

The Township of East Garafraxa

Consultant Planning Report to Council

To: Mayor Gardhouse and Members of Council

From: Fotenn Consultants Inc.

Date: July 14, 2025

Meeting Date: July 22, 2025

Applicant: Van Harten Surveying Ltd.

Owner: Edward Glen Woods & Anne Elizabeth Woods

Subject: Consent Application B1-25
151371 12th Line
Part of Lot 6 & 7, Concession 13

Official Plan Designation: Agricultural and Environmental Protection

Zoning: Agricultural (A) and Environmental Protection (EP)

1. RECOMMENDATION

The proposed Consent Application is consistent with the Provincial Planning Statement and conform with Provincial, County and Township Planning policy. The application represents good and orderly planning and should be permitted.

It is therefore recommended:

That the Consultant Planning Report dated July 14 2025, Consent Application B1-25, 151371 12th Line, Part of Lot 6 & 7, Concession 13, be received; and

That Consent Application B1-25 be approved, subject to conditions as contained in the staff memo dated July 16, 2025; and

The recommendations above will be considered by Council, following any additional comments received after the date of this Report, if any.

2. BACKGROUND

The subject lands are municipally known as 151371 12th Line and have an area of approximately 64.8 ha, with frontage along 12th Line and 13th Line. The subject site has approximately 607 metres of frontage along 13th Line, and 343 metres of frontage along 12th Line (refer to attachment 1). The property currently contains residential dwellings and agricultural uses.

The subject lands are designated 'Agricultural and Environmental Protection' per the Township Official Plan (refer to attachment 2) and zoned 'Agricultural (A) and Environmental Protection (EP)' in the Zoning By-law 60-2004 (refer to attachment 3).

Pre-Consultation Meeting (February 7, 2024)

The proposed severance application had a Pre-consultation Meeting with Township staff/consultants and agencies on February 7, 2024. Following the meeting the Township Planning Consultant provided the applicant with a Record of Pre-consultation. The Record of Pre-consultation included complete application requirements for the proposed severance and initial feedback on the proposal.

Complete Application

The Applicant received a Notice of a Complete Application and Notice of Public Meeting on May 21, 2025, in accordance with the requirements indicated in the Record of Pre-consultation. The notice was circulated to property owners within 60 metres of the Subject Lands, and the application was circulated to prescribed Agencies, as required by the Planning Act, as amended.

Statutory Public Meeting

The Statutory Public Meeting was held on June 24, 2025. The County of Dufferin raised concerns that the proposed severance would not maintain the current agricultural capabilities of the subject lands since the retained parcel is proposed to be only ~23.6 hectares in size, a size that would be unable to support any farm operations outside of a hobby farm. Discussions with the County have been undertaken and they have adjusted their opinion and have advised that the consent complies with the County Official Plan policies.

No other concerns were raised by the public during the public meeting. To date comments have been received from the commenting departments and agencies and are further described in Section 5 of this report.

3. PURPOSE OF APPLICATION / SUMMARY OF PROPOSAL

The proposed severance is to create a severed parcel 41.2 ha (101.82 acres) in size with frontage onto 13th from the larger 64.8 ha (160.12 acres) property, recreating the originally surveyed property lines (refer to Attachment 4). The retained parcel is proposed to be 23.6 ha (58.32 acres) with frontage onto 12th Line. The subject property, functions as a 'through lot' with frontage along both 12th Line and 13th Line. The applicant's intention is to divide the property along the original surveyed lot lines.

The severed parcel contains an existing agricultural operation and existing residential dwellings. The retained lands are an agricultural field and has the potential to accommodate a future dwelling and an agricultural use.

4. DISCUSSION

Key applicable policies are those found in the Provincial Planning Statement 2024 (PPS), the County of Dufferin Official Plan, office consolidated 2017 (County Official Plan) and the Township of East Garafraxa Official Plan as amended (Township Official Plan). The Planning Act must also be considered. Planning decisions by the Township must be consistent with the policies of the PPS, and in conformity with the policies of the County and Township Official Plans.

4.1 Provincial Planning Statement, 2024

The Provincial Planning Statement came into effect on October 20, 2024. The Provincial Planning Statement effectively is a consolidated statement that provides high level provincial policy direction on key land use planning issues that affects communities. It replaces both the Provincial Policy Statement (2020) and A Place to Grow: the Growth Plan for the Greater Golden Horseshoe (2020). All decisions affecting planning matters shall be consistent with the Provincial Planning Statement (2024)

The PPS is a broad high level planning document that guides development towards the Province's vision for growth and land use management. The PPS provides policy direction for agricultural lands which are defined as lands which are located outside settlement areas and outside of prime agricultural areas.

The PPS directs that healthy, integrated, and viable rural areas should be supported by building upon agricultural character and leveraging agricultural amenities and assets. The general policies for agricultural lands in municipalities are:

- Policy 4.3.2.1 – This policy describes that permitted uses include agricultural uses, agriculture-related uses, and on-farm diversified uses as permitted uses within agricultural lands.
- Policy 4.3.2.2 – The following policy describes that all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected.
- Policy 4.3.2.3 – Describes that minimum distance separation formulae shall be used in the creation of new lots.

Section 4.3 of the PPS outlines policies related to Agriculture which generally aim for the long term designation and protection of agriculture. Section 4.3.2.1 states that: *"in prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses based on provincial guidance."*

Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on provincial guidance or municipal approaches, as set out in municipal planning documents, which achieve the same objectives."

The proposal complies with the objectives and permitted uses in agricultural areas by continuing on agricultural uses on appropriate sized parcels.

The following policies are also applicable to the proposed application.

4.3.2.2. 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.

4.3.2.3 New land uses in prime agricultural areas, including the creation of lots and new or expanding livestock facilities, shall comply with the minimum distance separation formulae.

