



County of Bruce
Planning & Development Department
30 Park Street, Box 848
Walkerton, ON N0G 2V0
brucecounty.on.ca
226-909-5515

December 15, 2021

File Number: C-2021-025

Request for Agency Comments

A change is proposed, and we're asking for your input. The Purpose and Effect of the proposed County Official Plan Amendment is to update policies related to Agriculture to better align with Provincial policies and guidelines and reduce the need for amendments to the County Official Plan for routine planning applications. The amendment would apply to all lands within the County of Bruce.

The proposed changes would:

- i) Eliminate restriction of two parcels from original crown lot for surplus farm residence severances and minor lot boundary adjustments that do not result in the creation of a new parcel or increase development potential.
- ii) Recognize the existing lot area of retained parcels following a surplus farm residence severance.
- iii) 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 by requiring a business plan and evaluation of alternative available lands in the area.
- iv) Expand the permissions for uses permitted on farms to add more flexibility and to better reflect the range of uses permitted by the Permitted Uses in Ontario's Prime Agricultural Areas Guideline.
- v) Minor amendments for clarity.

The attached table summarizes the proposed changes and is provided to help you with your review.

Your comments and/or conditions of approval will be used to prepare a Planning Report. Please provide your feedback by emailing bcplwa@brucecounty.on.ca by **January 21, 2022**. If you require more time to provide comments, please let us know.

Learn more

You can view more information about the application at <https://brucecounty.on.ca/living/land-use> or in person at the County of Bruce Planning Office noted above, between 8:30 a.m. and 4:30 p.m. (Monday to Friday).

The Planner on the file is: Monica Walker Bolton

File Number: C-2021-025

Agency: _____

No Comment: _____ Title: _____ Signature: _____

Comments:

Proposed Agriculture Amendments for Bruce County Official Plan for Consideration

BCOP Section(s)	Proposed Wording	Existing Wording	Intent	Benefits
6.5.3.3.1	<p>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.</p>	<p>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.</p>	<p>Eliminate counting farm residence severance towards the restriction of max of 2 severances from original crown lot.</p> <p>Allow for lot reconfigurations.</p>	<p>Reduce need for County OPAs</p>
6.5.3.3.3	<p>Where the lot will be for an existing residence and buildings surplus to a farming operation as a result of farm consolidation provided:</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>iv) This Official Plan requires the severance of a dwelling/residence surplus to a farming operation to comply with MDS I. All livestock facilities within the vicinity of the proposed severance, including any livestock facility situated on the farm parcel from which the surplus farm residence is being severed, shall be used in determining MDS I compliance.</p>	<p>Where the lot will be for an existing residence and buildings surplus to a farming operation as a result of farm consolidation provided:</p> <p>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.</p> <p>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.</p> <p>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.</p>	<p>Reduce the minimum lot area for retained lands for surplus severances</p>	<p>Reduce need for County OPAs</p>

BCOP Section(s)	Proposed Wording	Existing Wording	Intent	Benefits
	<p>Minimum Distance Separation (MDS) formula requirements are met to the surplus house if barn(s) exist on the retained farmlands. MDS does not apply to existing barns on separately titled lots.</p> <p>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.</p> <p>vi) The existing surplus dwelling/residence is habitable at the time of application.</p> <p>vi) The policies of Section 6.5.3.3.2 do not apply to surplus farm residence severances.</p>	<p>iv) This Official Plan requires the severance of a dwelling/residence surplus to a farming operation to comply with MDS I. All livestock facilities within the vicinity of the proposed severance, including any livestock facility situated on the farm parcel from which the surplus farm residence is being severed, shall be used in determining MDS I compliance.</p> <p>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.</p> <p>vi) The existing surplus dwelling/residence is habitable at the time of application.</p>		
5.5.6.2	<p>Smaller, specialized, farm parcel sizes will only be permitted if the owner can demonstrate that:</p> <p>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, lots of similar size to those proposed for the severed and retained lots are not available within a 50 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;</p> <p>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; the size of both parcels are common for the area; and the size of both proposed parcels permit them to be used for other types of agriculture in the future.</p>	<p>Smaller, specialized, farm parcel sizes will only be permitted if the owner can demonstrate that:</p> <p>i) The size of both the parcel to be severed as well as the parcel to be retained is appropriate for the type of agriculture proposed for each parcel;</p> <p>ii) The size of both the parcel to be severed as well as the parcel to be retained is appropriate for the type of agriculture for the area where the parcels are located and the size of both parcels are common for the area; and</p> <p>iii) The size of both proposed parcels permit them to be used for other types of agriculture in the future.</p>	To incorporate additional wording to better guide applicants.	Clarity for applicants
5.5.2 iv)	<p>Objectives:</p> <p>Permit small scale farm-related industrial uses that are directly related to the local farming operations and are required in close proximity to the farm operation to be located in the prime agricultural area rather than in a settlement area.</p>	<p>Objectives:</p> <p>Permit small scale farm-related industrial uses that are directly related to the farming operation and are required in close proximity to the farm operation;</p>	Align with PPS policy	Clarity and flexibility
5.5.4	<p>.1 Agriculture refers to the growing of crops or raising of livestock and other animals for food, fur or fibre, including poultry and fish and small scale farm-related commercial and industrial uses that are directly related to the farm operation and need to be in close proximity to the farm operation.</p>	<p>.1 Agriculture refers to the growing of crops or raising of livestock and other animals for food, fur or fibre, including poultry and fish and small scale farm-related commercial and industrial uses that are directly related</p>	Match PPS wording	Clarity and flexibility

