



County of Brant – Planning and Development Report

To: To the Chair and Members of the Planning and Development Committee
From: Shannon Labelle, Planner
Date: January 10, 2023
Subject: RPT-0536-22
Zoning By-Law Amendment Application ZBA36/22/SL
179 Howell Road, Geographic Township of South Dumfries
Purpose: **Recommendation Report for Approval**

That Application ZBA36-22-SL from The Angrish Group, Agent on behalf of Triple Lane Farms Ltd, Owner of lands legally known as Concession 4 Part Lot 7, municipally known as 179 Howell Road, Geographic Township of South Dumfries, County of Brant, proposing to rezone the retained lands from Agriculture (A) with site specific provision 1 (A-1) to Agriculture (A) with site specific provision 187 (A-187), in order to recognize an undersized farm parcel, and proposing to rezone the severed lands from Agriculture (A) with site specific provision 1 (A-1) to Agriculture (A) with site specific provision 188 (A-188) in order to permit a reduced Minimum Distance Separation (MDS) setback from the livestock barn and manure storage to the existing dwelling, as required as a condition of consent application B16-22-RC, be approved; and

That the following site specific provision is being recommended for approval for the retained parcel:

1. To permit a reduced lot area of 31 hectares (76.6 acres), whereas 40 hectares (approx. 100 acres) is required; and

That the following site specific provisions are being recommended for approval for the severed parcel:

1. To permit a reduced Minimum Distance Separation (MDS) I setback of 70 metres (229.7 feet) from the livestock barn on the retained lands to the existing dwelling on the severed lands, whereas a MDS I setback of 464 metres (1,522 feet) is required; and
2. To permit a reduced MDS I setback of 113 metres (370.7 feet) from the manure storage on the retained lands to the existing dwelling on the severed lands, whereas a MDS I setback of 518 metres (1,699 feet) is required;

And that the reason(s) for approval are as follows:

- The application is in conformity with the policies of the Growth Plan for the Greater Golden Horseshoe and consistent with the policies of *Provincial Policy Statement*.
- The application is in conformity with the general intent of the policies of the Official Plan and Zoning By-Law.

Key Strategic Priority

Sustainable and managed growth.

Financial Considerations

None.

Executive Summary / Proposal

The purpose of this report is to provide Council and the Public with information from the applicants and staff regarding the details of an application to amend the County of Brant Zoning By-Law 61-16.

The proposal went before the Agricultural Advisory Committee on December 19th and the Committee was in support of the proposed reduction to the Minimum Distance Separation (MDS) I setback, based on the existing land uses and that no new land uses are being introduced.

The proposed rezoning is required as a condition of approved consent application B16-22-RC. The consent application, B16-22-RC went before the Committee of Adjustment on April 21st, 2022, and was conditionally approved. The Applicant is proposing to rezone the retained lands from Agriculture (A) with site specific provision 1 (A-1) to Agriculture (A) with site specific provision 187 (A-187) in order to permit an undersized farm parcel of approximately 31 hectares (76.6 acres), and proposing to rezone the severed lands from Agriculture (A) with site specific provision 1 (A-1) to Agriculture (A) with site specific provision 188 (A-188) in order to permit a reduced Minimum Distance Separation (MDS) setback of 70 metres (229.7 feet) from the livestock barn on the retained lot to the existing dwelling on the severed lot, and to permit a reduced MDS setback of 113 metres (370.7 feet) from the manure storage on the retained lot to the existing dwelling on the severed lot, whereas an MDS I setback of 464 metres is required from the existing livestock barn on the retained lands to the existing dwelling on the severed lot, and an MDS I setback of 518 metres is required from the existing manure storage on the retained lands to the existing dwelling on the severed lands. The proposal is proceeding straight to recommendation.

The planning analysis focuses on literature review of applicable policy (i.e. *Planning Act*, *Provincial Policy Statement* (2020), *Growth Plan for the Greater Golden Horseshoe* (2020), *Brant County Official Plan* (2012) and *Zoning By-Law 61-16*, consultation with departments and discussions with both the agent/public. As outlined in this report, I am of the opinion the proposal represents good planning and am recommending approval of the application.

Location

The subject lands are located on the north side of Howell Road, west of the St. George Road and Howell Road intersection, within the geographic township of South Dumfries.

The subject lands currently have a broken frontage of approximately 400 metres (1,312 feet) on Howell Road and approximately 340 metres (1,115 feet) on St. George Road. The subject lands currently comprise an area of approximately 32 hectares (79 acres)

The subject lands are currently occupied by two single detached dwellings, a feeder swine barn to house approximately 450 animals, and several smaller accessory structures. The applicant's proposal will see one of the single detached dwellings and one accessory structure being

severed. All other structures will remain with the retained lands as they are agricultural structures.

The subject lands are privately serviced.

