

Draft Amendment No. 46
to THE REGIONAL PLAN
Official Plan for the Halton Planning Area
Regional Municipality of Halton

DRAFT

Lot Creation Policy to Permit
Surplus Farm Dwelling
Severances

October 2017

DECLARATION

IN THE MATTER OF REGIONAL OFFICIAL PLAN AMENDMENT NUMBER 46

IN THE REGIONAL MUNICIPALITY OF HALTON

I, Graham Milne, in my capacity as Regional Clerk for the Regional Municipality of Halton, hereby declare that notice of adoption by Council for the Regional Municipality of Halton was given under Section 17(23) of the *Planning Act*, R.S.O., 1990, c.P.13.

There were no appeals to ROPA 46 within the time allowed for appeal. Under Section 17(27) of the *Planning Act*, R.S.O. 1990, c.P.13, Regional Official Plan Amendment Number 46 came into force and effect on _____, 2018, being the day following the last day for filing a notice of appeal.

Graham Milne
Acting Regional Clerk
Regional Municipality of Halton

Date

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THE CONSTITUTIONAL STATEMENT

Part A, The Preamble, does not constitute part of this Amendment.

Part B, The Amendment, consisting of 6 items to introduce a lot creation policy to permit surplus farm residence severances, constitutes Amendment No. 46 to the Regional Plan, the Official Plan for Halton Planning Area, Regional Municipality of Halton. The title of Amendment No. 46 is “Lot Creation policy to permit surplus farm dwelling severances”.

Part C, The Appendices, does not constitute part of this Amendment.

PART A THE PREAMBLE

Purpose

The purpose of this Amendment is to introduce lot creation policies for the purposes of permitting severances of surplus farm residences.

Location

These policies will apply to all lands in the rural area in the Halton Planning Area outside of Settlement Areas, the Niagara Escarpment Plan Escarpment Natural Area and the Niagara Escarpment Plan Mineral Resource Extraction Area.

Basis

On July 22, 2016 the Halton Region Federation of Agriculture submitted an application to amend Section 66 of the Halton Regional Official Plan to permit lot creation for the severance of surplus farm residences in the Agricultural System of Halton Region.

On June 14, 2017, Regional Council passed a motion directing staff to “prepare an amendment to the Halton Regional Official Plan for consideration in January 2018 to enable Local Municipalities in Halton to amend their Official Plan to permit the severance of a residence surplus to a farming operation for the purposes of farm consolidation provided that restrictions are put in place to limit the use of the remnant agricultural lot to Agricultural Purposes Only.”

Additionally, Regional Council requested that the Halton Region Federation of Agriculture be requested to suspend the processing of Application RQ58A – An Amendment to Permit Surplus Farm Dwelling Severances in Halton’s Rural Area.

This Amendment supports and is in keeping with the following objectives of the Regional Official Plan:

- Recognize agriculture as the primary land use in rural areas
- Promote normal farm practices and protect the right to farm
- Enable consolidation

PART B THE AMENDMENT

Introductory Statement

All of this part constitutes Amendment No. 46 to the Regional Plan, the Official Plan for Halton Planning Area, Regional Municipality of Halton.

Details of the Amendment

The Regional Plan is amended as follows:

- Item 1** Part III, Land Stewardship Policies, is amended to include a new Section 66(3) which states:
- 66(3)** for an existing *residence surplus to a farm operation* as a result of a *farm consolidation* in the Agricultural System identified on Map 1E, provided that:
- a) a minimum of one (1) farm residence is maintained as part of the consolidated farm operation;
 - b) the *residence surplus to a farm operation* is habitable on the date of the application for severance and meets the local municipal standards for occupancy;
 - c) as a condition of the severance the retained farm lot is either he *residence surplus to a farm operation*:
 - [i] merged on title with an adjacent farm lot if *abutting*, or
 - [ii] if non-*abutting* be zoned Agricultural Purposes Only (APO) in perpetuity to prohibit new dwellings by the Local Municipality;
 - d) the lot associated with the *residence surplus to a farm operation*:
 - [i] shall be limited in size to the minimum area needed to accommodate private servicing on the property, in keeping with the policies of this Official Plan; and
 - [ii] shall not limit the agricultural use of the retained lot because of the location of the *residence surplus to a farm operation*; and
 - [iii] shall be an existing use, built and occupied, since December 16, 2004.
 - e) the retained lot, created as a result of the severance of the *residence surplus to a farm operation*, shall:
 - [i] be a minimum size of 30 hectares; and
 - [ii] retain all barns on the retained lot suitable for livestock use;

and

[iii] not be further severed, except for acquisition by a public body or by an approved conservation organization.

Item 2 Part III, Land Stewardship Policies, is amended by modifying Section 101(1.2) to add the words “, or as otherwise permitted by *policies* of this Plan”:

101(1.2) Prohibit the creation of new *lots* for residential purposes except in *Hamlets* or *Rural Clusters*, or as otherwise permitted by *policies* of this Plan.

Item 3 Part III, Land Stewardship Policies, is amended by modifying Section 100(3) to add the words “, unless identified as *Agricultural Purposes Only (APO)* in this Plan, and in the Local Official Plans and/or Zoning By-laws”:

100(3) *single detached dwelling* on existing *lots*, unless the *lot* is identified as *Agricultural Purposes Only (APO)* in the Local Official Plans and/or Zoning By-laws.

Item 4 Part III, Land Stewardship Policies, is amended by modifying Section 117.1(4) to add the words “, unless identified as *Agricultural Purposes Only (APO)* in this Plan, and in the Local Official Plans and/or Zoning By-laws”:

117.1(4) *single detached dwelling* on existing *lots*, unless the *lot* is identified as *Agricultural Purposes Only (APO)* in the Local Official Plans and/or Zoning By-Laws.

