in the Rural (RU) and Rural Buffer (RB) Zones. However, such lots may only be created under (conditions):

**The proposal is for the creation of a residential lot of 0.97 ha with a frontage of 151.51 m.**

#### ii. Farm Consolidation

A bona-fide farmer, who enlarges his farm or specialized farm holding by acquiring an additional farm or specialized farm, may be permitted to sever a parcel of land upon which a surplus farmhouse is in existence on the acquired farm or specialized farm, provided such farmhouse is not needed for a farm employee's dwelling.

**DS&B Farms are bona fide farmers and the proposal is to sever an existing dwelling, which is not required for the farming operation.**



A Zoning By-law Amendment is required to rezone the retained land to prohibit additional future residential development. After reviewing the Township of Brock Zoning By-law in its entirety, we believe that this application conforms to the policies and intent of this document.



## 9. Fragmentation of Farmland

The application to sever the existing dwelling at C1565 Thorah Concession Road 1 preserves the connectivity of farmland within the subject farm parcel. The severed house fronts directly onto Thorah Concession Road 1. The existing house and non-agricultural components are proposed to be severed leaving the currently productive farmland and natural areas together for agricultural purposes.

## 10. Impact on Adjacent Natural Features

A watercourse, a tributary of the Beaver River, runs from north to south through the eastern half of the subject farm. A pond has developed west of the dwelling. This water course drains into the Beaver River. Farmland lies on both sides of the water course and buffer lands created to protect the water course.

The proposed severance is more than 500 m south of the watercourse, and so is well beyond the buffer lands. No construction or disturbance of lands are proposed as part of this application.

## 11. Declaration of Age of Dwelling on Subject Land

The dwelling on the subject land is approximately 100 years old.

## 12. Site Screening Questionnaire

An Environmental Site Screening Questionnaire has been completed by GHD. A report dated April 18, 2019, is submitted with this report. This report concludes on Page 3 that;

*"Based on our observations, the information collected and the present land use, it is our professional opinion that the property identified at C1565 Concession Road 1, Beaverton, Ontario has a low level of concern from an environmental assessment prospective and is **suitable for the proposed severance. No further environmental work is recommended at this time.**"*





### 13. Minimum Distance Separation (MDS)

The Ontario Ministry of Agriculture Food and Rural Affairs, Publication 853, March 1, 2017, sets the rules to create appropriate distances between non-compatible uses, specifically livestock facilities and non-farm uses. In this case the proposal is for a surplus farm house severance.

Guideline 9 specifically deals with a 'severance of a residence surplus to a farming operation'. The Guideline provides the following:

1. Where the existing dwelling to be severed and the nearby livestock facility or anaerobic digester is located on separate lots prior to the consent, an MDS I setback is not required for the consent application (or associated rezoning) unless otherwise required by a municipal official plan policy. This is because a potential odour conflict may already exist between those surrounding livestock facilities or anaerobic digesters and the existing dwelling.

**Municipal planning documents require compliance with MDS but do not specify further conditions. The application does not require a review of barns outside of the subject lands.**

2. An MDS I setback is always required for a proposed lot with an existing dwelling when prior to the consent, that dwelling is located on the same lot as an existing livestock facility or anaerobic digester and after the consent the dwelling would be on a lot separate from that same existing livestock facility or anaerobic digester. This is because such a proposal could create a potential odour conflict as the dwelling and the livestock facility or anaerobic digester will be on separate conveyable lots if the severance is approved. This is the case regardless of how a municipality chooses to treat any existing livestock facilities on lots separate from the dwelling prior to the consent.

**The farm does not have a barn. This section does not apply.**

3. Where a new lot is proposed with an existing dwelling AND an existing livestock facility or anaerobic digester on it, an MDS I setback is not required for that livestock facility or anaerobic digester in accordance with Implementation Guideline #14.

**No livestock facility or anaerobic digester is on the farm property and so this section does not apply.**

Based on our review of Guideline 9 the proposal meets the requirements of MDS and that no MDS setback is to be calculated or applied to the proposal lands.



#### 14. Conclusions

DS&B Farms retained Clark Consulting Services to prepare the required applications for a proposed Surplus Farmhouse Severance at C1565 Torah Concession Road 1. The farm has one single family dwelling house built approximately 100 years ago. The farm is currently owned and occupied by the Holders and they rent out the farmland to DS&B Farms.

The proposal is for DS&B to purchase the farmland and the Holders to remain owners of the severed house and non-agricultural sheds. Clark Consulting Services (CCS) requested a Pre-Consultation with the Region of Durham in order to initiate the required applications for a Non-Abutting Farmhouse Severance. With the purchase of the farm DS&B Farms will have no need for the house and it will become surplus to the needs of the farming operation.