Report

Planning Act R.S.O (1990)

Section 2(a-s) of the *Planning Act* outlines matters of provincial interest that decision making bodies shall have regard for.

- The application has regard for:
 - Section 2(b) the protection of the agricultural resources of the Province.

Section 34(10) of the *Planning Act* provides policy direction to be considered when reviewing Zoning By-Law Amendment applications.

- The application is in keeping with Section 34(10) of the *Planning Act*.

Provincial Policy Statement (2020)

The Provincial Policy Statement (PPS) provides policy direction on matters of Provincial interest regarding land use planning and development and sets the policy foundation for regulating land use and development of land. All decisions affecting planning matters shall be 'consistent with' policy statements issued under the Planning Act.

Section 2.3.1 describes how Prime Agricultural areas shall be protected for long term agricultural use.

The retained lands are expected to have an area of approximately 31 hectares (76.6 acres) and will be farmed as part of a larger farming operation.

Section 2.3.3.1 speaks to permitted uses and activities within prime agricultural areas which include agricultural uses, agriculture related uses and on farm diversified use.

The retained lands will continue to be farmed as part of a larger farming operation.

Section 2.3.3.2 describes how 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.

The retained lands will be farmed as part of a larger farming operation.

Section 2.3.3.3 of the PPS describes how new land uses in prime agricultural areas, including the creation of lots, shall comply with the minimum distance separation (MDS) formulae.

The proposed lot does not meet the MDS formulae as per the Soil Solutions Plus report from January 10th, 2022. The applicant is proposing to rezone the severed lands in order to permit a reduced MDS setback from the existing livestock barn and manure storage on the retained lands to the existing house on the severed parcel.

Section 2.3.4.1 of the PPS describes how the creation of lots in prime agricultural areas is discouraged and may only be permitted for:

- (a) *agricultural uses*, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations

- (b) *agriculture-related uses*, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*
- (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

The retained lands will be farmed as part of a larger farming operation. The residential use is permitted on the severed lot. The lands to be severed are surplus to the owner's needs and are proposed to have an area of approximately 0.5 hectares (1.3 acres), which is of a minimum size to accommodate all proposed private servicing. The retained parcel is approximately 31.0 hectares (76.6 acres) and is to be rezoned to recognize the undersized farm parcel. An additional dwelling would not be permitted on the retained lands, as there is an existing dwelling, and only one (1) single detached dwelling is permitted within the Agricultural (A) zone.

Section 2.3.4.3 of the PPS describes how the creation of new residential lots in prime agricultural areas is not permitted except in accordance with policy 2.3.4.1(c).

A surplus farm dwelling severance is being proposed which is in accordance with policy 2.3.4.1(c) of the PPS. The subject lands currently contain two separate single-detached dwellings, which is permitted by the Special Exception Agricultural (A-1) Zone. The applicant is proposing to re-zone the subject lands to an Agricultural (A) Zone which only permits one (1) single detached dwelling. The severed lot is occupied by an existing habitable dwelling that is surplus to the owner's needs.

Section 6.0 includes the definition for "residence surplus to a farming operation"

- means an existing habitable farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).

The existing dwelling on the proposed lot has been rendered surplus, as the subject lands contain two separate single-detached dwellings, which was permitted by the Agriculture (A) with site specific provision 1 (A-1) Zone. The retained lands are to be farmed as part of a larger farming operation.

This application is consistent with the Provincial Policy Statement (2020) for the following reasons:

- ***The retained lands will continue to be used for agricultural purposes, and will be farmed as part of a larger farming operation.***
- ***The proposed lot established for the surplus farm dwelling is limited to the minimum size needed to accommodate appropriate sewage and water services.***
- ***No new residential building lots will be created.***
- ***The dwelling is surplus to the owner's needs and the retained farm will be consolidated with the owner's other farming operation.***

Growth Plan for the Greater Golden Horseshoe (2020)

The Growth Plan is a framework that provides policy direction to implement strong and prosperous communities and how to manage growth in Ontario to 2051. The Planning Act requires that all decisions that affect a planning matter shall 'conform with' Provincial plans, including but not limited to the Growth Plan.

Section 2.2.1.2 (b) of the Growth Plan describes how growth will be limited on lands that are not serviced by existing or planned municipal water and wastewater system.

The severed parcel will continue to be privately serviced.

Section 4.2.6.4 of the Growth Plan describes how the geographic continuity of the agricultural land base and the functional and economic connections to the agri-food network will be maintained and enhanced.

The retained lands are expected to have an area of approximately 31.0 hectares (76.6 acres) and will be farmed as part of a larger farming operation.

Section 4.2.6.5 of the Growth Plan speaks to the retention of existing lots of record for agricultural uses is encouraged, and the use of these lots for non-agricultural uses is discouraged.

The retained lands will continue to be farmed as part of a larger farming operation and no new residential building lots will be created.

