



RON DAVIDSON  
LAND USE PLANNING CONSULTANT INC.

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May 31, 2024

County of Bruce  
Planning & Economic Development Department  
Box 129  
WIARTON, ON  
N0H 2T0

Attention: Benito Russo  
Planner

Dear Mr. Russo

**Re: Application for Consent and Zoning By-law Amendment  
Part Lots 66, 67, 68, 69, and 70, Concession 1  
Geographic Township of Huron, Township of Huron-Kinloss  
County of Bruce  
2989 Concession 2  
Owner: Hendrikus (Peter) Geene**

Further to recent pre-consultation discussions with your office regarding this property, attached please find a completed Consent / Zoning By-law Amendment application.

To assist your office in its evaluation of the application, I offer the following information:

**The Proposal:**

The subject property comprises 100.83 hectares of land and is owned by Peter Geene. These lands previously comprised two separate properties; however, the two lots merged together prior to Mr. Geene acquiring the farm holding. In fact, the subject property still appears as two separate parcels on the County GIS mapping and two separate tax bills continue to be provided by the Municipality. That notwithstanding, the owner's lawyer has confirmed that the lands have merged together on title and that the lands owned by Mr. Geene form just one lot at this time.

Mr. Geene is proposing to re-create the previous lots by severing a vacant 40.13-hectare farm lot and retaining a 60.7-hectare farm lot containing the existing farm buildings.

The proposed lot re-creation is illustrated on the attached drawing.

### **Approvals Required:**

In order to re-establish the previous farm lots, approval of a Consent application by the County of Bruce is required.

As demonstrated later in this Report, the proposed severance conforms to the Township of Huron-Kinloss Zoning By-law, and therefore a Zoning By-law Amendment would not typically be required. The County, however, has advised that the majority of the subject lands fall within an area of high archaeological potential, according to mapping provided to the County. As such, an “h” (holding) symbol must be applied to the current zoning of the subject lands in order to prohibit the construction of any new buildings until such time as a favourable Assessment has been conducted for that particular area of the property. The “h” symbol would then be removed by Council through the passing of a By-law under Section 36 of the Planning Act, R.S.O, 1990. Alternatively, the owner could choose to have the Assessment conducted now. Given the considerable cost associated with conducting the assessment for essentially the entire property, Mr. Geene is applying for a Zoning By-law Amendment that would have the effect of applying the “h” symbol to the majority of the site.

### **The Subject Lands:**

The subject property is located at the southwest quadrant of the Township of Huron-Kinloss, immediately east of Amberley.

The property has frontages along Bruce County Road 86 at its south end and along Concession 2 at its north limit.

Situated on the property are three barns, two small farm buildings, and a series of feed bins. A large portion of the property is cash-cropped. An intermittent watercourse meanders through the south portion of the property. A small, wooded area exists near the southwest corner.

### **Adjacent Lands:**

Several residences and two commercial businesses exist to the west of the site, within the settlement area of Amberley. All other lands in the area appear to be used for agricultural purposes.

### **Bruce County Official Plan:**

The subject lands fall within the jurisdiction of the County of Bruce Official Plan. According to Schedule A (Land Use), the property is designated predominantly 'Agricultural'. The small watercourse and adjacent area are designated 'Hazard Land'.

The 'Agricultural' policies are restrictive with regard to new lot creation but do permit farm splits where both the severed and retained parcel each comprise a minimum of 40 hectares of land. The proposal conforms with this requirement.

Lot creation in the 'Agricultural' designation is subject to compliance with the Minimum Distance Separation (MDS) formulae. In this regard, the only livestock facility located within close proximity of the subject lands are the barns situated on the retained parcel. The attached MDS Report demonstrates that the required setback associated with these barns encroaches slightly onto the severed parcel but there remains ample area for a house to be erected, should a future landowner wish to construct a dwelling.

The general consent policies require all new lots to have frontage along a year-round public road. Bruce County Road 86 provides frontage and an existing field entrance for the severed parcel. The retained parcel fronts onto Concession 2 and has a full entrance.

Given the relatively straightforward nature of this severance proposal, a more in-depth review of the County of Bruce Official Plan policies is not warranted. It is evident that this farm split conforms to this policy document.

### **Provincial Policy Statement:**

The Provincial Policy Statement (PPS) strongly encourages the preservation of prime agricultural land by generally prohibiting the creation of smaller farm parcels or residential lots in areas having strong agricultural capabilities. The PPS does not provide a specific minimum lot area requirement for new lots within prime agricultural areas; however, the County's 40-hectare requirement has been deemed to be consistent with the PPS. It's also worth noting that the County Official Plan was

approved by the Ministry of Municipal Affairs and Housing, and therefore the 40-hectare lot area requirement is obviously in keeping with the PPS.

The PPS also requires archaeological resources to be protected. In this regard, mapping provided by the County identifies most of the subject property has having high archaeological potential, and therefore an Archaeological Assessment will be required before any further buildings are erected on the property. As stated above, the proper assurance that the study will be conducted can be achieved by applying an “h” (holding) symbol to the zoning of the property. The “h” will be removed through the adoption of a by-law by Council once a favourable assessment has been completed.

No other policies of the PPS are relevant to the requested severance.

In view of the above, the proposed farm split is consistent with the PPS.

