



<b>Application</b>	B59/17
<b>Location</b>	Part Lot 21, Concession 11 TOWN OF MINTO
<b>Applicant/Owner</b>	John & Jean Vanderkooy

**PLANNING OPINION:** This application would sever a vacant 3.7 ha agricultural parcel and add it to a vacant rural residential lot. The resulting parcel would be a 4 ha (10 ac) parcel for proposed agricultural and residential use. A 34.9 ha agricultural parcel would be retained with existing dwelling and

Applications B58/17 and B59/17 would result in a 10 ac (4 ha) parcel for agricultural and residential use. Official Plan policies typically require new agricultural lots to be 36 ha (86 ac) but do provide for the consideration of a smaller lots if it can be demonstrated that the farmer intends to conduct a viable agricultural pursuit on the smaller parcel. The applicants have provided a business plan outlining the viability of the proposed garlic farm operation over the next 5 years.

The Committee should be satisfied that there is suitable evidence that the smaller parcel will be viable into the future. If this application is approved, we would request that the following be made conditions of approval:

- a) That application B58/17 if granted is dealt with by issuance of certificate of Official before B59/17 is issued for consolidation;
- b) That the purchaser take title to the severed lands in the same manner as they hold their abutting land; and,
- c) That Subsection 50(3) of the Planning Act, R.S.O., 1990 be applied to any subsequent conveyance or any transaction involving the parcel of land that is the subject of this Consent.

**PLACES TO GROW:** No issues.

**PROVINCIAL POLICY STATEMENT (PPS):** Section 2.3.4.2 states that lot adjustments in prime agricultural areas may be permitted for legal or technical reasons.

Regarding Minimum Distance Separation (MDS) 1, we have been provided with the necessary farm data sheets for the barn on the retained and surrounding livestock facilities and are satisfied that a 0.5 ha building envelop can be achieved on the consolidated parcel in accordance with MDS guideline 41.

**WELLINGTON COUNTY OFFICIAL PLAN:** The subject property is designated PRIME AGRICULTURAL and CORE GREENLANDS. Section 10.3.5 states that lot line adjustments may be permitted for legal or technical reasons, such as easements, corrections of deeds, quit claims, and minor boundary adjustments.

Lot line adjustments may also be permitted where no adverse effect on agriculture will occur where:



- Two abutting farms are merged (merged means the joining of farm parcels under the same ownership) and an existing farm residence is made surplus to the resulting enlarged farm parcel.
- More viable agricultural operations will result;
- An undersized lot is made useable given the requirements for appropriate sewer and water systems.

Lot line adjustments are deemed not to create new lots for the purpose of this plan.

While this application and related application B58/17 are not creating a new lot, together they would be increasing the size of the existing rural residential parcel to 10 ac (4 ha) for a proposed residential and agricultural use (Garlic Farm).

It is therefore appropriate to refer to Section 10.3.2 of the Official Plan, which states new lots for agricultural operations shall be of a size appropriate for the types of agricultural uses common in the area and sufficiently large to maintain flexibility for future changes in the type and size of agricultural operations. New agricultural lots will normally be a minimum of 35 ha (86 ac) in size. Smaller lots may only be considered where there is clear evidence that the farmer intends to

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conduct an agricultural pursuit which can be successful on a smaller property. The proposed lot is not the typical size, which is common for agricultural parcels in the Town of Minto. However, the applicants have submitted a business plan and financial overview of their proposed garlic operation in an attempt to justify its viability as a smaller agricultural parcel. The Committee should be satisfied that the lot can be utilized as a viable farm parcel.

The matters under section 10.1.3 were also considered including j) that natural resources such as agricultural lands and mineral aggregates would not be affected adversely.

**WELL HEAD PROTECTION AREA:** The subject property is not within a WHPA.

**LOCAL ZONING BY-LAW:** The subject property is zoned Agricultural (A) zone and Natural Environment (NE) zone. In accordance with Section 8.2.1 b) the minimum lot area and frontage requirements for both the severed and retained lands can be met.

**SITE VISIT INFORMATION:** The subject property has not yet been visited.

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Jameson Pickard, Planner  
June 14<sup>th</sup>, 2017