



Staff Report

Planning & Building Services – Planning Division

Report To: COW - Operations, Planning and Building Services
Meeting Date: October 28, 2025
Report Number: PBS.25.076
Title: Recommendation Report – Follow up to the Public Meeting –
Zoning By-Law Amendment, Consent, Easement Application for 357069 Blue Mountains-
Meaford Townline
Prepared by: Manuel Rivera, Planner I

A. Recommendations

THAT Council receive Staff Report PBS.25.076, entitled “Recommendation Report – Follow up to the Public Meeting – Zoning By-Law Amendment, Consent (B08-2025), Easement (B09-2025) Application for 357069 Blue Mountains-Meaford Townline”;

AND THAT Council REFUSE Zoning By-law Amendment, Consent (B08-2025) and Easement (B09-2025) applications for the following reason(s):

1. The proposed severance and easement is not consistent with direction of the Provincial Planning Statement;
2. The proposed severance and easement does not comply with the Special Agriculture lot creation policies of the Grey County Official Plan;
3. The proposed severance and easement does not comply with the Special Agriculture lot creation policies of The Blue Mountains Official Plan;
4. The proposed zoning by-law amendment does not comply with The Town of The Blue Mountains Official Plan.

B. Overview

The purpose of this report is to provide a summary of public consultation and a recommendation regarding Zoning By-law Amendment, Consent and Easement application for 357069 Blue Mountains – Meaford Townline. The purpose of these applications is to consider the following:

1. A request for consent to create one new farm parcel that is to have a lot area of 11.3 ha in size with a lot frontage of 198.7 m;
2. A request for construction to establish a new access easement that will cover an area of 9,175.5 m² that is benefiting the newly created farm parcel; and

3. A zoning by-law amendment to permit a reduce lot frontage from 150 m to 20.1 m for the proposed retained lot frontage.

It has been submitted that the proposed lot creation will result in a viable agricultural parcel and will also allow the creation of a new farm residence while also retaining a vacant agricultural parcel that could consider a new dwelling in the future. This report notes that the Subject Lands are located within the Special Agricultural designation under The Blue Mountains Official Plan. The primary goals and objectives for Special Agricultural lands is to preserve these areas for long term agricultural production and to prevent the further fragmentation of farm lands. Lot creation within all agricultural areas, are limited and only considered under strict control. Policies under both the Town and County Official Plans are clear and set absolute minimum lot requirements permitting only new lot creation that will result in the creation (and retention) of a viable farm parcel which includes (for special agricultural designated lands) a minimum lot area of 10 ha of workable land. Parcels are required to be larger in order to accommodate any non-workable lands such as hazard lands, areas for the dwelling/yard/well/septic/driveway, and other uses. Both Town and County Planning Staff have taken the position that the minimum 10 ha of workable land is not flexible. It is a minimum requirement that shall be met. And in this application, the minimum has not been met and it is the opinion of Planning Staff that these applications do not meet Provincial, County or Town policy requirements

C. Background

The subject lands are located at 357069 Blue Mountains-Meaford Townline. The property is surrounded by Special Agricultural, Hazard, and Agricultural uses to the north, east, and south, and faces The Blue Mountains-Meaford Townline Road to the west. The subject land has an approximate area of 38.8 ha with a lot frontage of 218.8 m along The Blue Mountains-Meaford Townline Road. The subject lands include Little Beaver Creek, which runs diagonally through the southwestern portion of the property, along with associated natural hazard features. Figure 1 illustrates the current lot fabric of the subject lands outlined in red.



Figure 1. The current lot fabric of the subject lands.

A previous consent application has been submitted on the lands. On August 27, 2018, Planning Staff presented a recommendation report (B08-2018) to the Committee of the Whole for a proposed lot addition. The application sought to add a 0.427 ha parcel with approximately 20.1 m of frontage to provide driveway access to the subject lands, which were landlocked due to natural hazard features at the front of the property. Planning Staff recommended approval, and Town Council granted the lot addition. Figure 2 outlines in red the 0.427 ha parcel that is now part of the subject lands and used for vehicular access.

