



By-law Number 2022-XX

A by-law to adopt Amendment Number C-2021-025 to the County of Bruce Official Plan

Authority is provided in Sections 17 and 21 of the Planning Act, R.S.O. 1990, as amended.

The Council for the Corporation of the County of Bruce enacts By-law 2022-XX as follows:

1. Amendment Number C-2021-025 to the County of Bruce Official Plan attached and forming part of this by-law is approved.
2. That this By-law come into force and take effect on the day of the final passing thereof, subject to the provisions of the Planning Act, R.S.O. 1990, as amended.

Passed this _____ day of _____, 2022

Janice Jackson
Warden

Donna Van Wyck
Clerk

Part B – The Amendment

Introductory Statement

All of this part of the document entitled “Part B – The Amendment” and consisting of the following text, constitutes Amendment Number C-2021-025 to the Bruce County Official Plan.

The Official Plan Amendment is to revise existing policies and add new policies to the Agricultural Areas section of the Bruce County Official Plan, having due regard for provincial planning direction and the planning context of Bruce County.

Note: Text within the amendment shown in **bold or bold-strikeout** indicates a minor change to the proposed amendment that has been made since the publishing of the Notice of Public Meeting. ~~Strikeout text~~ will not be included in the consolidated text.

The Amendment

1. The Bruce County Official Plan is amended by deleting Sub-Section iv) within Section 5.5.2 Agricultural Objectives and replacing it with the following:

iv) Permit small scale farm-related industrial uses that are directly related to local farming operations and are required to be located in the prime agricultural area rather than in a settlement area.

2. The Bruce County Official Plan is amended by deleting Section 5.5.4 Permitted Uses and replacing it with the following:

5.5.4 Permitted Uses

.1 Agriculture refers to the growing of crops or raising of livestock and other animals for food, fur or fibre, including poultry and fish.

.2 Agricultural Areas shall permit:

i) Agriculture uses, including agriculture, aquaculture, apiaries, agro-forestry, maple syrup production, the use of lands, buildings or structures for the raising of animals, the growing of plants for food production, and nurseries;

ii) Agriculture related uses, including commercial or industrial uses that are directly related to the processing of agricultural products produced on the same property or providing products or services to farm operations in the area in accordance with the policies of Section 5.5.4.1, and retail stands for the sale of agricultural products produced on the farm unit upon which the retail stand is to be located;

iii) Limited on farm diversified uses accessory to the agriculture operation are permitted on farms. The following uses shall be permitted by local Zoning By-Laws: bed and breakfast establishments, the primary and secondary farm residence, Garden Suite and/or Additional Residential Unit on the same lot as part of the farm unit, forestry, public conservation, public open space, passive recreation, and temporary farm accommodation, farm vacations, and occasional agricultural demonstration events such as a plowing match. Further on farm diversified uses, secondary to the principal use of the property may be permitted within Agricultural Areas provided that such uses: are zoned in the Zoning By-law for that use; are compatible with and shall not hinder surrounding agriculture operations; and are generally limited in area to a maximum of 2% of the subject property area. Lot area and lot coverage for on farm diversified uses will be in accordance with the Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas;

iv) Wayside pits and portable asphalt plants are permitted uses in accordance with the Zoning By-Law; and,

v) Schools, churches and cemeteries that service the immediate rural community relying on horse-drawn vehicles as the primary means of transportation shall also be permitted in accordance with Section 5.5.10 [Institutional Uses (Agricultural Areas)].

3. The Bruce County Official Plan is amended by deleting Section 5.5.4.1 Secondary Compatible Uses and replacing it with the following:

5.5.4.1 Agriculture Related Uses

Agriculture related uses that are not located on a farm, but serve nearby farms such as grain drying and storage for farm produce, fertilizer plants and farm related commercial uses may be allowed in Agricultural Areas. The development of all such facilities shall:

- i) Not adversely impact surrounding agricultural operations;
 - ii) Be sensitive to the natural environment by minimizing impacts on water courses, wetlands, groundwater resources or other environmentally sensitive features;
 - iii) Be individually serviced with a private water supply and sewage disposal system which comply with the requirements of the appropriate approval authority; and,
 - iv) Be directly must be directly related to local farm operations and related to commercial scale agriculture **as a primary activity** and **not have as a primary activity provision of** goods and services that are normally required by the general public.
4. The Bruce County Official Plan is amended by deleting Sub-Section .2 within Section 5.5.6 Farm Size and replacing it with the following:
 - .2 Smaller, specialized, farm parcel sizes will only be permitted if the owner can demonstrate that:
 - i) Agriculture shall be the primary use of both the proposed severed and retained lots, as demonstrated by a business plan for both lots prepared by a qualified individual, (which may include an agrologist, agronomist, or a professional with an agricultural business degree), addressing economic viability, flexibility, projected revenue, expenses, financing, soil quality, Minimum Distance Separation (MDS I and MDS II) considerations, **and demonstrating that** lots of similar size to those proposed for the severed and retained lots are not available within a **50 25 km** radius of the subject property suitable for the intended use, and any other information pertaining to the scale and nature of the operation to the satisfaction of the County;
 - ii) the size of both the parcel to be severed as well as the parcel to be retained is appropriate and typically associated with the type of agriculture proposed for each parcel; and,
 - iii) the size of both proposed parcels permit them to be used for other types of agriculture in the future.
 5. The Bruce County Official Plan is amended by deleting Sub-Section vii) of Section 5.6.4 Permitted Uses and replacing it with the following:
 - vii) Non-Farm Residential use, including Additional Residential Units in accordance with 4.4.4.1 (xi) and Section 5.5.12;
 6. The Bruce County Official Plan is amended by deleting Sub-Section .1 of Section 6.5.3.3 Consents – Agricultural Areas and replacing it with the following:
 - .1 With the exception of the severance of a lot for a residence surplus to a farming operation as a result of a farm consolidation, or a minor lot line adjustment, such as applications for access and servicing purposes that do not result in a new conveyable parcel or increase development potential, in no instance shall an original Crown surveyed lot be divided into more than two (2) parcels including the retained portion. For the purposes of this section, any original Crown surveyed lot severed for the purposes of a school or church prior to 1995, road widening or similar public purpose, or minor lot line adjustments shall be deemed to be an original Crown surveyed lot.
 7. The Bruce County Official Plan is amended by deleting Sub-Section .3 b) of Section 6.5.3.3 Consent – Agricultural Areas and replacing it with the following:

- b) Where the lot will be for an existing residence and buildings surplus to a farming operation as a result of farm consolidation provided:
 - i) The owner of the lands to be severed is a 'bona fide farmer'. For the purposes of this policy, the 'bona fide farmer' must: a) own and farm the lands on which the surplus dwelling is proposed to be severed from; b) own and farm other lands; and c) own a residence elsewhere, or reside as a tenant elsewhere, therefore rendering the residence on the subject farm surplus to their needs. In situations where the agricultural portion of the subject lands is rented in whole or in part to others, the owner of the subject lands shall not qualify as a 'bona fide farmer'. A 'bona fide farmer' shall be defined as to include a limited company, sole proprietorship, incorporated company, numbered company, partnership, non-profit and other similar ownership forms.
 - ii) The lot proposed for the residence and buildings surplus to the farming operation shall be limited in area and shall only be of sufficient size to accommodate the residence surplus to the farming operation, accessory buildings (where including accessory buildings does not render the lot excessively large in the opinion of the Land Division Committee), a well and a sewage disposal system, while ensuring that as little land as possible is removed from the agricultural lands.
 - iii) The remnant agricultural lands shall be rezoned to prohibit the future erection of a residential dwelling of any type on the agricultural lands provided that a residential dwelling does not exist at the time of severance.
 - iv) Minimum Distance Separation (MDSI) formula requirements are met to the surplus house if barn(s) exist on the retained farmlands. MDS I does not apply to existing barns on separately titled lots.
 - v) Given that no new dwelling/residence can be erected as a result of the residence surplus to a farm operation being severed from the farm holding, the severance shall not need to meet the Mineral Resource Area, Aggregate/Quarry Operation or sanitary landfill site setback requirements.
 - vi) The existing surplus dwelling/residence is habitable at the time of application.
 - vii) The policies of Sections **6.5.3.3.1** and 6.5.3.3.2 do not apply to surplus farm residence severances.
8. The Bruce County Official Plan is amended by deleting Sub-Section .5 of Section 6.5.3.3 Consent – Agricultural Areas and adding the following:
- .5 Lot enlargements for the expansion of an existing Non-Farm Residential lot. Lot enlargements shall be limited in area and shall only be of sufficient size to accommodate the residence, accessory buildings (where including accessory buildings does not render the lot excessively large in the opinion of the Land Division Committee), a well and a sewage disposal system, while ensuring that as little acreage as possible is removed from the agricultural lands. The maximum lot size shall generally not exceed 0.81 hectares (2.0 ac.).