

**3. AMENDMENTS TO PERMIT ON-FARM DIVERSIFIED USES AND  
AGRICULTURE-RELATED USES IN RURAL AND AGRICULTURAL ZONES  
OF THE CITY**

**MODIFICATIONS VISANT À AUTORISER DES UTILISATIONS DIVERSES  
D'EXPLOITATION AGRICOLE ET DES UTILISATIONS LIÉES À  
L'AGRICULTURE DANS LES ZONES RURALES ET AGRICOLES DE LA  
VILLE**

**COMMITTEE RECOMMENDATIONS**

**That Council:**

- 1. Approve an amendment to the Official Plan to revise Section 3.7 – Rural Designations as detailed in Document 1 – Details of Recommended Official Plan Amendment,**
- 2. Approve amendments to Zoning By-law 2008-250 under Sections 54 and 79, and all zones that permit an agricultural use, as detailed in Document 2 – Details of Recommended Zoning, to permit alignment with the 2020 Provincial Policy Statement provisions respecting permissions for *On-Farm Diversified* and *Agriculture Related* uses,**
- 3. Approve an amendment to the Site Plan Control By-law 2014-256, as detailed in Document 3, to apply a site plan control requirement to all On-Farm Diversified and Agriculture-related uses,**
- 4. Approve an amendment to the Parkland Dedication By-law 2009-95 as detailed in Document 4, to exempt on-farm diversified uses and agriculture-related uses from parkland dedication requirements,**

**RECOMMANDATIONS DU COMITÉ**

**Que le Conseil:**

- 1. Approuve une modification du Plan officiel pour permettre la révision de la section 3.7 – Désignations rurales, comme le précise le document 1 – Détails de la modification recommandée du Plan officiel; et**
- 2. Approuve des modifications du Règlement de zonage (no 2008-250) en vertu des articles 54 et 79 et de toutes les zones où est permise une utilisation agricole, comme le précise le document 2 – Détails du zonage recommandé, pour permettre l'harmonisation aux dispositions de la Déclaration de principes provinciale 2020 concernant les autorisations relatives aux utilisations diverses d'exploitation agricole et aux utilisations liées à l'agriculture; et**
- 3. Approuve une modification de la Réglementation du plan d'implantation (no 2014-256), comme le précise le document 3, en vue d'appliquer une exigence d'approbation du plan d'implantation à toutes les utilisations diverses d'exploitation agricole et utilisations liées à l'agriculture; et**
- 4. Approuve une modification du Règlement sur l'affectation de terrains à la création de parcs (no 2009-95), comme le précise le document 4, pour exempter les utilisations diverses d'exploitation agricole et les utilisations liées à l'agriculture des exigences en matière de terrains réservés à la création de parcs.**

Documentation/Documentation

1. Director's report, Economic Development and Long Range Planning, Planning Infrastructure and Economic Development Department, dated June 16, 2021(ACS2021-PIE-EDP-0024 )

Rapport du Directeur, Développement économique et planification à long terme, planification, de l'infrastructure et du développement économique, daté le 16 juin 2021 (ACS2021-PIE-EDP-0024 )

2. Extract of draft Minutes, Agriculture and Rural Affairs Committee, June 28, 2021

Extrait de l'ébauche du procès-verbal, Comité de l'agriculture et des affaires rurales, le 28 juin 2021

**AGRICULTURE AND RURAL  
AFFAIRS COMMITTEE  
REPORT 23  
JUNE 7, 2021**

**37**

**COMITÉ DE L'AGRICULTURE ET  
DES AFFAIRES RURALES  
RAPPORT 23  
LE 7 JUILLET 2021**

**Report to  
Rapport au:**

**Agriculture and Rural Affairs Committee  
Comité de l'agriculture et des affaires rurales  
28 June 2021 / 28 juin 2021**

**and Council  
et au Conseil  
7 July 2021 / 7 juillet 2021**

**Submitted on 16 June 2021  
Soumis le 16 juin 2021**

**Submitted by  
Soumis par:  
Don Herweyer,  
Director / Directeur**

**Economic Development and Long Range Planning / Développement économique  
et planification à long terme**

**Planning, Infrastructure and Economic Development Department / Direction  
générale de la planification, de l'infrastructure et du développement économique**

