



September 15, 2020

P.O. Box 270  
Bridgenorth, ON  
K0L 1H0

**Attention: Jeannette Thompson, MCIP, RPP  
Planner, Township of Selwyn**

Dear Ms. Thompson:

**Re: Official Plan & Zoning By-law Amendments  
Part of Lot 18, Concession 4, Smith Ward – 724 Centre Line  
Response to Township & County Comments  
D.M. Wills Associates Project No. 19-85060**

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Further to the September, 14, 2020 letter received from Caitlin Robinson, Planner, County of Peterborough and Jeannette Thompson, Planner, Township of Selwyn, please find responses to the items identified as follows:

- Comment 1 A Proposed Official Plan amendment schedule was not provided.**
- Response 1** A proposed Official Plan amendment schedule is enclosed for your review.
- Comment 2 At the pre-consultation meeting held on September 17, 2019, a draft of the amendment text and schedule was requested and a copy of the County's OPA template was provided. A completed copy of the OPA template was not provided with the submission.**
- Response 2** A draft of the amendment text utilizing the County's OPA template is enclosed for your review.
- Comment 3 The Township was not provided with the supporting materials/documents.**
- Response 3** Two (2) hard copies of the supporting materials/documents and a USB containing the digital submission are enclosed as per your request.
- Comment 4 The cheque provided to the Township of Selwyn in payment of the application fees is payable to the County of Peterborough. Please provide payment directly to the Township of Selwyn in the amount of \$ 1,588.65.**

**Response 4** A cheque made payable to the Township of Selwyn is enclosed as requested.

**Comment 5 Section 7.9 of the Official Plan was not considered in the Planning Justification Report.**

**Response 5** Consideration for Section 7.9 is provided below:

**7.9.1 The need for the proposed use.**

With respect to an identified need, the Owner's have been involved in the Peterborough area music community for some time and the availability of affordable rental music halls for young musicians has been identified as a need within this community. The Owners were diligent in researching appropriate properties for the proposed uses, and provided that the Fariview United Church has the existing acoustic infrastructure and served a similar purpose (the congregation of people for song and prayer), the Owners felt that the proposed development of a rental music hall was appropriate. Policy 1.1.4.1 (f) of the PPS states:

"Healthy, integrated and viable rural areas should be supported by promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources."

The proposed development conforms to the above policy as it is proposing several uses that will contribute to the economic health of the surrounding community.

Policy 1.1.5.2 of the PPS notes the following:

"On rural lands located in municipalities, permitted uses are:

c) residential development, including lot creation, that is locally appropriate."

Provided that the proposed development includes, in part, the repurposing and retrofitting of an existing structure for residential development, that is locally appropriate, conformity to this policy of the PPS has been satisfied.

Policy 1.1.5.7 of the PPS states:

"Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses."

Policy 1.1.5.8 of the PPS notes that:

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

As previously noted, the proposed development on the Subject Property complies with the MDS setbacks and protects agricultural land uses as no further land is being taken out of agricultural production to support the proposed development.

The proposed development serves to preserve and enhance the Subject Property. The Fairview United Church served much of the local agricultural community for over 140 years. The proposed use as a rental music hall will continue to serve the surrounding community's cultural and social needs by providing a place for young local musicians to practice their craft while the local community can enjoy local musical performances.

Additionally, with respect to the Owner's existing landscaping business, the Subject Property is central to existing clientele. In relocating to the Subject Property, the existing landscaping business can continue to serve existing clientele in an efficient manner and serve the local community's landscaping needs.

The Owner's have taken special care to tailor the proposed development to the property to ensure that it best conforms to the surrounding community character. The establishment of gardens, orchard and small produce stand serves to better integrate the Subject Property with the surrounding agricultural lands than what is currently existing.

Furthermore, it is important to note that no additional land is being proposed to accommodate the proposed uses, as the land has been developed for institutional uses for 148 years. Therefore, the proposed amendments support the provision of maintaining and protecting agriculture and providing a diverse rural economic base.

**7.9.2. The extent to which the existing designated areas in the proposed categories are developed, and the nature and adequacy of such existing development.**

The proposed development will utilize the existing infrastructure to permit the proposed uses. No new buildings are proposed. The proposed development looks to preserve and enhance the Subject Property.

**7.9.3 The physical suitability of the land for such proposed use, taking into consideration potential for hazard, environmental areas etc.**

The Subject Property is not located in an area that contains any environmental features or hazardous lands. The Subject Property has been historically developed and no new development is proposed with the exception of personal gardens and an orchard.

