

TOWNSHIP OF ADMASTON/BROMLEY

AGENDA

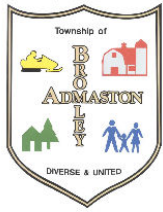
PUBLIC PLANNING MEETING

November 2nd, 2023 at 7:00 pm

Zoning By-Law Amendment

- Owner: Lisa Clark & Larry Mulligan
- Applicant: Same as above
- Part of Lot 18, Concession 1, 139 McGuinty Road
- Geographic Township of Admaston/Bromley

1. Call public planning meeting to order
2. Disclosure of Pecuniary Interest
3. Background Information
4. Purpose of Meeting
5. Clerk's Report of Notice
6. Reading of Written Comments
7. Public Participation
 - i. Comments/Questions from the Public
 - ii. Comments from applicant
8. Comments/Questions from Council
9. Information on appeal process
10. Additional Information and Notification of Decision
11. Closure of Public Planning Meeting



TOWNSHIP OF ADMASTON/BROMLEY

NOTICE OF APPLICATION AND PUBLIC MEETING

In the matter of Section 34 of the Planning Act, the Township of Admaston/Bromley hereby gives NOTICE OF THE FOLLOWING:

- i) Application to amend the Zoning By-law 2004-13 of the Township of Admaston/Bromley.*
 - ii) A public meeting regarding an application for an amendment to the Zoning By-law 2004-13 of the Township of Admaston/Bromley.*
-

Subject Lands Part of Lot 18, Concession 1, in the geographic Township of Bromley, now in the Township of Admaston/Bromley, and known municipally as 139 McGuinty Road, as shown on the attached Key Map.

Public Meeting A public meeting to inform the public of the proposed zoning amendment will be held on **November 2nd, 2023 at 7 p.m.** at the municipal office of the Township of Admaston/Bromley.

Proposed Zoning By-law Amendment

The applicant has requested a zoning by-law amendment, which is a condition of approval of Consent File No. B06/23. The purpose of the amendment is to rezone the severed lands, in Consent File No. B06/23, from Agriculture (A) to Agriculture-Exception Forty-Five (A-E45) to reduce the required Minimum Distance Separation 1 (MDS1) setback from 162 metres to 120 metres, and to rezone the retained lands, in Consent File No. B06/23, from Agriculture (A) to Agriculture-Exception Forty-Six (A-E46) to prohibit residential uses. All other provisions of the Zoning By-law will apply.

Additional information regarding the Zoning By-law amendment is available for inspection at the Township of Admaston/Bromley Municipal Office during regular office hours.

If you wish to be notified of the decision of the Township of Admaston/Bromley on the proposed zoning by-law amendment, you must make a written request to the Township of Admaston/Bromley.

If a person or public body would otherwise have an ability to appeal the decision of the Township of Admaston/Bromley to the Ontario Land Tribunal but the person or public body does not make oral submissions at a public meeting or make written submissions to the Township of Admaston/Bromley before the by-law is passed, the person or public body is not entitled to appeal the decision.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the Township of Admaston/Bromley before the by-law is passed by the Township of Admaston/Bromley, the person or public body may not be added as a party to the hearing of an appeal before the Ontario Land Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to do so.

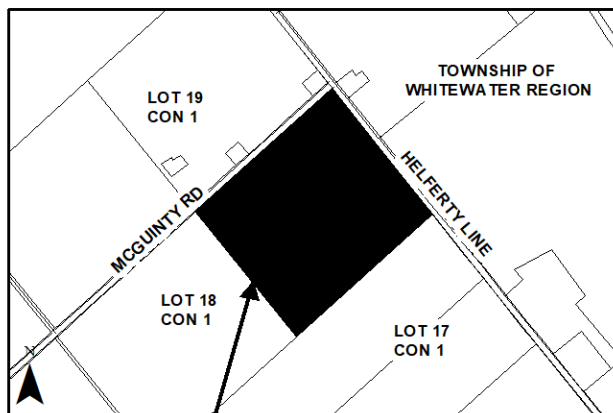
Other Applications

Consent application B06/23 is also being considered with this application.

NOTE: One of the purposes of the Planning Act is to provide for planning processes that are open, accessible, timely and efficient. Accordingly, all written submissions, documents, correspondence, e-mails or other communications (including your name and address) form part of the public record and will be disclosed/made available by the Municipality to such persons as the Municipality sees fit, including anyone requesting such information. Accordingly, in providing such information, you shall be deemed to have consented to its use and disclosure as part of the planning process.

Dated at the Township of Admaston/Bromley this 12th day of October, 2023.