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**Ward: CITY WIDE / À L'ÉCHELLE DE LA VILLE      File Number: ACS2021-PIE-EDP-0024**

**SUBJECT: Amendments to Permit On-Farm Diversified Uses and Agriculture-  
Related Uses in Rural and Agricultural Zones of the City**

**OBJET: Modifications visant à autoriser des utilisations diverses  
d'exploitation agricole et des utilisations liées à l'agriculture dans les  
zones rurales et agricoles de la ville**

## **REPORT RECOMMENDATIONS**

**That Agricultural and Rural Affairs Committee recommend that Council:**

- 1. Approve an amendment to the Official Plan to revise Section 3.7 – Rural Designations as detailed in Document 1 – Details of Recommended Official Plan Amendment,**
- 2. Approve amendments to Zoning By-law 2008-250 under Sections 54 and 79, and all zones that permit an agricultural use, as detailed in Document 2 – Details of Recommended Zoning, to permit alignment with the 2020 Provincial Policy Statement provisions respecting permissions for *On-Farm Diversified and Agriculture Related* uses,**
- 3. Approve an amendment to the Site Plan Control By-law 2014-256, as detailed in Document 3, to apply a site plan control requirement to all On-Farm Diversified and Agriculture-related uses,**
- 4. Approve an amendment to the Parkland Dedication By-law 2009-95 as detailed in Document 4, to exempt on-farm diversified uses and agriculture-related uses from parkland dedication requirements,**
- 5. That Agriculture and Rural Affairs Committee approve the Consultation Details Section of this report be included as part of the ‘brief explanation’ in the Summary of Written and Oral Public Submissions, to be prepared by the Office of the City Clerk and submitted to Council in the report titled, “Summary of Oral and Written Public Submissions for Items Subject to the *Planning Act* ‘Explanation Requirements’ at the City Council Meeting of July 7, 2021,” subject to submissions received between the publication of this report and the time of Council’s decision; and**
- 6. That Agricultural and Rural Affairs Committee recommend that the changes as shown in Document 1 be carried forward to the corresponding designations in the new Official Plan, to be considered by Council later this year.**

## **RECOMMANDATIONS DU RAPPORT**

**Que le Comité de l'agriculture et des affaires rurales recommande au Conseil ce qui suit :**

- 1. Approuver une modification du Plan officiel pour permettre la révision de la section 3.7 – Désignations rurales, comme le précise le document 1 – Détails de la modification recommandée du Plan officiel; et**
- 2. Approuver des modifications du Règlement de zonage (no 2008-250) en vertu des articles 54 et 79 et de toutes les zones où est permise une utilisation agricole, comme le précise le document 2 – Détails du zonage recommandé, pour permettre l'harmonisation aux dispositions de la Déclaration de principes provinciale 2020 concernant les autorisations relatives aux utilisations diverses d'exploitation agricole et aux utilisations liées à l'agriculture; et**
- 3. Approuver une modification de la Réglementation du plan d'implantation (no 2014-256), comme le précise le document 3, en vue d'appliquer une exigence d'approbation du plan d'implantation à toutes les utilisations diverses d'exploitation agricole et utilisations liées à l'agriculture; et**
- 4. Approuver une modification du Règlement sur l'affectation de terrains à la création de parcs (no 2009-95), comme le précise le document 4, pour exempter les utilisations diverses d'exploitation agricole et les utilisations liées à l'agriculture des exigences en matière de terrains réservés à la création de parcs; et**
- 5. Que le Comité de l'agriculture et des affaires rurales donne son approbation à ce que la section du présent rapport consacrée aux détails de la consultation soit incluse en tant que « brève explication » dans le résumé des observations écrites et orales du public, qui sera rédigé par le Bureau du greffier municipal et soumis au Conseil dans le rapport intitulé « Résumé des observations orales et écrites du public sur les questions assujetties aux “exigences d'explication” aux termes de la Loi sur l'aménagement du territoire à la réunion du Conseil municipal prévue le 7 juillet 2021 », à la condition que les observations aient été reçues entre le**