I am of the professional opinion that this application conforms to the Growth Plan for the Greater Golden Horseshoe (2020) for the following reasons:

- ***The retained lands will continue to be used for agricultural purposes and will be farmed as part of a larger farming operation.***
- ***No new residential building lots will be created.***
- ***The dwelling is considered surplus to the existing farming operation.***

Source Water Protection

Source protection plans contain a series of locally developed policies that, as they are implemented, protect existing and future sources of municipal drinking water. Municipalities, source protection authorities, local health boards, the Province and other, are responsible for implementing source protection plan policies.

Staff have reviewed Source Water Protection Area mapping, and the subject lands are within a Source Water Protection zone.

County of Brant Official Plan (2012)

The County of Brant Official Plan sets out the goals, objectives and policies to guide development within the municipality. The Planning Act requires that all decisions that affect a planning matter shall 'conform to' the local Municipal Policies, including but not limited to the County of Brant Official Plan.

The subject lands are designated Agriculture and Natural Heritage, within Appendix A of the Official Plan, Woodlands and Vegetation and Significant Wetlands, within Appendix C of the Official Plan. The lands to be severed are designated as Agriculture.

Section 1.11.2.6.2(a) of the County of Brant Official Plan recognizes the agricultural industry as an important component of the County's economic base and as a contributor to the County's rural character.

To facilitate the surplus dwelling severance, no actively farmed land has been removed. The retained lands will continue to be farmed as part of a larger farming operation.

Section 1.11.2.6.2(b) of the County of Brant Official Plan speaks to protecting the County's prime agricultural area for long term agricultural purposes.

The retained lands will continue to be designated as Agriculture and will be farmed as part of a larger farming operation.

Section 1.11.2.6.2(c) of the County of Brant Official Plan speaks to protecting the right to farm based on normal farm practices.

The retained lands are being farmed as part of a larger farming operation and no actively farmed lands were removed to facilitate the surplus farm dwelling severance.

Section 1.11.2.6.2(e) of the County of Brant Official Plan restricts the creation of new residential lots and other non-farm development in the County's Agricultural areas.

No new building lot is being created. The retained lands are to be rezoned to permit only one (1) single-detached dwelling.

Section 1.11.2.6.2(i) of the County of Brant Official Plan requires the development of urban and nonfarm-related land uses to the County's Primary and Secondary Urban Settlement Areas and Hamlets and Villages, or areas specifically intended for the proposed land use, in order to protect the long-term operation and economic role of agriculture.

The retained lands will continue to be farmed as part of a larger agricultural operation, with no new residential building lots being created.

Section 1.11.2.6.2(j) of the County of Brant Official Plan ensures the protection of agricultural operations through the incorporation of Minimum Distance Separation Formulae in order to prevent adverse effects from odour.

Within 500 metres of the proposed lot, a livestock operation was identified. There is an existing livestock barn at 179 Howell Road. This was confirmed through the Soil Solutions Plus Report from January 10, 2022, and by a site visit to the subject lands on December 21st, 2022, along with aerial imagery. The applicant is proposing to rezone the severed lands in order to permit a reduced MDS setback from the severed lands to the existing livestock barn and manure storage on the retained lands.

Section 1.11.2.6.2(k) of the County of Brant Official Plan speaks to permitting farming operations that will help the County as a whole adjust to changing economic and technological conditions.

To facilitate the severance, the minimum amount of land was severed. All actively farmed land will continue to be farmed as part of a larger farming operation. The proposed severance allows for flexibility and economic opportunity.

Section 3.3.1(a) of the County of Brant Official Plan describes how the primary form and predominant use of land in the Agriculture designation shall include all types of farming and normal farm practices, including the growing of crops, the raising of livestock and other animals for food, fur, or fibre; associated on-farm buildings and structures, including accommodation for associated full-time farm labour as required based on the size and nature of the operation;

agricultural research operations; uses connected with the conservation of water, soil, wildlife and other natural resources; and resource extraction and resource-based uses.

The retained lands will continue to be designated as Agriculture, and will be farmed as part of a larger farming operation.

Section 3.3.1(c) of the County of Brant Official Plan describes how in general, one residential dwelling unit shall be permitted per lot on lands designated as Agriculture.

There are currently two (2) existing single-detached dwellings, legally established on the subject lands. The Applicant is proposing to sever one which is considered surplus to the needs of the farming operation. The retained and severed lands are proposed to be re-zoned to an Agricultural (A) Zone which permits only one (1) single-detached dwelling.

3.3.2.1(a) of the County of Brant Official Plan speaks to Minimum Distance Separation (MDS) Formulae be used to establish appropriate standards for separating proposed uses from existing livestock facilities (MDS I) and for applying appropriate standards for the separation of new or expanding livestock facilities from existing adjacent uses (MDS II). The County Zoning Bylaw shall establish separation distances between livestock operations (to be defined within the By-Law) and non-agricultural land uses in accordance with the Minimum Distance Separation Formulae.

