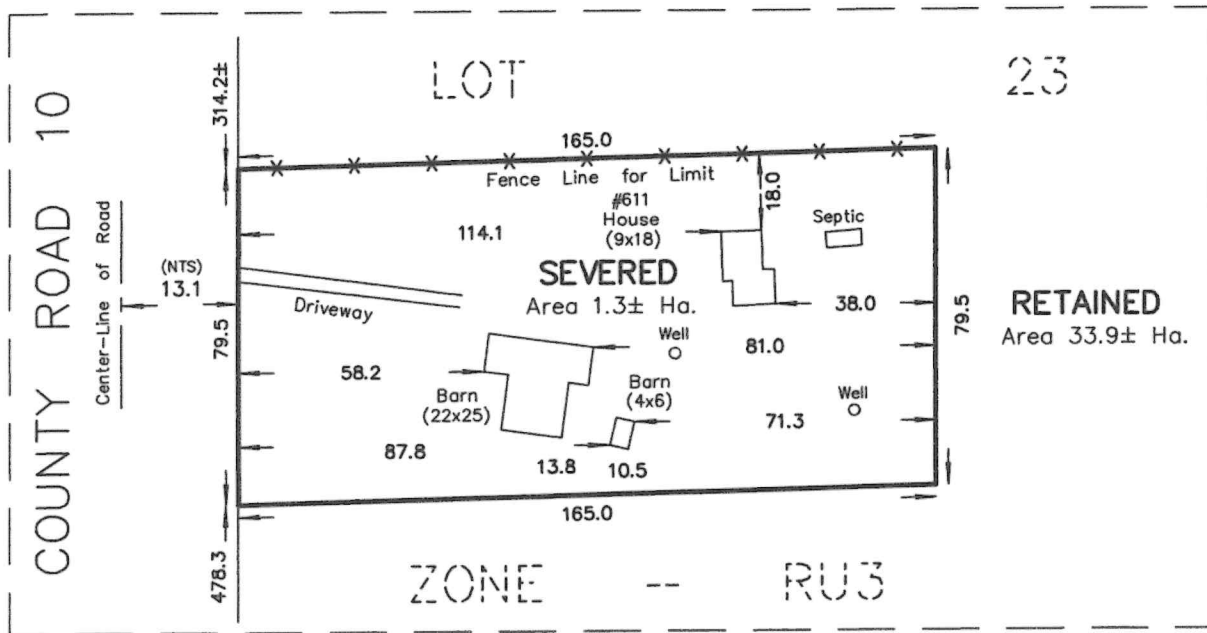


661 County Road 10 - Surplus Dwelling Severance



**Brendan O'Connor Community Planning Consultant
 Planning Justification Report**

Community Planning - Land Use Planning - Project Management - Expert
 Testimony

Planning Justification Report – Surplus Dwelling Severance

661 County Road 10, Prince Edward County

This Planning Justification Report has been prepared in support of an application for consent to sever a surplus farm dwelling from lands municipally known as 661 County Road 10 in Prince Edward County. The subject property is owned by Drew Harrison Farms Inc.

The proposed severance would create a 1.3-hectare residential parcel containing an existing dwelling and two accessory outbuildings. The retained parcel, with an area of approximately 33.9 hectares, will remain in agricultural use and continue to function as part of the consolidated farming operation.

The lands are designated Agriculture in the Prince Edward County Official Plan and are zoned Agriculture under the current Zoning By-law. The proposed lot area exceeds the Official Plan's general 1.0-hectare guideline; however, the additional area is warranted to provide appropriate setbacks from buildings, the private septic system, and the private well, and to align with established physical features on the property.

A hydrogeological assessment submitted in support of the application confirms that the severed parcel is suitable for private well and septic servicing. A companion Zoning By-law Amendment proposes to rezone the severed parcel to Rural Residential (RR) and the retained lands to a site-specific Agricultural (A-X) Zone, prohibiting future residential development. This approach implements both Provincial and County policy objectives for surplus farm dwelling severances.

Consistency with the Provincial Planning Statement (PPS), 2024

The Provincial Planning Statement, 2024 emphasizes the protection of prime agricultural areas for long-term agricultural use and restricts lot creation within these areas to limited, policy-supported circumstances. The proposed surplus dwelling severance has been reviewed against the relevant PPS policies, particularly those addressing agricultural land protection, residential uses in agricultural areas, and permitted forms of lot creation.

PPS 2024 – Section 4.3: Agricultural Areas

4.3.1 – Protection of the Agricultural Land Base

The PPS requires that prime agricultural lands be preserved for agricultural purposes and that unnecessary fragmentation be avoided.