**moment de la publication du présent rapport et le moment de la décision du Conseil.**

- 6. Que le Comité de l'agriculture et des affaires rurales recommande de retenir les changements présentés dans le document 1 pour les désignations correspondantes dans le nouveau Plan officiel, en vue d'être examinés par le Conseil plus tard dans l'année.**

## **EXECUTIVE SUMMARY**

This amendment is to allow farmers to diversify their businesses by permitting a range of small-scale commercial and industrial activities on their farm lots, such as a retail shop, bakery, winery or machine repair business. This will bring the City's Zoning By-law (ZBL) into alignment with provincial policy (Provincial Policy Statement (PPS)), introduced in 2014 (and carried forward in the 2020 version of the PPS) that recognized the growing need to support rural and farming economies, while balancing the necessary protection of agricultural lands for future use. The new permissions will fall under two categories: 'on-farm diversified uses' refers to those uses not directly related to agriculture such as restaurant or retail; and 'agriculture-related uses' refers to those uses that are directly supportive of local farming operations, such as grain storage or farm equipment warehousing. To accompany the new policies, the Province released a guide document (Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas) in 2016. The recommended changes are largely based on this document.

In advance of a detailed study to address the required zoning amendments to bring the Zoning By-law into compliance with the above, Council adopted very limited interim zoning provisions for "on-farm diversified uses, limited to a place of assembly" in early 2019, following Official Plan revisions in November of 2017. Staff subsequently initiated a more detailed study to expand the zoning permissions in the fall of 2019.

The recommendations in this report take direction primarily from the Provincial guideline document noted above, as well as stakeholder engagement and public input received during the study period. This report has also been timed to coincide with consultation undertaken to inform Ottawa's Rural Economic Development Strategy and Action Plan, which was approved in the spring of 2020 ([ACS2020-PIE-EDP-0009](#)). Stakeholder engagement conducted through the study period included members of the Ottawa farming community, professional experts and staff.

This report proposes revisions to the following documents:

1. City of Ottawa Official Plan
2. City of Ottawa Zoning By-Law (2008-250)
3. Site Plan Control By-Law (2014-256)
4. Parkland Dedication By-Law (2009-95)

The proposed revisions include the following new or modified definitions for both the Official Plan and the Zoning By-law:

1. **Agricultural Use** (modify existing Zoning By-law)
2. **Agriculture-related Use** (modify existing Official Plan; new in Zoning By-law)
3. **On-farm Diversified Use** (modify existing Zoning By-law)

The approach recommended by this report is, rather than to regulate individual on-farm diversified uses (which would limit opportunity for new and innovative business ideas), instead to permit those uses and regulate their size. Agriculture-related uses that support local farming will be permitted as principal uses of land but will be limited to non-accessory (from off-site) storage of farm products and farm related machinery, as well as associated sorting and packing activities. Edits are also proposed to ensure alignment of Official Plan and Zoning By-law provisions. The proposed new zoning will remove an existing provision that limits on-farm diversified uses to 'place of assembly', which will permit a wider range of diversified uses as intended. Provisions for both on-farm diversified and agriculture-related uses will include new floor area maximums, setbacks and screening provisions in addition to the lot coverage maximum currently listed under Section 79 of the Zoning By-law. Requests to increase these maximum areas will require a Zoning By-law amendment application under the proposed Official Plan provisions to demonstrate that the proposed size will not lead to negative impacts.

Staff recommend that a Site Plan Control (SPC) application be required for all on-farm diversified and agriculture-related uses. This is partly due to significant variability in rural character and context, but principally to address a consistent concern raised through the course of this study about potential impacts to water quantity and quality, even for small-scale operations. SPC would permit review of necessary studies, principally of a



hydrogeological and terrain analysis report, as well as siting considerations. Applicable fee and submission requirements would fall under the 'rural small' category for those uses being added, and a clause to permit the General Manager to waive the requirement would also be included should a hydrogeological and terrain analysis review or other additional studies or siting considerations be deemed unnecessary. It is also proposed to exempt these uses from parkland dedication requirements under the City's Parkland Dedication By-law in order to reduce applicable fees.