Based on the findings of the applicant's Minimum Distance Separation (MDS) I Report, prepared by Soil Solutions Plus, dated January 10th, 2022, the MDS I setback required would be 464 metres (1,522.3 feet) from the livestock barn, and 518 metres (1,699.5 feet) to the manure storage. Currently there are ten (10) single detached dwellings located within the required 464 metre (1,522.3 feet) setback required for the existing livestock barn. I am of the opinion that a reduction in the required MDS I setback is appropriate in this instance, as the dwelling to be severed is existing within a cluster of other single detached dwellings, all of which are located within the required MDS I setback as outlined in the report provided. I am therefore recommending the MDS I setback from the livestock barn and manure storage to the existing dwelling on the severed lands be reduced to reflect the existing circumstance. Additionally, the existing livestock operations' ability to expand would already be constrained by the dwelling at 169 Howell Road.

Section 6.8.2.1(a) of the County of Brant Official Plan speaks to consents for the division of land in the Agriculture designation being discouraged. No consent shall be allowed within the Agriculture designation which may have the effect of creating lots that are not primarily related to agriculture, or agriculture-related commercial/industrial, or as specified by this Plan.

The proposed severance is to recognize a dwelling that has been deemed surplus to a farming operation, and the residential use is permitted. The retained lands will continue to be farmed as part of a larger farming operation.

Section 6.8.2.1(b) of the County of Brant Official Plan speaks to consent applications being denied for the following reasons:

- i. the lot does not front on a public road;
- ii. the lot is situated in an area where the County of Brant (or its designated agent) believes is unsuitable for sanitary services;
- iii. the lot is entirely contained within the Natural Heritage System designation or Provincially significant woodlands; or

- iv. the lot is entirely contained within an area identified as a primary aggregate resource area.

The severed and retained parcels have frontages along public Roads, the severed lands are outside of an aggregate resource area, the lot is not entirely contained within a Natural Heritage System or Provincially significant woodland, and the lands to be severed are designated Agriculture.

Section 6.8.2.1(c)(iv) of the County of Brant Official Plan speaks to previous or current farm consolidations rendering a residence surplus to a farming operation, a consent may be considered to sever the surplus farm dwelling from the farm unit, provided that the following conditions are met:

- i. The lot severed for non-farm use is large enough to accommodate the use and on-site servicing, while ensuring that as little acreage as possible is taken out of productive agricultural land and shall generally be less than 0.6 hectares in size;
- ii. The Minimum Distance Separation Formulae can be met with the formulae applied as if the property was zoned or designated as a residential lot
- iii. The lot severed, for the non-farm use, shall neither create nor add additional dwelling units; and
- iv. The remnant parcel of farmland created by the severance is rezoned to prohibit future construction of a new dwelling

The severed lot can accommodate private servicing and is 0.5 hectares (1.3 acres) in size. A Minimum Distance Separation (MDS) I report was prepared by Soil Solutions Plus, dated January 10th, 2022, as per the report there is a required setback of 464 metres (1,522.3 feet) from the livestock barn and 518 metres (1,699.5 feet) from the manure storage. This is not being met. The existing dwelling on the proposed severed lot is approximately 70 metres (229.7 feet) from the livestock barn and 113 metres (370.7 feet) from the manure storage on the retained lands. The applicant is requesting to rezone the severed lands in order to permit a reduced MDS I setback to the livestock barn and manure storage on the retained lands. I am of the opinion that this is appropriate as there are ten (10) existing single detached dwellings within the required MDS I setback from the livestock barn and manure storage. No additional dwelling units are to be added. No new building lots are being created. Through the proposed rezoning only one (1) single detached dwelling is permitted on the severed and retained lands.

The County of Brant Official Plan speaks to consent applications of farm parcels smaller than 40 hectares, and that the lot remaining shall be consistent with the policy for the surplus farm dwellings, and be generally less than 0.6 hectares in size unless suitable justification can be provided for a larger lot.

The severed lands are 0.5 hectares (1.3 acres) in size.

I am of the professional opinion that this application conforms to the County of Brant Official Plan (2012) for the following reasons:

- ***No new residential building lots will be created.***
- ***The retained lands are expected to be farmed as part of a larger farming operation.***
- ***The severed and retained parcels have frontage along Howell Road.***
- ***Through the rezoning a request to the reduction of the MDS I setback is being sought.***
- ***The severed parcel is large enough to accommodate private servicing.***

County of Brant Zoning By-Law 61-16

The subject lands are zoned as Agriculture (A) and Natural Heritage (NH) within the County of Brant Zoning By-Law 61-16. The lands subject to the severance are not within the Natural Heritage (NH) zone. The portion of the lands that are zoned Natural Heritage (NH) will remain as 'NH'.

