



Photo Credit: Patrick Boening

### What is a Surplus Farm Dwelling Consent?

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. 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.

### Eligibility Criteria

- The dwelling is surplus to the farming operation as a result of farm consolidation, meaning a previous or current acquisition is to be operated as one farm operation/by the same farm operator. Note: A confirmation of ownership of the acquired lands will be required to be submitted with the application, if the transfer is not reflected in the tax records.
- The new lot is limited to a minimum size needed to accommodate the use and appropriate sewage and water services.
- The surplus dwelling meets the setbacks required under the minimum distance separation formulae (MDS I) from any livestock and/or manure facilities on the retained parcel. MDS I applies even if the barns/structures are not currently used.

### Conditions of approval

All severances have specific conditions attached to them, if approved. Some typical conditions which may be included on a conditional approval for a surplus farm dwelling consent are: payment of taxes, payment of cash-in-lieu of parkland, surveying of the severed lands and road widening. Conditions specific to surplus farm dwellings are:

- The retained lands be rezoned to prohibit residential use.
- Where the MDS I separation distance cannot be met, any incompatible buildings, structures or barns must be removed or legally changed in use (by renovation or change in use building application/permit, depending on municipality).
- The severed lands be rezoned to residential use, as required.

Note: Additional conditions may be required as identified through the commenting process.

The applicant has up to 2 years to fulfill conditions or the approval will lapse. The Planning Act does not permit extensions.

### How large of a lot is allowed for a surplus dwelling?

The lot is to be minimized in size to just what is needed for the house, septic and well. Typically, lots are 1-3 acres (0.8-1.2 hectares). Land used for field crops should not be included.