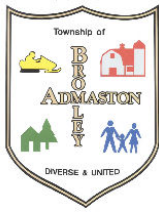
Key Map



Location of Amendment

Lindsey Bennett-Farquhar

Lindsey Bennett-Farquhar, MCIP RPP
Senior Planner
Development & Property Department
County of Renfrew
Telephone: (613) 735-7288
lbennett@countyofrenfrew.on.ca



ZONING BY-LAW AMENDMENT REPORT TO THE COUNCIL OF THE TOWNSHIP OF ADMASTON/BROMLEY

PART A - BASIC INFORMATION

1. **FILE NO.:** ZB2342.5
2. **APPLICANT:** Lisa Clark & Larry Mulligan
3. **MUNICIPALITY:** Township of Admaston/Bromley
(geographic Township of Bromley)
4. **LOCATION:** Part of Lot 18, Concession 1

STREET: 139 McGuinty Road

SUBJECT LANDS

- | | | |
|----|--|-----------------|
| 5. | COUNTY OF RENFREW
OFFICIAL PLAN
Land Use Designation(s): | Agriculture |
| 6. | TWP OF ADMASTON/
BROMLEY (#2004-13)
Zone Category(s): | Agriculture (A) |

7. DETAILS OF ZONING BY-LAW AMENDMENT REQUEST:

The submitted application proposes a zoning by-law amendment to the Township of Admaston/Bromley Zoning By-law to:

- Rezone the severed lands in Consent Application File No. B06/23 from Agriculture (A) to Agriculture – Exception Forty-Five (A-E45) to reduce the Minimum Distance Separation 1 (MDS1) setback from 162 metres to 120 metres, and
- To rezone the retained lands in Consent Application File No. B06/23 from Agriculture (A) to Agriculture – Exception Forty-Six (A-E46) to prohibit residential uses.

The rezoning is a condition of consent for Consent File No. B06/23.

8. SITE CHARACTERISTICS

The Clark/Mulligan property is 40.47 hectares in area with 690 metres of road frontage on McGuinty Road. The owners are in the process of severing a residential lot that is 1.58 hectares in area with 50 metres of road frontage along McGuinty Road as shown in red on the sketch. There is an existing dwelling on the severed lands.

The final retained lands will be 38.89 hectares in area with 640 metres of road frontage along McGuinty Road and has a hay barn, loafing barn, machine shed, garage, and sheds.



PART B – POLICY REVIEW

9. PROVINCIAL POLICY STATEMENT:

1.1.5.8 New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.

2.3.4.1 Lot creation in *prime agricultural areas* is discouraged and may only be permitted for:

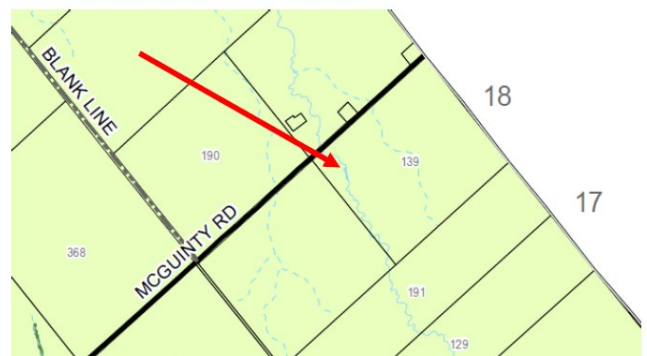
c) a *residence surplus to a farming operation* as a result of farm consolidation, provided that:

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

10. OFFICIAL PLAN:

The subject lands are designated Agriculture in the County of Renfrew Official Plan.

The Agriculture designation shall mean



that the predominant use of land will be for primary agricultural uses; namely, farm residences and related buildings and structures which support the farm operation being the growing of crops, including nursery and horticultural crops; raising of livestock and other animals for food, or fur, including poultry and fish; aquaculture; agro-forestry; and maple syrup production. In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.

Section 9.3(5) states that consents may also be given for:

- (a) Land for agricultural purposes provided that:
 - a. The parcel to be created and the parcel to be retained are both for agricultural use;
 - b. All parcels are of an appropriate size for agricultural activity common in the area;
 - c. That all parcels are sufficiently large enough to maintain flexibility for future changes in the type or size of agricultural operations, being generally not less than 40 hectares in size.

