

FEBRUARY 7, 2024

PLANNING ADVISORY COMMITTEE REPORT

REPORT NO. PAC-001-2024

AGRICULTURAL AREA REVIEW – ADDITIONAL CONSULTATION SUMMARY

**CHERIE MILLS
MANAGER OF PLANNING SERVICES**

RECOMMENDATIONS

For information only.

FINANCIAL IMPLICATIONS

There are no added budget implications with this report.

CLIMATE CHANGE IMPLICATIONS

Under the Planning Act, adaptation to a changing climate is a provincial interest that the Counties shall have regard to in land use planning matters to which the Act applies. The 2020 Provincial Policy Statement and the Counties Official Plan both have land use planning policies encouraging the minimization of negative impacts of climate change and preparing for the impacts of a changing climate through land use and development patterns. This includes maintaining agricultural lands, which are a non-renewable resource, and encouraging opportunities to support local food, and promote the sustainability of agri-food and agri-product businesses by protecting agricultural resources, minimizing land use conflicts, and supporting on-farm diversified uses.

ACCESSIBILITY CONSIDERATIONS

This report can be provided in alternative accessible formats on request. Under the Planning Act, accessibility is a provincial interest that the Counties shall have regard to for all facilities, services and matters to which the Act applies.

COMMUNICATIONS CONSIDERATIONS

This report has been posted on-line as part of the Council agenda. There is a dedicated study webpage on the Counties' website that is kept up-to-date and there has been a continuing comprehensive consultation program for the Agricultural Area Review study. Any resulting OPA from the study will be advertised according to/exceeding the regulations of the Planning Act.

BACKGROUND

As part of the approval of the Counties Official Plan (COP), the Ministry of Municipal Affairs and Housing (MMAH) added a policy to require a Land Evaluation and Area Review (LEAR) or equivalent study to assist in identifying and designating prime agricultural areas in the Counties prior to the next review of the COP, expected in 2026.

In 2022, the Agricultural Area Review (AAR), was initiated using a LEAR methodology, to identify, preserve and protect the best agricultural lands across the Counties for future generations. The expected product will be an Official Plan Amendment including a map of the recommended agricultural system and implementing policies. The Agricultural Area Review has been undertaken using a three-stage process. Stage 1 was the Project Introduction and Stage 2 was the Technical Analysis. Currently the study is nearing the end of Stage 3 - Recommended System whereby final refinements and additional feedback are being incorporated into the agricultural system map.

At a meeting of the Planning Advisory Committee on September 6, 2023, there was Committee support for added public consultation directly with property owners potentially affected by changed Counties Official Plan designations resulting from the updated agricultural system map. On September 21, 2023, Counties Council endorsed the approach staff presented for the additional public consultation. In early October, staff sent out information packages to potentially impacted property owners across the Counties and posted the same background information on the dedicated website page. There were several hundred residents who contacted staff and the consulting team. On February 6th and 7th, there are also local consultations being held in four municipal locations across the Counties. This report will provide the Committee with background, summary information on the individual consultations and next steps in the study.

DISCUSSION/ALTERNATIVES

In September 2023, in a recommendation from the Planning Advisory Committee and direction from Counties Council, staff were requested to undertake additional public consultation directly with impacted landowners. This consultation was in addition to the two rounds of advertised public consultation (an open house and an information session), two meetings with representatives of each Ontario Federation of Agriculture branch (Leeds and Grenville), meetings of the Technical Advisory Group (TAG), individual resident requested on-site visits from the consultants, Counties website updates, stakeholder list updates, and five presentations/reports to PAC/Council regarding the study. Local area consultation meetings are also being held February 6th and 7th in four municipal locations.

The mail-out notified those owners of properties being considered for re-designation from Agricultural Area to Rural (about 340 properties) or from Rural to Agricultural Area (about 1,686 properties). Some of these property owners had already been involved in the study and its consultation prior to the mail-out.

The Committee may recall the properties to be included in the agricultural system were determined through the province's LEAR methodology which assessed lands across the County using a grid of 40-hectare (100 acre) blocks. The evaluation criteria used included the soil quality (60%), lands in agricultural production (30%) and the amount of fragmentation (impacts by residential development) (10%). In order to be considered an "agricultural area" (as per the province's guideline for conducting LEAR studies) a contiguous area of 250 hectares (618 acres) must be achieved.

During Stage 1 of the study, the methodology was provided to PAC and stakeholders for discussion. The project team reviewed the input and determined that based on the topography, soil classifications and extensive natural heritage features throughout the Counties, the score of 60% best represented the appropriate foundation of the Counties agricultural areas using the systems approach. This threshold score also represented the previous agricultural work completed by area municipalities and the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA).

