

Pre-Consultation

Applicants are strongly encouraged to have a pre-consultation meeting with the Township Director of Planning before they submit an application. During this meeting, the Director of Planning will review site specific information and make a determination of whether the landowners meet the eligibility criteria to sever a surplus farm dwelling.

Minimum Distance Separation (MDS)

The purpose of MDS is to minimize nuisance complaints due to livestock odour. MDS determines minimum setback distances between existing livestock facilities or permanent manure storages and the surplus dwelling to be severed. Contact the Director of Planning for more information

Application

Forms are available online or at the local municipal office. Completed applications and payment can be submitted to the Township. Please visit the Township website for the applicable fee and deposit.

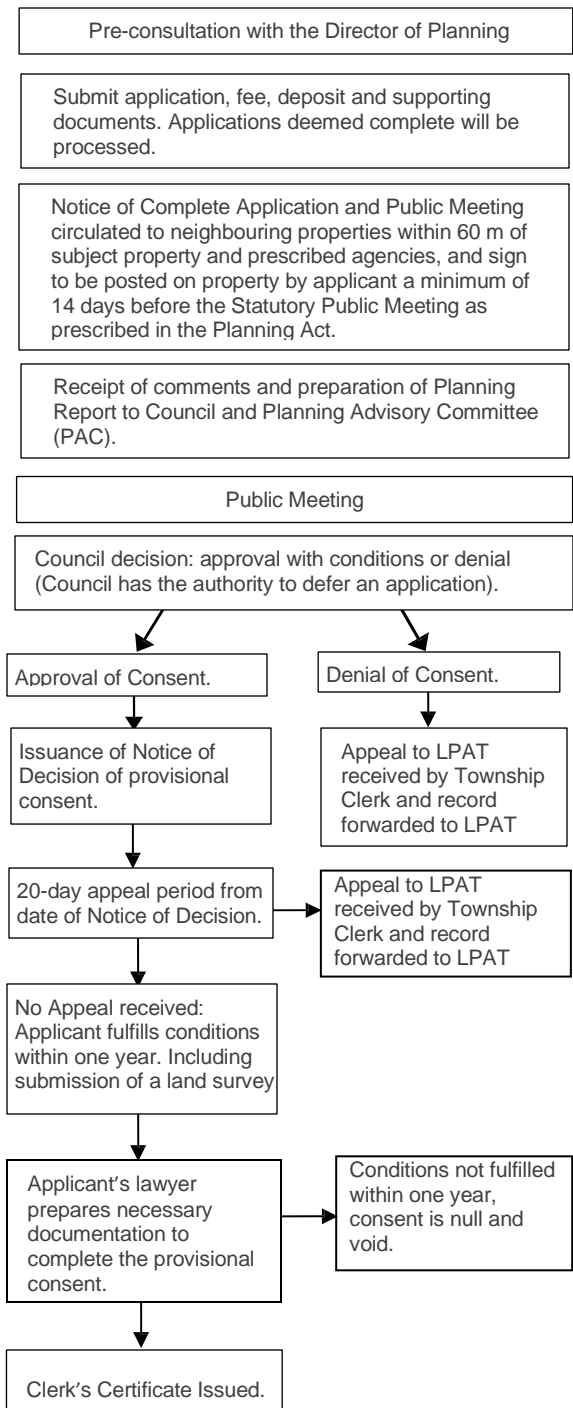
Any road widenings, easements, survey costs, legal costs and any other transactions pertaining to this application shall be borne by the applicant.

The time from submission of a complete application to a conditional decision is approximately three months or longer. If approved the applicant has up to one year to fulfill the conditions of approval.



Applications are subject to the public process pursuant to the Planning Act. Consideration will be given to all comments received from agencies and the public.

Severance (Consent) Process



Township of East Garafraxa

GUIDE TO SURPLUS FARM DWELLING SEVERANCES



Administration Office
 065371 Dufferin County Road 3
 Unit 2, East Garafraxa, ON, L9W 7J8

Tel: 226-259-9400
 Toll Free: 877-868-5967
 Fax: 1 -226-212-9812

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 website: www.eastgarafraxa.ca

This pamphlet is intended to provide preliminary information only.

Eligibility Criteria

The Township Official Plan sets out criteria to sever a surplus farm dwelling (see below). Please check the Township website for Official Plan policies regarding surplus dwelling severances.

- Severances of agricultural land will only be considered when the lands have been owned by the applicant for 10 years prior to the application being made.
- Severances of any dwellings surplus to a farm operation resulting from a farm consolidation shall be permitted where the farm lands are to be added to an existing farm operation.
- The amount of lands removed (severed) from agricultural production are limited to a minimum size needed to accommodate the use and appropriate sewage and water services.
- No residential development shall be permitted on the retained parcel of farmland.
- Compliance with Minimum Distance Separation (MDS) Formulae.
- The dwelling must be habitable.

All applications must conform to the County of Dufferin Official Plan and be consistent with Provincial Policies such as Provincial Policy Statement (PPS), A Place to Grow: Growth plan for the Greater Golden Horseshoe and the Greenbelt Plan.

Standard Conditions

When a surplus dwelling severance is approved, the following standard conditions are applied:

- Payment of Parkland Dedication
- Property Taxes Paid in Full
- Severed Parcel to be Rezoned to Rural Residential
- Retained Parcel (farmland) to be Rezoned to Prohibit new Residential Dwellings
- Conservation Authority Approval
- Entrance Approval
- Survey of the Severed and Retained Parcels
- Consent Agreement to be Registered on Title
 - Consent Agreement to include requirement for fencing around boundaries of the severed parcel, with exception of road frontage, when required by adjacent landowner
- Road Widening Conveyed to the Appropriate Road Authority
- Daylight Triangle

Additional conditions/removal of standard conditions may occur at Council's discretion.

Road widening and daylight triangle shall be conveyed to the appropriate road authority, in accordance with applicable road authority policies. If road widening has been obtained at an earlier date, condition would not apply. Any unregistered road widenings to be deeded to the township or appropriate road authority. Any road widenings, easements, survey cost, legal cost and any other transaction pertaining to this application shall be borne by the applicant.

Certificate of Title to be supplied, showing no encumbrances on the land for road widening purposes.

That all conditions be fulfilled, and certificate of clerk issued within one year of the date of notice of decision was given, failing to do so will cause the application to be null and void. The Planning Act does not permit extensions.

Frequently Asked Questions

Q: How large of a lot is allowed for a surplus dwelling?

A: The severance should not include more land than is needed to support the dwelling (i.e. well and septic system), and shall not include land used for agriculture.

Q: When calculating Minimum Distance Separation (MDS), does it matter if the barn is currently used or not?

A: MDS calculations are based on maximum livestock housing capacity for all livestock facilities on a lot, even if the building is not currently used, but is structurally sound and capable of housing livestock. It is the responsibility of the applicant to submit farm data information with respect to livestock facilities on the subject property and surrounding properties within 750m.

Q: What is a farm consolidation?

A: The acquisition of additional farm parcels to be operated as one farm operation. A Township form is to be completed to confirm the farm operation.

Further Information

For more specific information related to individual applications, or for assistance in completing applications, please contact the Director of Planning.