Item 5 Part III, Land Stewardship Policies, is amended by modifying Section 117.1(5) to add the words “, or identified as *Agricultural Purposes Only (APO)* in the Local Official Plans and/or Zoning By-laws”:

117.1(5) dwellings accessory to *agricultural operation*, except within the Escarpment Natural Area and which must be mobile or portable if located elsewhere within the Niagara Escarpment Plan Area or identified as *Agricultural Purposes Only (APO)* in the Local Official Plans and/or Zoning By-Laws.

Item 6 Part III, Land Stewardship Policies, is amended by modifying Section 118(20) to add the words “, or identified as *Agricultural Purposes Only (APO)* in the Local Official Plans and/or Zoning By-laws”:

118(20) Prohibit the creation of new *lots* for residential purposes, except in *Hamlets* or *Rural Clusters* or identified as *Agricultural Purposes Only (APO)* in the Local Official Plans and/or Zoning By-Laws.

Item 7 Part VI, Definitions, is amended to include a new Section 211 as follows:

211. ABUTTING means a property with a specific feature or attribute that physically touches or shares a common boundary with the subject property.

Item 9 Part VI, Definitions, is amended to include a new Section 235.1 as follows:


235.1.1 FARM CONSOLIDATION means the acquisition of additional farm parcels to be operated as one farm operation, owned and actively farmed by the applicant for a minimum of 5 years, and demonstrated through Land Title and Farm Business Registration Number.

Item 10 Part VI, Definitions, is amended to include a new Section 274.2 as follows:





274.2 RESIDENCE SURPLUS TO A FARM OPERATION means an existing habitable farm residence that is rendered surplus as a result of a farm consolidation, but does not include a mobile or portable residence or residence developed for the purpose of farm labour use.

PART C THE APPENDICES

The following Appendices do not constitute part of Amendment No. 46 but are included as information supporting the amendment.



halton.ca 311

NOTICE OF PUBLIC MEETING

Proposed Amendment to the Regional Official Plan to Permit the Severance of Surplus Farm Dwelling Severances

Applicant: Halton Region

File Number: ROPA 46

The Council of the Regional Municipality of Halton, through its Planning and Public Works Committee, is holding a Public Meeting to provide the public an opportunity to comment on a proposed Amendment to the Regional Official Plan, 2009.

Meeting Date:

Meeting Time:

Meeting Place:

Wednesday, November 8, 2017

9:30 a.m.

Council Chambers
Halton Regional Centre
1151 Bronte Road
Oakville, Ontario, L6M 3L1
Phone: 905-825-6000
Toll free number: 1-866-442-5866
Website: halton.ca

Purpose and Effect: The purpose of the proposed Amendment to the Regional Official Plan is to incorporate policies to permit the severance of a residence that is surplus to a farm operation in Halton's rural area. The proposed Amendment will establish the criteria for allowing the severances and will outline requirements for conditions of approval.

To Get More Information: The proposed Amendment may be viewed at the Office of the Regional Clerk (at 1151 Bronte Road, Oakville) or at the Planning Services Office (at 1075 North Service Road West, Oakville) between the hours of 8:30 a.m. and 4:30 p.m. weekdays, or a copy may be obtained by contacting **Brooke Marshall** at **905-825-6000, ext. 7987**, or **toll free at 1-866-442-5866**, or at brooke.marshall@halton.ca.


Any person may attend the public meeting and make representations concerning this matter. If you wish to make a written submission to be included in the meeting agenda, contact the Regional Clerk's Office at regionalclerk@halton.ca by 12 p.m. on October 26, 2017, or call 905-825-6000 ext. 7405 or toll free at 1-866-442-5866.

All information including names, addresses, opinions, presentations, reports, documentation, etc. provided for or at a Public Meeting are considered public records. This information may be posted on Halton Region's website and/or made available to the public upon request. The Public Meeting will be streamed and a video of the meeting will be made available on Halton Region's website.

Note:
 If a person or public body does not make oral submissions at a public meeting or make written submissions to Halton Region before the proposed Official Plan Amendment is adopted, the person or public body is not entitled to appeal Halton Regional Council's decision to the Ontario Municipal Board. Additionally, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Municipal Board unless, in the opinion of the Board, there are reasonable grounds to add the person or the public body as a party.
 If you wish to be notified of the adoption of the proposed Official Plan Amendment, you must make a written request to the Regional Clerk, Regional Municipality of Halton, Regional Clerk's Office, 1151 Bronte Road, Oakville, ON, L6M 3L1.

Supporting small businesses in Halton


Halton Region's Small Business Centre hosts a variety of events and seminars throughout the year that support businesses at every stage of growth. From youth entrepreneurship programs to export development seminars, our Small Business Centre can help to put you on the path to success. Our resource centre offers the tools, training and expertise to help guide local entrepreneurs and small businesses in the right direction. For more information on Halton's Small Business Centre and for a complete list of our events and seminars, visit halton.ca/smallbusiness.



Gary Carr
Regional Chair

Meetings at Halton Region, 1151 Bronte Rd., Oakville, L6M 3L1 Visit halton.ca/meetings for full schedule.

Nov 7 9:30 a.m. Health & Social Services	Nov 8 1:30 p.m. Administration & Finance
Nov 8 9:30 a.m. Planning & Public Works	Nov 15 9:30 a.m. Regional Council

 Please contact us, as soon as possible, if you have any accessibility needs at Halton Region events or meetings.

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Appendix II Regional Official Plan Map 1E Agricultural System and Settlement Areas

Map 1E
Agricultural System and Settlement Areas
 Approved 2015-09-30

