

RURAL SEVERANCE POLICY REPORT

This report has been prepared as background information concerning the issue of rural severances.

STAFF POSITION

The staff position on isolated rural severances is reflected in the proposed severance policies embodied in this Official Plan. These are restated below:

2.8.3.2 It is the intent of Council that land severances granted within the Rural designation shall satisfy the following criteria:

- (i) not more than two severances per 100 acre original farm half lot;
- (ii) no transfer of severances would be allowed from one 100 acre half lot to another;
- (iii) be so located relative to the agricultural remainder that they do not interfere with the agricultural use;

- (iv) permitted only when the applicant has been the registered owner of the parcel concerned for a minimum period of five consecutive years prior to the date of application;
- (v) the size of any parcel created by a severance should be appropriate for the use proposed and consideration should be given to the public services available, the soil and drainage conditions, proper siting of buildings, a sufficient and potable water supply and the adequacy of sewage disposal;
- (vi) access to a public road should be limited, by a one foot reserve along the road frontage, to one point of egress/ingress;
- (vii) the permitted structure should be subject to an appropriate set-back from the boundary of a public road, to minimize the impact of traffic upon the living environment; and
- (viii) notwithstanding Clauses (i) and (iii), when two or more farms are amalgamated and an existing house, excluding a mobile home, becomes surplus to the need of the farmer, this house may be severed by consent.

2.8.3.3 Development on land severances shall be subject to site plan control in accordance with Section 35(a) of the Planning Act.

2.8.3.4 A mobile home* may be permitted, without consent and according to detailed criteria in the Zoning By-law, on a genuine operating farm to accommodate related or unrelated farm help. The following general guidelines shall apply:

- (i) a maximum of one mobile home per farm; and
- (ii) well screened from public rights-of-way.

2.8.3.5 Seasonal farm help accommodation shall be considered on individual merit and be subject to the controls and regulations of a special Zoning By-law.

The existing zoning by-laws require a severance for a mobile home and would have to be amended in order for the City to implement Section 2.8.3.4. These policy proposals are based upon a substantial amount of information, the essence of which is discussed below.