BCOP Section(s)	Proposed Wording	Existing Wording	Intent	Benefits
		to the farm operation and need to be in close proximity to the farm operation.		
5.5.4	<p>.2 Agricultural Areas shall permit:</p> <p>1. 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.</p> <p>2. 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.</p> <p>3. 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 and directly related 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 in a special zoning category for that use; do not create a nuisance for the surrounding uses and have no adverse impacts on surrounding farm operations; are compatible with and shall not hinder surrounding agriculture operations; and are directly related to and supportive of agriculture and require a location in close proximity to the farm operation. 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.</p> <p>4. Wayside pits and portable asphalt plants are permitted uses in accordance with the Zoning By-Law.</p> <p>5. 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)].</p>	<p>.2 Agricultural Areas shall permit agriculture, aquaculture, apiaries, agro-forestry, maple syrup production, home occupations, home industries, and farm-related uses including the use of lands, buildings or structures for the raising of animals, the growing of plants for food production and nurseries. Retail stands for the sale of agricultural products produced on the farm unit upon which the retail stand is to be located, and bed and breakfast establishments shall also be permitted within Agricultural Areas. Permitted uses also include 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. In addition, wayside pits and portable asphalt plants are permitted uses in accordance with the Zoning By-Law. Furthermore, 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)].</p>	To expand the permissions for uses permitted on farms to add more flexibility and to better reflect the range of uses permitted by the Permitted Uses in Ontario's Prime Agricultural Areas Guideline	Clarity and flexibility
5.5.4.1	<p>secondary and directly related to the principal use of the property may be permitted within Agricultural Areas provided that such uses are: zoned in the Zoning By-law in a special zoning category for that use; do not create a nuisance for the surrounding uses and have no adverse</p> <p>Agriculture related uses that are not located on a farm, but serve nearby farms</p>	<p>Uses secondary and directly related to the principal use of the property may be permitted within Agricultural Areas provided that such uses are: zoned in the Zoning By-law in a special zoning category for that use; do not create a nuisance for the surrounding uses and have no adverse impacts</p>	To expand the permissions for uses permitted on farms to add more flexibility and	Clarity and flexibility

BCOP Section(s)	Proposed Wording	Existing Wording	Intent	Benefits
	<p>impacts on surround farm operations; and are directly related to and supportive of agriculture and require a location in close proximity to the farm operation. Farm-related industrial uses, 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:</p> <p>i) Be in conformity with the Provincial Minimum Distance Separation Formula; ii) Not adversely impact surrounding agricultural operations; iii) Be sensitive to the natural environment by minimizing impacts on water courses, wetlands, groundwater resources or other environmentally sensitive features; and iv) Be individually serviced with a private water supply and sewage disposal system which comply with the requirements of the appropriate approval authority. v) Be directly related to local farm operations and related to commercial scale agriculture and not to goods or services that are normally required by the general public.</p>	<p>on surround farm operations; and are directly related to and supportive of agriculture and require a location in close proximity to the farm operation. Farm-related industrial uses, 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:</p> <p>i) Be in conformity with the Provincial Minimum Distance Separation Formula; ii) Not adversely impact surrounding agricultural operations; iii) Be sensitive to the natural environment by minimizing impacts on water courses, wetlands, groundwater resources or other environmentally sensitive features; and iv) Be individually serviced with a private water supply and sewage disposal system which comply with the requirements of the appropriate approval authority. v) Be small scale and directly related to the farm operation and required in close proximity to the farm operation.</p>	<p>to better reflect the range of uses permitted by the Permitted Uses in Ontario's Prime Agricultural Areas Guideline</p>	
5.6.4	<p>Non-Farm Residential use, including Additional Residential Units in accordance with 4.4.4.1 (xi) and Section 5.5.12; (current wording of Working Copy)</p>	<p>11.The Bruce County Official Plan is amended by adding "including Additional Residential Units in accordance with 4.4.4.1 (xi) and Section 5.5.12" to Section 5.6.4 (vii) and deleting "and" and making item 5.6.4 (viii) singular, to read: <u>and additional residential units in accordance with Section 4.4.4.1 where supported by appropriate servicing</u></p>	<p>Amend the County OP to remove the inoperable wording that was part of the previous amendment</p>	<p>Clarity</p>
6.5.3.3	<p>.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.). As a condition of consent, the remnant parcel shall be rezoned for agricultural purposes only provided it is vacant.</p>	<p>6.5.3.3 Consents – Agricultural Areas .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.). As a condition of consent, the remnant parcel shall be rezoned for agricultural purposes only provided it is vacant.</p>	<p>Rezoning requirement for retained lots is a barrier to applications that address undersized lots.</p> <p>Deleting final sentence was intended in BCOPA 250, but completed only in Clause 6 and not also in Clause 5.</p>	<p>Clarity</p>