



Development Services Staff Report

Report Number: DS44-2023
Report Title: Zone Change Application 10/2023 (Michelle Shannon)
Author: Sherwin Meloney, Planner
Meeting Type: Council Meeting
Meeting Date: November 21, 2023
eDocs or File ID: DM125334, 125338, 125336, 125335 and 125337
Consent Item: No
Final Version: Yes
Reviewed By: Jeremy Vink, Manager of Planning
Final Review: Senior Management Team

Recommendation:

That the Council of the Township of Woolwich, considering Report DS44-2023 respecting Zone Change Application 10/2023 (Michelle Shannon) amend the Agricultural (A) zone with site specific provisions to recognize a reduced Agricultural parcel size of 34 hectares for the property of 1189 Weeby Place in accordance with the by-law in Attachment 3 to this report.

Background:

RBA Planning Consultants Ltd. on behalf of the property owner have submitted a rezoning application, for the lands at 1189 Weeby Place.

The subject lands, comprising 39.8 hectares in area are within a Countryside - Prime Agricultural area and Zoned Agricultural (A). The subject property is located at 1189 Weeby Place. The property contains barns, driving sheds, a farm shop, and a single detached dwelling.

The applicant is proposing a site-specific zoning amendment to recognize a reduced Agricultural parcel size of approximately 34.4 hectares whereas 40 hectares is required.

The zone change would allow a severance of the property at 1189 Weeby Place of 5.4 hectares south of the creek to be conveyed to 1094 Northfield as a lot addition, leaving 1189 Weeby Place with an undersized farm parcel size of 34.4 hectares.

The property at 1094 Northfield Drive East will also acquire 3.6 hectares from Weberland Ltd to create a large farm holding of 60 hectares. The proposed plan would also accommodate the creation of a new dairy barn and the continued posterity of 1094 Northfield Drive East to be economically viable.

The applicant submitted a planning justification report in support of their application.

A public meeting was held on October 24, 2023.

Comments:

The lands are within a Countryside - Prime Agricultural Area. Both the Provincial Policy Statement (PPS) and A Place to Grow plan contain policies around protecting and supporting the long-term viability and productivity of agricultural lands, to ensure a vibrant rural and productive agricultural economy and a secure food supply for future generations. The key policies relevant to this application can be found in Section 2.3.4 of the PPS and Section 4.2.6 of A Place to Grow plan.

The Region of Waterloo Official Plan (ROP) speaks to supporting and protecting the countryside within the policies of Chapter 6, specifically Section 6.E.3 regarding the reconfiguration of existing farm parcels. Farm parcels less than 40 hectares will be required to provide information satisfactory to the Region, which demonstrates that the resulting farm parcel is of an appropriate size for the type of agricultural use, is sufficiently large enough to sustain an economically viable farm operation and has the capacity to maintain flexibility for future changes in the type or size of agricultural operations.

The Township Official Plan (OP) policies regarding prime agricultural areas are contained in Chapter 6. As per the Countryside policies in Section 6.2.6, where part of an adjoining farm is to be severed and merged on title with an existing farm, resulting in a farm having less than a minimum of 40 hectares will require a site-specific Zoning By-law amendment and will need to be sufficiently large enough to sustain an economically viable farm operation as well as maintain flexibility for future changes in the type or size of agricultural operations.

The applicant has provided justification with regards to the ROP and OP, demonstrating that the undersized farm parcel of 34.4 hectares is economically viable. The subject lands are utilized for agricultural uses, and it is demonstrated that the farming of the property provides a sufficient economic base to support a slightly smaller viable farm parcel.

The subject lands are utilized for agricultural uses and are intended to continue as part of a viable agricultural use. The property at 1189 Weeby Place is sufficiently large enough to sustain an economically viable farm that will also provide farm flexibility for future changes as demonstrated by the Agricultural Viability Analysis provided in the planning justification report.

The proposed severance line will follow the creek creating a natural boundary, leaving behind a small strip of land north of the creek, with the retained lot. Staff notes that this strip of land is accessible to 1189 Weeby Place and could be severed in the future and conveyed to the lands adjacent to the retained lot.

Staff is satisfied that the use is appropriate and consistent with the Provincial Policy Statement and A Place to Grow, and conforms to the ROP and the OP. The proposed Zoning By-law amendment will facilitate the agricultural use on the adjacent property with approval of conveyance of additional land while maintaining the viable agricultural property on the retained parcel.

Staff are of the opinion that there is no impact to the farm at 1189 Weeby Place as a result of this severance.

Zoning

The applicant has proposed a reduction in the minimum lot area for the Agricultural (A) Zone in Section 7 of the Zoning By-law, which regulates a minimum lot area of 40 hectares. The intent of this by-law is to ensure that agricultural lands are large enough to accommodate an economically viable farm operation. The parcel being retained at 1189 Weeby Place is comparable with the size of agricultural farm operations in the area and has demonstrated to be economically viable. It is recommended that the Agricultural (A) Zone be amended to recognize a reduced Agricultural parcel size of approximately 34.4 hectares.

The proposed zoning by-law attached to this report reflects the reduced lot area and is consistent with the policies noted in this report.

A future consent application will address any of the severance issues.

Comments Received

- Grand River Conservation Authority (GRCA) notes that the site plans submitted with the Planning Information and Justification Report appear to incorrectly label the GRCA regulated area, however, has no objections or concerns with the proposed zone change.
- The Waterloo Region Catholic School Board, The Region of Waterloo, Enova Power, and The Ministry of Transportation have no comments with respect to the proposal.
- The Township Fire, Building and Development Engineering Department have no comments with respect to the proposal.

Interdepartmental Impacts:

None.

Financial Impacts:

None.

Strategic Plan Impacts:

The site-specific zoning will ensure managed and sustainable community growth and development. It will preserve, protect, and facilitate growth of agricultural operations.

Conclusion:

It is staff's opinion that the proposed zone change is consistent with Provincial Policies and Guidelines and conforms to the Regional Official Plan and the Township Official Plan.

Therefore, staff recommend that Council of the Township of Woolwich approve Zone Change 10/2023 for the property at 1189 Weeby Place to amend the agricultural zoning with site-specific regulations to permit a reduced Agricultural parcel size, in accordance with the by-law as attached in Attachment 3 to this report.

Attachments:

1. Location Map and Site Plan
2. Minutes of October 24, 2023, Public meeting
3. Proposed Zoning By-law and Map