The following PPS policies are applicable for lot creation in agricultural lands:

- *4.3.3.1 - Lot creation in prime agricultural areas is generally discouraged and only allowed under certain conditions set by provincial guidelines:*
 - 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; For agriculture-related uses, if the new lot is only as large as necessary to support the use and provide proper water and sewage services.*
 - 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;*

The subject lands are designated as Agricultural in the Township's Official Plan, which identifies the area as part of the prime agricultural system intended for long-term protection and use for farming and related activities. The proposed severance is consistent with this designation, as both the severed and retained parcels will continue to be used for agricultural purposes and in compliance with Township size requirements for consents in agricultural areas, therefore representing an appropriate and suitable sizes for the common types of farming in the area. Further, the proposed consent will recreate originally surveyed lot line, which aligns with adjacent property boundaries.

The proposed consent supports the ongoing viability of agricultural operations by creating two appropriately sized agricultural parcels recreating original lot lines in the Township. As such, the proposed lot creation is consistent with the PPS policies related to lot creation in agricultural areas.

The proposed Consent Application is consistent with the PPS (2024) based on the information submitted with the application.

4.2 County of Dufferin Official Plan (County OP)

The Official Plan for the County of Dufferin (office consolidated 2017), as modified by Official Plan Amendment 2 and 3 through the recent decisions from the Ministry of Municipal Affairs and Housing dated October 9, 2024, provides over-arching policy direction on matters such as growth management and land use decisions by providing upper-tier land use planning guidance for the County's eight local municipalities. Schedule A (Provincial Plan Areas) does not identify the subject site as within a Provincial Plan Area.

Schedule B (Community Structure and Land Use) identifies the property as 'Countryside Area'. The lands are comprised of 'Prime Agricultural Area', which are specifically identified on Schedule C.

Section 4.2.1 of the County OP outlines the objectives of the Agricultural lands, as follows:

- a) Recognize agriculture as the primary activity and land use in the Countryside Area.*
- b) Maintain and enhance the agricultural resource base and farming operations within the County.*

- c) *Protect the County's prime agricultural area from fragmentation, development and land uses unrelated to agriculture.*
- d) *Promote normal farm practices and to protect the right to farm.*
- e) *Promote a diverse, innovative and economically strong agricultural industry and associated activities by enhancing their capacity to contribute to the economy by accommodating a range of agriculture-related uses and on-farm diversified use.*
- f) *Preserve and promote the agricultural and rural character of the County.*

Section 4.2.2 of the County OP outlines permitted uses of the Agricultural lands, as follows:

- a) *All types, sizes and intensities of agricultural uses and normal farm practices will be promoted and protected in accordance with provincial standards.*
- b) *The primary use of land is for agricultural uses including:*
 - i. *the growing of crops, including nursery, biomass and horticultural crops;*
 - ii. *raising of livestock;*
 - iii. *raising of other animals for food, fur or fibre, including poultry and fish; iv. aquaculture;*
 - iv. *apiaries; vi. agro-forestry;*
 - v. *maple syrup production; and*
 - vi. *associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storage, value retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.*
- h) *New land uses, including the creation of new lots, and livestock facilities and the expansion of existing livestock facilities will comply with the Minimum Distance Separation Formulae, as implemented through the applicable local municipal planning documents.*

Section 4.2.3 of the County OP outlines land use policies, as follows:

- b) *In order to avoid land use conflicts within the Agricultural Area designation, new land uses, including lot creation, and new or expanding livestock facilities will comply with the Minimum Distance Separation Formulae, to ensure appropriate standards for separating incompatible uses from existing, new or expanding livestock facilities. The Minimum Distance Separation Formulae will be implemented through the applicable local municipal planning documents. Lot creation in the rural lands will only be permitted in accordance with the policies of this Plan and the local municipal official plan.*

Section 4.2.4 of the County OP describes lot creation within the Agricultural Area, as follows:

- a) *Lot creation in the Agricultural Area will generally be discouraged and only permitted in accordance with provincial policy and the policies of the local municipal official plan. The minimum lot area of both the retained and severed lots will be established in the local municipal official plans in accordance with the lot creation policies for the uses set out below.*
- b) *For 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 enough to maintain flexibility for future changes in the type or size of agricultural operations. For prime agricultural areas within the Greenbelt Plan Protected Countryside, the minimum lot size will be 40 hectares (100 acres).*
- c) *For agriculture-related uses, the lot created will be limited to a minimum size needed to*

accommodate the use and appropriate sewage and water services.

Section 4.2.5(b) of the County Official Plan explicitly states that *“lots must be of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large enough to maintain flexibility for future changes in the type or size of agricultural operations”*.

The proposed consent application will retain the viability of agricultural uses on both the severed and retained, recreating original township lot lines consistent with the parcel fabric in the Township. The intended use of the newly created lot is agricultural, which is a permitted and encouraged use within the Agricultural designation identified in the County’s Official Plan.

A Minimum Distance Separation (MDS I) analysis was conducted for nearby barns, including those at #191401 13th Line, #151371 12th Line (owned by the applicant), and an unused barn at #191470 13th Line. A 0.5 ha conceptual building envelope has been identified on the severed lot, which complies with Guideline 41.4 of the OMAFRA publication. The Township’s consultants, Stovel and Associates, are currently reviewing the MDS I calculations to determine compliance. As this review is still underway, a satisfactory MDS report has been included as a condition of the consent application should the application be approved.

County Official Plan policies outline that local municipal official plans establish policies for minimum lot sizes for lot creation in agricultural areas. The subject property is not located within the Greenbelt Plan Area and therefore is not subject to the additional restrictions that apply within that protected area. The Township lot creation policies in agricultural areas, as modified through OPA 8, permits lot creation in agricultural areas for a minimum lot area of 20 ha. Both the proposed severed and retained lands comply with the Township minimum lot areas.

