



## Staff Report

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**Report To:** Council Meeting

**From:** Robert Brown, Planner

**Date:** 2024-05-08

**Subject:** Zoning By-law Amendment Application D-14 2-2024 – Recommendation Report (Planning Report 2024-13)

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### **Recommendation:**

That West Elgin Council hereby receives the report from Robert Brown, Planner regarding Zoning By-law Amendment Application D-14 2-2024 – 15677 Dunborough Road Recommendation Report (Planning Report 2024-13);

That West Elin Council approve the zoning amendment for the subject parcel at 15677 Dunborough Road to permit a second dwelling for farm help;

That West Elgin Council consider the by-law to amend the Zoning By-law, as presented in the by-law portion of the May 23, 2024, Council Agenda.

### **Purpose:**

The subject land is a 60.17 ha (150 ac.) farm parcel located in the northwest corner of the intersection of Dunborough Road and McMurchy Line. The property contains an existing dwelling, several outbuildings and a livestock operation. The applicant has a son who works with him on the farm operation and is proposing to construct an additional dwelling to provide the son with separate living space. (Figure One and Two show the subject property and proposed second dwelling location)

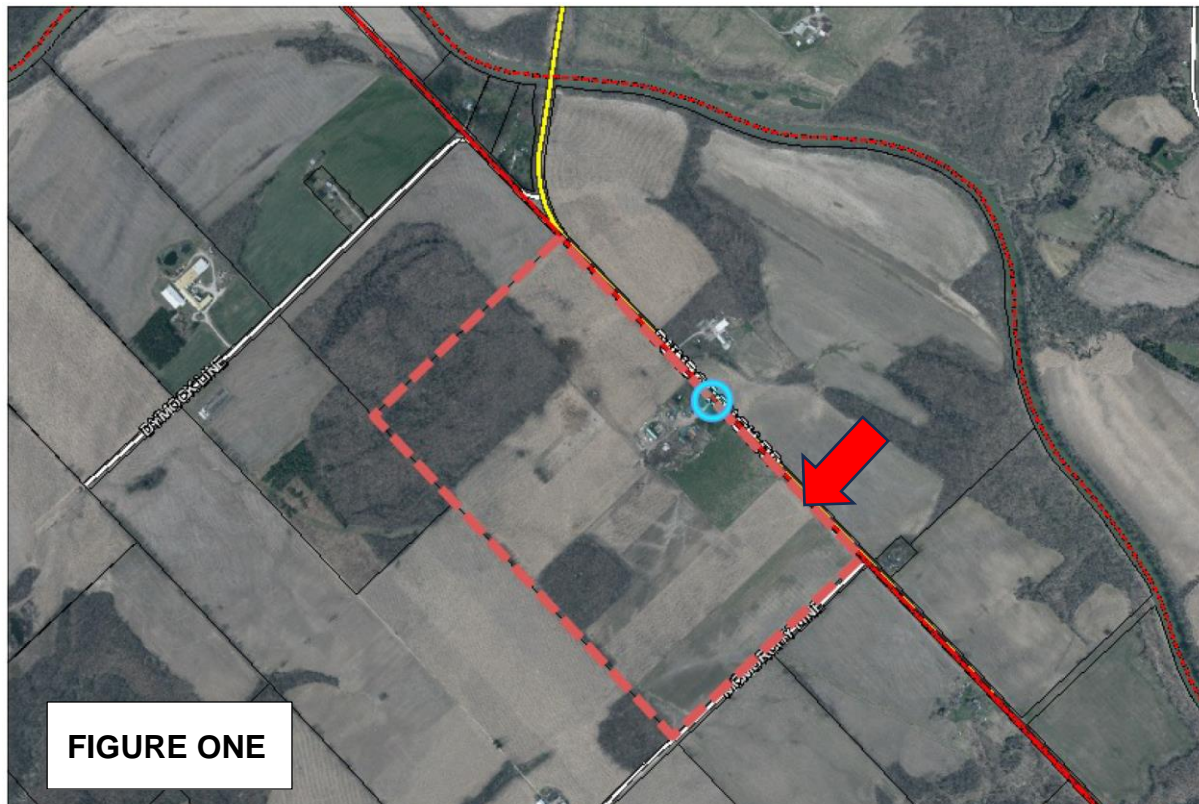
As-of-right the West Elgin Zoning By-law limits the number of dwellings to one per lot however the Official Plan policies under the Agricultural designation do allow for consideration of housing for full time farm help when the size of the operation warrants it.