SUPPORTING DATA

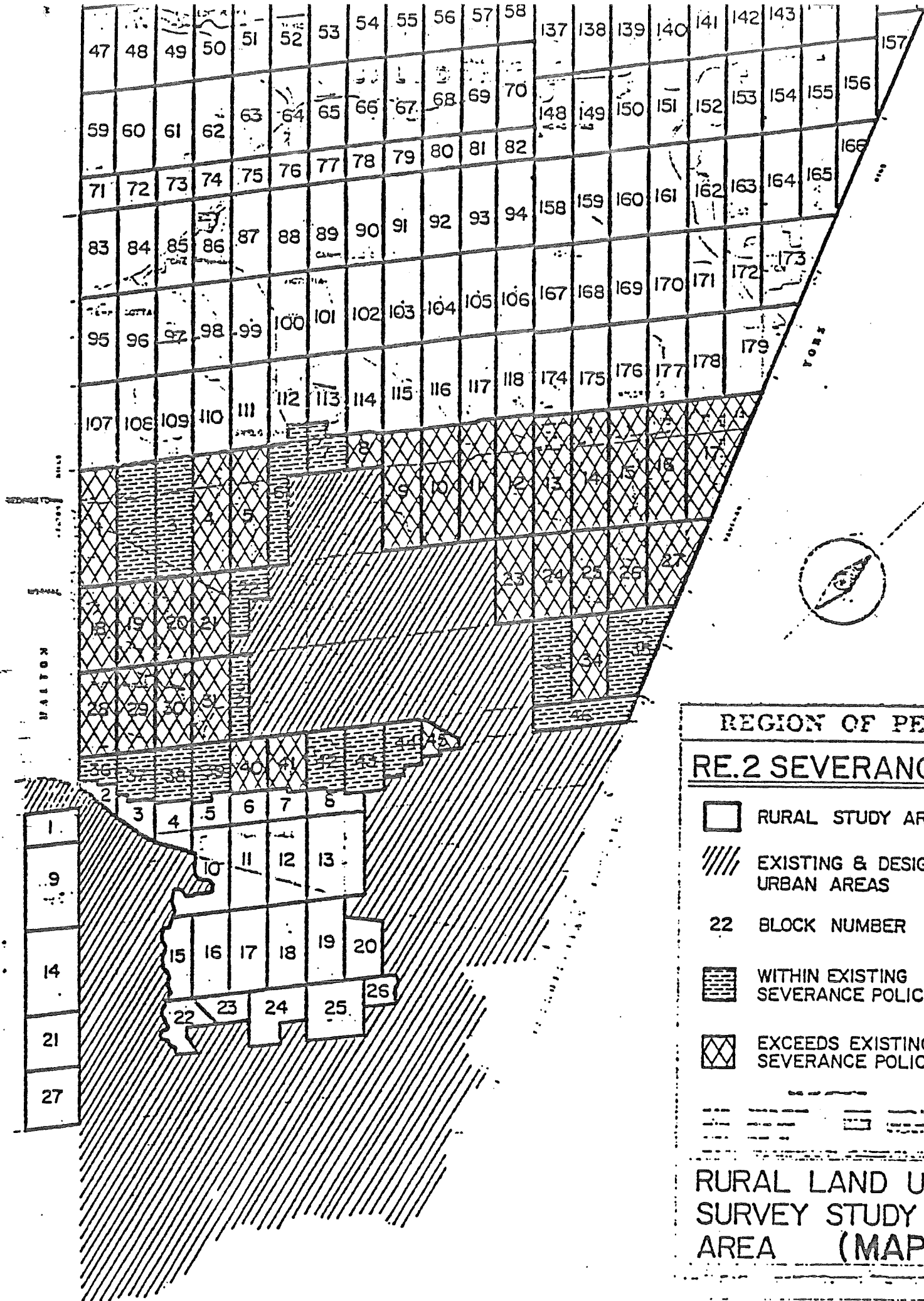
There is a great deal of evidence to support the claim that isolated, rural severances have a considerable adverse impact on both the rural community and the municipality as a whole. The following is a well recognized, incomplete list of these impacts, most of which were highlighted in the "Green Paper on Planning for Agriculture: Food Land Guidelines", produced by the Provincial Ministry of Food and Agriculture in 1977:

- (i) sterilizes lands capable of producing increasing vital agricultural products;

* definition of "mobile home": refers to a dwelling that is designed to be made mobile, and constructed or manufactured to provide a permanent residence for one or more persons, but does not include a travel trailer or tent trailer or trailer otherwise designed.

- (ii) undermines traditional rural character;
- (iii) increases traffic on rural roads
 - restricts movement of farm machinery
 - puts undue tax burden on urban residents for road upgrading and maintenance
 - increases potential for vehicular accidents in rural areas requiring the relevant public services, such as police, to travel greater distances at a much greater per accident cost;
- (iv) introduces objections to farm operations and various forms of direct interference with the agricultural industry in addition to the restriction of movement of farm machinery; and
- (v) imposes potential restrictions on future comprehensive development in urbanizing areas..

It is unfortunate that prior to the creation of the Region of Peel in 1973 and production of the Consolidated Official Plan (1973-76), isolated rural severances were granted quite freely without due regard for the short and long-term consequences. Associated with the Consolidated Official Plan and the creation of the Region of Peel was the establishment of a comprehensive and consistent rural severance policy. This policy, in essence, provided for 2 severances per 100 acre original farm lot and an unlimited number of conventional residential structures on a farm without consent to accommodate related or unrelated farm help. It was generally agreed throughout the Region of Peel that this was the most permissive that the rural severance policy could be without incurring excessive adverse impacts.