More recently, a pre-consultation application was submitted on June 21, 2024 that proposes the present day creation of a new lot for a farm residence. The proposal was reviewed through the Town Development Review Process which included commentary from internal Town developments and external agencies. Based on the outcome of the review process, the applicant was advised that Town Staff and County Staff could not support the application due to inconsistencies with the County Official Plan and the Town of The Blue Mountains policies regarding lot creation within Special Agricultural lands. Notwithstanding those comments an application has been submitted along with the required documents.

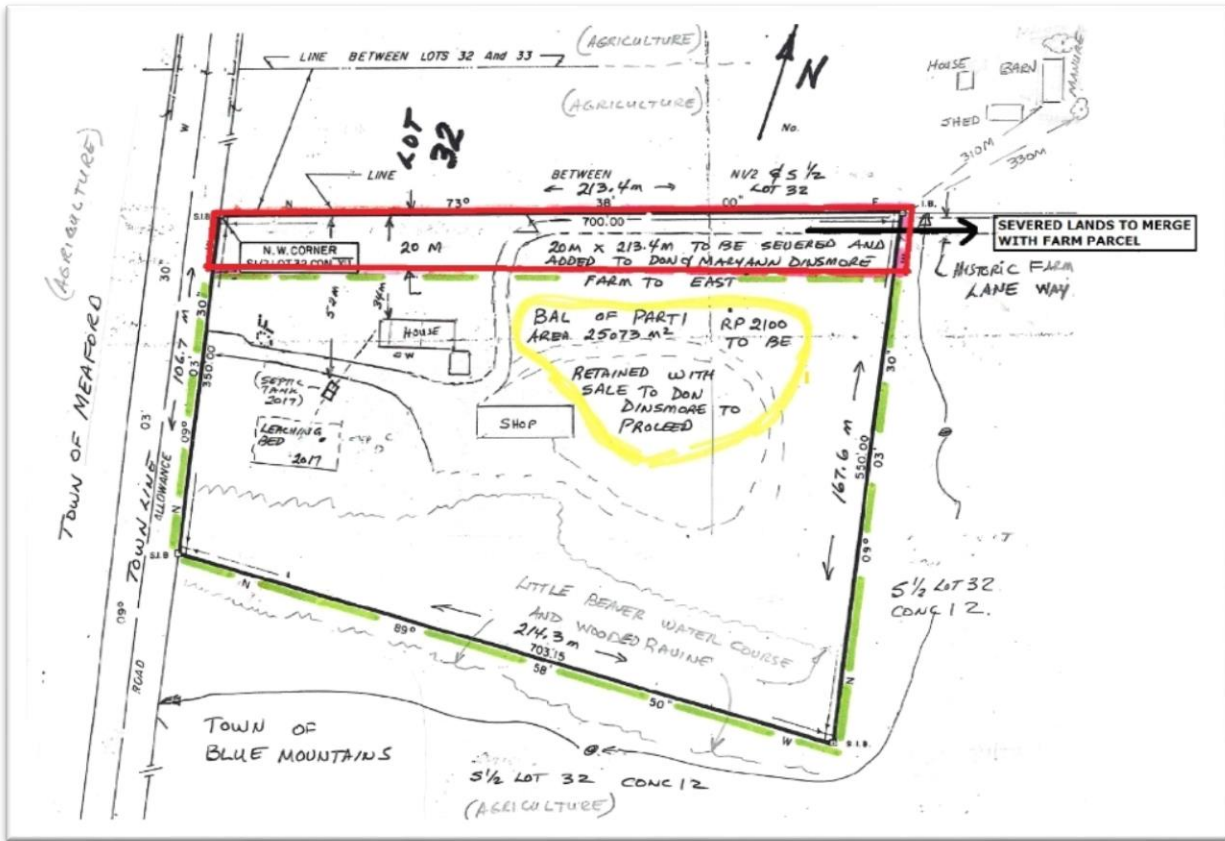


Figure 2. The proposed lot addition (B08-2018) that was added on to the subject lands.

On June 23, 2025, Planning Staff received two consent applications (File B08 – 2025 and B09 – 2025) and a zoning by-law amendment. The applications were deemed complete on June 27, 2025. Notice of complete application and a public meeting was circulated in accordance with the Planning Act with a Public Meeting held on September 09, 2025. The intent of these applications is to consider a proposal to create a new 11.3 ha special agriculture parcel, to retain a 26.6 ha special agriculture parcel, and to establish a legal easement for access from the Townline Road to the retained lands at the rear of the property. Figure 3 illustrates the intent of all three applications. The red outline represents the proposed severed lands, while the green outline shows the proposed retained lands, which include a lot addition from application B08-2018. The yellow outline indicates the proposed 9,127 m² access easement benefiting the newly created farm parcel. As a result, the proposed lot frontage of 20.1 m will require a zoning by-law amendment.



