

4. Site Alteration By-law Review

Révision du Règlement sur les modifications d'emplacements

Committee recommendations, as amended

That Council approve:

1. The proposed amendments to the Site Alteration By law 2018-164, as described in this report and attached as Document 1, as amended by the following:
 - a. Site Alteration and Farming 2. be amended and reads as follows
“A Normal Farm Practice carried out by an Agricultural
Operation shall be exempt from provisions of this by-law where
activities do not contravene federal or provincial law as per the
Farming and Food Production Protection Act; and
 - b. that Protection of Natural Environment 11. (1) be retained; and
 - c. that Schedule B be amended to include lands in the rural area
approximately 1 kilometer beyond the Urban Boundary and
Urban Boundary Expansion Lands as outlined in the City of
Ottawa Official Plan; and
 - d. that an Agricultural Operation shall not be required to contact
City of Ottawa Staff when carrying out site alteration which is
incidental to a normal farm practice as proposed in report
ACS2023-PRE-EDP-0041; and
 - e. the notification process include notifying the Ward Councillor;
and
2. that staff report back to the Agriculture and Rural Affairs Committee
ARAC) on final wording following further consultation.

3. That the General Manager, Planning, Real Estate and Economic Development and the City Solicitor be delegated the authority to finalize the amendments and bring forward the amending by-law to Council for enactment.

Recommandation(s) du comité, telle que modifiée

1. Les modifications proposées au Règlement sur les modifications d'emplacements 2018-164, telles que décrites dans le présent rapport et dans le document 1, modifiées par ce qui suit :
 - a. que l'article 2. Modifications d'emplacements et agriculture 2. soit modifié comme suit : « Une pratique agricole normale effectuée dans le cadre d'une exploitation agricole est exemptée des dispositions de ce règlement si les activités pratiquées ne sont pas contraires aux lois fédérales ou provinciales, comme le prévoit la Loi protégeant l'agriculture et la production alimentaire; et
 - b. que le paragraphe 11. (1) Protection de l'environnement naturel soit conservé; et
 - c. que l'annexe B soit modifiée de manière à englober les terrains du secteur rural jusqu'à environ un kilomètre au-delà des terrains de la limite urbaine et de ceux visés par l'élargissement du périmètre urbain, comme le précise le Plan officiel de la Ville d'Ottawa; et
 - d. qu'un exploitant agricole ne soit pas tenu d'informer le personnel de la Ville d'Ottawa de son intention de modifier un emplacement dans le cadre de pratiques agricoles normales, comme le suggère le rapport ACS2023-PRE-EDP-0041; et
 - e. que le processus de notification prenne en compte le

conseiller municipal du quartier; et

- 2 que le personnel rende compte au Comité de l'agriculture et des affaires rurales (CAAR) du libellé définitif par suite de nouvelles consultations.**
- 3 recommande de déléguer au directeur général de la Planification, de l'Infrastructure et du Développement économique et à l'avocat général de la Ville le pouvoir de finaliser les modifications et de présenter le règlement modificatif au Conseil en vue de son adoption.**

Documentation/Documentation

- 1 Director's Report, Economic Development and Long Range Planning, Planning, Real Estate and Economic Development Department, dated November 8, 2023
(ACS2023-PRE-EDP-0041)**

Rapport du Directeur, Développement économique et planification à long terme, Services de la planification, des biens immobiliers et du développement économique, daté le 8 novembre 2023
(ACS2023-PRE-EDP-0041)

- 2 Extract of draft Minutes, Agriculture and Rural Affairs Committee, November 30, 2023**

Extrait de l'ébauche du procès-verbal du Comité de l'agriculture et des affaires rurales, le 30 novembre 2023

**Agriculture and Rural
Affairs Committee
Report 9
December 6, 2023**

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**Comité de l'agriculture et des
affaires rurales
Rapport 9
Le 6 décembre 2023**

**Extract of Minute 9
Agriculture and Rural Affairs
Committee
November 30, 2023**

**Extrait du procès-verbal 9
Comité de l'agriculture et des affaires
rurales
Le 30 novembre 2023**

Site Alteration By-law Review

ACS2023-PRE-EDP-0041 – Citywide

Amy MacPherson, Planner, Natural Systems and Rural Affairs, Planning, Real Estate and Economic Development Department (PRED), provided an overview of the report and answered questions from the Committee. Nick Stow, Program Manager, Natural Systems & Rural Affairs, PRED was also present and responded to questions. A copy of the slide presentation is filed with the Office of the City Clerk.