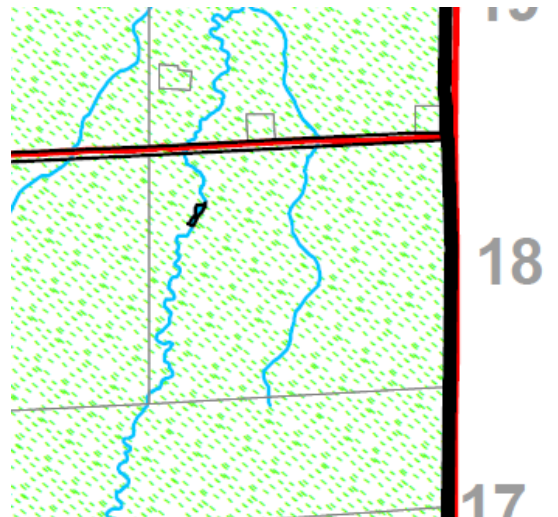
In determining the appropriateness of a new agricultural lot and lot size, consideration shall also be given to the capability, flexibility, suitability and viability of both parcels.

- (b) An existing agriculture-related commercial and industrial use as defined in Section 6.3 (2) of this Plan.
- (c) Lot adjustments in prime agricultural areas may be permitted for legal or technical reasons.
- (d) A dwelling which is surplus to the needs of the farm operation, provided:
 - i. the building and site were used for a residence prior to the time of the consolidation;
 - ii. only the minimum amount of land required for the dwelling unit and appropriate sewage and water services is severed; and
 - iii. no new dwelling unit may be built on the retained parcel.

11. **ZONING BY-LAW:**

The permitted residential uses in Agriculture (A) zone include a maximum of two single detached dwellings accessory to a farm use, a single detached dwelling on an existing lot or a legally created lot, and group home. Non-residential uses include farm, farm limited, home industry, and bed and breakfast establishment.

Section 22.2(n) states that an existing lot or a legally created lot may be used for a single



detached dwelling (including a group home), a home industry and accessory structures, provided that any dwelling established complies with the separation distance from existing livestock facilities, as required by Minimum Distance Separation I (MDSI).

The applicable provisions of Section 21.2 (RU Zone Provisions) shall apply to a single detached dwelling and a home industry established on an existing lot and on a legally created lot.

For a single detached dwelling in the RU Zone, the minimum lot area is 4047 square metres, and the minimum lot frontage is 45 metres.

Section 3.25(a)(i) states that no dwelling, community facility or institutional use shall be erected within the minimum distance from a livestock facility by the Minimum Distance Separation I (MDSI).

12. SUMMARY OF STUDIES:

No studies were submitted.

PART C: PLANNING ANALYSIS

13. CONSULTATION:

At the time of writing this report, no comments have been received or considered.

14. ANALYSIS:

The owners are in the process of severing a residential lot containing an existing dwelling from the agriculture property. The retained lands will contain an existing livestock barn and other farm buildings. The severed and retained lands are zoned Agriculture (A).

The Provincial Policy Statement (PPS), the County of Renfrew Official Plan and the Township of Admaston/Bromley Zoning By-law require compliance with MDS 1. MDS 1 must be calculated for all livestock facilities within 750 metres of the proposed severed lot. As indicated above, there are barns on the retained lands. MDS 1 calculations were completed, and it indicates that the severed dwelling is required to be 162 metres from the livestock barn. However, as shown on the sketch below, the existing dwelling is located approximately 120 metres from the livestock barn on the retained lands. The proposed severance would create a new lot with an existing dwelling that does not conform to the MDS requirements or the zoning provisions for Agricultural lands.



This zoning by-law amendment is required as a condition of consent to rezone the severed lands from Agriculture (A) to Agriculture – Exception Forty-Five (A-E45) to reduce the Minimum Distance Separation 1 requirement from 162 metres to 120 metres.

In accordance with Section 9.3(5)(d) of the Official Plan, for the severance of a surplus dwelling in the Agriculture designation, a new dwelling unit may not be built on the retained parcel, and the retained lands are to be rezoned to prohibit a dwelling. As a condition of consent, the retained lands are required to be rezoned from Agriculture (A) to Agriculture – Exception Forty-Six (A-E46) to prohibit residential uses.