Figure 3. The proposed applications and the effects on the subject lands.

Documents Submission

A Planning Justification Report was prepared by the owner's agent, incorporating both an Agricultural Impact Assessment (AIA) and a Farm Business Plan in support of the proposal. The reports indicate that a proposed new farm lot at 11.3 ha (total lot size) with 5.5 ha (workable agricultural land) that a viable farm parcel can be created. The AIA was prepared by the owner's agent in consultation with the owner. The Owner is recognized as an innovative and successful apple grower in the region. Although the Planner and Owner may have knowledge in preparing the AIA, it has not been confirmed that either meets the requirements for a qualified individual (such as a qualified agrolgist).

The submitted AIA identifies that the severed lands would contain approximately 5.5 ha of agriculturally viable land. It also notes that 36% of farms within the Town of The Blue Mountains have crop areas ranging from 4 to 28.3 ha. The AIA further estimates that the severed lands could generate annual revenues that would qualify the lands to become an independent farm parcel at a size economically viable for long term agricultural production.

Public Comments

A statutory public meeting was held on September 9, 2025, for the subject applications. No comments from the public were received or heard on the day of the meeting; however, commentary from external agencies was received with the following noted:

Grey County Planning Staff provided comments on the subject lands in relation to the Grey County Official Plan. They advised that new lots containing less than 10 ha of agriculturally viable land are not permitted under Section 5.3.2. The proposed severed lot, at approximately 5.5 ha, does not meet the minimum requirement for a farm-sized parcel. Additionally, County Staff noted that the creation of a non-farm-sized lot within the Special Agricultural designation is only permitted for agricultural-related uses specifically associated with fruit production, processing, storage, or distribution, and must be supported by appropriate servicing (5.3.2.1).

New farm parcels may be considered provided both the severed and retained lands are used for agricultural purposes and each contains a minimum of 10 ha of agriculturally productive area (5.3.2.2). As a result, County Planning Staff are unable to support the proposed applications for the subject lands.

Comments were also received from the Grey Sauble Conservation Authority who indicate no concerns with the proposed applications.

All comments have been summarized in Attachment 1, along with full versions included in Attachment 2.

D. Analysis

Planning Act

In making planning decisions, the Planning Act requires approval authorities to have regard for matters of Provincial Interest, as outlined by Section 2 of the Act and the Provincial Policy Statement. Section 24(1) of the Act states that no by-law which includes zoning by-laws may be passed for any purpose that does not conform to an in-effect Official Plan. Council must also have regard for the policies of the Official Plan which apply to the lands. S.34 of the Act provides authority to municipal councils to enact land-use zoning by-laws.

In addition, the Ontario Planning Act gives municipal councils the grant provisional consent under Section 53. The Act requires that, in making planning decisions, a municipal council must have regard for the list of matters of provincial interest, as outlined by Section 2 of the Act.

Additional commentary is provided below regarding the applicable planning policies.

Provincial Planning Statement 2024

The Provincial Planning Statement (PPS) provides policy direction on matters of provincial interest related to land use planning and development and provides for appropriate development while protecting the resources of the province, public health and safety, and the quality of the natural and built environment. Decisions on planning matters made by a planning authority must be consistent with the PPS.

The subject lands are recognized as a Prime Agricultural Area based on the framework of the PPS. A prime agricultural area is defined as: areas where prime agricultural lands predominate. This includes areas of prime agricultural lands and associated Canada Land Inventory Class 4 through 7 lands, and additional areas with a local concentration of farms which exhibit characteristics of ongoing agriculture. Section 4.3.1 of the PPS provides the general outline of Agricultural policies. Prime agricultural areas, including specialty crop areas, shall be designated for protection for long-term use (4.3.1 (2)). Specialty crop areas are given the highest level of protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the prime agricultural area (4.3.1 (3)). This is to ensure the long-term viability of farm lots in the prime agricultural area and ensure associated non-agricultural activities do not remove additional lands from production or create conflicts with normal

farming practices. Section 4.3.2.4 notes that a principal dwelling associated with an agricultural operation is permitted on a lot in prime agricultural areas in accordance with provincial guidance and the criteria of this policy.