As part of this round of consultation, there was a resolution received from the Township of Augusta Council (October 23, 2023) to consider changing the threshold score to 70% instead of 60%. This idea had been considered earlier in the process when the consulting team was investigating the appropriate threshold score and at that time, the

consultant was concerned that using a higher score such as 70% would exclude too much potentially valuable agricultural land by default.

The 60% threshold score was therefore used to create the foundation of the systems map that was then refined over many months. The refinement process allowed the consultant to consider and include local area, property specific information from residents with removals of lower scoring (marginal) land through this process. Upon resident request, lands located on the “fringe” of the proposed system that would not compromise the integrity of the large agricultural system, were removed from the agricultural area designation. The study methodology and additional refinement efforts have resulted in a thorough and appropriate agricultural area designation system recommendation. The consulting team advised the “fringe” lands of the system are more likely to score between 60 and 70%, whereas lands more central to an agricultural area often score greater than 70% and therefore, as a result of the extensive consultation, the representative average scoring of lands has in effect shifted closer to the 70% score. Going forward, the draft Official Plan Amendment (OPA) to implement the study has built in flexibility to accommodate any anomalies and permits the agricultural boundaries to be refined in a minor manner without a COP amendment, if supported by a qualified professional.

The study approach was reviewed with and accepted by both the Ministry of Municipal Affairs and Housing (MMAH) and OMAFRA, both of which are on the study’s TAG. At the last TAG meeting in early September, OMAFRA advised that they believe the current public consultation completed by the Counties to be one of the most comprehensive processes in the Province.

Mail-out

In early October, staff prepared and mailed out 2,026 information packages to the potentially impacted property owners. These landowners were located across the Counties in nine local municipalities. The Village of Westport, while having some farms within its boundaries, is an urban settlement area with no Agricultural Area designated land and therefore not included in the study review and the mail-out.

The information packages included a letter advising the landowners of their potential Counties Official Plan designation change, where they could find additional information, a staff phone number and email contact for questions, inquiries, assistance with mapping, and potential in-person meetings. The package also contained a map showing the original Official Plan Agricultural Area designation and the study recommended Agricultural Area designation, background information on the evaluation process

undertaken by the consulting team, frequently asked questions and next steps, including how to be notified of the future statutory public meeting, and options if the property owner is not in agreement with the mapping.

Other Public Notification

Staff posted the same background information on the dedicated Counties website page along with an interactive map of the recommended agricultural system that residents could use to search their property by address and review their LEAR evaluation scores. Paper copy maps were also provided at the Counties office and in each local municipality so municipal staff could assist any local landowners with reviewing the mapping, if they were unable to review it on-line.

How many residents contacted staff and the consulting team?

There were 276 landowners that contacted staff and the consulting team either by email, phone or in-person visits between the first week of October to the end of December 2023. Most landowners contacted staff as a result of the mail-out. Where appropriate and/or requested, staff forwarded any requests to the consulting team for their input.

In response to the mail-out, landowners generally asked questions and submitted additional information. The response rate from the landowners was almost 14% of those who received the mail-out. There were 1,750 landowners or 86% of landowners notified that did not contact staff. Generally, staff believe the mail-out and website information have created a good level of resident awareness of the study and answered many of their questions.

Those landowners who provided further information to the consulting team through the mail-out helped inform the on-going review and refinement of the system mapping, particularly along the “fringe”. This added local knowledge is beneficial to the study as it provides for a more locally defined system, while preserving the integrity of the recommended agricultural system mapping and the LEAR study methodology. Attached is a map of the revised recommended agricultural system. At the end of the consultation period, 264 property owners or 96% of the property owners who contacted staff appeared satisfied by the answers they had received to their questions.

Frequently Heard Issues/Questions

There were some general themes or frequent questions that staff and the consulting team received during the consultation period. A few of the most common are noted below. Some of the issues heard from resident’s are not of a land use planning nature

and may not be within staff's expertise to comment on fully. In some cases, other experts were consulted.

Will these changes impact my taxes?

No, landowners will not pay more in taxes because of changes from the Agricultural Area designation to the Rural Lands designation or vice versa. Property taxes are based on use and not the land use designation under the Counties' Official Plan. There is information about how property assessments are conducted on the Municipal Property Assessment Corporation link – www.mpac.ca/en/PropertyTypes.

Can I still build a dwelling on my vacant lot of record?

Yes, a landowner's right to construct a dwelling will not be altered by the Agricultural Area Review (AAR) study.

Can I still build an accessory structure on my property?

Yes, landowners can construct accessory structures (e.g. shed) if they are permitted to do so under the existing zoning and can meet the zoning regulatory provisions (i.e. setbacks from property lines). Even if the zoning is changed to an agricultural zone, residential accessory structures will still be a permitted use.

Will this change impact my ability to get a mortgage (insurance)?