REGION OF PEEL RE.2 SEVERANCES

-  RURAL STUDY AREA
-  EXISTING & DESIGNAT-
URBAN AREAS
- 22 BLOCK NUMBER
-  WITHIN EXISTING
SEVERANCE POLICY
-  EXCEEDS EXISTING
SEVERANCE POLICY

RURAL LAND USE
SURVEY STUDY
AREA (MAP 1)

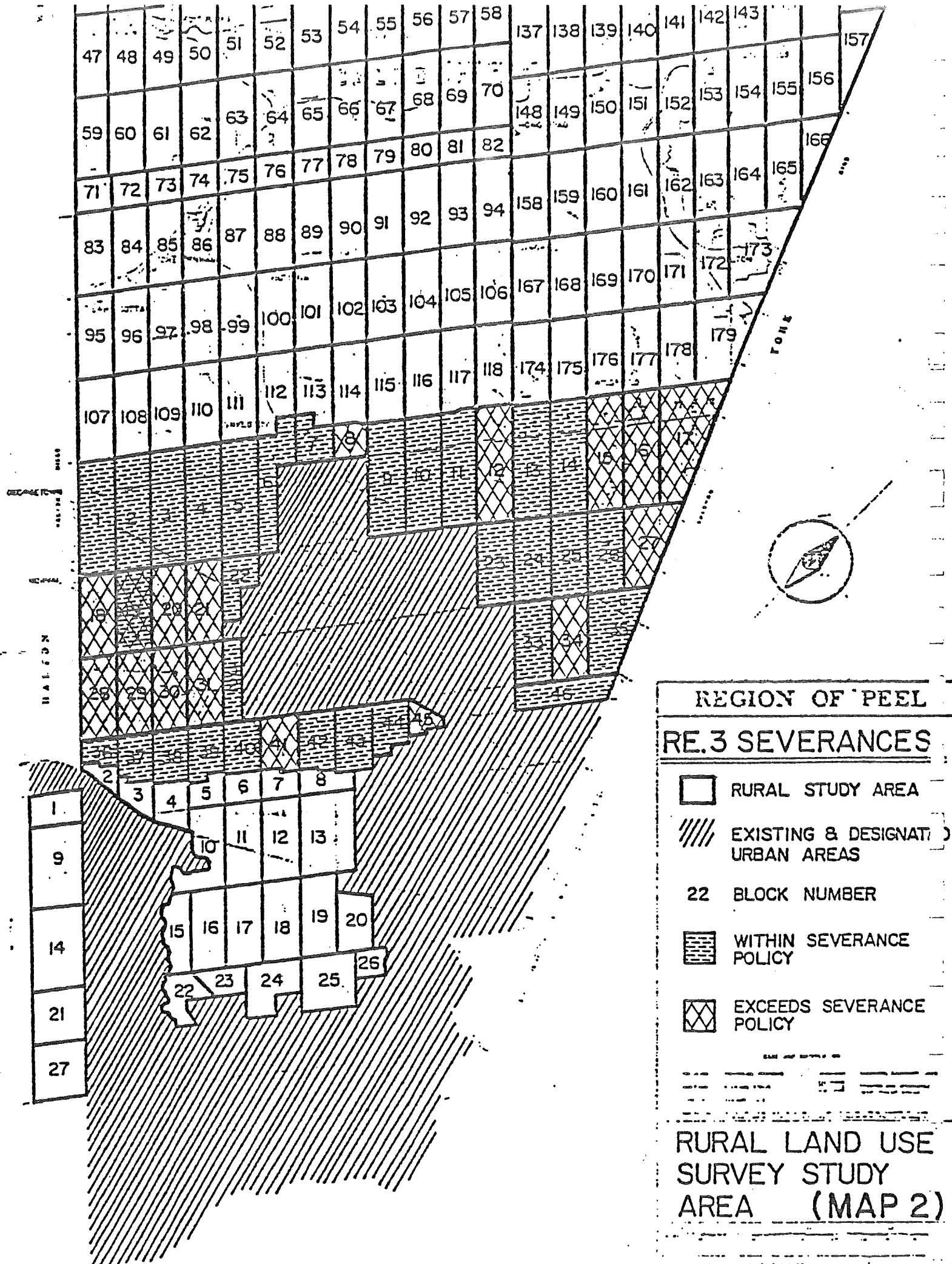
Despite the intentions of the (existing) severance policy for Brampton and the Region, a "Rural Land Use Survey of Peel", conducted by the Region of Peel in 1975, revealed some interesting and disappointing facts. The survey involved extensive field work in conjunction with air photo interpretation and ultimately, a meticulous search of the assessment rolls. The rural part of Brampton was divided into 46 "blocks" ranging from 400-1800 acres in size. All researched information was recorded per block.