Policy Consistency Analysis:

The severed residential parcel is limited in size and configured to maintain appropriate separation between buildings, servicing systems, and property boundaries.

No active or workable farmland will be removed from production as a result of the severance.

The retained 33.9-hectare parcel remains a large, continuous agricultural holding capable of supporting ongoing and future agricultural operations.

The proposed A-X zoning on the retained lands will prohibit new residential dwellings or additional residential units, ensuring long-term protection of the agricultural land base.

4.3.3.1 – Lot Creation in Prime Agricultural Areas

Policy 4.3.3.1 permits lot creation in prime agricultural areas only in narrowly defined situations, including the severance of a single residential lot containing a dwelling that has become surplus due to farm consolidation.

To qualify, the following criteria must be met:

The dwelling must be surplus to the needs of the agricultural operation.

The severed lot must be the minimum size required to accommodate the dwelling and appropriate private servicing.

The retained parcel must be zoned to prohibit future residential uses.

Policy Consistency Analysis:

The dwelling is surplus to the consolidated farm operation and is no longer required for agricultural purposes.

The proposed 1.3-hectare lot represents the minimum area necessary to encompass the dwelling, two existing accessory structures, and suitable locations for private well and septic systems. Lot boundaries follow long-established and logical physical features.

The retained agricultural parcel will be rezoned to a site-specific A-X Zone, eliminating residential permissions and fully satisfying PPS requirements.

The proposal maintains the agricultural functionality and integrity of the retained lands and avoids the loss of cultivated fields.

Conformity with the Prince Edward County Official Plan (2021)

The proposed severance conforms with the policies of the Prince Edward County Official Plan (2021) under the Agricultural Areas designation. The relevant policies are addressed below.

Policy 4.2 – Agricultural Areas: Surplus Farm Dwelling Severance

- The Official Plan permits the severance of a surplus farm dwelling subject to specific criteria, including:
- The dwelling being at least 10 years old;
- A severed lot generally not exceeding 1 hectare unless justified by site-specific considerations;
- Compliance with Minimum Distance Separation (MDS) requirements; and
- Rezoning of the retained lands to prohibit future residential use.

Conformity Assessment:

- The existing farmhouse is long established and qualifies as a surplus dwelling associated with a consolidated agricultural operation.
- While the proposed severed parcel measures 1.3 hectares, the increased size is justified by existing fencing, field edges, and the need to appropriately accommodate the dwelling, outbuildings, and servicing infrastructure.
- A hydrogeological assessment confirms the suitability of the severed lot for private servicing. MDS requirements will be satisfied, ensuring compatibility with surrounding agricultural uses. A barn located across County Road 10 was reviewed and is not capable of housing livestock due to condition, and therefore does not trigger MDS constraints.
- The retained 33.9-hectare parcel will be rezoned to a Special Agricultural (A-X) Zone that prohibits residential development, implementing the Official Plan's intent.

Zoning By-law Compliance

Current Zoning: Agriculture

The Agriculture Zone permits agricultural uses and residential dwellings

Proposed Zoning Changes

- **Severed Lot → Rural Residential**
 - Recognizes the existing residential use.
 - Implements the intended use of the severed lot as a standalone dwelling.
- **Retained Lot → Agricultural Special (A-X)**
 - Prohibits new dwellings.
 - Reinforces long-term agricultural protection consistent with PPS and Official Plan.

How Zoning Requirements Are Met:

- The RR Zone reflects the existing and intended residential character of the severed parcel.
- The A-X Zone ensures the retained parcel remains purely agricultural, with no residential permissions, preventing fragmentation and supporting policy objectives.

Servicing Compliance

A hydrogeological assessment completed for the subject lands confirms that the proposed severed parcel can be adequately serviced by a private well and septic system. The study demonstrates sufficient groundwater quantity and quality and suitable soil conditions for on-site sewage disposal. The retained agricultural lands will continue to rely on existing agricultural servicing arrangements. These findings satisfy County requirements for rural severance applications.

Conclusion

The proposed surplus dwelling severance at 661 County Road 10 is consistent with the Provincial Planning Statement, 2024, conforms to the Prince Edward County Official Plan, and meets the intent of the Zoning By-law.

The proposal:

Limits the size of the severed residential parcel while respecting existing physical features;

Avoids the loss of productive agricultural land;

Secures long-term agricultural protection through site-specific rezoning of the retained lands;

Demonstrates adequate private servicing; and

Maintains the viability and integrity of the agricultural operation.

Overall, the application represents good planning, aligns with Provincial and municipal policy frameworks, and can be supported without adverse impact on agricultural uses or the rural landscape.

It is therefore recommended that the Consent Application and associated Zoning By-law Amendment be approved.



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