DS&B Farms owns 11 farms and rents supplementary farmland. The main farming operation is cash cropping and DS&B farms over 557 hectares of owned farmland of which 486 ha is cultivated. In completing the application to sever the subject surplus farmhouse DS&B Farms will consolidate the farmlands into the farming operation conforming to Provincial Policy.

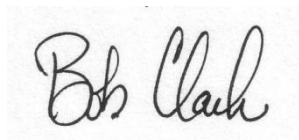
The proposed severance is configured to meet the zoning by-law of the Township of Brock.

An application for a Durham Regional Official Plan Amendment (ROPA) has been prepared based on the requirements of Section 9A.2.10 of the ROP. A Zoning By-law Amendment has been prepared to ensure the retained lands are prohibited from development of any new dwelling. A Consent Application will be prepared and submitted to the Land Division Committee of the Region of Durham on completion of the ROPA.

The proposal appears to be consistent with the Provincial Policy Statement, The Greenbelt Plan, the Greater Golden Horseshoe Growth Plan, and will conform to the Regional and Township Official Plans following completion of the ROPA and Zoning By-law Amendment.

It is the opinion of Clark Consulting Services that severing the existing house at C1565 Torah Concession Road 1 is appropriate and permitted provided the required applications are approved through the Region of Durham and the Township of Brock.

Sincerely,



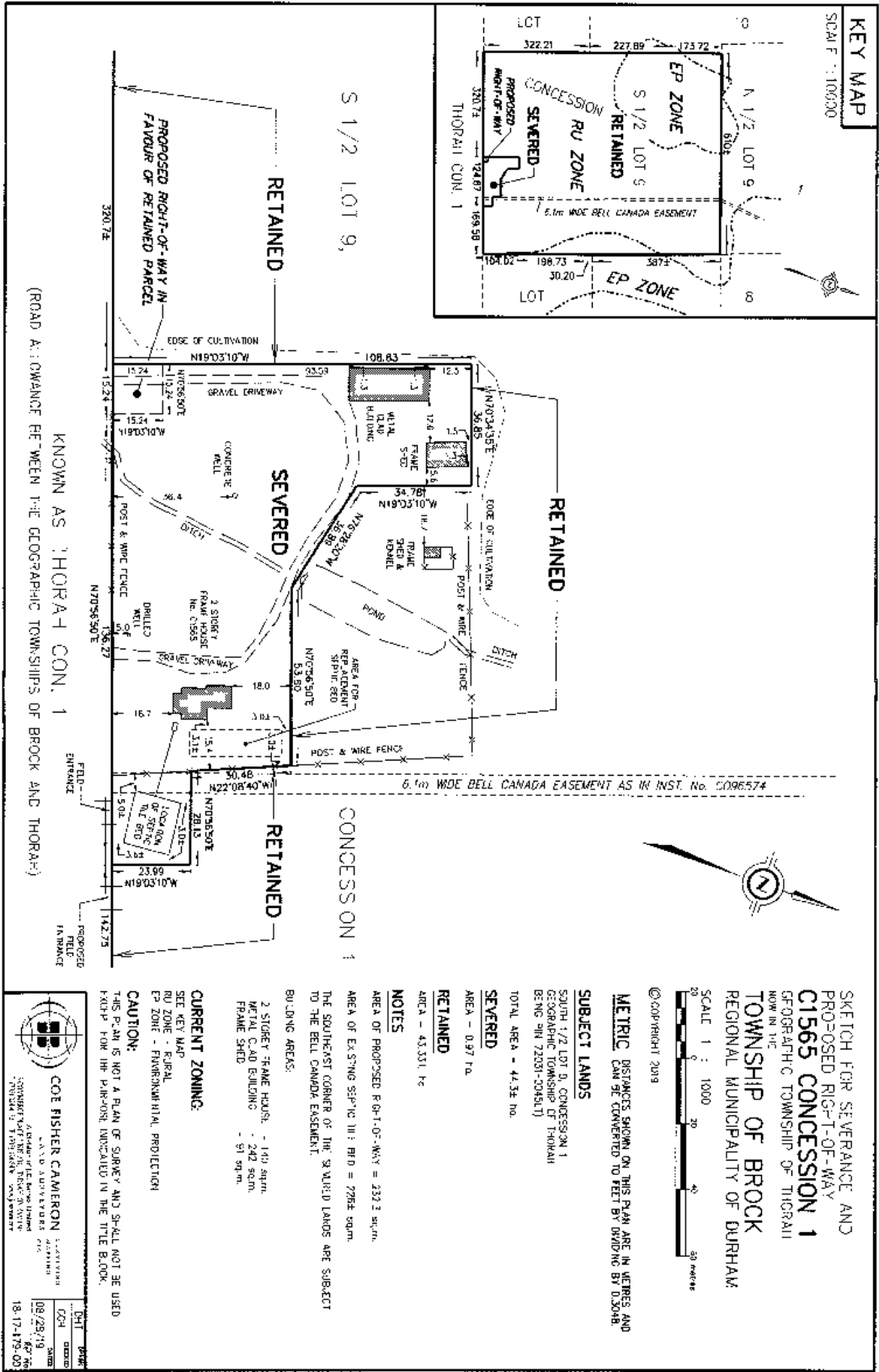
Bob Clark, P.Eng., P.Ag., MCIP, RPP, OLE  
Principal Planner