Lastly, staff have begun development of a resource document to guide prospective applicants respecting the planning process, costs and business considerations for starting an on-farm diversified business. This will be available online post-approval of the proposed amendments.

## **RÉSUMÉ**

La modification vise à permettre aux agriculteurs de diversifier leurs activités en autorisant diverses utilisations commerciales et industrielles secondaires sur les lots agricoles (commerce de détail, boulangerie, vinerie, entreprise de réparation de machinerie, etc.), ce qui harmonisera le Règlement de zonage de la Ville aux politiques provinciales (Déclaration de principes provinciale, DPP) qui sont entrées en vigueur en 2014 (et que l'on retrouve dans la version de 2020 de la DPP) et qui reconnaissent qu'il est de plus en plus pressant de soutenir les économies rurale et agricole, tout en tenant compte de la nécessité de protéger les terres agricoles pour de futures utilisations. Ces nouvelles autorisations entreront dans deux catégories : utilisations diverses d'exploitation agricole (utilisations n'étant pas directement liées à l'agriculture, comme un restaurant ou un commerce de détail) et utilisations liées à l'agriculture (utilisations soutenant directement les activités agricoles locales, comme le stockage du grain ou l'entreposage de la machinerie agricole). En complément à ces nouvelles politiques, le gouvernement provincial a publié un document d'orientation (Lignes directrices sur les utilisations permises dans les zones agricoles à fort rendement de l'Ontario) en 2016. Les modifications proposées s'appuient en grande partie sur ce document.

En vue d'une étude sur les modifications requises pour harmoniser le Règlement de zonage à ce qui précède, le Conseil a adopté au début de 2019 des dispositions de zonage provisoires très limitées permettant d'aménager des lieux de rassemblement sur les terres agricoles, à la suite des révisions du Plan officiel de novembre 2017. À

l'automne 2019, le personnel a entrepris une étude plus détaillée pour assouplir les restrictions de zonage.

Les recommandations du présent rapport reposent principalement sur les lignes directrices provinciales susmentionnées, ainsi que sur les commentaires des intervenants et du public recueillis pendant la période de l'étude. La présentation de ce rapport coïncide également avec les consultations menées pour guider l'élaboration de la Stratégie et du plan d'action relatifs au développement économique en milieu rural, lesquels ont été approuvés au printemps 2020 ([ACS2020-PIE-EDP-0009](#)). Parmi les intervenants consultés pendant la période de l'étude figuraient des membres du milieu agricole d'Ottawa, des professionnels et des employés.

Le présent rapport propose des révisions aux documents suivants :

1. Plan officiel de la Ville d'Ottawa
2. Règlement de zonage de la Ville d'Ottawa (n° 2008-250)
3. Réglementation du plan d'implantation (n° 2014-256)
4. Règlement sur l'affectation de terrains à la création de parcs (n° 2009-95)

Les révisions proposées prévoient de nouvelles définitions, ou la modification de définitions existantes, pour le Plan officiel et le Règlement de zonage :

1. **Utilisation agricole** (modification de la définition dans le Règlement de zonage);
2. **Utilisation liée à l'agriculture** (modification de la définition dans le Plan officiel; nouvelle définition dans le Règlement de zonage);
3. **Utilisation diverse d'exploitation agricole** (modification de la définition dans le Règlement de zonage).

Au lieu de réglementer les utilisations diverses d'exploitation agricole propres à chaque exploitation (ce qui limiterait l'innovation commerciale), l'approche préconisée dans ce rapport consiste à autoriser ces utilisations et à en réglementer la superficie. Les utilisations agricoles qui soutiennent l'agriculture locale seront permises en tant qu'utilisations foncières principales, mais seront restreintes à l'entreposage non accessoire (hors site) de produits et machines agricoles ainsi qu'aux activités connexes de tri et d'emballage. Des modifications sont aussi proposées pour harmoniser les