15. RECOMMENDATIONS:

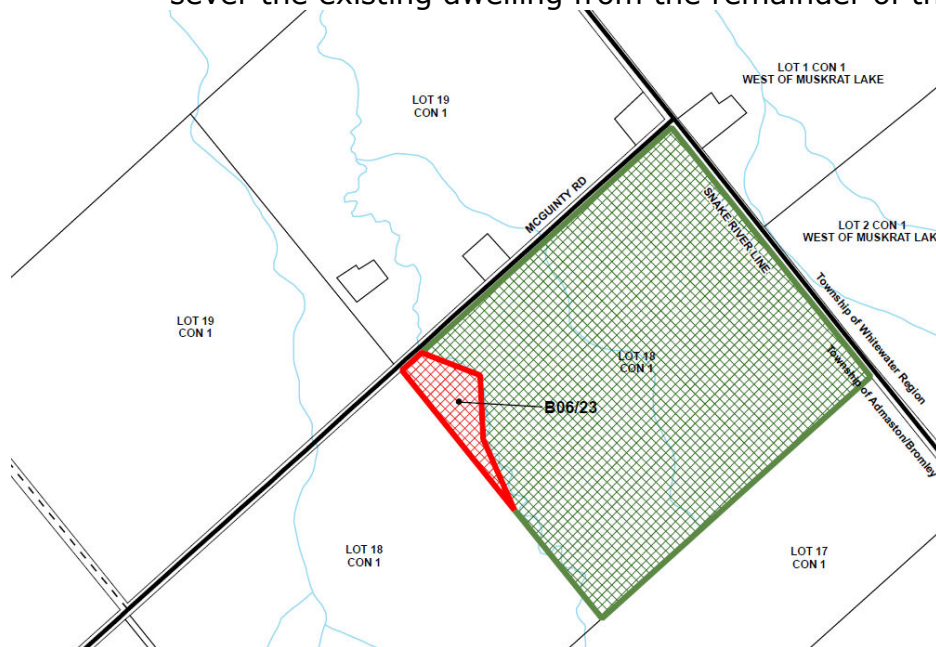
That, subject to any additional concerns or information raised at the public meeting, the zoning by-law amendment be passed.

Date: October 25, 2023

Prepared By: Lindsey Bennett-Farquhar, MCIP, RPP
Senior Planner

PART A - BACKGROUND

1. FILE NO.: **B06/23**
2. APPLICANTS: Lisa Clark & Larry Mulligan
3. MUNICIPALITY: Township of Admaston/Bromley
(Geographic Township of Bromley)
4. LOT: Part Lot 18 CON.: 1 STREET: 139 McGuinty Road
5. PURPOSE: Creation of a new lot
6. DESCRIPTION OF APPLICATION: The subject property has an area of 40.47 hectares and 690 metres of frontage on McGuinty Road and the Snake River Line. The property is used for farming. The property is located approximately 1.5km from the village of Cobden. The applicants are proposing to sever the existing dwelling from the remainder of the lot.



7. LOT DIMENSIONS AND USE OF LANDS

	Frontage		Area		Structures
Existing Lot	690 m		40.47 Ha		Residential dwelling, pool small shed, hay barn, loafing barn, machine shed, garage, sheds.
Severed	50 m		1.58 Ha		Residential dwelling, pool small shed
Retained	640 m		38.89 Ha		Hay barn, loafing barn, machine shed, garage, sheds.

8. SEVERANCE HISTORY

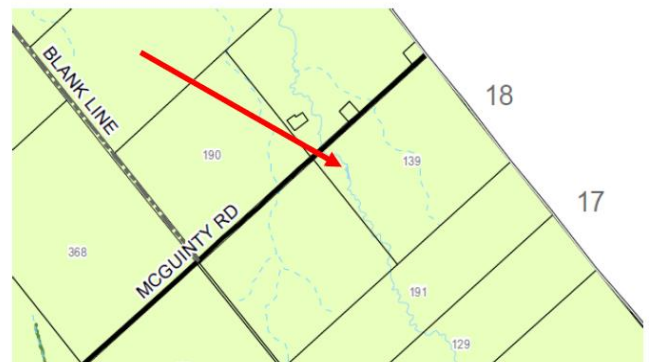
Number of new lots from original holding (1971) No previous severances

9. OFFICIAL PLAN OF THE COUNTY OF RENFREW

Official Plan Designation(s):

Severed **Agriculture**

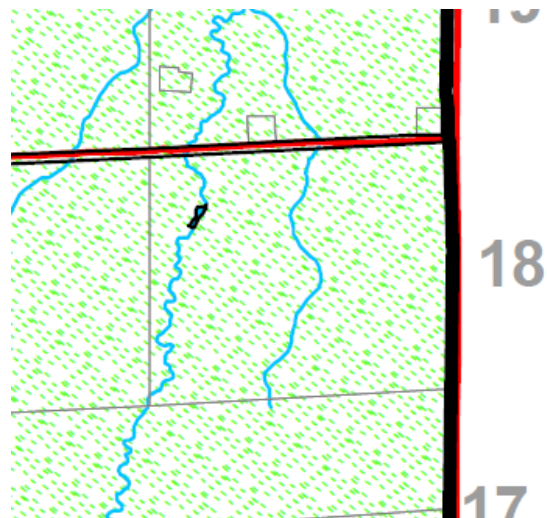
Retained **Agriculture**



**10. ZONING BY-LAW OF THE TOWNSHIP OF ADMASTON/BROMLEY
(2004-13) Zone(s):**

Severed **Agriculture**

Retained **Agriculture**



Zone Requirements:

