



Committee Report

To: Councillor Steve Hammell, Chair and
Members of the Planning and Development Committee

From: Mark Paoli
Director of Planning and Development

Date: April 7, 2022

Re: County OPA C-2021-025 Agriculture Amendment - Recommendation Report

Staff Recommendation:

That County Official Plan Amendment - C-2021-025 Agriculture Amendment be approved; and,

That the appropriate by-law be forwarded to County Council for adoption.

Summary:

On February 17th 2022, a Public Meeting was held regarding the proposed Agriculture amendment to the Bruce County Official Plan ([Link to Feb. 17, 2022 report](#)). The amendment was received by Planning and Development Committee (PDC) for information as comments had not yet been received from the Ministry of Municipal Affairs and Housing. There were no public or agency comments received at the Public Meeting. Some members of PDC had comments and questions about how the policy to allow smaller farm lots would be applied. The attached amendment reflects subsequent revisions in response to comments and discussion with the Province of Ontario, and comments from PDC members at the Public Meeting.

Alignment with Guiding Principles:



GOOD GROWTH

To put growth in the right locations with the right services



HOMES

To increase the supply and mix of homes



HERITAGE

To identify and manage our cultural heritage resources

The Proposed amendment strongly aligns with the Agriculture guiding principle and aligns with the Business guiding principle.

In terms of Agriculture, the amendment eliminates unnecessary planning applications for routine agriculture-related planning matters and promotes flexibility and diversity within the Bruce County agri-business sector.

In terms of Business, the amendment facilitates business diversity on farms.

On balance, this proposal is aligned with the Guiding Principles and the Vision of a healthy, diverse and thriving future.

Planning Analysis:

The PDC has expressed interest in advancing agriculture policy changes in the near-term to support planning objectives while not detracting from the work to advance the larger project to develop a new County Official Plan.

In accordance with this direction, the Official Plan Amendment would:

- 1) Eliminate restriction of two parcels from original crown lot for surplus farm residence severances, minor lot boundary adjustments that do not result in the creation of a new parcel or increase development potential, and lot re-configurations that meet the minimum lot area requirements.
- 2) Recognize the existing lot area of retained parcels following a surplus farm residence severance.
- 3) Incorporate additional wording to better guide applicants who wish to create a new farm lot that is less than the 40-hectare (99 acre) minimum.
- 4) Expand and clarify the permitted uses on farms to add flexibility and better reflect the range of uses allowed in the Provincial Policy Statement and related provincial implementation guidelines.
- 5) Incorporate other related minor amendments for clarity or housekeeping.

Public Engagement:

Notice was published in several local newspapers to meet statutory requirements. Notice was also emailed to municipal representatives, commenting agencies and organizations and members of the public who expressed interest in the Plan the Bruce: Agriculture project. Agency and public comments specific to this amendment are attached.

Following the public meeting, written comments were received from Don Scott of Cuesta Planning Consultants. The comments are generally supportive of the proposed amendment while Mr. Scott also encourages careful attention to which uses belong in the settlement area and which uses can be permitted in the Agriculture designation; staff agree with this point. Comments outside the scope of the current amendment will be considered for the new Bruce County Official Plan.

Revisions since Public Meeting:

Subsequent to the Public Meeting, changes were made to the proposed amendment in response to comments received from the Province of Ontario and input from members of PDC. No further agency or public comments were received. These changes include:

- 1) In response to comments from the Ministry of Municipal Affairs and Housing, the descriptions of permitted agriculture uses, agriculture-related uses, and on-farm diversified uses were changed to match the Provincial Policy Statement. These changes are shown in bold in the amendment attached to this report.
- 2) In response to comments from the Province, Section 5.5.9 is proposed to be re-titled “Agriculture-related uses” and revised, and a new Section 5.5.10 “On-farm diversified uses” was added to ensure consistency between policies in the Bruce County Official Plan and in the Provincial Policy Statement.
- 3) Section 5.5.4.1 is proposed to be deleted as Section 5.5.9 addresses the same policy issues. References to Section 5.5.4.1 in other parts of the plan are proposed to be amended accordingly.
- 4) In Section 6.5.3.3.1, the restriction of the number of severances from an original crown lot is proposed to be removed for lot reconfigurations that meet the minimum lot area requirements.
- 5) Wording has been further amended in Section 5.5.6.2 to address the criteria for the creation of smaller specialized farm lots that are less than the minimum lot area of 40 ha (99 acres). More emphasis has been placed on the need for the proposed retained and severed lots to be of a size appropriate for the types of agricultural uses common in the area and sufficiently large enough to maintain flexibility for future changes in the type or size of agricultural operations, in keeping with wording in the PPS. The previously proposed requirement for a business plan is recommended to be removed from the amendment.

Planning Opinion:

The proposed amendment will provide for a more diverse range of agriculture-related and on-farm diversified uses, in accordance with increased flexibility provided in the Provincial Policy Statement. New policies clarify the requirements for applications to create agricultural lots that would be less than the 40 ha minimum lot area for farms in the Prime Agricultural Area. It is anticipated that the amendment will reduce the number of planning applications required in the agricultural area that are routine in nature.

The Amendment is consistent with the Provincial Policy Statement and advances County Council’s interest in seeing improvements to the agricultural policy framework in advance of completing the new County Official Plan project. The amendment also provides a basis for more detailed implementation through local Zoning By-laws.

Financial/Staffing/Legal/IT Considerations:

Potential Appeal to the Ontario Land Tribunal (OLT).

Report Author:

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Departmental Approval:

Mark Paoli
Director, Planning and Development

Approved for Submission:

Christine MacDonald
Interim Chief Administrative Officer