The application has been circulated to Dufferin County for review, and following the public meeting, further discussions with the County were held with regards to the proposal. The County provided updated comments indicating that the proposal aligns with the policies of the Agricultural area and that they are supportive of the application.

The proposed Consent Application is in conformity with the County of Dufferin Official Plan based on the information submitted with the application.

4.3 Township of East Garafraxa Official Plan (Township OP)

Schedule A of the Township Official Plan designates the Subject Lands as Agriculture and Environmental Protection. The Agricultural designation permits the following uses in Section 5.1.3, *agricultural uses and normal farm practices that include the use of lands, buildings or structures for the growing of crops, including nursery, biomass and horticultural crops; raising of livestock and other animals for food, fur or fibre, including poultry, and fish; aquaculture; apiaries; agroforestry; and maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storage, and value-retaining facilities subject to the provisions outlined in this Plan.*

The Agricultural designation severance policies are contained in Section 5.1.4 which allow for severances in Agricultural areas as follows:

New lots may be created for the following purposes:

- a) Severances of any existing habitable dwellings surplus to a farm operation resulting from a farm consolidation shall be permitted provided that:
 - i. The new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;*
 - ii. New residential dwellings shall be prohibited on the remnant parcel of farmland created by the severance; and,*
 - iii. 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.

- b) Lot creation for infrastructure may be permitted where the facility or corridor cannot be accommodated through the use of easements or right-of-way.*
- c) A maximum of one lot may be severed per original farm of approximately 60 hectares or greater. The consent may be granted to only create an agricultural parcel, where both the severed and retained parcels are a minimum of 20 hectares in size or to recreate original Township lots each along the originally surveyed lot lines.*
- d) The proposed lot must also comply with the policies set out in Section 8.2 Lot Creation, and Section 8.3 Technical Consents of this Plan.*

Section 7.13 of the Township OP discusses the Minimum Distance Separation Formulae, as follows:

- a) When considering a planning application for lot creation, Official Plan amendment and rezoning or a building permit application, such application must meet the Provincial Minimum Distance Separation Formulae, as amended from time to time.*

Section 8.2 of the Township discusses Lot Creation, as follows:

Within this Plan there are land division policies that apply to the various land use designations. The following policies apply to all land division in the Township:

- f) All new lots in Agriculture and/or Rural designations must comply with the Provincial minimum distance separation formulae, save and except for consents under Section 8.5 Technical Consents.*

The proposed severance is subject to the policies outlined in Section 5.1.4(c) of the Township's Official Plan, which governs lot creation within Agricultural areas. This section permits the lot creation of new agricultural parcels under specific conditions. It states that a severance may be granted to create an agricultural parcel where both the severed and retained lots are a minimum of 20 hectares in size, or where the purpose of the severance is to recreate original Township lots.

The proposal complies with both provisions of this policy. Both the severed and retained parcels resulting from the proposed consent exceed the minimum required size of 20 hectares, ensuring that the resulting lots are sufficiently large to support viable agricultural operations in the long term. The proposed lot configuration serves to recreate the original Township lot fabric.

An MDS I analysis was conducted for nearby livestock facilities. The Township's consultants, Stovel and Associates, are currently reviewing the MDS I calculations to determine compliance. Given that

the review is still under way, a satisfactory MDS has been identified as a condition of approval.

The severance supports the broader agricultural community by ensuring that the newly created and retained parcels remain in agricultural use. The preservation and enhancement of agricultural operations on both parcels are in conformity with the Township Official Plan to protect and strengthen agricultural land as a valuable resource. The creation of appropriately sized agricultural parcels contributes to long-term farm viability, flexibility in land management, and the sustainability of local food production.

It is our opinion that the proposed Consent Application is in conformity with the Township Official Plan.

4.4 Zoning By-law 60-2004

The subject property is zoned “EP” (Environmental Protection) and “(A)” Agricultural in Township Zoning By-law 60-2004, as amended. The EP zone runs through the proposed retained lands. No new buildings or new uses are proposed within the subject site.

| Zoning By-law 60-2004 | Provision | Proposed | Complies |
|------------------------------|--|------------------|-----------------|
| 4.1.1 Permitted Uses | i) agricultural use ii) bed and breakfast establishment iii) farm produce sales outlet accessory to a farm iv) farm produce storage facility v) greenhouse operation vi) home occupation vii) home industry viii) kennel ix) resource management activities x) riding school or boarding stables xi) single detached dwelling xii) specialized agriculture not exceeding 450 animal units xiii) a second single detached dwelling accessory to a farm on a lot of at least 38 hectares (94 acres) located within 50 m of the existing dwelling. xiv) wayside pit or wayside quarry including a portable | Agricultural Use | Yes |

| | | | |
|---|--|---|-------------------------------------|
| | asphalt plant | | |
| 4.1.2 Regulations for Permitted Uses | i) Minimum Lot Area: 19 ha | Severed: 41.2 ha Retained: 23.6 ha | Yes |
| | ii) Minimum Lot Frontage: 150 m | Severed: 607 m Retained: 343 m | Yes |
| | iii) Minimum Yard Requirements a) Front Yard: 30 m b) Interior Side Yard: 15 m c) Exterior Side Yard: 30 m d) Rear Yard: 30 m | Existing Dwelling: a) Front Yard: Approx 5 m b) Interior Side Yard: Approx 13 m d) Rear Yard: Approx 584 m | Existing legal Non- complying |
| | v) Maximum Height: 12 m | Existing | Yes |
| | vi) Minimum dwelling unit size: 140 square metre | Existing | Yes |
| 4.1.3 Special Provisions for Livestock Buildings | i) Minimum interior side yard: 30 m | Approx. 4 m | Existing legal Non- complying |

It is our opinion that the proposed Consent Application is in compliance with the Township Zoning By-law.