Section 6.1, Table 6.1.1 of the County of Brant Zoning By-Law speaks to permitted uses on lands zoned as Agriculture. Permitted uses include but are not limited to the following:

- Agricultural Use
- Agriculture-Related Use
- Cannabis Production and Processing
- Dwelling, Single Detached
- Farm Production Outlet
- Forestry Uses
- Greenhouse
- On-Farm Diversified Use
- Shipping Container

Section 6.2, Table 6.2.1 of the County of Brant Zoning By-Law speaks to the development requirements for lands zoned as Agriculture. See chart below for analysis of development standards.

Development Standard	Required	Requested – Severed Lands	Requested – Retained Lands
Lot Area, Minimum (ha)	40ha 0.6ha or less – surplus farm dwelling	0.5 ha surplus dwelling	31.4 ha*
Lot Frontage, Minimum (m)	150m 20m – surplus farm dwelling	74.7 m	400.0 m
Street Setback, Minimum (m)	10m – dwelling 25m – all other uses	27m	>25m for all existing structures on retained lands. 16m – dwelling, existing
Interior Side Yard Setback, Minimum (m)	4.0m – dwelling 15m – all other uses	15.3m	44.5m
Rear Yard Setback, Minimum (m)	10m – dwelling 15m – all other uses	Approx. 26m	>15m for all existing structures on retained lands

			>10m for the existing dwelling
Lot Coverage, Maximum	30%	Approx. 3.4%	Approx. 0.3%

Section 4.4, Table 4.4.1 of the County of Brant Zoning By-Law speaks to the development requirements for Accessory Structures. See chart below for analysis of development standards.

Development Standard	Required	Requested – retained Lands
Lot coverage, Maximum	5 % of the total lot area	0.04%
Street Setback, Minimum	10.0m	>10.0m
Interior side yard and rear yard setback, Minimum (metres)	3.0m	4.7m – interior side yard setback >3.0m – rear yard setback
Structure Height, Maximum (metres)	7.0m	Existing.

Section 4.29 of the County of Brant Zoning By-Law speaks to lot creation as a result of consent with respect to a dwelling surplus to a farming operation located within the Agricultural (A) Zone the following shall apply:

- If the lot has a minimum 20.0 metre frontage, then said lot shall be deemed to comply with the requirements of this By-Law with respect to the lot area or lot frontage;
- The dwelling shall only be considered surplus to the farming operations if it was constructed a minimum of 15 years prior to the date the application for the surplus farm dwelling consent is received;
- The dwelling must be considered habitable at the time of application, as determined by the local municipal Chief Building Official;
- Minimum Distance Separation Guidelines shall apply as if the property were zoned or designated as a residential lot.

All other regulations of the By-Law shall apply.

I am of the professional opinion that this application complies with the County of Brant Zoning By-Law 61-16 for the following reasons:

- The severed lot has a minimum 20 metre frontage.***
- The retained lot has sufficient frontage.***
- The dwelling was constructed over 15 years prior to the date of the application being received.***
- Through the rezoning, a deficient MDS I setback to the existing dwelling is to be recognized for the severed lands.***

- ***Through the rezoning the undersized farm parcel of the retained lands is to be recognized.***
- ***The severed and retained parcels have frontage along Howell Road.***
- ***All other development provisions of the Agriculture (A) Zone are being met.***

Interdepartmental Considerations

GIS

- Application added to database
- Internal mapping updated
- Request for CAD drawings or GIS files with line work to import into database.
- Requires civic address change for the severed lot it not assigned on.
- Requires plate and post

Environmental Planning

- No comments.

Development Engineering

- No comments/ concerns.

Fire

- No concerns.

Mississaugas of the Credit First Nation (MCFN)

- No concerns.

Parks and Facilities

- No comments.

Enbridge

- If applicable, provide the required easements and/or agreements for the provision of gas services for this project.

Source Water Protection (SWP)

- ***Comments are forthcoming.***

The following departments/agencies did not provide any comments with regard to this application:

- Building
- Hydro One
- Bell Canada
- Six Nations
- Operations
- Heritage
- Finance – Tax Department

- OMAFRA
- Grand River Conservation Authority (GRCA)

Public Considerations

Staff are to visit the site for inspection on December 21st, 2022, and post the public notice sign in accordance with the *Planning Act*.

13 notices are to be mailed on December 21st, 2022.

At the time of writing this report, no public comments had been received.

Conclusions and Recommendations

The applicant is proposing to rezone the retained lands from Agriculture (A) with site specific provision 1 (A-1) to Agriculture (A) with site specific provision 187 (A-187), in order to recognize an undersized farm parcel, and proposing to rezone the severed lands from Agriculture (A) with site specific provision 1 (A-1) to Agriculture (A) with site specific provision 188 (A-188) in order to permit a reduced Minimum Distance Separation (MDS) setback from the livestock barn and manure storage to the existing dwelling, as required as a condition of consent application B16-22-RC.