**7.9.4 The location of the area under consideration with respect to the existing roads system, vehicular and pedestrian traffic, water supply and sewage disposal, and the protection of the natural environment.**

A traffic impact brief was submitted with the application where it demonstrated that the proposed change in use will not negatively impact Centre Line. Additionally a servicing options brief was submitted that demonstrated that the proposed development can be supported by the existing well and an upgraded septic system. No environmental features are located on the Subject Property.

**7.9.5 The compatibility of the proposed use with the uses in adjoining areas.**

The Subject Property is surrounded by agricultural and rural residential uses. Given the agricultural nature of the area, the existing residential dwellings developed along Centre Line and Fifth Line are considered incompatible and sensitive land uses within the agricultural context of the area. It is acknowledged that the residential development has existed for many years and predates the current provincial policy. However, the issue remains that the existing residential development is located in a predominately agricultural area and will impact the use of the surrounding properties due to Minimum Distance Separation (MDS). However the proposed accessory residential unit will not further hinder on agricultural uses in the area as it complies with MDS setbacks.

The Subject Property has been developed for 148 years and has served as a gathering place for the community. However the needs of rural communities continues to evolve and change. With respect to serving the local community, the Fairview United Church had been underutilized for some time and it is argued that the proposed use of a rental music hall and a small administrative office for the Owners' existing landscape business would better serve the surrounding community while producing the same, if not less noise generation and demand on traffic, services and parking.

The proposed use of an accessory residential unit arguably is more compatible with the existing agricultural area than the listed permitted use of a private hospital, as it would draw less traffic, have less human occupancy in proximity to normal farm practices, and would not require additional investments in infrastructure and rural services that are currently not available to the Subject Property.

**7.9.6 The effect of the proposed use on the surrounding area regarding possible depreciation of adjacent properties.**

The proposed development looks to provide for recreational opportunities for the surrounding landscape (rental music hall). Additionally, the seasonal produce stand looks to service the local community as well. Provided these potential benefits to the community, the proposed development will not have a negative impact on the value of adjacent properties, especially considering the alternative of leaving a historic building to become derelict.

**7.9.7 The potential effect of the proposed use on the financial position of the Township.**

The proposed development will have a positive impact on the financial position of the Township as the use of the property will be commercial and residential, as opposed to remaining vacant.

**7.9.8 Consideration of the soil compatibility for agriculture and the potential impacts on surrounding agricultural uses and operations.**

*Section 3.2.3 – Alternative Locations within Publication 851, Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas, notes the following:*

*Depending on local circumstances, sites with a previous non-agricultural use may be considered lower-priority agricultural areas for the purpose of identifying alternative locations. Adaptive reuse of sites with commercial or industrial zoning could be suitable and would avoid greenfield development. Significantly-disturbed sites that cannot be returned to an agricultural use could be considered lower-priority areas."*

*Section 3.1.2 of Publication 851 additionally provides several factors to consider when identifying lower-priority agricultural lands for potential alternative settlement areas locations, including (in part) the following:*

- Current use of land;
- Degree of fragmentation of the agricultural land base by non-agricultural uses;

- Farm parcel size relative to the type of agriculture in the area (e.g., cash crops and livestock farms generally require large parcels while speciality crops may not); and,
- Presence, use and capital investment in farm buildings and infrastructure.

With respect to the Subject Property and the factors listed above, the viability of the Subject Property to be used for agricultural purposes is limited. The existing parcel size and the capital investment required to prepare the lands (removal of existing buildings/ infrastructure and fence rows) would not be sensible given that the common form of agricultural activity in the area is beef farming and cash crops. The Owners proposed development of establishing gardens and an orchard on the property is a more sensible form of agriculture, tailored to the Subject Property.

**7.9.9 Where the proposal involves taking prime agricultural land out of production, the planning justification requirements of the Provincial Policy Statement shall be addressed.**

Specific policies for land use in prime agricultural areas are provided in Section 2.3 of the PPS. These policies generally speak to the establishment of new land uses in the prime agricultural area; and restrict such uses to those which are agricultural, agriculture-related or on-farm diversified (2.3.3.1). However the PPS does not specifically contemplate existing land uses and lots which are not of an agricultural nature.

Notwithstanding that, the existing use of the lot is institutional and the property would not be suitable for agricultural purposes given the reduced lot size and existing development. Further, the PPS does provide policies for limited proposed non-agricultural uses.