### **Background:**

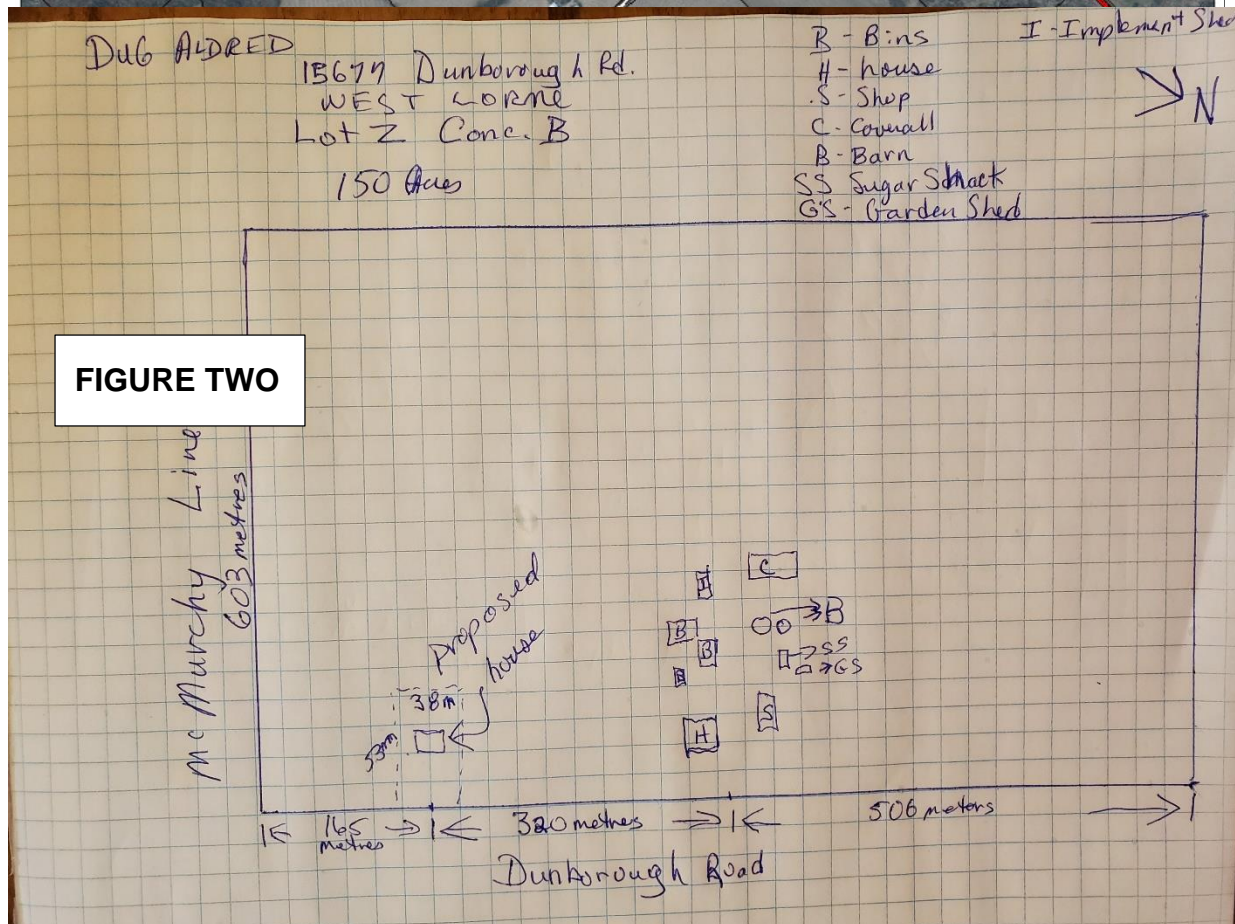
Below is background information, in a summary chart:

<b>Application</b>	D 14 2-2024
<b>Owners/Applicants</b>	Dugald Aldred
<b>Legal Description</b>	Part Lot of Z, Concession B ED
<b>Entrance Access</b>	Dunborough Road
<b>Area</b>	60.17 ha (150 ac.)
<b>Buildings</b>	Single detached dwelling & outbuildings

Figure One below, shows the location of the subject property outlined in blue.