While not a land use planning issue, staff checked with various sources, including a legal expert in real estate/mortgages, and changing the land use designation on a property from rural to agricultural (or vice versa) does not have an impact on whether or not a lender should deem it adequate for whatever loan is under consideration. Most lenders will not lend on the security of vacant land, regardless of zoning. Typically, the value of the loan relates to the home and 2 to 3 acres surrounding the home.

It is also understood there may be a reluctance to insure agriculturally zoned lands due to fear the mortgagee may invoke the "Farm Debt Mediation Act" (FDMA). This Act exists to provide farmers with a period of time to demonstrate long-term viability of the farm to creditors. It requires that the farmer be farming for "commercial purposes" and can be on rural and agricultural designations.

Will this impact the market value of my property?

Inquirers were advised that it may impact the market value of their property (for sales purposes) if there is a resultant loss of land division rights.

Will this impact my ability to apply for severances?

For some properties (generally those changing from Rural Lands to Agricultural Area), severance policies will be more restrictive. For other properties (generally those lands changing from Agricultural Area to Rural Lands), more permissive severance rights will apply. The impact to a property's severability depends on a number of factors, including whether all or only part of the property is impacted by the designation changes, past severance activity on the property, compliance with Minimum Distance Separation formula, entrance permissions, other designations on/in proximity to the property, the ability to be considered limited locally appropriate rural development, and the ability to comply with all applicable severance and general policies. In discussing with some landowners, they may be choosing to pursue severances on their property in advance of the designation changes.

Generally, within the Agricultural Area designation, landowners can only sever a lot for a farm use (100 acres or 40 hectares minimum lot size) or for a surplus farm dwelling as a result of farm consolidation. This is a long-time provincial restriction in the Provincial Policy Statement intended to prevent agricultural lands from being lost to residential or other non-agricultural uses.

Local Area Consultation Meetings

As suggested by the Committee, Planning staff and the consulting team have offered local area consultation meetings in various locations across the Counties. These will occur on February 6th and 7th. Planning staff contacted each local municipality to gauge if they were interested in hosting a consultation session in their local municipality. The Township of Augusta, Township of Edwardsburgh Cardinal, Municipality of North Grenville and the Township of Rideau Lakes were interested. The local municipalities booked the locations and facilities for the meetings. These local municipal meetings are intended mainly for those persons who have not previously reached out and have not yet discussed their property with staff and the consulting team.

Ads for the meetings were put into the local area newspapers, on the Counties and local websites, through social media (twitter/X) and stakeholders on the email list have been advised. Comments received at the local area consultation meetings will be reviewed and considered in the finalization of the recommended agricultural system map that will form part of the draft OPA.

Next Steps

Following the local area consultation meetings, staff and the consulting team will finalize the Agricultural Area Review report, the recommended agricultural systems map and the

implementing draft OPA. The draft OPA attached to this report will incorporate the study mapping as the "Agricultural Area" designation on Schedule A – Community Structure and Land Use in the Counties Official Plan and update some of the policies. The draft OPA will undergo consultation with the local municipalities and the TAG, followed by a technical circulation to agencies.

Due to statutory timelines and technical reviews, staff are anticipating that the Statutory Public Meeting for the draft OPA will be held in April and hosted by the Planning Advisory Committee. In accordance with the requirements of the Planning Act, a notice of the statutory public meeting for the Counties draft OPA will be advertised as set out in the Planning Act and both the notice and draft OPA will be made widely available.