The following site specific provision is being recommended for approval for the retained parcel:

1. To permit a reduced lot area of 31 hectares (76.6 acres), whereas 40 hectares (approx. 100 acres) is required.

The following site specific provisions are being recommended for approval for the severed parcel:

2. To permit a reduced Minimum Distance Separation (MDS) I setback of 70 metres (229.7 feet) from the livestock barn on the retained lands to the existing dwelling on the severed lands, whereas a MDS I setback of 464 metres (1,522 feet) is required; and
3. To permit a reduced MDS I setback of 113 metres (370.7 feet) from the manure storage on the retained lands to the existing dwelling on the severed lands, whereas a MDS I setback of 518 metres (1,699 feet) is required.

I am supportive of the rezoning application as it is consistent with the *Provincial Policy Statement*, in conformity with the Growth Plan for the Greater Golden Horseshoe, conforms to the County of Brant Official Plan and meets the intent of the County of Brant Zoning By-Law 61-16, and therefore recommend approval of the application

Prepared by:



Shannon Labelle, BA, M.Sc.

Planner

Reviewed by: Mat Vaughan, BES, MPLAN, MCIP, RPP, CMM3 Director of Planning

Submitted By: Pamela Duesling, PhD, MAES, MCIP, RPP, Ec.D., CMM3, General Manager of Development Services

Attachments

- 1. Aerial Figure
- 2. Official Plan Figure
- 3. Zoning Figure
- 4. Site Development Plan
- 5. Proposed MDS I setbacks from manure storage and livestock barn
- 6. Site Photos
- 7. Draft By-Law

Copy to

- 1. Pam Duesling, General Manager of Development Services
- 2. Mat Vaughan, Director of Planning
- 3. Alysha Dyjach, Clerk/Manager of Council Committee Services
- 4. Alyssa Seitz, Planning Administrative Assistant
- 5. Applicant/Agent

File # ZBA36/22/SL

In adopting this report, is a bylaw or agreement required?

- | | |
|--|-------|
| By-Law required | (Yes) |
| Agreement(s) or other documents to be signed by Mayor and /or Clerk | (No) |
| Is the necessary By-Law or agreement being sent concurrently to Council? | (Yes) |

MAP 3: AERIAL IMAGERY 2022
FILE NUMBER
ZBA36-22-SL

179 HOWELL ROAD
County of Brant
Ontario



15,000
0 45 90 180
Meters

Date Printed: 2022-11-11



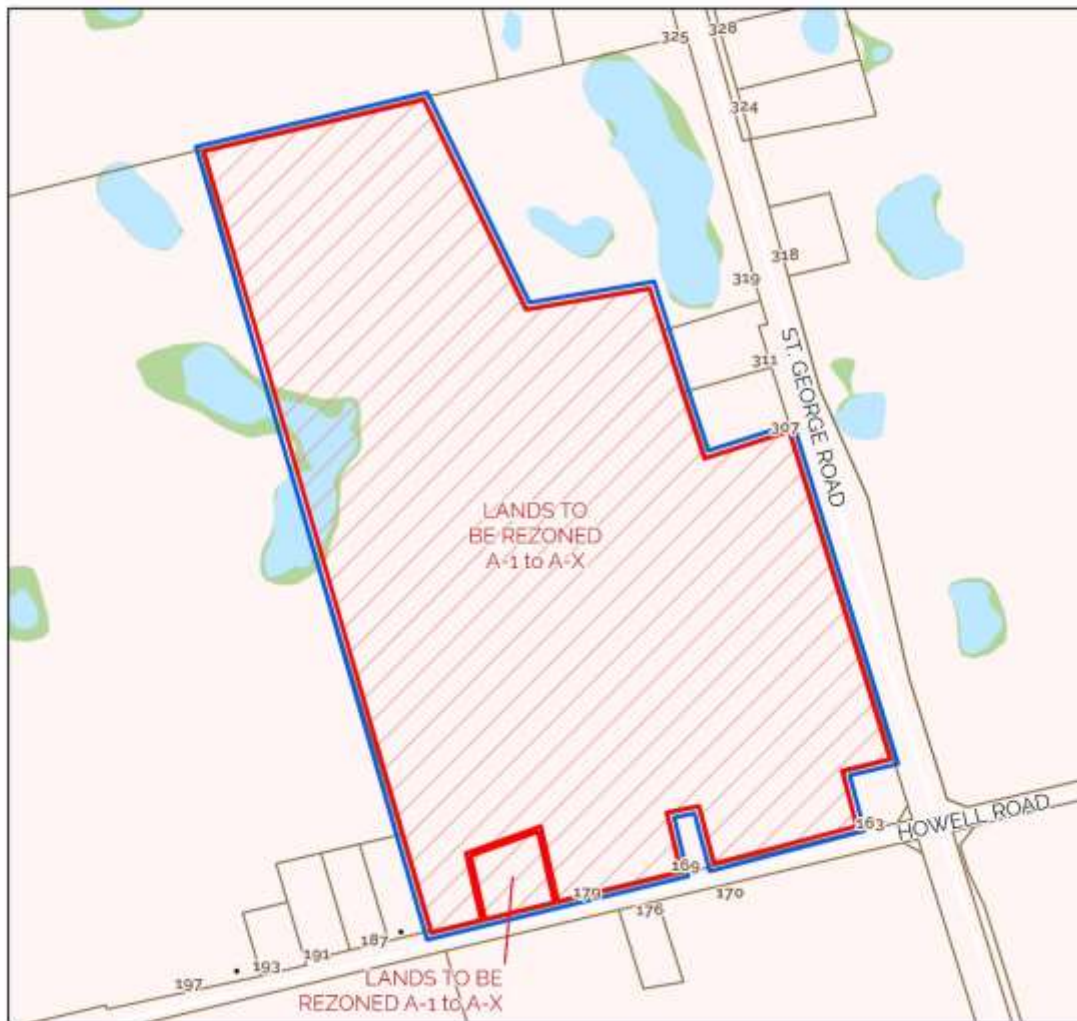
**MAP 2: Official Plan
FILE NUMBER
ZBA36-22-SL**