**FIGURE ONE**



**FIGURE TWO**

**Financial Implications:**

Application fees were collected in accordance with the Municipality's Fees and Charges By-law, as amended from time to time. The proposed zoning amendment will result in a change in assessment once the new dwelling and other improvements are complete.

**Policies/Legislation:**

Planning authorities must have regard to matters of Provincial interest, the criteria of the *Planning Act*, be consistent with the Provincial Policy Statement (PPS) and does not conflict with Provincial Plans. Within the Municipality of West Elgin, they must also make decisions that conform to the County of Elgin Official Plan (CEOP) and Municipality of West Elgin Official Plan (OP) and make decisions that represent good land use planning.

**PPS:**

Provincial Policy Statement does not speak directly to specific regulations such as the number of dwellings on a given parcel of land. As the property is within the Agricultural designation PPS does of course speak to the limiting of non-agricultural development in agricultural areas. Until recently many agricultural zones actually did or may still permit two dwellings on a farm parcel subject to certain requirements such as a minimum farm size or demonstrated need.

Housing needs on farm parcels can vary considerably from a small cash crop farm that is operated by a single family to significant corporate entities that employ a full range of individuals including both full time farm labour and seasonal help involving a dozen workers to several hundred. This can include the use of existing dwellings, bunkhousing or temporary accommodations. Regardless of the circumstance the goal remains to minimize the use of actively farmed land while still providing the necessary labour to efficiently operate the farm.

**CEOP:**

The subject lands are designated Agricultural Area on Schedule 'A' Land Use in the CEOP. The County Plan outlines a number of different uses permitted within the Agricultural designation. Accessory accommodations for farm labour are one of those uses. The proposed new dwelling is family related farm help and provides the applicant the assistance needed on the farm along with the chance to support the transition of the operation within the family. The location of the new dwelling near the existing home and buildings presents a challenge due to topography so the dwelling is being located further to the south but still within the frontage of the farm parcel along Dunborough Road.

**WEOP:**

The subject lands are designated as Agricultural Area, as shown on Rural Area Land Use and Transportation Schedule 'E' of the OP.

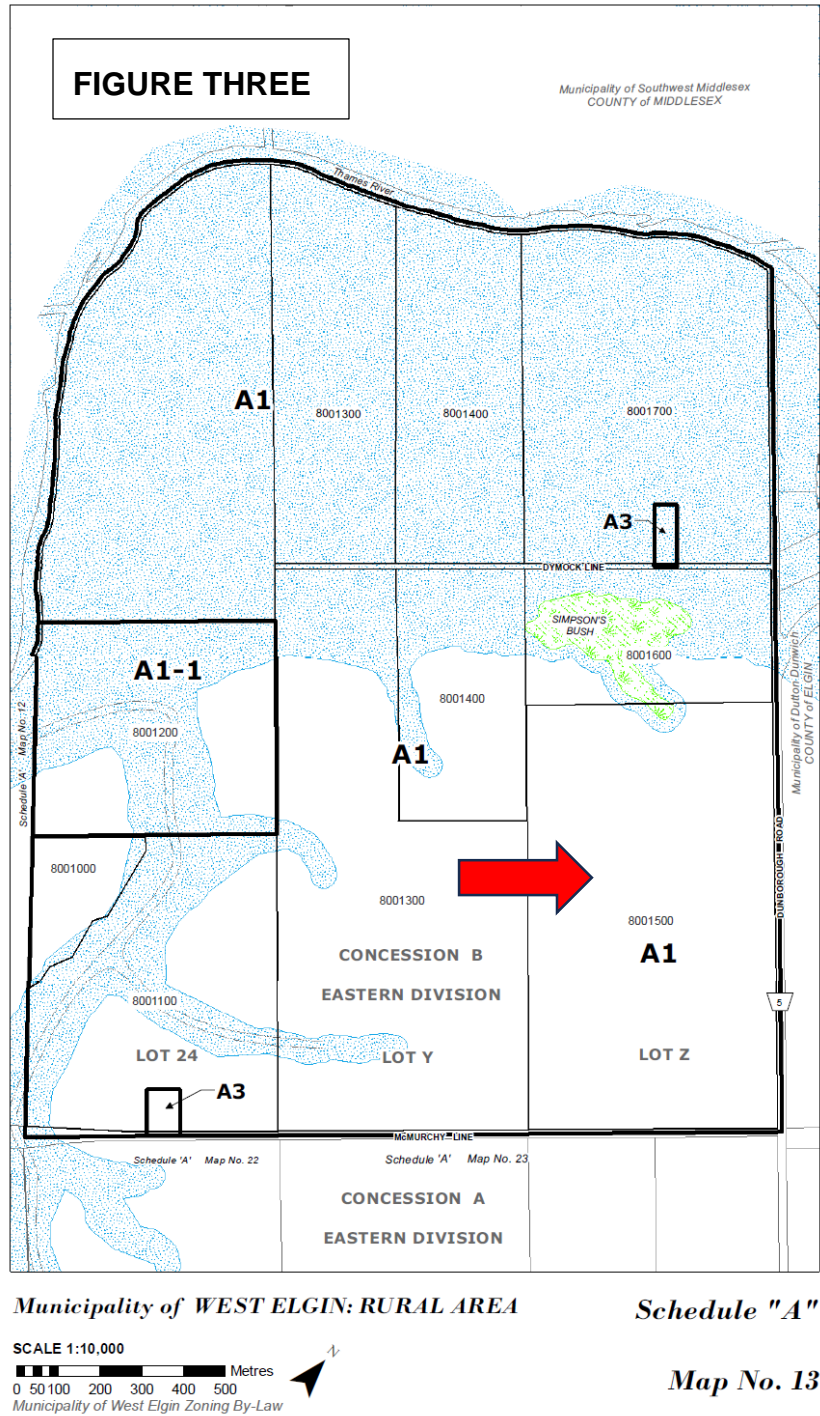
Housing for farm help is permitted within the Agricultural designation under Section 6.2.10. However, the policy does outline that any additional dwelling should be designed and constructed in such a way to be removable once it is no longer needed. The section goes on to outline that