dispositions du Plan officiel et du Règlement de zonage. Le nouveau zonage viendra éliminer une disposition qui limite les utilisations diverses d'exploitation agricole aux « lieux de rassemblement », ce qui élargira l'éventail des utilisations permises, comme escompté. Les dispositions concernant les utilisations diverses d'exploitation agricole et les utilisations liées à l'agriculture porteront notamment sur les nouvelles surfaces de plancher maximales, les retraits et les écrans, en plus de la surface construite maximale actuellement prévue à l'article 79 du Règlement de zonage. Pour augmenter ces surfaces maximales, il faudra présenter une demande de modification du Règlement de zonage en vertu des dispositions proposées du Plan officiel, pour prouver que la modification n'aura pas de conséquences négatives.

Le personnel recommande qu'une demande d'approbation du plan d'implantation soit exigée pour toutes les utilisations diverses d'exploitation agricole et les utilisations liées à l'agriculture, en partie en raison de la grande variabilité qui existe en secteur rural (caractère et contexte), mais surtout pour apaiser une inquiétude souvent exprimée pendant l'étude quant aux répercussions possibles sur la quantité d'eau et sa qualité, même pour les petites exploitations. L'approbation d'un plan d'implantation permettrait l'examen des études requises, essentiellement des analyses hydrogéologiques et du sol, et des considérations relatives à l'implantation. Les frais applicables et les exigences de soumission entreraient dans la catégorie « petit aménagement rural » pour les utilisations ajoutées, et une clause permettant au directeur général de lever ces exigences serait aussi incluse, au cas où les analyses hydrogéologiques et du sol, d'autres études ou l'examen des considérations relatives à l'implantation seraient jugés inutiles. Il est aussi proposé d'exempter ces utilisations des exigences relatives aux terrains réservés à la création de parcs en vertu du Règlement sur l'affectation de terrains à la création de parcs afin de réduire les droits applicables.

Enfin, le personnel a commencé à préparer un document de référence pour guider les requérants potentiels relativement au processus de planification, aux coûts et aux questions d'ordre commercial liés à la mise sur pied d'une utilisation diverse d'exploitation agricole. Le document sera accessible en ligne, une fois les modifications proposées approuvées.

## **BACKGROUND**

On-farm diversified use and Agriculture-Related use are terms introduced under the Provincial Policy Statement in 2014 in order to acknowledge and address issues of

economic viability for farmers by providing opportunities for supplementary means of income. “[T]he number of overall farms [in Ontario] is declining— 59,728 in 2001 to 49,600 in 2015—and the number of farms with sales over \$100,000 is increasing. Long gone are the days of small post-war family farms for simple food production. Larger farms dominate the Ontario market, which leaves small-to-medium-size farms looking for innovative opportunities.”<sup>1</sup> The new Provincial policies represent limited permissions for on-site commercial and industrial enterprises that support farmers. Size restrictions for such uses are to ensure continued protection of prime agricultural land for future use. Below is a summary of definitions and associated guidelines introduced by the province:

### **Provincial Policy Statement**

The 2020 Provincial Policy Statement (PPS) lists the following as permitted uses in rural and prime agricultural areas, with the stated intent to provide “[o]pportunities to support a diversified rural economy”:

**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.

**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.

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<sup>1</sup> Ontario Planning Journal, Vol. 3, No. 6, p.7

Section 2.3.3.1 of the PPS further indicates that:

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.

Municipalities are required to be consistent with the PPS. "The PPS permits agriculture, agriculture-related and on-farm diversified uses in prime agricultural areas. None of these categories of uses can therefore be excluded."<sup>2</sup>

Given that there is an increased level of service, such as better broadband anticipated for rural areas across Ontario in the coming years, small businesses will be better equipped to accommodate the above noted secondary commercial uses, particularly to support goods and services transactions.

### OMAFRA Guidelines

In 2016, the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) issued the document *Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas* to aid municipalities in outlining appropriate provisions. The guidebook is almost 60 pages long and includes an extensive list of categories of intended uses, suggested provisions, compatibility criteria and impact mitigation, and implementation guidelines among others. It is not the intention of this report to replicate this extensive study, however the recommendations will reference this document widely.