Perhaps the most noteworthy facts are those which indicate the percentage of surveyed "blocks" in Brampton which had already exceeded the provisions of the new, comprehensive severance policy, (i.e. 2 severances per 100 acre original farm lot), in the following amounts:

- . 20% of the surveyed "blocks" in the former Town of Mississauga;
- . 74% of the surveyed "blocks" in former Chinguacousy Township; and
- . 83% of the surveyed "blocks" in former Toronto Gore Township.

The total rural area affected is shown on Map 1.

The survey also revealed that while there were 255 existing farm residences in rural Brampton, the number of existing nonfarm, isolated residences (781) and the number of existing vacant, severed lots (625) totalled 1406. This clearly demonstrated that severance development in rural Brampton, outside of established Rural Settlements and rural estate developments, had been very significant with the probability of nearly doubling within a few more years.



One final noteworthy result of the 1975 "Rural Land Use Survey of Peel" is related to the total number of severances that would be granted firstly, under the existing severance policy and secondly, under a more liberal policy which would provide for 3 (versus 2) severances per 100 acre original farm lot (as has recently been approved by the Region for the Town of Caledon). The existing policy would permit a total of 129 isolated, rural severances while the more liberal policy would accommodate 339 or nearly triple what is currently permitted. Map 2 illustrates that a significant portion of rural Brampton even exceeded (1975) the theoretical policy of 3 severances per 100 acre farm lot.

It must be remembered that the original intent of severances from farm units was for the farmer to accommodate related or unrelated farm help or himself upon retirement. However, over the past twenty years there has been increasing pressure from two sources to alter the original philosophy. The farmers, facing economic difficulties, have come to view severances as a means of revenue. The urbanite seeking a rural residential location, has come to view the severance, which allows direct access to a publicly maintained roadway in a relatively private location, as a desirable alternative to a rural estate subdivision lot where the land cost is appreciably higher. The farm severance is even more attractive to the urbanite where rural estate lots are not available or indeed, where rural estate subdivisions are not a permitted use.

Partly in response to this urban demand for rural residential sites, three reasonable alternatives would exist in Brampton in accordance with the policies of the "new" Draft Official Plan:

- (i) rural estate lots;
- (ii) infill lots within established Rural Settlements; and
- (iii) residential lots to be created in the Rural Settlements deemed appropriate for limited expansion (i.e. Huttonville; Tullamore and Castlemore).

The first two alternatives (i.e. (i) and (ii)) are currently available.

CONCLUSIONS

1. In view of the fact that "farmland" is a nonrenewable and perhaps ultimately vital natural resource, farm severances should be minimized.
2. Economic difficulties facing the agricultural industry are beyond the capability of the local municipality to rectify in a positive fashion, (i.e. for the benefit of society versus the individual). The granting of farm severances to assist a farmer facing economic difficulties is unjustified. Farm severances undermine the integrity of the agricultural industry and impose undue costs on the urban taxpayer. The economic plight of the agricultural industry, caused by factors beyond its control, are the direct concern of the Provincial and Federal levels of government.
3. An open policy permitting the construction of conventional residences without severance for related or unrelated farm help is unwarranted. (In the proposed policy, accommodation on a farm without severance is limited to one mobile home thereby encouraging the farmer to use the permitted severances for related or unrelated farm help).
4. It is reasonable to conclude that a farmer, faced with the provisions of the proposed severance policy, as quoted on pages 1 and 2 of this report, would reserve at least one of the two permitted severances on his farm for related or unrelated farm help, or for his own use upon retirement.
5. A policy that would permit 3 severances per 100 acre original farm lot would significantly increase the total number of potential additional severances in rural Brampton. In relative terms, a policy permitting 2 severances would allow a modest increase.

6. The existing City and Regional Land Division Committee severance policies are too lenient in view of the local evidence which is supported by the Ministry of Food and Agriculture.
7. A more restrictive severance policy is required for Brampton (and the Region of Peel).