Section 4.3.3 of the PPS addresses lot creation in prime agricultural areas. It states that lot creation in these areas is generally discouraged and may only be permitted in specific cases outlined in Section 4.3.3.1. These include new lots for agricultural uses, agriculture-related uses, infrastructure, a new farm parcel, or a residence surplus to a farming operation resulting from farm consolidation. Each case is subject to specific criteria. Additionally, Section 4.3.2 allows lot adjustments in prime agricultural areas, including easements, provided they do not result in the creation of a new lot.

In addition, the subject lands contain a portion of hazard land that runs diagonally from the northwest to southeast along the proposed severed lands. The PPS notes that development shall generally be located outside of hazard lands adjacent to streams that are subject to flooding and/or erosion hazards (5.2.2 (b)).

The intent of this proposal is to create one farm parcel for a farm residence that is to be privately serviced for water and wastewater (3.6.4) and is to be located outside of the hazard lands. However, the submitted applications proposing to create one new farm parcel and a new farm residence is not consistent with the lot creation policies in agricultural areas, as outlined in Section 4.3.3.1 of the PPS.

It should be noted that the PPS does not provide any numerical requirements on lot creation, instead the PPS recognizes that agricultural uses can vary throughout the province and that area specific considerations must be given to new lot creation. For the Town of The Blue Mountains and County of Grey, specific requirements on lot creation policies are found in each Official Plan and Zoning By-law.

Planning staff are not satisfied with the proposal as currently presented. While the submitted Planning Justification Report states that the proposed severance is intended to facilitate the construction of a farm dwelling and that the development is located outside of identified hazard lands, consistent with Sections 4.3.2.4 and 5.2.2 of the PPS, Planning staff find that the proposal does not align with the policy direction of Section 4.3.3 of the PPS. As outlined above, lot creation in prime agricultural areas is generally discouraged and may only be permitted under limited and specific circumstances. Based on the information provided, Planning staff are not satisfied that the proposal is consistent with the overall policy direction of the PPS.

Grey County Official Plan

The County of Grey Official Plan (CGOP) designates the lands as Special Agricultural (SA), Agricultural (A), and Hazard (H). The proposed severance will be located on the SA portion of the subject lands that front on Blue Mountains-Meaford Townline Road. Section 5.3 outlines

Section 5.3.1 of the CGOP outlines all permitted uses on lands designated as Special Agricultural. Permitted uses include agricultural uses, which include but are not limited to

residential uses associated with farming, such as houses on existing lots of record, farm help accommodations, and additional residential units. However, the CGOP does not permit surplus farmhouse severances, new institutional uses, or the creation of conservation lots. As noted in the applicant's Planning Justification Report, residential uses associated with farming such as houses on existing lots of record are permitted in accordance with the CGOP.

Section 5.3.2 of the County Plan identifies the development policies on Special Agricultural designated lands. The County Plan is firm stating that the minimum farm lot size shall contain an agriculturally productive area of no less than 10 hectares. In no cases will new lots be created with less than 10 ha of agriculturally productive area, unless the use is an *agricultural-related use* and specific to fruit production, processing, storage, or distribution. When calculating the minimum 10 ha area requirement, "agriculturally productive area" does not include hazard lands, ravines, or built (residence, agricultural buildings, driveway, yard, etc.) portions of the property.

Section 5.3.3 outlines identifies the consent policies on Special Agricultural designated lands. The County Plan states that the creation of a non-farm-sized lot by consent is not permitted within the SA land use type, unless it is for an agricultural-related use specific to fruit production, processing, storage, or distribution. Lots created for agricultural-related uses must be of sufficient size to accommodate potable water and sanitary sewage treatment systems (5.3.3.1). The policies further state that consents to create a new farm parcel may be permitted, provided that both the severed and retained parcels are for agricultural use and each has a minimum agriculturally productive area of 10 ha.

Furthermore, Section 5.3.3.3 permits lot adjustments within the SA designation, including easements for legal and technical reasons only, provided that such adjustments do not result in the creation of a new lot.

