

**AMENDMENT NO. 33
TO THE OFFICIAL PLAN
OF THE
MUNICIPALITY OF BAYHAM**

**SUBJECT: Lankhuijzen Farms Ltd.
55106 Vienna Line**

**The following text constitutes
Amendment No. 33 to the Official Plan of
the Municipality of Bayham**

I, MARGARET UNDERHILL, DEPUTY CLERK
of the Corporation of the Municipality of Bayham,
certify that the foregoing is a certified true copy.
Dated this 29th day of May, 2023

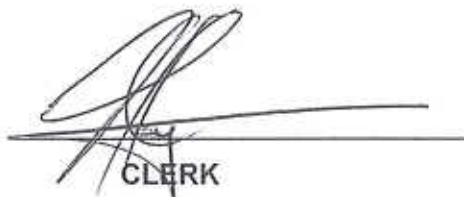
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OFFICIAL PLAN
OF THE
MUNICIPALITY OF BAYHAM

THIS Amendment was adopted by the Council of the Corporation of the Municipality of Bayham by By-law No. 2023-041, in accordance with Section 17 of the **PLANNING ACT**, on the 18th day of May 2023.



MAYOR



CLERK

BY-LAW NO. 2023-041

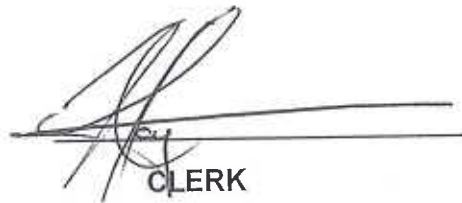
THE Council of the Corporation of the Municipality of Bayham, in accordance with the provisions of the **PLANNING ACT**, hereby enacts as follows:

- 1) **THAT** Amendment No. 33 to the Official Plan of the Municipality of Bayham is hereby adopted.
- 2) **THAT** the Clerk is hereby authorized and directed to make an application to the County of Elgin for approval of the aforementioned Amendment No. 33 to the Official Plan of the Municipality of Bayham.
- 3) **THAT** no part of this By-law shall come into force and take effect until approved by Elgin County.

ENACTED AND PASSED this 18th day of May 2023.



MAYOR



CLERK

OFFICIAL PLAN
OF THE MUNICIPALITY OF BAYHAM
AMENDMENT NO. 33

1. PURPOSE

The purpose of the Official Plan Amendment is to add a new site-specific sub-section to permit the severance of an existing dwelling made surplus through farm consolidation that does not conform to policy Section 2.1.7.1 which requires a dwelling to be owned by the farm operation within the Bayham municipal boundary. This would facilitate a future Consent application to sever the existing dwelling.

2. LOCATION

The Official Plan Amendment will be applicable to lands known as Concession 2, Part of Lots 10 and 11 and known municipally as 55106 Vienna Line.

3. BASIS OF THE AMENDMENT

The subject lands are characterized as a farmed parcel with a dwelling, bunkhouse, barn and garage, as well as several farm buildings to be removed. The subject lands are located on the north side of Vienna Line, east of Brown Road and west of Vienna. The property has lot frontage of 365.19 m (1,198 ft) and varying lot depth, with two existing driveway accesses to Vienna Line, one which could be devoted to the proposed severed residential lands and one devoted to the farm and supplementary farm dwelling. Surrounding uses are agricultural in all directions as well as a rural residential parcel across Vienna Line.

The Provincial Policy Statement, 2020 and the Elgin County Official Plan permit surplus farm dwelling severances where appropriate and where new residential dwellings are prohibited, which in Bayham is accomplished by way of Conditions of the Consent to have the owners obtain Zoning By-law Amendment approval from the Municipality.

The Bayham Official Plan only permits surplus farm dwelling severances where the farm operation owns a dwelling within the Municipality. The subject farm operation has a principal dwelling approximately 6.8 kilometres to the west within the Township of Malahide, therefore, the farm operation does have a local presence even though the principle dwelling is in Malahide, therefore, specifically permitting one surplus farm dwelling severance by way of new policy text section indicating the location of the lands and permission for the severance would be in conformity to the Official Plan.

4. DETAILS OF THE AMENDMENT

- a) Section 2.1.7 of the Official Plan of the Municipality of Bayham is hereby amended to add the following subsection:

2.1.7.6 Notwithstanding Section 2.1.7.1, the dwelling located in Concession 2, Part of Lots 10 and 11 and known municipally as 55106 Vienna Line, and existing as of ____ (month/year of approval), may be severed as a surplus farm dwelling, whereas the primary farm dwelling retained by the proponent farm operation, or a registered owner of the proponent farm operation is located within an adjacent municipality.