### Official Plan

The City of Ottawa is comprised of nearly 80 per cent rural lands, approximately 40 per cent of which are class 1 to 3 (prime) agricultural lands. On November 8, 2017, the City updated its Official Plan (OP) policies under [Sections 3.7.2 – General Rural Area and 3.7.3 – Agricultural Resources](#) to permit both On-Farm Diversified uses and Agriculture-Related uses with the following definitions:

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<sup>2</sup> *Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas*, p.4

### **On-farm diversified uses**

are secondary to the principle agricultural use of the property. They are to be limited in area and include but are not limited to; home-based businesses, home industries, agri-tourism and uses that produce value-added agricultural products from the farm operation.

### **Agriculture-related uses**

Under Section 3.7.3 - Agricultural Resources: those small-scale commercial and industrial uses that are intended [to] serve and are compatible with local farm operations and do not hinder surrounding agricultural operations.

Under Section 3.7.2 - General Rural Area: Agriculture-related industrial and commercial uses, such as farm equipment and supply centre, farm equipment repair shops and nurseries.

### **Agricultural Uses**

The growing of crops, including nursery and horticultural crops; raising of livestock and other animals for food, or fur, including poultry and fish; aquaculture; agro-forestry; maple syrup production; and associated on-farm buildings and structures.

Currently, the OP requires a Zoning By-law Amendment to establish agriculture-related uses (as defined above) in 'Agricultural Resource' and 'General Rural' areas. This requirement is, however, difficult to enforce because the use is so broadly defined and because of overlap with uses permitted as-of-right in the zoning. For example, 'non-accessory storage of farm vehicles and farm related machinery' was added to the Zoning By-law definition for Agricultural use in 2018, whereas this use could fall under agriculture-related in the OP because it is not directly tied to the growing of crops or raising of livestock.

There is also an inconsistency between OP and zoning descriptions for agricultural use and agriculture-related use in the General Rural Area. These inconsistencies are addressed as part of this report, details of which are in the discussion section below.

## Zoning By-Law

Following the above noted OP amendments, the City passed a zoning amendment (2019-41) in early 2019 to both define and permit 'On-farm Diversified use, limited to a place of assembly', in zones that permit agricultural use. This was an interim solution to recognize existing small-scale activities taking place on farms prior to completion of a detailed zoning study to determine appropriate provisions.

Currently, the definition under Section 54 of the Zoning By-Law is:

**On-farm diversified use** means a use that is secondary to the principal agricultural use of a property, and includes but is not limited to a veterinary clinic, restaurant, bakery, retail store, retail food store, micro-brewery, micro-distillery, agri-tourism use, and uses that produce value-added agricultural products.

Existing provisions for on-farm diversified uses under [Section 79](#) include a maximum floor area of 150 square metres for a place of assembly, and a maximum lot coverage (two per cent) and building coverage (20 per cent of permitted lot coverage) that are derived directly from the Provincial guidelines.

The proposed zoning by-law amendment will bring the City's Zoning By-law into conformity with provincial policy by removing the 'place of assembly' limitation and expanding the performance standards under Section 79. Some additional modifications to existing zoning definitions and Official Plan policies to support this are also proposed as outlined in the discussion section of this report.

## Comparable Regulations

Many municipalities, particularly those with a large number of agricultural resources, have taken the approach of separating potential on-farm diversified and agriculture-related uses into categories, with less stringent rules for low-impact uses and more stringent rules for high-impact ones (e.g. breweries and wineries are often regulated independently due to the anticipated high water and wastewater demands). Wedding venues are typically not permitted.

The Rural Hamilton OP is one example of a municipality that has a list of new independent permitted uses on farms rather than adopting the Province's umbrella term for on-farm diversified use. To achieve this, new definitions such as 'farm brewery' have been individually added. Further, they require a zoning amendment to permit any

buildings associated with agri-tourism. Restaurants and places of assembly are not permitted. This is an example of a more restrictive approach.

The Oxford County Zoning By-law lists on-farm diversified uses as permitted, though again they may only be established through a Zoning By-law Amendment.