5. COMMENTS RECEIVED

The application was circulated to the property owners within 60m of the subject property and to the prescribed Agencies as required by the Planning Act, as amended. The following comments have been received from Agencies and Township departments (refer to Attachment 5):

Dufferin Federation of Agriculture, June 12, 2025

The DFA emphasizes that the Provincial Policy Statement (PPS, 2024) discourages lot creation in prime agricultural areas, except under strict conditions, such as where lots are appropriately sized for common agricultural practices and allow flexibility for future changes. The DFA also supports the Dufferin County Official Plan's minimum lot size requirement of 40 hectares.

While the applicant proposes continued agricultural use, the DFA notes that future land use cannot be guaranteed, and smaller parcels like the proposed 23 ha lot could lead to issues such as land fragmentation, housing pressure, reduced farming efficiency, potential MDS conflicts, and incompatibility with modern farm equipment. The DFA stresses that preserving larger, contiguous parcels is essential to protecting long-term agricultural viability in the County.

Grand River Conservation Authority, June 2, 2025

The GRCA reviewed the application under its regulatory and planning responsibilities, including natural hazard policies outlined in the 2024 Provincial Planning Statement. Based on available information, the retained parcel contains floodplain and regulated areas, while the severed parcel does not contain

any natural hazard features of interest.

As such, no impacts on natural hazard features are anticipated. Future development within the regulated area on the retained lands will require a permit from GRCA under Ontario Regulation 41/24. A copy of GRCA's resource mapping is provided for reference. The GRCA has no objections to the proposed consent application.

Dufferin County

/ Building Services (June 2, 2025)

We have no concerns with the consent application but have the following comment.

If approved, we require a condition be added to the committee's decision that the applicant provide an approved letter of lot suitability prepared by the County of Dufferin Building Department that the lot can accept the installation of a sewage system.

/ Planning (June 2, 2025)

The County Planning Division has reviewed the consent application and expressed concerns regarding its alignment with the County Official Plan. Although the subject lands are designated Prime Agricultural, and agricultural lot creation is permitted in some cases, the County generally discourages lot creation in these areas. The proposed severance does not meet the policy requirements of Section 4.2.5(b), as the retained parcel (approximately 23.6 hectares) is considered too small to support typical agricultural operations beyond hobby farming, thereby limiting agricultural flexibility and viability. Additionally, the proposal conflicts with Section 4.2.1(c) of the Plan, as it would contribute to the fragmentation of Prime Agricultural lands, contrary to the objective of protecting these lands from non-agricultural development and division.

/ Planning (July 13, 2025)

Following a secondary review of the consent application for 151371 12th Line, East Garafraxa, including further consultation with Township Planning staff and a review of the original survey, County Planning staff have determined that the proposed use aligns with the policies for Prime Agricultural Areas in the County Official Plan, particularly those related to lot creation. As a result, the County of Dufferin has no concerns and is now supportive of the application.

Hydro One Networks, June 6, 2025

HONI has completed a preliminary review of the consent to sever application and has no objection in principle, as long as its easement rights are protected. No permanent structures, landscaping, or facilities may be placed within the adjacent high-voltage transmission corridor without prior written approval from HONI.

Should future development (e.g., site plan, subdivision, or condominium applications) proceed, the owner must coordinate with HONI regarding grading, drainage, and proposed uses within the corridor. Any costs related to relocating or adjusting HONI infrastructure will be the responsibility of the developer. This review applies only to transmission facilities; for distribution-related matters, the local electricity distributor must be consulted.

R.J. Burnside, May 26, 2025

We have reviewed the application and we do not have any comments.

6. CONCLUSION

A thorough review indicates no negative impacts from the proposed Consent Application. The applicant is proposing to create a new parcel for agricultural purposes, recreating original lot lines consistent with the lot fabric in the Township. The subject property is approximately 64.8 ha / 160.12 ac. The proposed severed parcel will have an area of 41.2 ha / 101.81 ac, while the proposed retained parcel will have an area of 23.6 ha / 58.32 ac.

The application is consistent with the Provincial Planning Statement and in conformity with the County of Dufferin Official Plan and Township of East Garafraxa Official Plan planning policies, representing good planning practice and should be approved.

We recommend the following conditions be added to the approval of the consent application:

- Applicant to provide a letter of lot suitability for the installation of a sewage system by the County of Dufferin Building Department for the proposed severed lot.
- Appropriate Road widenings obtained along the property line that abuts the 13th and 12th line.
- Applicant to provide a satisfactory Minimum Distance Separation Report.
- Applicant to maintain Hydro Easement on both the severed and retained.
- All of the conditions outlined in the Township staff memo dated July 16, 2025.

7. DOCUMENTS

Attachment 1: Aerial Photo

Attachment 2: Official Plan Designation

Attachment 3: Zoning Map

Attachment 4: Consent Sketch

Attachment 5: Comments Received

Submitted by:



Jennifer Maestre, MCIP, RPP
Fotenn Planning Consultants Inc.