	<u>Proposed</u> <u>Lot Frontage</u>	<u>Minimum</u> <u>Required</u>	<u>Proposed</u> <u>Lot Area</u>	<u>Minimum</u> <u>Required</u>
Severed	50 m	45 m	1.58 Ha	4057 m²
Retained	640 m	45 m	38.89 Ha	20 Ha

PART B – COMMENTS**1. PROVINCIAL POLICY STATEMENT and MUNICIPAL PLAN REVIEW DATA**Policies Considered:

The PPS provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the PPS sets the policy foundation for regulating the development and use of land.

Sections Considered:

Section 1.1.4 Rural Areas in Municipalities

Section 1.1.5 Rural Lands in Municipalities:

Section 1.1.5.2 On *rural lands* located in municipalities, permitted uses are:

- a) the management or use of resources;
- b) resource-based recreational uses (including recreational dwellings);
- c) residential development, including lot creation, that is locally appropriate;
- d) *agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices*, in accordance with provincial standards;
- e) home occupations and home industries;
- f) cemeteries; and
- g) other rural land uses.

Section 1.1.5.4 Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.

Section 1.1.5.8, New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.

Section 1.2.6 Land Use Compatibility

Section 1.6.6.4 Where municipal sewage services and municipal water services or private communal sewage services and private communal water services are not available, planned or feasible, individual on-site sewage services and individual on-site water services may be used provided that site conditions are suitable for the long-term provision of such services with no negative impacts.

Section 1.6.7 Transportation Systems

Section 2.1 Natural Heritage

Section 2.1.1 Natural features and areas shall be protected for the long term.

Section 2.2 Water

Section 2.3 Agriculture

Section 2.3.4 Lot Creation and Lot Adjustments

Section 3.1 Natural Hazards - Development shall generally be directed, in accordance with guidance developed by the Province (as amended from time to time), to areas outside of:

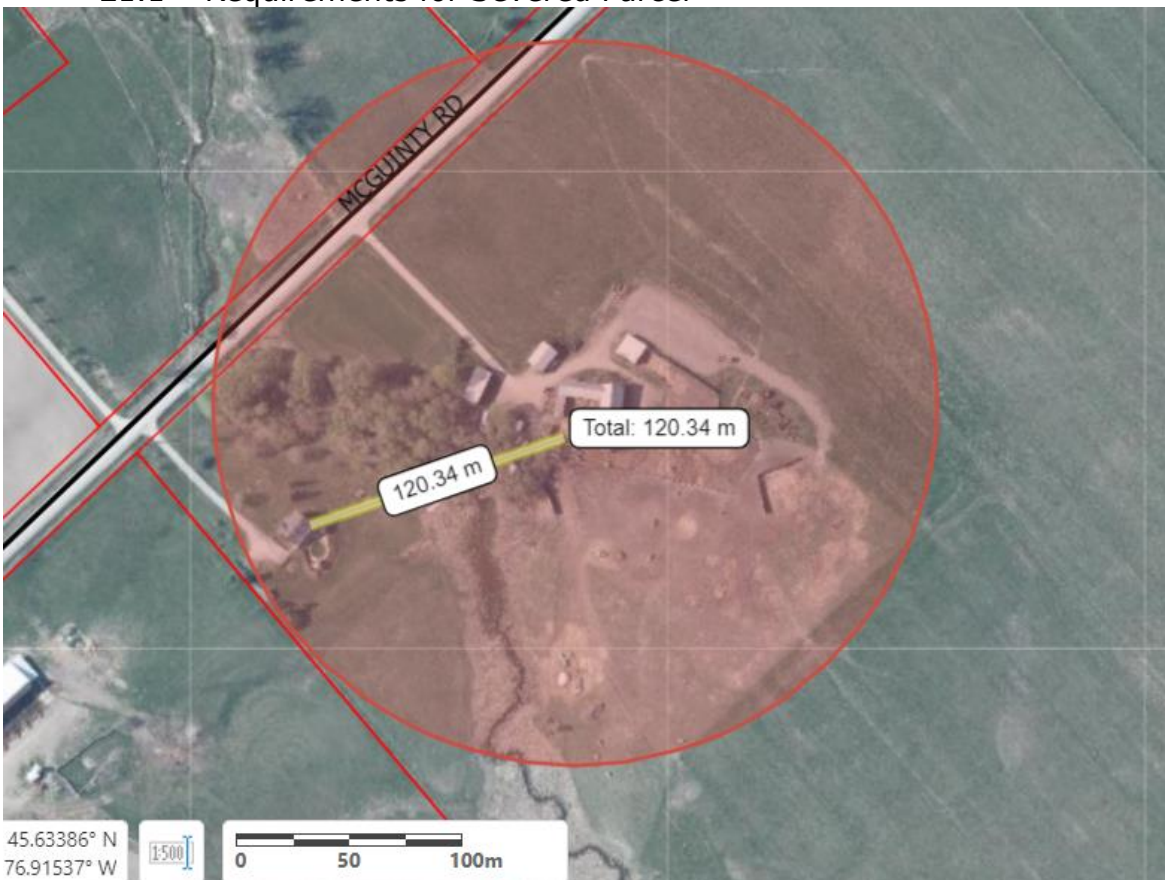
b) hazardous lands adjacent to river, stream and small inland lake systems