ATTACHMENTS

Recommended Agricultural System Map
Draft Official Plan Amendment

**CHERIE MILLS
MANAGER, PLANNING SERVICES**

**JANUARY 19, 2024
DATE**

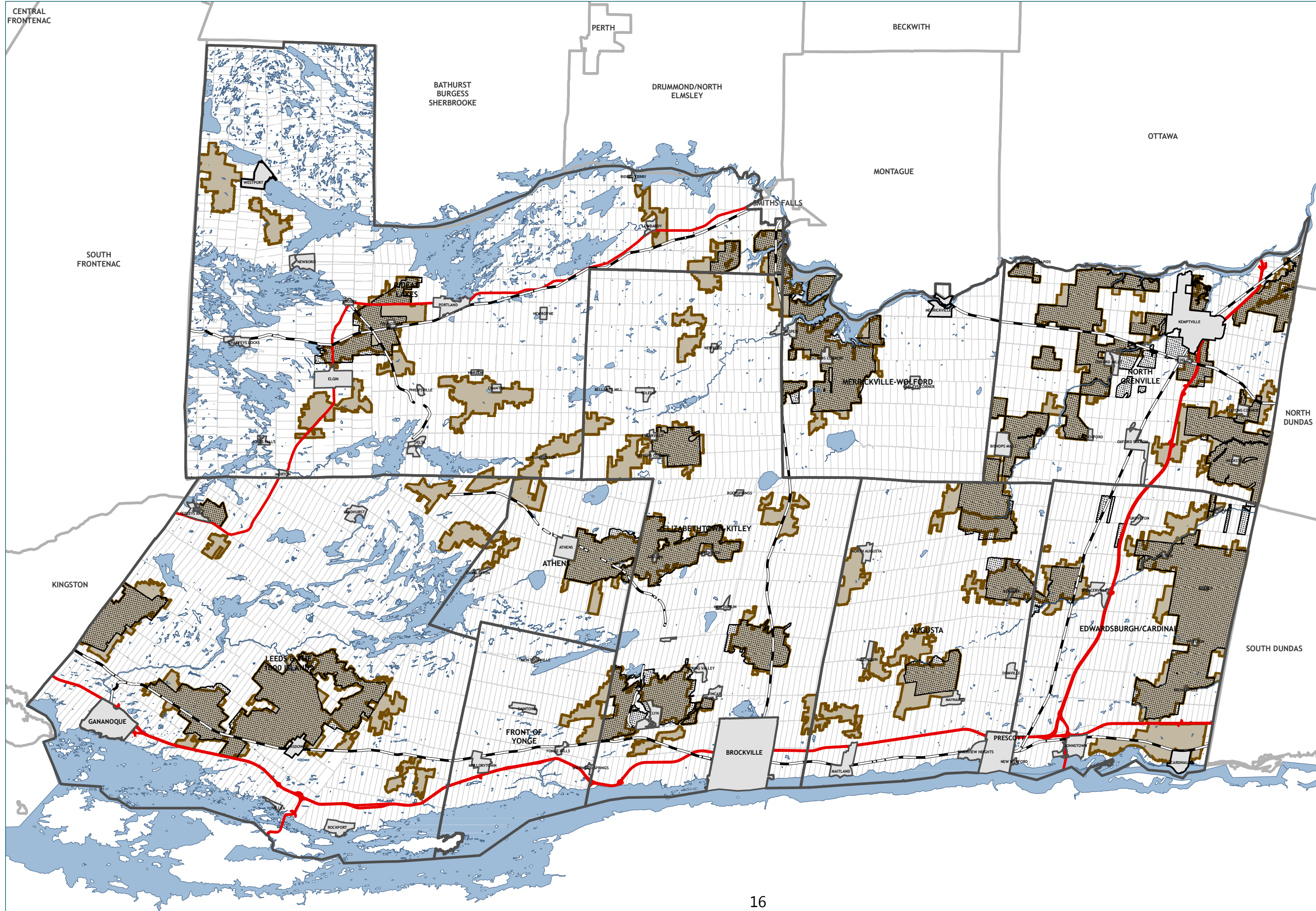
**RICK KESTER
DIRECTOR, PUBLIC WORKS**

**JANUARY 22, 2024
DATE**

**RAYMOND CALLERY
CHIEF ADMINISTRATIVE OFFICER**

**JANUARY 30, 2024
DATE**

UNITED COUNTIES OF LEEDS & GRENVILLE PRIME RECOMMENDATION & EXISTING PRIME AGRICULTURAL DESIGNATION

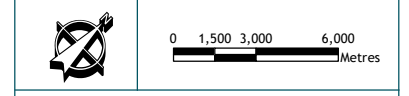


- RECOMMENDATION**
- Prime Agriculture
- OFFICIAL PLAN DESIGNATION**
- Prime Agricultural Lands (Current Official Plan)
 - Active/Abandoned Railway

The information displayed on this map has been compiled from various sources. While every effort has been made to accurately depict the information, this map should not be relied on as being a precise indicator of locations.

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Schedule "A"

**OFFICIAL PLAN AMENDMENT NO. 5
TO THE OFFICIAL PLAN
FOR THE UNITED COUNTIES OF LEEDS AND GRENVILLE**

(Agricultural Area Review)

DRAFT

February 7, 2024

File D09-COPA-LG-2024-01

Amendment No. 5
To the Official Plan for the
United Counties of Leeds and Grenville
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IMPLEMENTATION AND INTERPRETATION

INTRODUCTION

The following Amendment to the Official Plan for the United Counties of Leeds and Grenville consists of two parts.

PART A – THE PREAMBLE consists of the purpose and effect, location and basis for the Amendment and does not constitute part of the actual Amendment.

PART B – THE AMENDMENT sets out the actual Amendment along with the specific schedule and policy changes to be made to the Official Plan for the United Counties of Leeds and Grenville.

DRAFT

PART A – THE PREAMBLE

TITLE

The title of the Amendment is “Official Plan Amendment No. 5 to the Official Plan for the United Counties of Leeds and Grenville”, herein referred to as Amendment No. 5.