## **Attachment "A"**

### **Severance Sketch Coe Fisher Cameron**





**Attachment "B"****DS&B Farms Inc.  
List of Farms Owned and Rented**

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**LAND INVENTORY FOR  
DAVID GORDON BROWN, SCOTT DAVID BROWN AND BRIAN JAMES AMBROSE DICK****D. S. & B. FARMS INC.  
OFA Member #4120077**

This summary sets out the number of parcels owned, the number of houses owned, and how many of those houses are surplus to the farm operation. This information is current as of Nov. 14, 2019.

The farms owned by D. S. & B. Farms Inc., or in their personal names have located on them a total of three houses, one of which is subject to another application in the City of Kawartha Lakes.

1. Part of Lot 10, Concession 4, Geographic Township of Eldon (City of Kawartha Lakes) consists of 97.5 acres of which approximately 93 acres are workable. This property includes a coverall shed.  
**ASSESSMENT ROLL #1651 160 010 16300 0000**
2. Part of Lot 7, Concession 5, Geographic Township of Thorah/Brock (Region of Durham) consists of 192 acres of which approximately 175 acres are workable. This property is vacant of any buildings.  
**ASSESSMENT ROLL #1839 010 003 15100 0000**
3. Part of Lots 11 and 12, Concession 2, Geographic Township of Thorah/Brock (Region of Durham) consists of 108 acres of which approximately 105 acres are workable. This property is vacant of any buildings.  
**ASSESSMENT ROLL #1839 040 004 00900 0000**
4. Part Lot 15 and Part Lot 16, Concession 14, Geographic Township of Brock (Region of Durham) consists of 80 acres of which approximately 65 acres are workable, the home farm. This property includes a shop, grains bins, 3 drive sheds and a house (built 1890's).  
**ASSESSMENT ROLL #1839 030 006 25900 0000**
5. Part of Lot 16, Concession 2, Geographic Township of Eldon (City of Kawartha Lakes) consists of 180 acres of which approximately 140 acres are workable. This property is vacant of any buildings.  
**ASSESSMENT ROLL #1651 160 010 10000 0000**  
**ASSESSMENT ROLL #1651 160 010 10100 0000**





6. Part of Lot 10, Concession 3, Geographic Township of Eldon (City of Kawartha Lakes) consists of 191.14 acres of which approximately 164 acres are workable. This property includes a house (built before 1850), which is subject to the City of Kawartha Lakes Application.  
**ASSESSMENT ROLL #1651 160 010 12500 0000**
7. South Part of Lot 11, Concession 3, Geographic Township of Eldon (City of Kawartha Lakes) consists of 93 acres of which approximately 72 acres are workable. This property is vacant of any buildings.  
**ASSESSMENT ROLL #1651 160 010 13100 0000**
8. Part West ½ of Lot 1 and Part South ½ of Lot 2, Concession 2, Geographic Township of Thorah/Brock (Region of Durham) consists of 119.44 acres of which approximately 112 acres are workable. This property includes a barn, 2 sheds and a house (built 1950's).  
**ASSESSMENT ROLL #1839 030 004 08300 0000**
9. Part South ½ of Lot 5, Concession 9, Geographic Township of Thorah/Brock (Region of Durham) consists of 101 acres of which approximately 76 acres are workable. This property includes a shed.  
**ASSESSMENT ROLL #1839 010 005 23200 0000**
10. Part of South ½ Lot 10, Concession 2, Geographic Township of Thorah/Brock (Region of Durham) consists of 117 acres of which approximately 110 acres are workable. This property is vacant of any buildings.  
**ASSESSMENT ROLL #1839 030 004 15800 0000**
11. Part of Lot 9, Concession 9, Geographic Township of Thorah/Brock (Region of Durham) consists of 97 acres of which approximately 90 acres are workable. This property is vacant of any buildings.  
**ASSESSMENT ROLL #1839 010 005 27400 0000**

**SKETCH**

Attached to this summary is a sketch (shown below) that shows the locations of the properties listed above.