179 HOWELL ROAD
County of Brant
Ontario



1:6,000
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Meters

Date Printed 2022-11-11



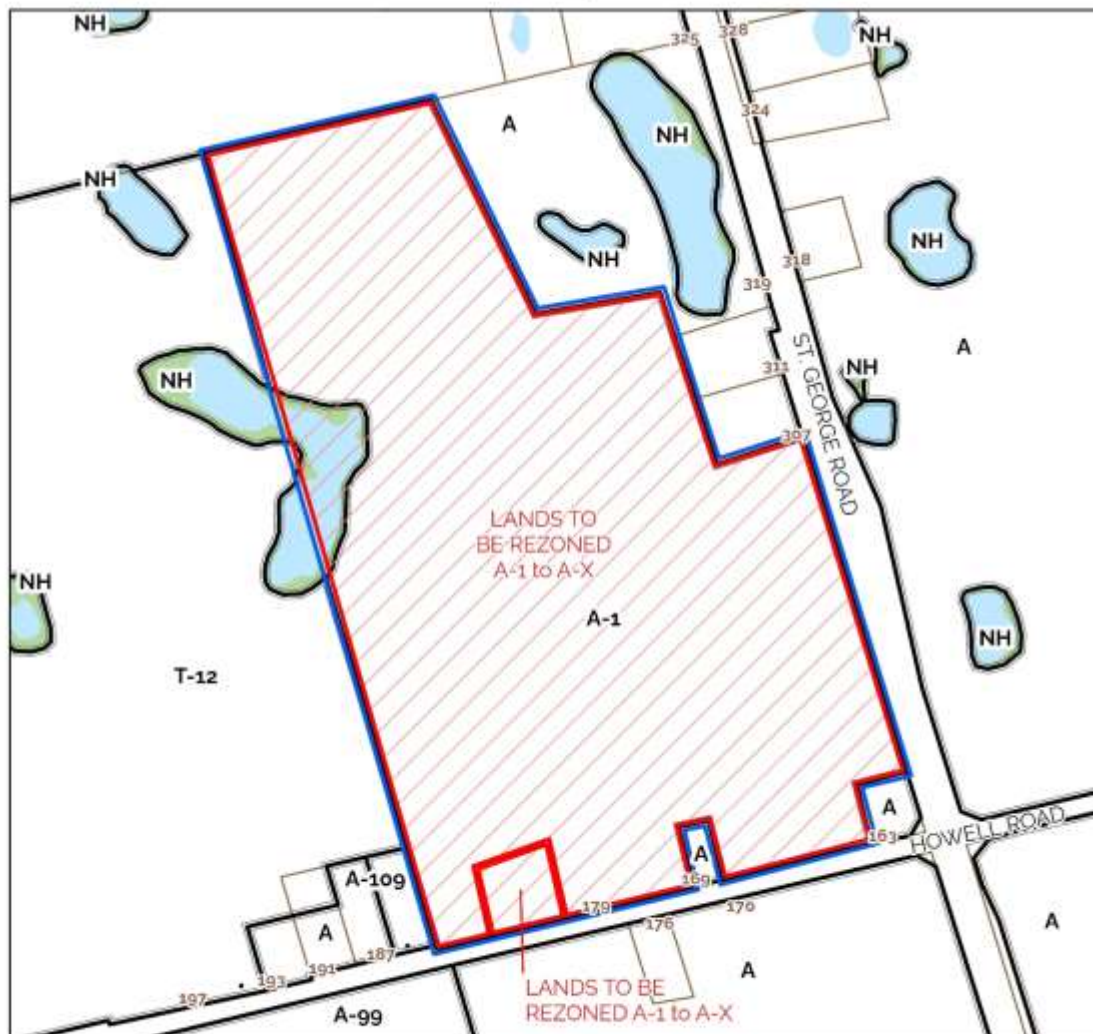
**MAP 1: ZONING
FILE NUMBER
ZBA36-22-SL**