FOTENN

ATTACHMENT 1 – Aerial Photo



Township of
East Garafraxa



AERIAL PHOTO

Legend

— Roads_ORN

□ Parcels

Red: Band_1

Green: Band_2

Blue: Band_3

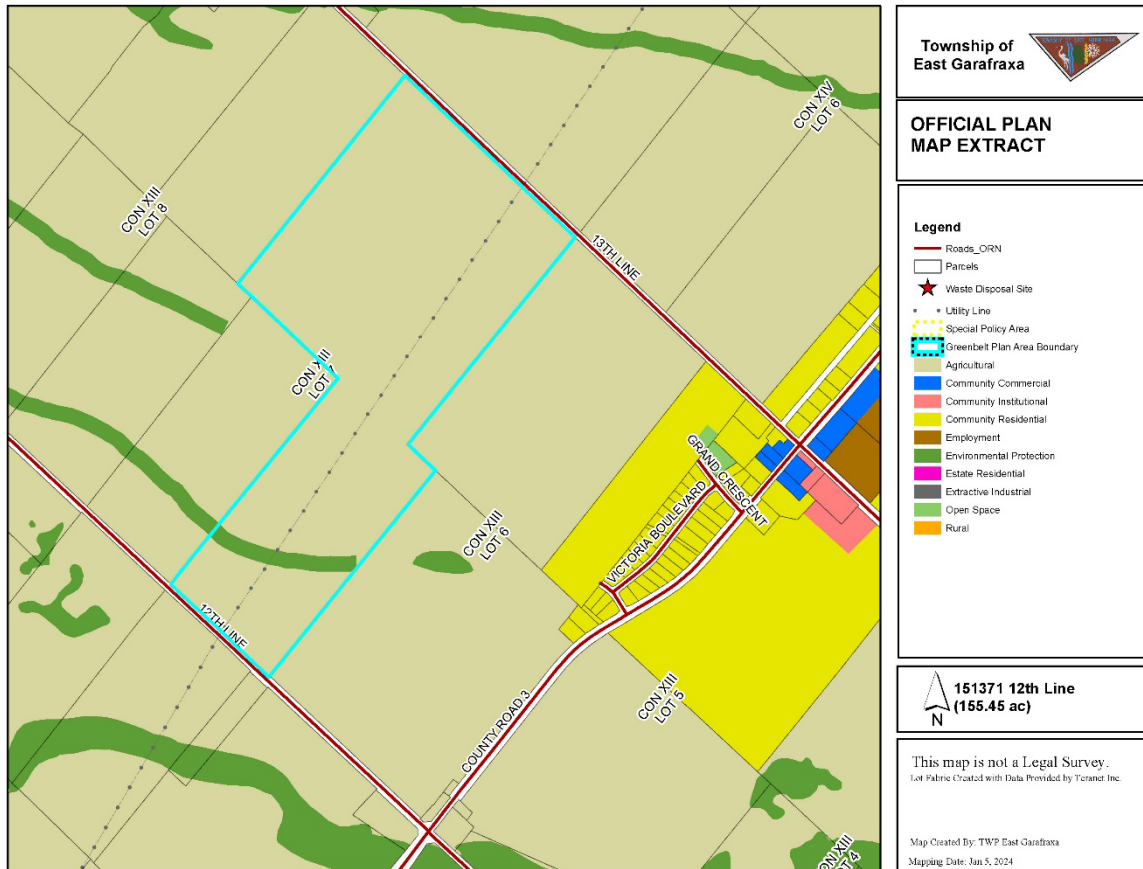


151371 12th Line
(155.45 ac)

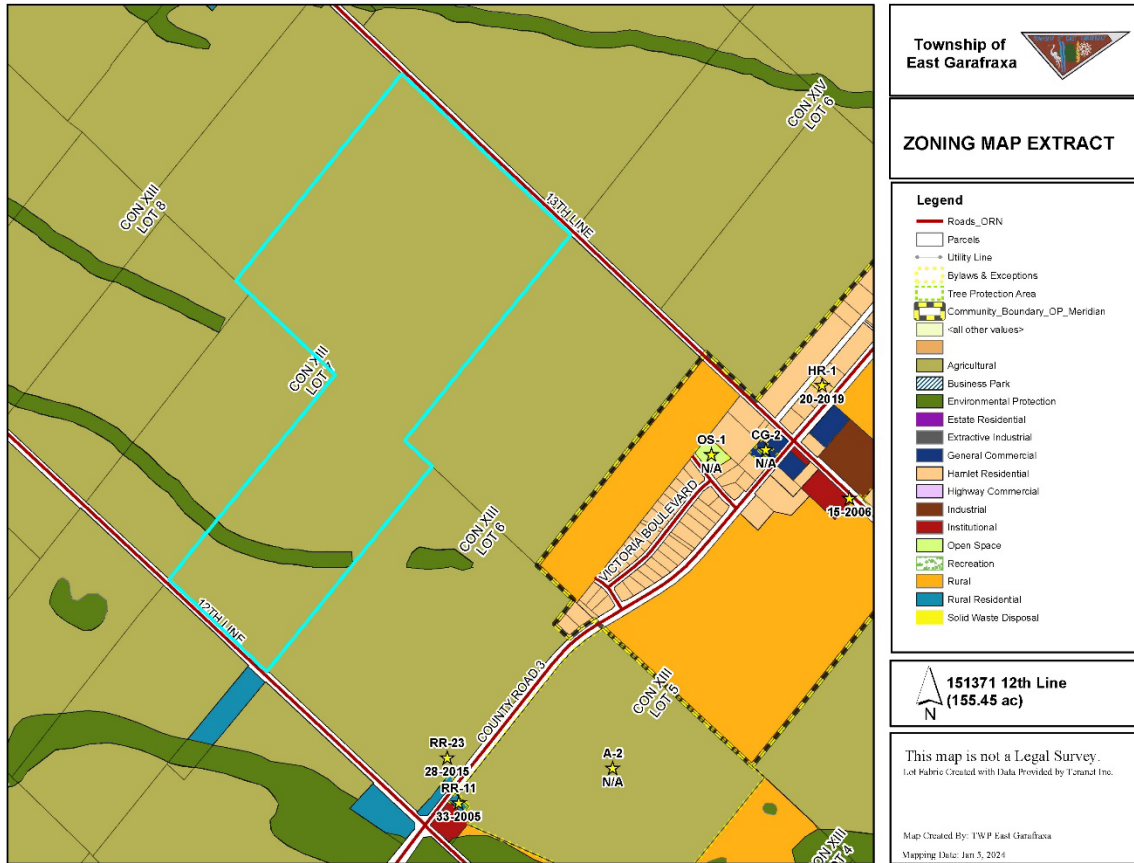
This map is not a Legal Survey.
Lot Fabric Created with Data Provided by Tenand Inc.