2. **Official Plan Policies Considered**

- 2.2(2) Minimum Distance Separation
- 2.2(8) Natural Heritage
- 2.2(9)(b) Hazardous Slopes, Unstable Slopes, and Steep Slopes
- 8.3(1) Environment Protection Designation
- 13.3(3) Transportation – Municipal Road
- 14.3 Consent Policies

3. **Zoning By-law Provisions Considered**

- Section 3.25(a)(i) Separation Distances – Minimum Distance Separation I – (MDS I) – Severed Parcel
- Section 22.2 Requirements for Agriculture (A) Zone – Lot Area (minimum of 20 hectares) – Retained Parcel
- 21.1 – Requirements for Severed Parcel



4. SUBMITTED STUDIES

None required

5. AGENCY COMMENTS

Twp. of Admaston
Bromley

Favourable comments were received from the
Township.

The Building and Sewage Inspector approved the suitability of the severed and retained lands for private sewage disposal. The system must comply with the Ontario Building Code and all applicable law

6. GENERAL PLANNING COMMENTS

As indicated in Part B-Section 1 of this Report, the Provincial land use planning issues to be addressed are Minimum Distance Separation (MDS 1) of a new sensitive (residential) land use from existing livestock and manure operations, significant valleylands, and wildland fire.

The application is proposing to sever a surplus dwelling to the agriculture use. As required by both the PPS and the Official Plan, the retained lands are required to be re-zoned to prohibit the construction of new dwellings. This can be a condition of approval.

Minimum Distance Separation

The Provincial Policy Statement (PPS), the County of Renfrew Official Plan and the Township of Admaston/Bromley Zoning By-law require compliance with MDS 1. MDS 1 must be calculated for all livestock facilities within 750 metres of the proposed severed lots. Our records indicate that there are barns on the retained lands. The MDS calculation indicates that the severed dwelling is to be 162 metres from the livestock barn. The existing dwelling is located approximately 120 metres from the livestock barn on the retained lands. The proposed severance would create a new lot with an existing dwelling that does not conform to the MDS requirements or the zoning provisions for Agricultural lands.

To address this concern it is recommended that a zoning by-law amendment application be completed to reduce the Minimum Distance Separation Distance from 162m to 120m.

Natural Heritage Features

Portions of the severed and retained lands are impacted by the presence of natural heritage features, as identified on Official Plan Schedule B. Both the proposed retained parcel and the severed parcel contain surface water systems. Section 2.2(8) of the Official Plan requires the natural features to be protected from negative impacts from development. Only a small portion of the severed lands are affected by the natural heritage features and development can be avoided in these area.

Hazardous Slopes, Unstable Slopes, and Steep Slopes

Section 2.2() of the Official Plan requires that development be directed to areas outside

of outside of hazardous lands. Only a small portion of the severed lands are affected by the natural hazards / slip clays and development can be avoided in these area. The retained parcel has sufficient size that it can accommodate future development provided it conforms to the Official Plan policies and local Zoning By-law. The retained lands are already developed, and no further development is proposed on this parcel.