179 HOWELL ROAD
County of Brant
Ontario



1:6,000
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Meters

Date Printed: 2022-11-11

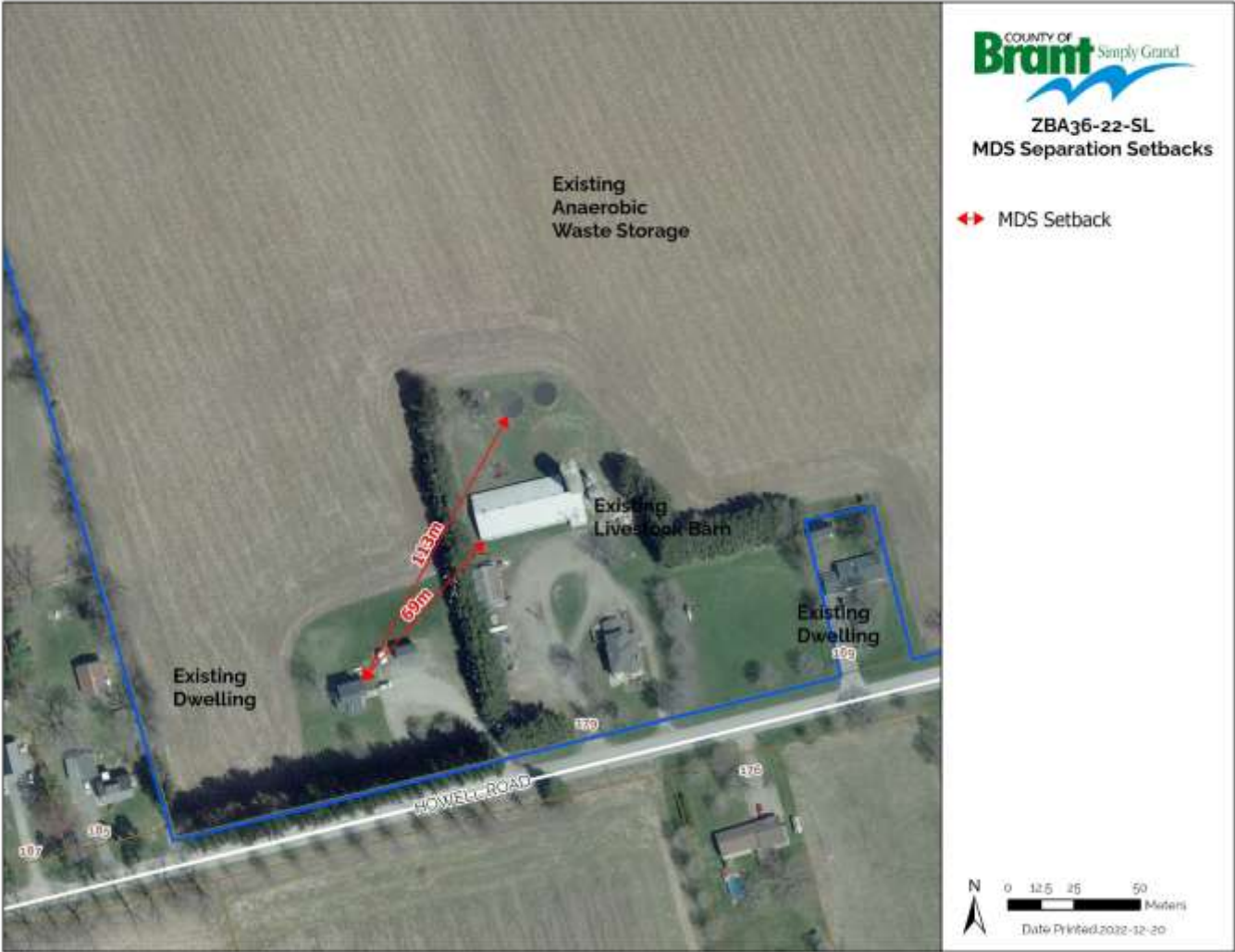


RETAINED PARCEL
AREA = 31.0ha ±

SEVERED PARCEL
AREA = 0.53ha ±

144.004

Proposed MDS I Setbacks



Site Photos

North



South



East



West