Map Created By: TWP East Garafraxa
Mapping Date: Jan 5, 2024

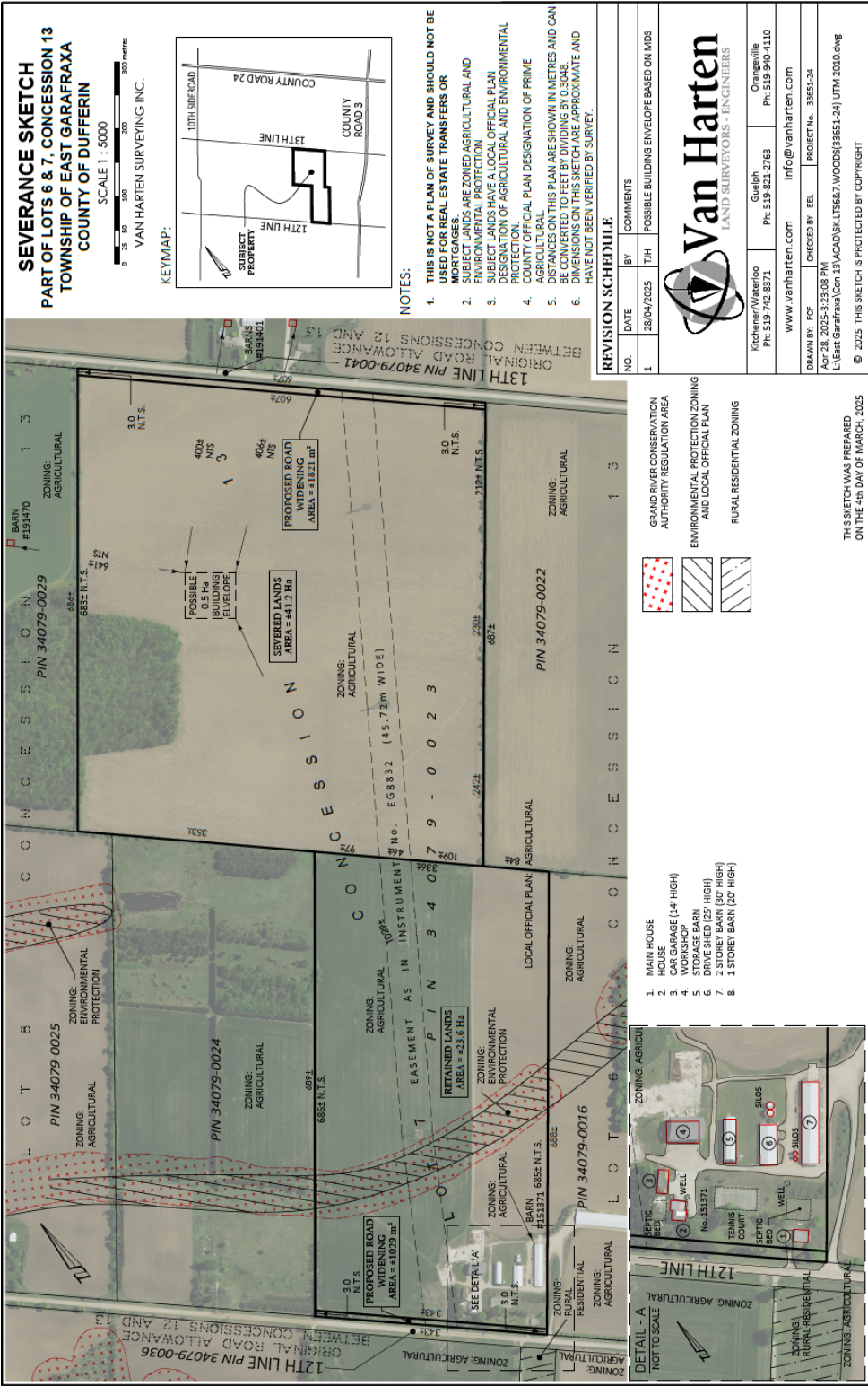
ATTACHMENT 2 – Official Plan Designation Map



ATTACHMENT 3 – Zoning By-law 60-2004 Map



ATTACHMENT 4 - Consent Sketch



ATTACHMENT 5 - Comments Received



Dufferin Federation of Agriculture
P.O. Box 101, Orangeville, ON L9W 2Z5

June 12, 2025

Township of East Garafraxa

RE: Comments- B1-25 151371 12th line

Dear Council:

DFA proudly represents over 585 farms within the County of Dufferin and is the local county affiliate of the Ontario Federation of Agriculture (OFA) which is the largest farm organization in the province. We advocate on behalf of our members on various issues, including ones that will have long term implications on our ability to farm here in the County.

DFA would like to support Dufferin County Planning Department comments to **NOT APPROVE** this application.

The Planning Act (1990) sets out the legal basis for land use planning in Ontario. The province uses this legislative act and its regulations to provide municipalities and planning authorities with the powers to create Official Plans, Zoning By-Laws, and Community Planning Permit Systems (CPPS) that regulate land use within their jurisdictions and strategize for future growth.