PURPOSE AND EFFECT

This is a Counties initiated Amendment to the Official Plan for the United Counties of Leeds and Grenville. The main purpose of this Amendment is to update policies in Section 3.2 Agricultural Areas of the Official Plan and to amend Schedule “A”, Community Structure and Land Use to update the existing “Agricultural Area” land use designation in the schedule to reflect the updated agricultural system as developed through a Land Evaluation and Area Review (LEAR) study as required by the Province.

LOCATION

Official Plan Amendment No. 5 studied all lands in the United Counties of Leeds and Grenville. It applies to various lands throughout the Counties being redesignated to, from or being maintained as Agricultural Area. Policies will apply to all lands designated Agricultural Area by this amendment.

BASIS

Official Plan Amendment No. 5 has two components. The first component involves the inclusion of additional and amendment to existing agricultural policies in Section 3.2 of the Official Plan to recognize the agricultural systems approach to updating and protecting the agricultural resources in the Counties of Leeds and Grenville. The second component involves a revision to Schedule “A” to replace the “Agricultural Area” mapping layer to reflect the updated agricultural system. Below is a rationale for these proposed changes.

Land Evaluation and Area Review Study

In 2015, the Counties of Leeds and Grenville adopted its first Official Plan, approved by the Ministry of Municipal Affairs and Housing (MMAH) in 2016. Due to a compressed timeline for the Official Plan preparation, it was not possible to review the status of the lands included in the Agricultural Area designation. As a result, the Agricultural Area designation consists primarily of the agricultural areas as identified in the local municipal Official Plans that were in place in 2015. At that time, it was known/suspected that the agricultural land mapping was not comprehensive

and that some agricultural areas were missing. Many of these local official plans and their mapping were developed under previous provincial policies and using varying definitions of prime agricultural lands. MMAH recognized this issue by modifying the Counties Official Plan to add policy 3.2.3 (a), which states: “The Counties, in consultation with the local municipalities and the Province, will undertake a comprehensive Land Evaluation and Area Review (LEAR) or equivalent study to assist in identifying and designating prime agricultural areas in the Counties prior to the next review of this Plan under Section 26 of the Planning Act.”

On July 29, 2022, the Counties of Leeds and Grenville released a Request for Proposals for the preparation of the United Counties of Leeds and Grenville Agricultural Area Review, based on a modified Land Evaluation and Area Review (LEAR) approach.

A modified LEAR methodology, suitable and tailored to the Counties identified candidate Agricultural Area lands following a comprehensive review and evaluation of all lands currently designated Agricultural Area and Rural Lands. A final agricultural system was developed to address this provincial requirement.

For the purposes of this study, the 2018 Agricultural System Mapping Method Technical Document from the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) was used as a baseline methodology and adjusted to the specific needs of the Counties, as appropriate.

Extensive consultation with Counties staff, OMAFRA and MMAH staff, local municipal staff and their Councils, the Planning Advisory Committee and Counties Council, the Technical Advisory Group (formed for this project) and specific outreach to the agricultural community through meetings with the Leeds Federation of Agriculture and the Grenville Federation of Agriculture have further informed the final LEAR mapping product. Public notification occurred throughout the process.

Additionally, all landowners impacted by a recommended change in their land use designation because of the recommended agricultural system were informed by individual letters and a project website was maintained to provide consistent access to project documentation. There were 2026 letters mailed to residents. There were 276 residents who followed up the letter by contacting Planning Department staff. Where appropriate, the consulting team provided follow-up correspondence to residents. Staff attempted to reach out to each resident that contacted the project team by email, survey response, letter or phone call to respond to each inquiry.

The final agricultural system is a system of connected lands that form agricultural areas based on the LEAR methodology of scoring lands based on their calculable agricultural potential (mainly based on soil classification), then refined to: include lands over the selected scoring threshold; add lands where connected upon land-owner request; adjust boundaries to identifiable landmarks (road, parcel fabric, natural heritage feature); and reflect local agricultural knowledge. The resultant agricultural system forms the revised “Agricultural Area” land use designation on Schedule “A” of the Official Plan.

Proposed Policy Changes

The revised Agricultural Areas designation represents a net addition of [] ha of land that are now subject to the Agricultural Area designation in the Official Plan. The main impact to residents who had lands added to the Agricultural Area designation is that agricultural policies restrict the ability to subdivide (including severance) their property in the future except for surplus dwellings or farm lots. Agricultural policies are meant to protect the agricultural land base from fragmentation, and agricultural policies limit conflicting land uses in the Agricultural Area designation. Existing uses, additional residential units, residential development on vacant lots, agricultural uses and agriculture-related uses remain permitted under the Counties Official Plan, subject to local Official Plan policies and zoning provisions.

The Provincial Policy Statement (PPS) is issued under the authority of section 3 of the Planning Act and came into effect on May 1, 2020. Section 3 of the Planning Act requires that decisions affecting planning matters “shall be consistent with” policy statements issued under the Act.