7. **RECOMMENDATIONS**

- (a) Planning concerns have NOT been identified in this report. Therefore, consent can be granted. ☒
- (b) There are some planning concerns that must be dealt with as follows, before determining whether the consent can be supported or not. ☐
- (c) The proposal may be acceptable when the following matters are addressed and resolved: ☐
- (d) Conditions to the giving of consent should be considered for the following:
- ☒ Registered Plan of Survey:
 - ☒ Zoning By-law Amendment:
 - a) Retained lands are required to be rezoned to prohibit the construction of new dwellings on the land; and
 - b) Severed lands are required to be rezoned to reduce the MDS setback from 162 m to 120 m

(Only one zoning amendment application is required to address the two items)
 - ☐ Minor Variance:
 - ☐ Private Road Agreement:
 - ☐ Development Agreement:
 - ☐ Site Plan Control Agreement:
 - ☐ Notice on Title:
 - ☐ Shoreline Road Allowance Closure / Acquisition:
 - ☐ Other:
- (e) There are serious planning concerns, refusal is recommended. ☐

(f) Other Recommendations:

☐

Date: June 8, 2023

Prepared by: Paul Moreau
Planner

Reviewed by: Bruce Howarth, MCIP, RPP
Manager of Planning Services

NOV/2021

**THE CORPORATION OF THE
TOWNSHIP OF ADMASTON/BROMLEY**

BY-LAW NUMBER 2023-56

A By-law to amend By-law Number 2004-13 of the Corporation of the Township of Admaston/Bromley, as amended.

PURSUANT TO SECTION 34 OF THE PLANNING ACT, R.S.O., 1990, c.P. 13, THE TOWNSHIP OF ADMASTON/BROMLEY HEREBY ENACTS AS FOLLOWS:

1. THAT By-law Number 2004-13, as amended, be and the same is hereby further amended as follows:

(a) By adding the following new subsections to Section 22.0 – Requirements for Agriculture (A) Zone, immediately after Section 22.3(rr):

“(ss) Agriculture-Exception Forty-Five (A-E45)

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the A-E45 Zone, within Part of Lot 18, Concession 1, in the geographic Township of Bromley, now in the Township of Admaston/Bromley, the following provision shall apply:

i) Minimum Distance I (MDSI) requirement 120 metres.

(tt) Agriculture-Exception Forty-Six (A-E46)

Notwithstanding any other provisions of this By-law to the contrary, for the lands located in the A-E46 Zone, within Part of Lot 18, Concession 1, in the geographic Township of Bromley, now in the Township of Admaston/Bromley, residential uses are not permitted.”

(b) Schedule “B” to the Township of Admaston/Bromley Zoning By-law is amended by rezoning those lands described above from Agriculture (A) to Agriculture – Forty-Five (A-E45), and from Agriculture (A) to Agriculture – Forty-Six (A-E46), as shown as Items 1 & 2 on Schedule “A” attached hereto.

2. THAT save as aforesaid all other provisions of By-law 2004-13, as amended, shall be complied with.
3. This by-law shall come into force and take effect on the day of final passing thereof.

