



REPORT TO COUNTY COUNCIL

FROM: Paul Hicks, Acting Manager of Planning

DATE: August 8, 2023

SUBJECT: Municipality of Bayham Official Plan Amendment No. 33, Part of Lots 10 and 11, Concession 2 Municipality of Bayham, 55106 Vienna Line.

Applicant: Civic Planning Solutions

Municipality: Township of Bayham

Owner: Lankhuijzen Farms Ltd.

File No.: BA OPA 3-23

RECOMMENDATION:

1. THAT the Council of the Corporation of the County of Elgin approves, Official Plan Amendment No. 33 to the Official Plan of the Municipality of Bayham; and
2. THAT staff be directed to provide notice of this decision in accordance with the requirements of the Planning Act.

INTRODUCTION:

The Council of the Municipality of Bayham has adopted an amendment to their official plan, known as Official Plan Amendment Number 33 (OPA No. 33) and they have subsequently forwarded the amendment to the County of Elgin for approval (see attached). In accordance with Section 17 of the Planning Act, the Council of the County of Elgin, as "Approval Authority," is required to make a decision on the adopted amendment in which Council may approve, modify, or refuse to approve the amendment. If Elgin County fails to make a decision within 120 days after the amendment is received, any person or public body may appeal to the Ontario Land Tribunal.

This report is intended to provide County Council with the information required to make a decision on the adopted amendment.

DISCUSSION:

Provincial, County, and Bayham policy all permit severances to facilitate the disposal of surplus farm dwellings in the Agricultural designation (being the severance of a farm residence that has been rendered surplus because of the acquisition of additional farm parcels by a farming operation). While generally permitted, the Bayham Official Plan includes an additional policy requirement that the farming operation seeking to sever the surplus dwelling be located in Bayham. In this case the applicant's operations are based primarily in neighbouring Malahide Township. As such, the applicant is seeking a site-specific amendment to the Bayham Official Plan to exempt the applicant from this requirement of their Official Plan.

The subject OPA proceeded through the standard application process, including the preparation, review, and acceptance required technical studies and reports, as well as a technical circulation to statutory review agencies. A Public meeting required under the Planning Act was subsequently held prior to Municipal Council's adoption of OPA No. 33 in May 2023.

County staff have had the opportunity to review the proposal and associated materials against the requirements of the Planning Act, the Provincial Policy Statement, the County Official Plan, and Municipality of Bayham Official Plan, and are satisfied that the proposal meets all relevant requirements.

FINANCIAL IMPLICATIONS:

There are no identified direct financial implications to the County with respect to the approval of the proposal.

ALIGNMENT WITH STRATEGIC PRIORITIES:

Serving Elgin	Growing Elgin	Investing in Elgin
<input type="checkbox"/> Ensuring alignment of current programs and services with community need. <input type="checkbox"/> Exploring different ways of addressing community need. <input checked="" type="checkbox"/> Engaging with our community and other stakeholders.	<input checked="" type="checkbox"/> Planning for and facilitating commercial, industrial, residential, and agricultural growth. <input type="checkbox"/> Fostering a healthy environment. <input type="checkbox"/> Enhancing quality of place.	<input type="checkbox"/> Ensuring we have the necessary tools, resources, and infrastructure to deliver programs and services now and in the future. <input type="checkbox"/> Delivering mandated programs and services efficiently and effectively.

LOCAL MUNICIPAL PARTNER IMPACT:

This amendment will directly impact the Municipality of Bayham.

COMMUNICATION REQUIREMENTS:

The Notice of Decision will be sent to the applicant, Municipality of Bayham and those prescribed under the Planning Act.

CONCLUSION:

Based on the above analysis it is recommended that County Council approve, OPA No. 33 of the Official Plan of the Municipality of Bayham, as the modified amendment:

- Is consistent with the Provincial Policy Statement;
- Conforms to the County of Elgin, and Township of Bayham Official Plans; and

- Constitutes good planning and is in the public interest.

All of which is Respectfully Submitted

Paul Hicks
Acting Manager of Planning

Approved for Submission

Don Shropshire
Chief Administrative Officer