County of Grey provided comments based on the supporting materials submitted. The proposed severed parcel will have an approximate lot area of 11.3 ha, which includes 4.4 ha of existing agricultural land used for apple orchards and an additional 1.1 ha of potentially productive agricultural land. This results in a total of 5.5 ha of agriculturally productive land. For a severance in Special Agricultural to be compliant, both the severed and retained parcels must include at least 10 ha of agriculturally viable land, excluding built structures and hazard lands. The proposal does not conform to the intent of Sections 5.3.3.1 and 5.3.3.2 of the CGOP.

An easement is also proposed to provide access from the severed lands to the retained parcel. Section 5.3.3.3 permits lot adjustments, including easements, for legal and technical reasons, provided they do not result in the creation of a new lot. While the proposed easement may be permitted under this policy, it does not resolve the underlying issue of non-compliance with the minimum lot size requirements for agriculturally productive land. Therefore, the overall proposal does not conform to the intent or policies of Sections 5.3.3.1 and 5.3.3.2 of the CGOP.

Planning Staff are not satisfied that the proposal is consistent with the County Grey Official Plan.

Town of The Blue Mountain Official Plan

The subject lands are designated Special Agricultural (SA), Hazard (H), and Agricultural (A) under the Town of The Blue Mountains Official Plan.

Section 3.6 - Agriculture outlines the goals and objectives for Agriculturally designated lands. The Plan recognizes the significance of area agricultural uses (particularly special agriculture) and preserving these lands for long-term agricultural production. These lands remain an integral part of the Town and County's economy (A3.6.1) explicitly prohibits further fragmentation of good agricultural lands (A3.6.2.2) and to ensure the long term protection and use of specialty agricultural lands for agricultural uses due to their importance to the local, region and provincial economy.

The proposed severance is located in the SA and H designations of the subject lands. Section 4.3.3 states that the principal use of SA-designated lands is for specialty crops, such as apples or tender fruit, and associated storage facilities. Permitted uses also include a farm residence (Section 4.3.3 (b)).

Section B4.3.4 addresses lot creation within the SA designation. It states that the creation of non-farm residential parcels through the consent process is not permitted. However, the creation of new lots may be considered, provided that both the severed and retained parcels have a minimum of 10 ha of agriculturally productive land. In addition to that requirement, the following documentation can be submitted in support of a new farm parcel that meets the minimum lot area requirements:

- A farm or business plan identifying the type of specialized agricultural use proposed and demonstrating that soil conditions, climate, and location are appropriate. It should describe planned capital investment, outline a market strategy, and project income.
- A report from a qualified agrologist ensuring the land remains suitable for agriculture if the specialized use is discontinued. This report should identify alternative agricultural uses that could be supported.
- An agricultural viability assessment of the remnant parcel prepared by a qualified agrologist evaluating soil quality, existing operations, and potential for continued or future agricultural use.

Section B5.4 discusses policies for lands designated H. These policies aim to limit development to protect human safety and environmental integrity. Section B5.4.1 outlines permitted uses, and Section B5.4.2 states that proposed development must meet specific criteria. Buildings or structures must be set back at least 30 m from lakes and watercourses (B5.4.2 (d)).

Section D4.2 discusses the criteria with respect to new lots created by consent. Section D4.2.1 examines the general criteria that is associated with creating new lot for any purpose, it must abide by the six conditions that are associated with these policies. Section D4.2.2 permits the creation of an easement provided that no new building lot is created and it will not affect the

viability of the use of the proposed affected as intended by this Plan and it will not affect viability of agricultural parcels.

The applicant submitted a Farm Business Plan and an Agricultural Impact Assessment (AIA) in support of the proposal, as well as the required supporting documentation. Planning Staff acknowledge that the submitted materials satisfy the technical requirements set out in the relevant policies and guidelines. According to the AIA, the subject lands include 4.4 ha of viable agricultural land and 1.1 ha of potential agricultural land, for a total of 5.5 ha. The Assessment indicates that the 4.4 ha of viable agricultural land will result in an economically viable farm parcel if used for apple production. Planning Staff are challenged to accept the findings of the Assessment based on the Provincial, County and Town policies described above. A peer review of the Farm Business Plan and AIA has not been completed to confirm the study findings and is not recommended at this time due to the new lot not meeting the minimum lot area requirements as described earlier in this Staff Report.