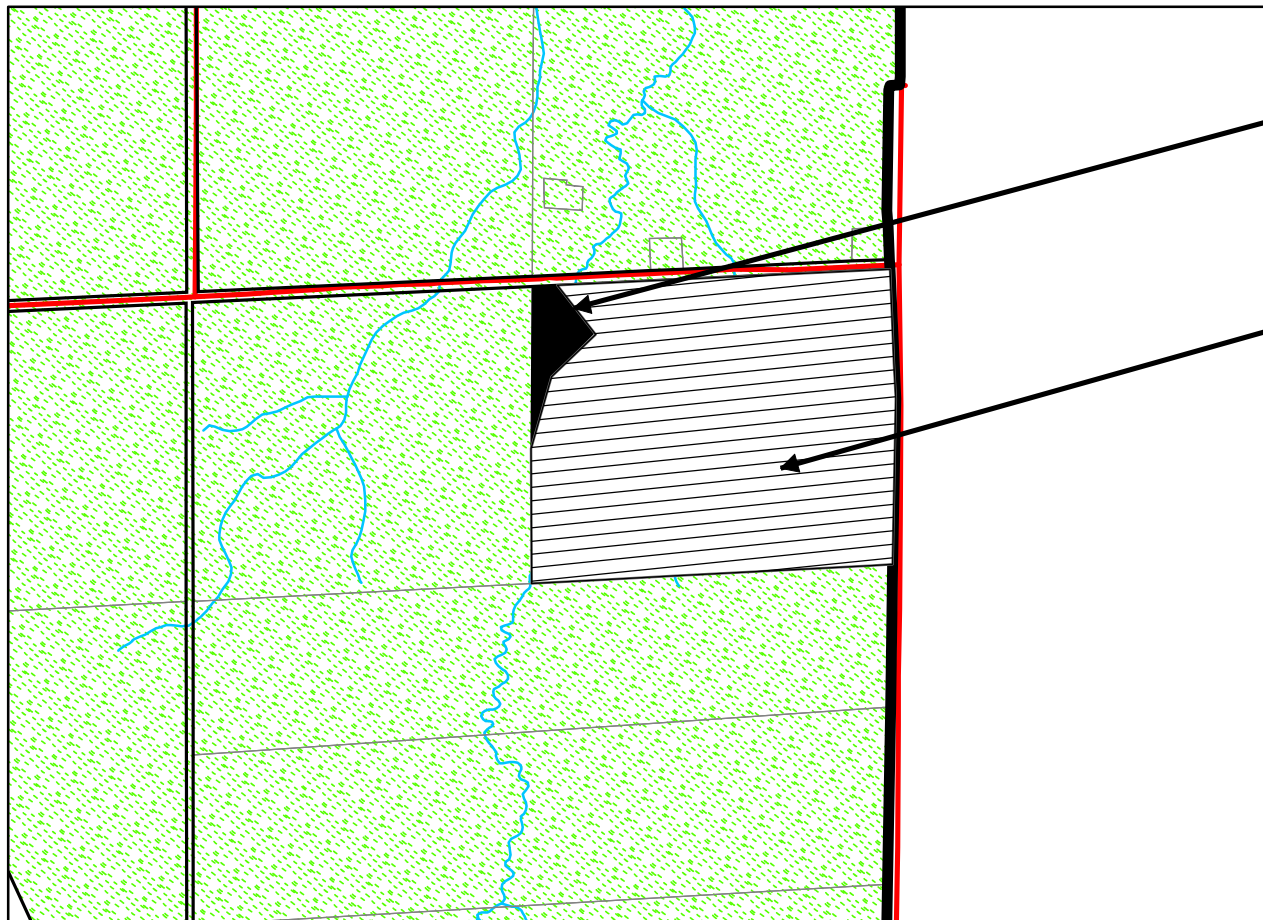
This By-law given its FIRST and SECOND reading this _____ day of _____, 2023.

This By-law read a THIRD time and finally passed this _____ day of _____, 2023.

MAYOR

CORPORATE
SEAL OF
MUNICIPALITY

CAO/Clerk



Item 1:
From A
To A-E45

Item 2:
From A
To A-E46



1:15,000

CORPORATION OF THE TOWNSHIP OF ADMASTON/BROMLEY

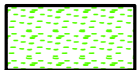
This is Schedule "A" to By-law Number _____
Passed the _____ day of _____, 20____.

Signatures of Signing Officers:

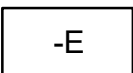
Mayor

Clerk

LEGEND



Agriculture (A)



Exception Zone



Item 1: Area affected by
this Amendment:
From A To A-E45



Item 2: Area affected by
this Amendment:
From A To A-E46

Jennifer Charkavi

From: Municipal Planning <MunicipalPlanning@enbridge.com>
Sent: October 20, 2023 12:45 PM
To: Lindsey Bennett
Subject: RE: Zoning By-law Amendment - Township of Admaston/Bromley - Clark/Mulligan

[CAUTION -- EXTERNAL E-MAIL - Do not click links or open attachments unless you recognize the sender.]

Thank you for your circulation.

Enbridge Gas does not object to the proposed application however, we reserve the right to amend our development conditions.

Please continue to forward all municipal circulations and clearance letter requests electronically to MunicipalPlanning@Enbridge.com.

Regards,

Jasleen Kaur
Municipal Planning Coordinator
Engineering

ENBRIDGE
TEL: 437-929-8083
500 Consumers Rd, North York, ON M2J1P8
enbridge.com
Safety. Integrity. Respect. Inclusion.

From: Lindsey Bennett <LBennett@countyofrenfrew.on.ca>
Sent: Friday, October 13, 2023 4:06 PM
Subject: [External] Zoning By-law Amendment - Township of Admaston/Bromley - Clark/Mulligan

CAUTION! EXTERNAL SENDER

Were you expecting this email? TAKE A CLOSER LOOK. Is the sender legitimate?
DO NOT click links or open attachments unless you are 100% sure that the email is safe.

Hello,

Please find attached a Notice of Application and Public Meeting for a Zoning By-law amendment in the Township of Admaston/Bromley.

Thanks,

Lindsey

Lindsey Bennett-Farquhar, MCIP, RPP
County Planner
Development & Property Department
County of Renfrew
9 International Drive
PEMBROKE, ON K8A 6W5

613-735-3204 ext. 477 / 1-800-273-0183

Fax: 613-735-2081

lbennett@countyofrenfrew.on.ca

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