

Before You Apply

Pre-Consultation

Applicants are strongly encouraged to have a pre-consultation meeting with the Township Planning Consultants before submitting an application, to review site specific information and make a determination of whether the landowners meet the eligibility criteria to sever a surplus farm dwelling. Applicants should also retain their own professional Consultant(s) to assist with the application process and for the preparation of required supporting documents.

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. Township Official Plan Amendment 8 (OPA8) requires surplus farm dwelling severances to subject to MDS where deemed applicable.

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.

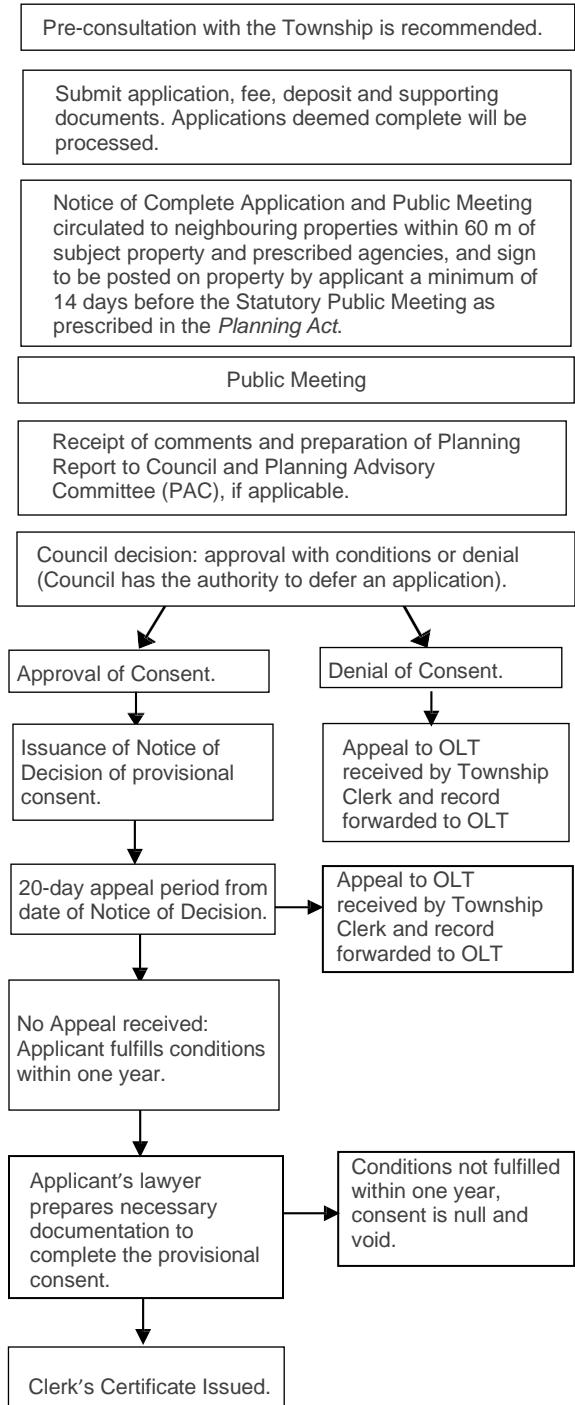
Any road widenings, easements, survey costs, legal costs and any other transactions pertaining to the application shall be borne by the applicant.

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
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Unit 2, East Garafraxa, ON, L9W 7J8

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

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This pamphlet is intended to provide preliminary information only. For complete accuracy, refer to the plans and documents referenced in this pamphlet.

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 any existing habitable dwellings surplus to a farm operation resulting from a farm consolidation shall be permitted provided that:
- The new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;
- New residential dwellings shall be prohibited on the remnant parcel of farmland created by the severance; and,
- The surplus farm dwelling will be subject to minimum distance separation formulae where deemed applicable.

Farm consolidation means the acquisition of an additional farm parcel or parcels to be operated as one farm operation.

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, or as deemed appropriate by Council:

- 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 and/or to demonstrate if MDS is not applicable.

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 Township.