temporary zoning provisions should be used and that an associated agreement and securities should also be employed to ensure the removal of the dwelling.

Essentially any dwelling can be removed or relocated regardless of its type of construction. The other point to keep in mind is that the West Elgin Zoning By-law, contains provisions for the establishment of a secondary dwelling unit on any parcel as-of-right with no time limits, agreements or securities. While the intent is long-term protection of farmland there should also be long-term consideration given to preserving the ability to have and encourage future generations to farm the land that is trying to be preserved. Based on this, consideration should be given to individual requests and the longer-term benefit that additional housing can provide in the rural setting given the ongoing consolidation of farm operations and increased size. Second dwellings on the same farm parcel for family was a common practice when two or three generations of a family were an integral part of the operation. Farming is an industry and all industries require skilled labour. With that in mind I believe that the requested zoning amendment maintains the overall intent and spirit of the Official Plan policies.

**Municipality of West Elgin Comprehensive Zoning By-law 2015-36 (ZBL):**

The subject lands are zoned General Agricultural (A1) Zone on Schedule “A” Map 13 of the ZBL as depicted in Figure Three. The proposed amendment would rezone the subject farm parcel to a site-specific A1 which will permit a second dwelling. The new dwelling is proposed to the south of the existing dwelling and buildings on high ground and in a location that will not impact ongoing farm operations.



**Interdepartmental Comments:**

The zoning application was circulated to municipal staff for comment.

External agencies were also circulated for comment. No comments have been received.

**Public Comment:**

As required by the Planning Act all landowners within 120 m of the subject parcel were circulated on May 3, 2024. Notice was also post on the Municipal website and required signage was installed on the property on May 1, 2024. At the time of writing of this report no comments have been received.

**Summary:**

The proposed zoning amendment is consistent with the PPS, conforms to both the CEOP and West Elgin OP, and addresses the application condition(s) of consent included in the provisional approval decision of the Land Division Committee for the County of Elgin.

**Alignment with Strategic Priorities:**

Infrastructure Improvement	Recreation	Economic Development	Community Engagement
<input type="checkbox"/> To improve West Elgin’s infrastructure to support long-term growth.	<input type="checkbox"/> To provide recreation and leisure activities to attract and retain residents.	<input checked="" type="checkbox"/> To ensure a strong economy that supports growth and maintains a lower cost of living.	<input type="checkbox"/> To enhance communication with residents.

Respectfully submitted by,



Robert Brown, H. Ba, MCIP, RPP  
 Planner  
 Municipality of West Elgin

## Report Approval Details

Document Title:	Zoning By-law Amendment Application D-14 2-2024 - Recommendation Report - 2024-13-Planning.docx
Attachments:	
Final Approval Date:	May 17, 2024

This report and all of its attachments were approved and signed as outlined below:

Terri Towstiuć