The Committee heard from the following delegations:

- Angela Keller-Herzog, CAFES*
- Ursula Melinz, Soloway Wright on behalf of Greater Ottawa Home Builders Association
- Al Speyers

*[* Individuals / groups marked with an asterisk above either provided comments in writing or by e-mail; all submissions and presentations are held on file with the Office of the City Clerk.]*

The following written submissions were received by, and are filed with, the Office of the City Clerk, and distributed to Committee Members:

- Email dated November 29, 2023 from Jason Burggraaf, GOHBA

Councillor Kelly introduced the following technical amendment, however the motion was inadvertently omitted from the vote by Committee and will proceed to Council for consideration:

WHEREAS Report ACS2023-PRE-EDP-0041 (the "Report") recommends that Council approve the proposed amendments to the Site Alteration By-law No. 2018-164; and

WHEREAS the Report Recommendations incorrectly read:

That the Agriculture and Rural Affairs Committee recommends:

1. That Council approve the proposed amendments to the Site Alteration By law 2018-164, as described in this report and attached as Document 1.
2. That the General Manager, Planning, Real Estate and Economic Development and the City Solicitor be delegated the authority to finalize the amendments and bring forward the amending by-law to Council for enactment.

THEREFORE BE IT RESOLVED that Recommendation 2 be removed from the final report recommendations.

Following discussions and questions of delegations and staff, the Committee carried the report recommendation as amended.

Report recommendation(s)

That the Agriculture and Rural Affairs Committee recommends:

- 1. That Council approve the proposed amendments to the Site Alteration By law 2018-164, as described in this report and attached as Document 1.**
- 2. That the General Manager, Planning, Real Estate and Economic Development and the City Solicitor be delegated the authority to finalize the amendments and bring forward the amending by-law to Council for enactment.**

Carried as amended

Motion No. ARAC 2023 - 09/04

Moved by D. Brown

WHEREAS City Council approved the Site Alteration By-law in 2018 with a direction for staff to conduct a review and report back on its performance and recommend improvements; and

WHEREAS according to the staff report that over 2,500 complaints have been received over five years, however, the majority being directed to Drainage staff leading to questions of the effectiveness and intent of the by-law; and

WHEREAS the intent of the by-law is not to negatively impact a normal farm practice carried out by an Agricultural Operation.

THEREFORE BE IT RESOLVED that the staff report be amended as follows:

Site Alteration and Farming 2. be amended and reads as follows "A Normal Farm Practice carried out by an Agricultural Operation shall be exempt from provisions of this by-law where activities do not contravene federal or provincial law as per the Farming and Food Production Protection Act; and

BE IT FURTHER RESOLVED that Protection of Natural Environment 11. (1) be retained; and

BE IT FURTHER RESOLVED that Schedule B be amended to include lands in the rural area approximately 1 kilometer beyond the Urban Boundary and Urban Boundary Expansion Lands as outlined in the City of Ottawa Official Plan; and

BE IT FURTHER RESOLVED that an Agricultural Operation shall not be required to contact City of Ottawa Staff when carrying out site alteration which is incidental to a normal farm practice as proposed in report ACS2023-PRE-EDP-0041; and

BE IT FURTHER RESOLVED the notification process include notifying the ward councillor; and

BE IT FURTHER RESOLVED that staff report back to the Agriculture and Rural Affairs Committee on final wording following further consultation.

Carried