The PPS provides policies regarding agriculture. The Official Plan policy amendments are consistent with these applicable statements.

2.3 Agriculture

2.3.1 *Prime agricultural areas* shall be protected for long-term use for agriculture.

Prime agricultural areas are areas where *prime agricultural lands* predominate. *Specialty crop areas* shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the *prime agricultural area*, in this order of priority.

2.3.2 Planning authorities shall designate *prime agricultural areas* and *specialty crop areas* in accordance with guidelines developed by the Province, as amended from time to time.

Planning authorities are encouraged to use an agricultural system approach to maintain and enhance the geographic continuity of the agricultural land base and the functional and economic connections to the agri-food network.

2.3.3 Permitted Uses

2.3.3.1 In *prime agricultural areas*, permitted uses and activities are: *agricultural uses, agriculture-related uses and on-farm diversified uses*.

Proposed *agriculture-related uses* and *on-farm diversified uses* shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or

municipal approaches, as set out in municipal planning documents, which achieve the same objectives.

2.3.3.2 In *prime agricultural areas*, all types, sizes and intensities of *agricultural uses* and *normal farm practices* shall be promoted and protected in accordance with provincial standards.

2.3.3.3 New land uses in *prime agricultural areas*, including the creation of lots and new or expanding livestock facilities, shall comply with the *minimum distance separation formulae*.

2.3.4 Lot Creation and Lot Adjustments

2.3.4.1 Lot creation in *prime agricultural areas* is discouraged and may only be permitted for:

- a) *agricultural uses*, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;
- b) *agriculture-related uses*, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;
- c) *a residence surplus to a farming operation* as a result of farm consolidation, provided that:
 1. the new lot will be limited to a minimum size needed to accommodate the use and appropriate *sewage and water services*; and
 2. the planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective; and
- d) *infrastructure*, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.

2.3.4.2 Lot adjustments in *prime agricultural areas* may be permitted for *legal or technical reasons*.

2.3.4.3 The creation of new residential lots in *prime agricultural areas* shall not be permitted, except in accordance with policy 2.3.4.1(c).

2.3.5 Removal of Land from Prime Agricultural Areas

2.3.5.1 Planning authorities may only exclude land from *prime agricultural areas* for expansions of or identification of *settlement areas* in accordance with policy 1.1.3.8.

2.3.6 Non-Agricultural Uses in Prime Agricultural Areas

2.3.6.1 Planning authorities may only permit non-agricultural uses in *prime agricultural areas* for:

- 1) extraction of *minerals, petroleum resources and mineral aggregate resources*;
or
- 2) limited non-residential uses, provided that all of the following are demonstrated:
 1. the land does not comprise a *specialty crop area*;
 2. the proposed use complies with the *minimum distance separation formulae*;
 3. there is an identified need within the planning horizon provided for in policy 1.1.2 for additional land to accommodate the proposed use; and
 4. alternative locations have been evaluated, and
 - i. there are no reasonable alternative locations which avoid *prime agricultural areas*; and
 - ii. there are no reasonable alternative locations in *prime agricultural areas* with lower priority agricultural lands.

2.3.6.2 Impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands are to be mitigated to the extent feasible.

PART B – THE AMENDMENT

INTRODUCTION

Part B – The Amendment, outlines the changes that constitute Amendment No. 5 to the Official Plan for the United Counties of Leeds and Grenville.

DETAILS OF THE AMENDMENT

The Official Plan for the United Counties of Leeds and Grenville is hereby amended as follows (modifications noted in red and with ~~striketrough~~ text):

- 1) That Schedule “A”, Community Structure and Land Use, to the Official Plan is hereby amended by replacing the existing “Agricultural Area” adopted in July 2015 and replacing it with the “Agricultural Area” mapping layer adopted by Council attached hereto as Schedule A to this amendment.
- 2) That Section 3.2 of the Official Plan is hereby modified as follows:

3.2 Agricultural Areas

Lands within the Agricultural Area designation consist primarily of *prime agricultural lands* as defined by a comprehensive County level Land Evaluation and Area Review (LEAR) study and designated on **Schedule A**. The Agricultural Area is based on a systems approach to preserving the long-term viability and potential for agriculture by including Class 1, 2 and 3 lands primarily as well as supporting lands that may be considered more marginal in nature but provide an overall strengthening of an agricultural area where appropriate. The Agricultural Area designation represents the Counties *prime agricultural areas*. ~~are based on the agricultural areas established in the local municipal Official Plans, and are designated on **Schedule A**. Prime agricultural areas will be designated in local municipal Official Plans in accordance with Provincial guidelines. This Plan requires that these lands will be protected for agricultural uses unless appropriate justification is provided for alternative uses.~~

Lands designated as Agricultural Area are intended to preserve and strengthen the continued **and long-term** viability of the agricultural community. Lands designated Agricultural Area are to be protected from **fragmentation and** incompatible uses, while accommodating a diverse range of agricultural uses, agriculture-related uses and on-farm diversified uses.