Under Section 2.3.6.1 of the Provincial Policy Statement, planning authorities may only permit non-agricultural uses in prime agricultural areas for limited non-residential uses subject to four (4) criteria:

- 1) *the land does not comprise a speciality crop area;*

Upon site inspection and reviewing the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) Agricultural Land Base Map, it was determined that the Subject Property does not comprise a speciality crop area.

- 2) *the proposed use complies within minimum distance separation formulae;*

As stipulated in *Publication 853, The Minimum Distance Separation (MDS) Document*, MDS I calculations were completed for the proposed Type B land use. Therefore six (6) existing farms within 1500 metres of the Subject Property were investigated. As a result of the investigation, it was found that there are currently five (5) active beef farms within this area and one (1) unoccupied livestock barn. MDS calculations were completed for these identified properties and it was determined that the Subject Property complies with the various stipulated MDS 1 setbacks.

- 3) *there is an identified need within the planning horizon provided for in policy 1.1.2 for additional land to accommodate the proposed use; and*

Please refer item 7.9.1 above.

- 4) *alternative locations have been evaluated, and,*
- i. *there are no reasonable alternative locations which avoid prime agricultural areas; and,*
  - ii. *there are no reasonable alternative locations in prime agricultural areas with lower priority agricultural lands.*

The owners investigated six (6) properties, as outlined in the Planning Justification Report. In addition to the above properties, the Owners investigated a number of residential properties in the Peterborough area, however they were unsuccessful in finding a property that could accommodate all of the proposed uses on one (1) property. To reiterate, the Subject Property is situated in the most optimal location to serve the Owners current landscaping clients, and has the existing infrastructure and space onsite to accommodate the proposed development. Therefore, several alternative locations were investigated however, it was found that there are no reasonable alternative locations which avoid prime agricultural areas.

**7.9.10 *The Minimum Distance Separation requirements of the Provincial Policy Statement shall be met for new uses being proposed in proximity to existing livestock facilities.***

As provided in the Planning Justification Report, the Subject Property and the proposed development comply with the MDS setbacks.

**7.9.11 *Demonstration of how the proposal conforms to the Provincial Growth Plan.***

Policy 2.2.9.1 of the Growth Plan for the Greater Golden Horseshoe states that "*Municipalities are encouraged to plan for a variety of cultural and*

*economic opportunities within rural settlements to serve the needs of rural residents and area businesses.*" Although not located within a rural settlement area, the Subject Property historically served the rural residents in its vicinity. As the demographics of rural communities continue to shift, so does the needs of those communities. In an article published in the November 2018 Ontario Professional Planners Institute (OPPI) Journal, it stated that *"There are an estimated 27,000 religious buildings in Canada. By the time we arrive at 2025, it is expected that 9,000 places of worship will close across Canada."* The article further states that *"An interest in organized religion has been on the decline for a number of years, with 25% of citizens now identifying themselves as religiously unaffiliated."* As these religious buildings become vacant, repurposing them to better serve the changing needs of communities is vital. The proposed development is an example of repurposing and serving such a need. The proposed rental music hall will continue to meet community needs and foster neighbourly connections as the church's religious services have historically.

The proposed amendments additionally represent efficient development and land use patterns as the Subject Property has an existing entrance and exit off of a municipally serviced road and can be supported by the existing well located on the Subject Property as concluded in the Servicing Options Report. The proposed amendments are additionally compatible with the rural landscape as concluded in the Traffic Brief.

With respect to Section 4.2.6, the Subject Property and the proposed development fulfil all four requirements as outlined in PPS Policy 2.3.6, Non-Agricultural Uses in Prime Agricultural Areas to allow for limited non residential uses in prime agricultural areas as it:

- 1) Is not located in a speciality crop area;
- 2) Complies with minimum distance separation formulae;
- 3) There is a proposed need within the planning horizon for additional lands to accommodate the proposed use; and,
- 4) Alternative locations have been evaluated and there are no reasonable alternative locations for the proposed development.

With respect to Section 4.2.7, as previously mentioned the proposed development additionally complies with Policy 1.7.1 e) of the PPS, as it encourages *"a sense of place, by promoting well-designed built form and cultural planning, and by conserving features that help define character, including built heritage resources and cultural heritage landscapes."* The Fairview United Church has been a cultural landmark of the area for 148 years. The proposed development serves to preserve and enhance this landmark to better serve the community for the future.



Jeannette Thompson, MCIP, RPP, Planner, Town of Selwyn  
Page 9 of 9  
September 15, 2020

I trust the above is satisfactory for your purposes. Please feel free to contact our office if you have any questions.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'KH' with a flourish.

Katherine Howes, MSc.  
Land Use Planner

KH/DK/bam

Encl.