PPS 2024, 4.3.3 Lot Creation and Lot Adjustments 1. *Lot creation in prime agricultural areas is discouraged and may only be permitted in accordance with provincial guidance 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.*

DFA endorses the agricultural policies in the PPS's (2024, Section 4.3) that require municipalities protect their prime agricultural areas for long-term agricultural use. The PPS (2024, Policy 4.3.3) provides for limited lot creation in prime agricultural areas. DFA supports lot creation only under those **very** limited circumstances. Furthermore, DFA endorses the Dufferin County Official Plan's minimum size of 40 ha.

While the proposed divided lots will still be farmed as a *current* use this is not guaranteed in the future, and smaller farm size and fragmentation of the area exposes the property for a future change in use. No one owns a property forever, permanent future uses CANNOT be guaranteed by a current owner and this is not a valid argument.

This reduced size of 23 ha opens the property up to several things—additional housing, a size inefficient to farm, potential MDS impacts, future conflicts between uses, increased fragmentation and so forth. Additionally, small lot sizes are not conducive to today's modern equipment.



Dufferin Federation of Agriculture
P.O. Box 101, Orangeville, ON L9W 2Z5

DFA does not see this reduction to be minor in nature, and if granted could set a dangerous precedent for future applications and is contrary to farmland protection. Please help us to support the future of farming in Dufferin 10, 20, 150 years down the road by maintaining sizes no smaller than 40 ha.

Thank you for your consideration.

Sincerely,

Original copy signed.

Bill McCutcheon, President
Dufferin Federation of Agriculture

cc. Dufferin County Planning Division



June 2, 2025

via email

GRCA File: B1-25 – 151371 12th Line

Jessica Kennedy
Township of East Garafraxa
065371 Dufferin County Road 3, Unit 2
East Garafraxa, ON L9W 7J8

Dear Jessica Kennedy,

Re: Application for Consent – B1-25
151371 12th Line, Township of East Garafraxa
Owner: Edward and Anne Woods
Agent: Everett Lusk, Van Harten Surveying Inc.

Grand River Conservation Authority (GRCA) staff have reviewed the above-noted consent application to create a new lot for agricultural uses.

Recommendation

The GRCA has no objection to the proposed consent application.

GRCA Comments

GRCA has reviewed this application under the Mandatory Programs and Services Regulation (Ontario Regulation 686/21), including acting on behalf of the Province regarding natural hazards identified in Section 5.2 of the Provincial Planning Statement (PPS, 2024), as a regulatory authority under Ontario Regulation 41/24, and as a public body under the *Planning Act* as per our CA Board approved policies.

Information currently available at this office indicates that the retained parcel contains an area of floodplain and the regulated allowance adjacent to the floodplain. The lands to be severed do not contain any natural hazard features of interest to the GRCA. A copy of GRCA's resource mapping is attached.

Due to the presence of the features noted above, a portion of the retained parcel is regulated by the GRCA under Ontario Regulation 41/24 – Prohibited Activities, Exemptions and Permits Regulation. Any future development or other alteration within the regulated area will require prior written approval from GRCA in the form of a permit pursuant to Ontario Regulation 41/24.

It is understood that the consent application proposes to sever a lot with existing and proposed agricultural uses. The severed parcel does not contain any natural hazard features and the existing agricultural uses will continue on the retained lands. As such, impacts on the natural hazard features are not anticipated as a result of this application.

Consistent with GRCA's approved fee schedule, this application is considered a minor consent and the applicant will be invoiced in the amount of \$465.00 for GRCA's review of the application.

Should you have any questions, please contact me at 519-621-2763 ext. 2228 or aherreman@grandriver.ca.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Herreman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Andrew Herreman, CPT
Resource Planning Technician
Grand River Conservation Authority

Enclosed: GRCA Mapping

Copy: Edward & Anne Woods (via email)
Everett Lusk, Van Harten Surveying Inc. (via email)
Jennifer Maestre, Township of East Garafraxa/Fotenn Consultants Inc. (via email)



Legend

- Regulation Limit (GRCA)
- Floodplain (GRCA)
 - Engineered
 - Estimated
 - Approximate
- Floodplain - Special Policy Area (GRCA)
- Slope Erosion (GRCA)
 - Steep
 - Oversteep
 - Toe
- Slope Valley (GRCA)
 - Steep
 - Oversteep
- Regulated Watercourse (GRCA)
- Regulated Waterbody (GRCA)
- Wetland (GRCA)
- Lake Erie Flood (GRCA)
- Lake Erie Shoreline Reach (GRCA)
- Lake Erie Dynamic Beach (GRCA)
- Lake Erie Erosion (GRCA)
- Parcel - Assessment (MPAC/MNRF)
- Conservation Area Boundary (GRCA)



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Disclaimer: This map is for illustrative purposes only. Information contained herein is not a substitute for professional review or a site survey and is subject to change without notice. The Grand River Conservation Authority takes no responsibility for, nor guarantees, the accuracy of the information contained on this map. Any interpretations or conclusions drawn from this map are the sole responsibility of the user.
The source for each data layer is shown in parentheses in the map legend. See [Sources and Citations](#) for details.





Date: June 2, 2025

To: Township of East Garafraxa

Re: Dufferin County Comments – B1-25 – 151371 12th Line

The County of Dufferin is in receipt of the Request for Comments for the above noted application, dated 2025-05-21. The request for comments was circulated to the following department(s):

1. [Building Services](#)
2. [Planning Division](#)

The department(s) have reviewed the documents submitted with the request for comments against the applicable policies. The comments received are on the following pages.

Please keep Dufferin County informed with respect to the status of the attached comments and the decision of the Council related to the subject application.

Should you have any questions pertaining to this letter, please do not hesitate to contact the undersigned.

Kind Regards,

A handwritten signature in black ink, appearing to be 'LM'.

Liam Morgan, MCIP, RPP
Development Planner
Phone: 519-941-2816 Ext. 2511
lmorgan@dufferincounty.ca

Date: May 26, 2025

From: Building Services

We have no concerns with the consent application but have the following comment.