Planning Staff note that should the applicant wish to continue to pursue this new lot creation, that at a minimum a County Official Plan Amendment, and Town Official Plan Amendment would need to be submitted and approved prior to considering the Consent and Zoning By-law Amendment applications. Based on the goals and objectives of both Official Plans, and Official Plan Amendment would be difficult to support. The County and Town Official Plan Amendment is required in order to reduce the minimum 'agriculturally productive land' from the required 10 ha.

The proposed severance will include a portion of Hazard land, with the intent of establishing a farm residence. Based on the proposed location, the farm residence appears to be setback at least 30 m from the Hazard designation. The Grey Sauble Conservation Authority has provided comments on the proposal.

Planning Staff are not satisfied that the proposal can conform to the policies of The Town of The Blue Mountains Official Plan.

Town of The Blue Mountains Zoning By-law

The subject lands are zoned Special Agricultural (SA), Hazard (H), and Agricultural (A). The proposed severed lot is primarily located within the SA and H zones.

Lot Frontage

Table 8.2 of the Zoning By-law outlines minimum zoning standards for each designation, including SA. The minimum lot frontage in SA zones is 150 m. The purpose of this requirement is to ensure adequate access for large farm vehicles, maintain a buffer from public roads, prevent traffic hazards, and preserve rural character.

The application proposes a site-specific amendment to reduce the required lot frontage for the retained lot from 150 m to 20.1 m. The 20.1 m wide parcel is currently used solely for vehicular access, as approved under consent B08-2018, and remains in use for that purpose. Although the severed lot would retain 198.7 m of frontage, consistent with SA zoning standards, the

retained lot's reduced frontage does not conform to the intent of the SA frontage requirements along with the intent of lot frontages that are associated with SA lands.

Based on the policy review of the Provincial Planning Statement, County of Grey Official Plan and The Blue Mountains Official Plan, Planning Staff do not support the request for Zoning By-law Amendment.

Conclusion

Based on the staff review above, the proposed applications would permit the creation of one new farm parcel with a maximum agriculturally productive area of 5.5 ha where a minimum of 10 ha shall be provided. Planning Staff are not satisfied that the new lot creation will result in a viable agricultural parcel that is sufficiently sized for long-term agricultural uses. As described above, it is the opinion of Planning Staff that the proposed Consent Applications and Zoning By-law Amendment does not have regard for the Planning Act, are inconsistent with the Provincial Policy Statement, do not conform to the County of Grey and Town of The Blue Mountains Official Plan policies, and are unable to comply with The Blue Mountains Zoning By-law.

Therefore, based on the foregoing, Planning Staff recommend refusal of the applications.

E. Strategic Priorities

3. Community

We will protect and enhance the community feel and the character of the Town, while ensuring the responsible use of resources and restoration of nature.

4. Quality of Life

We will foster a high quality of life for full-time and part-time residents of all ages and stages, while welcoming visitors.

F. Environmental Impacts

Nil.

G. Financial Impacts

This application is subject to appeal to the Ontario Land Tribunal, which may result in costs to the Town that are not covered by the fees that have been paid by the applicant.

H. In Consultation With

Relevant Town Departments and External Agencies.

I. Public Engagement

The topic of this Staff Report has been the subject of a Public Meeting and/or Public Information Centre which took place on September 09, 2025. Those who provided comments at the Public Meeting and/or Public Information Centre, including anyone who has asked to receive notice regarding this matter, has been provided notice of this Staff Report. Any comments regarding this report should be submitted to Manuel Rivera, planning@thebluemountains.ca

J. Attached

1. Attachment 1: All Public Comments (Summary)
2. Attachment 2: All Public Comments (Original)

Respectfully submitted,

Manuel Rivera
Planner I

For more information, please contact:
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Report Approval Details

Document Title:	PBS.25.076 Recommendation Report - Follow up to the Public Meeting - Zoning By-Law, Consent, Easement 357069 BM Meaford.docx
Attachments:	- PBS-25-076-Attachment-1.pdf - PBS-25-076-Attachment-2.pdf
Final Approval Date:	Oct 17, 2025

This report and all of its attachments were approved and signed as outlined below:

Shawn Postma - Oct 16, 2025 - 2:37 PM

Tim Murawsky - Oct 17, 2025 - 8:14 AM