- 3) That Section 3.2.1 e) of the Official Plan is hereby modified as follows:

- e) Promote a diverse, innovative and economically strong agricultural industry **that includes *agri-tourism and the agri-food network*** and associated activities, including local food production, by enhancing their capacity to contribute to the economy by accommodating a range of agriculture-related uses and on-farm diversified uses.
- 4) That Section 3.2.2 of the Official Plan is hereby modified as follows by inserting a new subsection (c) as follows, and that the remaining policies are re-lettered accordingly:
- c) **Additional Residential Units and Garden Suites shall be permitted in accordance with Section 2.7.4 of this Plan, local municipal Official Plans and local zoning by-laws. Additional Residential Units are to be located in proximity to the existing dwelling or the farm building cluster or on non-Prime Agricultural Lands. As per Section 3.2.5 of this Plan, Additional Residential Units and Garden Suites in the Agricultural Area would not be eligible for severance.**
- 5) That Section 3.2.3 a) of the Official Plan is hereby modified as follows:
- a) Local municipalities will **designate and protect the Agricultural Areas** ~~prime agricultural areas~~ **in local municipal Official Plans in accordance with **Schedule A.**** ~~designate prime agricultural areas in their Official Plans, through procedures established by the Province. Prime agricultural areas are designated as Agricultural Area Any reduction in the Agricultural Area designation will require an amendment to this Plan and an amendment to the local municipal Official Plan. The Counties, in consultation with the local municipalities and the Province, will undertake a comprehensive Land Evaluation and Area Review (LEAR) or equivalent study to assist in identifying and designating prime agricultural areas in the Counties prior to the next review of this Plan under Section 26 of the Planning Act.~~
- 6) That Section 3.2.3 f) of the Official Plan is hereby modified as follows and Section 3.2.3 of the Official Plan is hereby modified by inserting new subsections g) to h) as follows:
- f) Land may only be removed or excluded from **the Agricultural Area** ~~prime agricultural areas~~ for expansion of *settlement areas* in accordance with the policies of this Plan **or at the time of an Official Plan update.**
- g) **Notwithstanding Section 3.2.3 f) of this Official Plan, the boundaries of the Counties Agricultural Area designation may be refined (reduced) without amendment to this Plan in a minor manner subject to the following:**
- i. **The lands are part of the boundary of the Agricultural Area; and**
 - ii. **A Qualified Person provides a professional opinion the removal is minor, in accordance with the refinement principles of the 2024 comprehensive LEAR**

and will not compromise the integrity of the surrounding Agricultural Areas to the satisfaction of the Counties; and

iii. An amendment to the local municipal Official Plan.

h) An Agricultural Impact Assessment may be required to evaluate the impact of any proposed new, or expanding, non-agricultural use on surrounding agricultural operations and lands. Impacts will be mitigated to the extent feasible.

7) That Section 3.2.5 of the Official Plan is hereby modified as follows to add subsections h) and i):

h) The creation of a new lot on lands that have both the Rural Lands and the Agricultural Area designation will be permitted on the Rural Lands portion of the land subject to all applicable policies including the minimum distance separation formula being met and provided the Agricultural Area lands are not reduced in size.

i) Interpretation of the Agricultural Area designation boundaries shall recognize the intent to have the boundaries align with 2024 parcel fabric, roads and/or natural heritage features. Where the interpretation of the boundary on a parcel is unclear, the preference is to maintain as much Agricultural Area as possible.

8) That Section 7.8.2 of the Official Plan is hereby modified as follows and renumbering of all definitions as appropriate:

6. **Agricultural condition:** means

- a) in regard to *specialty crop areas*, a condition in which substantially the same areas and same average soil capability for agriculture are restored, the same range and productivity of specialty crops common in the area can be achieved, and, where applicable, the microclimate on which the site and surrounding area may be dependent for specialty crop production will be maintained or restored; and
- b) in regard to *prime agricultural land* outside of specialty crop areas, a condition in which substantially the same areas and same average soil capability for agriculture are restored. (Source: PPS ~~2014~~2020)

7. **Agricultural System:** A system comprised of a group of inter-connected elements that collectively create a viable, thriving agricultural sector. It has two components:

- a) an agricultural land base comprised of prime agricultural areas, including specialty crop areas, and rural lands that together create a continuous productive land base for agriculture; and
- b) an agri-food network which includes infrastructure, services, and assets important to the viability of the agri-food sector.

~~7~~ **8. Agricultural uses:** means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agri-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment. (Source: PPS ~~2014~~ 2020)

9. Agri-food network: Within the agricultural system, a network that includes elements important to the viability of the agri-food sector such as regional infrastructure and transportation networks; on-farm buildings and infrastructure; agricultural services, farm markets, distributors, and primary processing; and vibrant, agriculture-supportive communities.

