



REPORT TO COUNCIL 2025-020

TO: Mayor Gerrits and Members of Council

FROM: Valerie Schmidt, Consulting Township Planner

DATE: February 14, 2025

SUBJECT: Planning Report for Zoning By-law Amendment (Z09-2024)

Purpose

An application has been submitted for a Zoning By-law Amendment by Erin Maltais and Andrew Welk (the “Applicant”) on behalf of Wendy Lee (the “Owner”) for the land legally described as Lot 20, Parcel B, East Part, Concession 8 in the Township of Amaranth. The subject property is located on the west side of 8th Line, south of 20th Sideroad.

The purpose and effect of the application is to amend the current zoning from Rural (RU) zone to a site-specific Rural zone to permit a detached accessory dwelling unit as a permitted use. The requested application seeks relief from Zoning By-law 2-2009 to permit a secondary dwelling unit on the property, whereas Section 3.14 prohibits more than one dwelling unit on any lot.

The proposed development will consist of a principle single detached dwelling of approximately 141.7 metres squared and a detached secondary dwelling unit sized approximately 81.2 metres squared. The proposed principle and accessory dwelling unit will operate on a private well and two septic tanks and pumping tanks that will pump to one central septic bed.

Location and Site Description

The subject property is located on the west side of 8th Line, south of 20th Sideroad, in the Township of Amaranth. The subject property is a large vacant lot covering 4.15 hectares, with 152.39 metres of frontage along 8th Line. The site is bounded by rural residential uses to the north, a large woodlot to the southwest and agricultural uses to the east. Mapping from the Ministry of Natural Resources indicates that the western portion of the site contains a natural heritage system and an unevaluated wetland. The subject property falls within the regulatory limits of the Grand River Conservation Authority (“GRCA”).

The Subject Property is designated as ‘Prime Agricultural Areas’ on Schedule C of the County of Dufferin Official Plan. The Prime Agricultural Areas Designation permits one single residential dwelling per lot.

The Subject Property is designated as 'Rural' and 'Environmental Protection' in the Township of Amaranth Official Plan. Single detached residential uses are permitted within the Rural designation. The Environmental Protection designation does not permit new residential buildings and structures.

The subject property is zoned 'Rural (RU) Zone' and 'Environmental Protection (EP) Zone' in the Township of Amaranth Zoning By-law. The Rural (RU) Zone permits single detached dwellings. No new residential buildings or structures are permitted within the Environmental Protection (EP) Zone.

Planning Policy

Provincial Planning Statement, 2024

The 2024 Provincial Planning Statement (the "PPS") provides direction on matters of Provincial interest related to land use planning and development and is relevant to the proposed application. All land use planning decisions shall be consistent with the PPS in accordance with Section 3 of the *Planning Act*.

Section 4.3 of the PPS outlines general policies for the agricultural land base. Policy 4.3.1.2 provides that prime agricultural areas, including specialty crop areas, shall be designated and protected for long-term use. Policy 4.3.1.3 states that Specialty crop areas shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the prime agricultural area, in this order of priority.

The Subject Property is identified as prime agricultural areas but is not categorized as specialty crop areas per the Ministry of Agriculture, Food and Agribusiness, and Ministry of Rural Affairs Land and Climate Base mapping. The Subject Property is further classified as Class 3 on the Canada Land Inventory (CLI) which indicates that the soils have moderately severe limitations that restrict the range of crops or require special conservation practices. As such, the Subject Lands have a moderate capability for agriculture.

Policy 4.3.2 permits residential uses in prime agricultural areas. Policy 4.3.2.5 further provides that where a residential dwelling is permitted on a lot in a prime agricultural area, up to two additional residential units shall be permitted in accordance with provincial guidance. Any additional residential units must comply with minimum distance separate formulae; be compatible with the surrounding agricultural operations; have appropriate sewage and water services; address any public health and safety concerns; are of limited scale and are located within, attached or in close proximity to the principle dwelling or farm building cluster; and minimize land taken out of agricultural production.

A MDS I setback was calculated and submitted by the Applicant, which determined a minimum setback of 412 metres from the livestock barn and manure storage. The actual (existing) distances from the livestock barn and manure storage is 437 metres. As such, the proposed development is in compliance with the MDS. The secondary dwelling unit will be serviced with a private septic and well on the property. The additional dwelling unit will be located in close proximity to the primary dwelling while respecting the private servicing on the site. No agricultural land will be removed from production.

County of Dufferin Official Plan

The County of Dufferin is currently undergoing the Municipal Comprehensive Review (MCR) process to update the County of Dufferin Official Plan. As a part of this process, three Official Plan Amendments were submitted to the Ministry of Municipal Affairs and Housing for approval. On October 9, 2024, the Ministry of Municipal Affairs and Housing approved Official Plan Amendment No. 3 (OPA 3) which introduced new land use designation mapping. The corresponding policies that implement the new mapping are expected to be approved and in-effect in the near future.

The Subject Property is now designated as Prime Agricultural Areas according to Schedule C of the County of Dufferin Official Plan. The general policies in Section 3.7.4 of the County Official Plan encourage the provision of second residential units within single detached, semi-detached, and townhouse dwelling units. The County Official Plan points to local municipal official plans and implementing zoning by-laws for requirements relating to second residential units.

Township of Amaranth Official Plan

The property is designated “Rural” and “Environmental Protection” in the Township Official Plan. The intent of the Rural designation is to allow for limited agricultural uses, hobby farms, residential uses on large lots, and recreational uses. Under the Rural designation, accessory buildings and structures to residential dwellings are permitted. No buildings or structures are permitted in the Environmental Protection designation.

Township of Amaranth Zoning By-law

The Subject Property is zoned as “Rural (RU) Zone” and “Environmental Protection (EP) Zone”. Single detached dwellings are permitted within the Rural zone. The Environmental Protection zone applies to the environmental features on the eastern portion of the site and restricts development in that area. The requested Zoning By-law Amendment is seeking relief from Policy 3.14 of the Zoning By-law which permits no more than one dwelling on any lot and to recognize an additional dwelling unit as a permitted use under a site-specific Rural zone (RU-XX).

Supporting Documentation

At the time of writing this report, not all comments were received from circulated agencies. The following comments were received.

Township Public Works has no concerns or comments.

Burnside Engineering has no concerns or comments.

Mississauga’s of the New Credit First Nation indicated that the project should be proceeded by, at minimum, a Stage 1 Archeological Assessment to determine archaeological potential on the site.

The Dufferin-Peel Catholic District School Board has no concerns or comments.

Enbridge Gas has no concerns or comments.

The GRCA has no objection to the proposed rezoning but requests that the existing Environmental Protection (EP) Zone be maintained for the wetland.

At this time comments remain outstanding from the following agencies.

County of Dufferin, Hydro One, Rogers, Bell, Canada Post, Municipal Property Assessment Corporation, Wellington-Dufferin-Guelph Public Health, Metis Nation of Ontario, Ontario Infrastructure and Lands Corporation, Saugeen Ojibway Nation, Six Nations.

Consultation and Communications

The required notification for the Zoning By-law Amendment has been completed in accordance with the *Planning Act*.

Recommendation

That the Report dated February 14th, 2025, for Rezoning Application Z09-2024, for lands legally described as Lot 20, Parcel B, East Part, Concession 8, Township of Amaranth, County of Dufferin, be received as information.

Prepared by:

Valerie Schmidt, MCIP, RPP
Consulting Township Planner

Approved by:

Nicole Martin, Dip. M.A
CAO/Clerk