

File No.: BA OPA 1-24
Municipality: Municipality of Bayham
Subject Land: 55032 Vienna Road, Municipality of Bayham
Applicant: Harrison Pensa LLP on behalf of Underhill Farms Ltd.
Date of Decision: April 9, 2024
Date of Notice: May 21, 2024
Last Date of Appeal: June 10, 2024

NOTICE OF DECISION

**With respect to an Official Plan Amendment
Section 17(35) and 21 of the Planning Act**

Purpose and Effect of the Official Plan Amendment

The purpose of the official plan amendment is to add a new site-specific sub-section to permit the severance of an existing dwelling made surplus through farm consolidation that does not conform to Section 2.1.7.1, which requires that where a farm parcel with more than one existing dwelling is being consolidated into a farm operation, only one dwelling may be severed from that farm parcel, and no more than one severance of a surplus dwelling shall be allowed from an original farm parcel, regardless of changes in boundary or ownership.

Decision

On April 9, 2024, Elgin County Council **APPROVED**, Amendment No. 36 to the Official Plan for the Municipality of Bayham, as adopted by By-Law No. 2024-011. Council considered all written and oral submissions received on this application the effect of which helped Council to make an informed decision.

When and How to File an Appeal

Any appeal to the Ontario Land Tribunal must be filed with the County of Elgin no later than 20 days from the date of this notice as shown above as the last date of appeal.

The appeal should be sent to the attention of the Manager of Planning, at the address shown below and must:

- (1) set out the specific part of the proposed official plan amendment to which the appeal applies;
- (2) set out the reasons for the request for the appeal; and,
- (3) be accompanied by the fee required by the Tribunal.

When the Decision is Final

The decision of the County of Elgin is final if a Notice of Appeal is not received on or before the last date for filing of a notice of appeal.

Other Related Applications: N/A

Getting Additional Information

Additional information about the application is available for public inspection during regular office hours at the County of Elgin at the address noted below.

Who Can File an Appeal

Only individuals, corporations or public bodies may appeal a decision of the approval authority to the Ontario Land Tribunal. A notice of appeal may not be filed by an unincorporated association or group. However, a notice of appeal may be filed in the name of an individual who is a member of the association or the group on its behalf.

No person or public body shall be added as a party to the hearing of the appeal unless, before the plan was adopted, the person or public body made oral submissions at a public meeting or written submissions to the council or, in the opinion of the Ontario Land Tribunal, there are reasonable grounds to add the person or public body as a party.

Mailing Address for Filing a Notice of Appeal

County of Elgin
450 Sunset Drive
St. Thomas, ON N5R 5V1

Submit notice of appeal to the attention of the Nicholas Loeb, Director of Legal Services.

Telephone: 519-631-1460 ext.108

Email: nloeb@elgin.ca