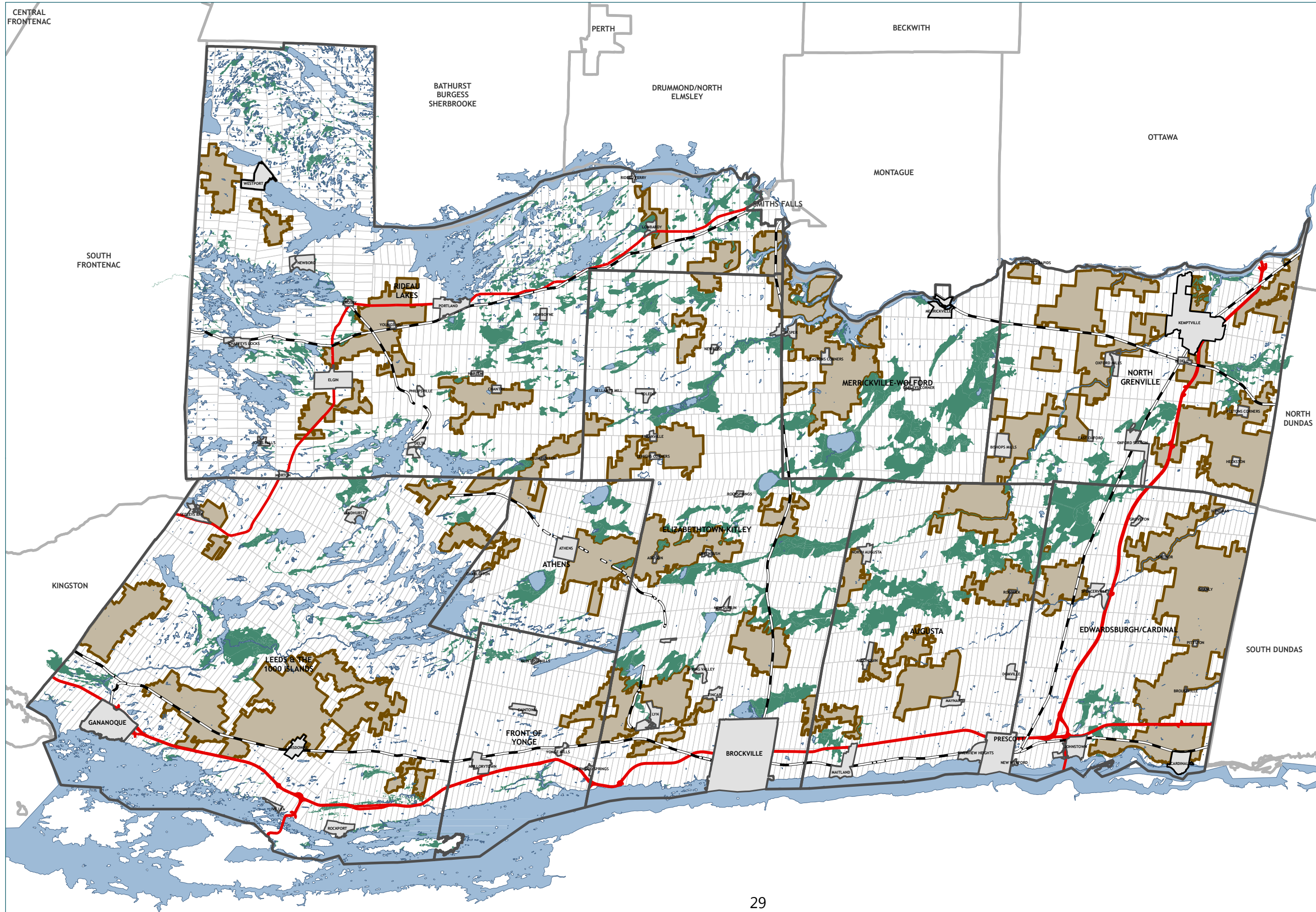
~~8~~-**10. Agri-tourism uses:** means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation. (Source: PPS ~~2014~~ 2020)

~~9~~ **11. Agriculture-related uses:** means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity. (Source: PPS ~~2014~~ 2020)

~~79~~ **81. On-farm diversified uses:** means uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products. **Ground-mounted solar facilities are permitted in prime agricultural areas, including specialty crop areas, only as on-farm diversified uses.** (Source: PPS 2020)

~~88~~ **90. Prime agricultural land:** means specialty crop areas and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection. (Source: PPS, ~~2014~~2020).

SCHEDULE 'A' to OPA 5



- RECOMMENDATION**
- Prime Agriculture
- NATURAL FEATURES**
- Provincially Significant Wetlands
 - Active/Abandoned Railway

DRAFT

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