### **Township of Huron-Kinloss Zoning By-law:**

The subject lands are zoned mostly ‘AG-1’ (General Agricultural), with the watercourse and surrounding lands falling within the ‘EP’ (Environmental Protection) zone.

The ‘minimum lot area’ and ‘minimum lot frontage’ requirements for a farm lot in the ‘AG-1’ zone are 37 hectares and 100 metres, respectively. The severed and retained parcels both exceed these minimum standards.

As explained earlier in this Report, a Zoning By-law Amendment application has been filed in order to add the “h” (holding) symbol to the ‘AG-1’ zoning, which would allow the required Archaeological Assessment to be conducted at a later date.

### **Summary and Conclusion:**

The proposed re-creation of these two farm lots conforms to the Bruce County Official Plan and the Township’s Zoning By-law. The proposal is also consistent with the Provincial Policy Statement.

Based on the forgoing, the Consent application and associated Zoning By-law Amendment application have considerable merit and can be given favourable consideration.

**Concluding Comments:**

I trust you will deem the application to be complete. Should you have any questions or require additional information, please contact the undersigned.

Before scheduling the public meeting for the Zoning By-law Amendment, please advise of the potential meeting dates to ensure our availability.

Respectfully submitted,

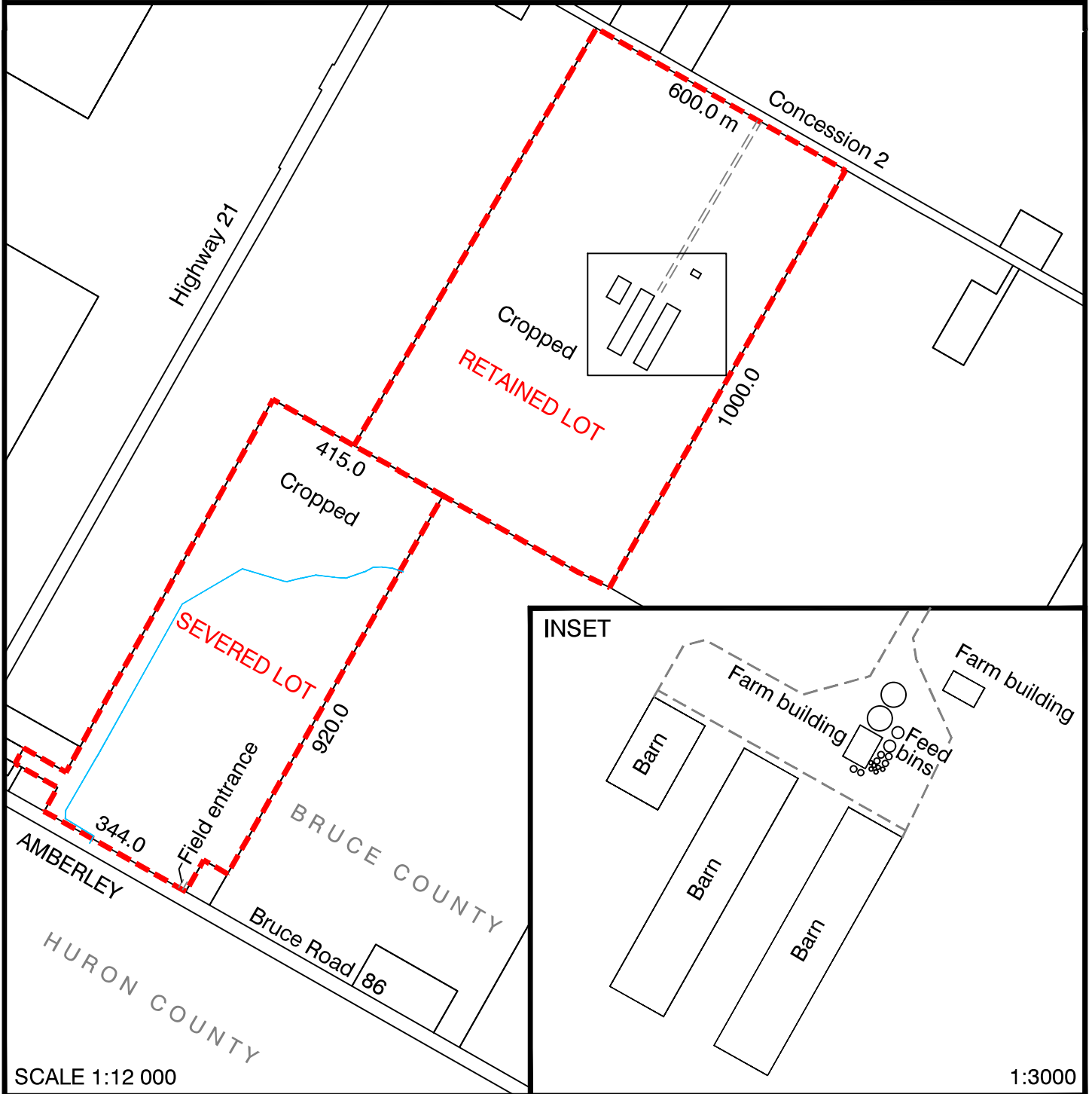
A handwritten signature in blue ink, appearing to read 'Ron Davidson', with a stylized flourish at the end.

Ron Davidson, RPP, MCIP

c.c. Peter Geene

# Proposed Farm Severance

 Subject Property



Farm Split  
Hendrikus (Peter) Geene  
Township of Huron-Kinloss