- If approved, we require a condition be added to the committee's decision that the applicant provide an approved letter of lot suitability prepared by the County of Dufferin Building Department that the lot can accept the installation of a sewage system.

Thanks,



Doug Kopp, Plans Examiner.

Date: June 2, 2025

From: Planning Division

The County Planning division has reviewed the consent application and has the following comments:

- The subject lands are designated as *Prime Agricultural* under the County Official Plan.
 - Generally speaking, lot creation in *Prime Agricultural* areas is generally discouraged in the County Official Plan.
 - Though lot creation can be permitted for *agricultural uses*, which is what the applicant is proposing, section 4.2.5(b) of the County Official Plan explicitly states that “lots must be of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large enough to maintain flexibility for future changes in the type or size of agricultural operations”.
- The County Planning division is of the opinion that the proposed severance would not maintain the current agricultural capabilities of the subject lands since the retained parcel is proposed to be only ~23.6 hectares in size, a size that would be unable to support any farm operations outside of a hobby farm.
- Further to the above, the proposed consent application is directly contrary to section 4.2.1(c) of the County Official Plan, which states that “the objectives of the *Prime Agricultural* area designation are to...protect the County’s *Prime Agricultural* area from fragmentation, development, and land uses unrelated to agriculture. The proposed severance would directly result in the fragmentation of *Prime Agricultural* lands.
- As a final note, the County Planning division will request that the applicant pay a **\$250.00** review fee. Payment can be made either online or by cheque, payable to The Corporation of the County of Dufferin, and addressed to the Finance Department. To pay online, please visit our website at <https://dufferin-county-online-payments.myshopify.com/> and select [Invoice Payment](#) from the [Catalog section](#). For both methods of payment, please reference the following to ensure proper processing of the payment: **B1-25 – 151371 12th Line, East Garafraxa**

Based on the above, the County is **not supportive** of the proposed consent application and requests that Township staff recommend the denial of this application due to its non-conformity with the County Official Plan.



Kind regards,

A handwritten signature in black ink, consisting of the letters 'LM' in a cursive, stylized script.

Liam Morgan, MCIP, RPP
Development Planner
Phone: 519-941-2816 Ext. 2511
lmorgan@dufferincounty.ca

MEMORANDUM

Date: July 3, 2025
To: Jennifer Maestre and Elena Karakas
From: Liam Morgan, Acting Planning Manager
Subject: County Opinion on 151371 12th Line, East Garafraxa (File #: B1-25)

The County of Dufferin has undertaken an additional review of the application materials submitted as part of the consent application for the lands municipally known as 151371 12th Line, East Garafraxa. This secondary review also included additional correspondence with Township Planning staff and a review of the original survey for the subject lands.

Upon re-reviewing the consent application submitted by Evertt Lusk of Van Harten Surveying Inc. on behalf of Anne and Ted Woods, it is the opinion of County Planning staff that the proposed use does in fact align with the policies of the *Prime Agricultural* area of the County Official Plan, specifically those related to consent applications. As such, the County of Dufferin has no concerns with the proposed use and is now supportive of the application.

If you have any questions, please do not hesitate to contact either the undersigned or the County of Dufferin Planning and Development department at planner@dufferincounty.ca or 519-941-2816 extension 2509.

Sincerely,



Liam Morgan, MCIP, RPP
Acting Planning Manager
Phone: 519-941-2816 Ext. 2511
lmorgan@dufferincounty.ca



Hydro One Networks Inc.
Facilities & Real Estate
P.O. Box 4300
Markham, Ontario L3R 5Z5

HydroOne.com

Courier:
185 Clegg Road
Markham, Ontario L6G 1B7

VIA E-MAIL ONLY TO jmaestre@eastgarafraxa.ca ; karakas@fotenn.com

2025-06-06

Attention Jennifer Maestre

Dear Jennifer Maestre,

Re: Proposed Application for Consent, Everett Lusk, Van Harten Surveying
151371 12th Line
East Garafraxa
File: B1-25

Please be advised that Hydro One Networks Inc. ("HONI") has completed a preliminary review of the above noted consent to sever application. As the subject property is abutting and/or bisected by a HONI high voltage transmission corridor (the "transmission corridor"), HONI has no objection *in principle* to the proposed severance, provided HONI's easement rights are protected and maintained.

Please be advised that any placement of permanent structures, facilities or landscaping within the transmission corridor is **prohibited** without the prior written approval of HONI.

If in the future the owner proceeds with a site plan, plan of subdivision and/or plan of condominium application, the owner must make arrangements satisfactory to HONI for lot grading and drainage, and any proposed uses on the transmission corridor. The costs of any relocations or revisions to HONI facilities which are necessary to accommodate this proposal will become the responsibility of the developer.

Our preliminary review only considers issues affecting HONI's transmission facilities and transmission corridor lands. For any proposals affecting distribution facilities (low voltage), the developer should consult the local distribution supplier.

Yours truly,

Land Use Planning Department
Hydro One Networks Inc.
Email: LandUsePlanning@HydroOne.com



May 26, 2025

Via: Email (planning@eastgarafraxa.ca)

Township Planning Consultant - Fotenn
Township of East Garafraxa
065371 Dufferin County Road 3, Unit 2
East Garafraxa, ON L9W 7J8

**Re: 151371 12th Line
Township File No. B1-25
Project No.: 300058070.0000**

We have reviewed the application and we do not have any comments.

Please contact me should you have any questions.

Yours truly,

R.J. Burnside & Associates Limited

Carley Dixon, P.Eng.
CD:CD

Cc. Jennifer Maestre, Fotenn (Via: Email)
Elena Karakas, Fotenn (Via: Email)