

—Surplus Farm Dwelling Severance Process Guide—

What is a Surplus Farm Dwelling Severance?

When farming operations expand by acquiring additional farm parcels, there may be existing homes or dwellings on the newly acquired lands that are surplus to the farming operation. Through a process known as a surplus farm dwelling severance, these **habitable** dwellings (often called a residence surplus to a farming operation) may be severed from the farmland so that they can be separately sold as a residential lot. In order for a dwelling to qualify as a dwelling surplus to a farming operation, criteria must be satisfied including, but not limited to: 1) the dwelling must have been in existence as of January 1st, 1999; 2) the dwelling must be surplus as a result of consolidation of farming operations; 3) the remaining farmland must be zoned to prohibit new dwellings; 4) any incompatible buildings, structures or barns must be removed; 5) the new lot is limited to a minimum size needed to accommodate the use and appropriate sewage and water services and to minimize the loss of agricultural land; and 6) specific criteria outlined in North Middlesex's Official Plan. **This is a specific policy exception and not all farm properties may be eligible.**

What is the Surplus Farm Dwelling Severance Process?

1. Schedule a **pre-consultation** discussion with the Planner.

2. Submit a **complete application**, any required documents including a sketch, and applicable fees to the Municipality.

3. A **Notice of a Public Meeting** is posted on the subject lands and circulated to the applicants, landowners within 60 meters, and any relevant agencies at least 14 days before the meeting.

4. Staff collect public comments and prepare a **planning report** that includes a recommendation.

5. A decision is made during a **Committee of Adjustment** hearing where an application will be either approved (with or without conditions), denied, or deferred.

6. A **Notice of Decision** is mailed out to the applicants, agencies, and by request within 15 days of the Hearing.

7. The 20-day **appeal period** begins on the date of the Notice of Decision. Any appeals will be heard by the Ontario Land Tribunal for a final decision.

8. Fulfill the conditions of approval within 2 years and submit relevant documentation to the Municipality for **certification**. *Please note a Consent is **not** finalized until all conditions have been fulfilled, the Certificate of Consent has been issued by the Municipality, and your lawyer has completed the registration(s).*

Need More Information?

Contact a municipal planner at (519) 294-6244

Find the Zoning By-Law at www.northmiddlesex.on.ca

Visit the Municipal Office at 229 Parkhill Main Street, Parkhill

What is a Sketch/Drawing?

Site Sketches accompany different types of planning applications (such as a Surplus Farm Dwelling Severance) to provide relevant information about the subject lands as well as any existing buildings and services. Sketches are used to help planning staff, members of Council, any other approval authorities, and the public evaluate an application. They need to clearly and accurately convey the physical details of the property and the proposal. If a sketch is not accurate or does not contain the proper details, the processing of the application may be impeded or the application may be returned to you due to lack of information.

What is Required in a Sketch?

1. Identify the parcel of land that is the subject of the application, its boundaries and dimensions, the legal description, the location of any structures, and their setbacks to the lot lines.
2. Identify all abutting lands owned by the owner (if any) and their boundaries and dimensions.
3. If relevant, identify the part of the parcel that is to be severed, the part to be retained, and the location of all land previously severed.
4. Note the location of natural and artificial features and services that may affect the application (i.e. septic, hydro lines).
5. Identify the existing uses on adjacent lands (i.e. residential, agricultural, or commercial uses).
6. Specify the location, width and name of any roads within or abutting the subject land, and identification of all unopened road allowances, public and private roads, and right-of-ways.
7. Identify the location and nature of any easements affecting the subject land.
8. Identify the location of all barns, livestock operations, and manure storage areas within 500 metres of the proposed lot.