Another example of such a restrictive approach is the City of London's Zoning By-law, which permits uses through an umbrella term: 'secondary farm occupation', however the definition for this use is very specific, listing items that would typically form a provision rather than a use definition.

The challenge with such restrictive approaches is the need to balance oversight with opportunities for innovation. The examples provided above are expensive to establish and provide very little flexibility for new ideas because they are so explicit in the types of uses that may be established. Staff consider these opportunities essential in achieving the balanced goals set out in the provincial policy. Further, the City's Rural Economic Development Strategy and Action Plan encourages opportunities for innovation in the agricultural sector, the lack of which were expressed as a barrier to rural economic development during consultation sessions. A more restrictive approach may be necessary in communities with a high prevalence of tourism, however, it is not considered appropriate to the Ottawa context.

Closer to Ottawa, there are examples of municipalities that have enacted zoning provisions for on-farm diversified as a general use. The township of Cavan-Monaghan (near Peterborough) is one example. Perhaps to avoid the Zoning By-law Amendment process, there are numerous applicable zoning requirements including minimum lot areas, limits to the number of businesses on a site, criteria for value-added processing and retail, overnight stay limitations, signage criteria, siting limitations, and no special provisions to encourage reuse of existing farm buildings or road accesses.

One of the biggest hurdles in designing zoning policies for such uses is in balancing the need for oversight with the need to reduce barriers to entry. Minimizing the number of provisions overall to make their application straightforward is a primary goal of the proposed amendment. The utilization of basic Site Plan Control, as outlined below, forms part of the means of achieving reduced zoning restrictions and need for zoning amendments.



The City of Greater Sudbury adopted commercial type uses right into the definition of 'agricultural use' with no independent regulations or criteria for establishment:

**"Agricultural Use**

An area of land used for:

(...)

- h) Any other operation normally associated with farming, with or without accessory buildings, structures or uses including, without limiting the generality of the foregoing, a farm sales outlet, or,
- i) agriculture-related uses and on-farm diversified uses."

This approach would also be a risk as it enshrines diversified uses as part of agricultural practice and therefore has the potential, though defined as limited in size, to lead to commercial uses of a scale that is larger than intended and could therefore lead to the degradation of prime agricultural lands. It may be appropriate for a northern community with very few farming operations; however this is not considered in keeping with the intent of the PPS provisions as they relate to Ottawa and its strong agricultural base.

Adopting limitations according to size and location are believed to best address potential compatibility issues, while permitting the desired opportunities for innovation. This conclusion is informed by a review of existing zoning exceptions provided through site-specific zoning amendment applications and resulting diversified farm operations.

The emphasis of this report is therefore to support flexibility in use rather than flexibility in size. Concerns raised by staff and the conservation authorities arising from site-specific circumstances, such as groundwater impacts that may typically be addressed during the zoning amendment process, are proposed to be addressed through amendments to the Site Plan Control (SPC) By-law.

For high impact uses such as breweries or wedding venues, this report recommends maintaining the City's existing size limitations adopted in 2019. Ottawa is likely the only municipality to explicitly permit 'place of assembly' (e.g. wedding venue) as an on-farm diversified use. It is believed that this is because the use is high impact and may be considered inappropriate for the rural context and comes with a number of expensive accessibility and safety requirements under the building code. However, Ottawa's

existing zoning provisions for this use are considered stringent enough to limit negative impacts (the maximum floor area limit of 150 square metres is thought to prevent occupancies that would lead to significant building code requirements or significantly high occupancies). See Proposed Zoning and Official Plan Amendments below for further details.

### **Ancillary vs. Accessory**

On-farm diversified uses are considered 'secondary' or 'ancillary' to a principal use. This means that, though conditional on the existence of a principal use (i.e. agriculture), they need not contribute directly to it. A home-based business is similarly considered ancillary. It is only permitted if there is an existing residential use on a property though it is not necessary for the functioning of the property as a residential use.

This contrasts with 'accessory' uses, which function to aid or contribute to the functioning of the principal use (e.g. an accessory building used to park a resident's vehicle).

- On-farm diversified uses are permitted as ancillary uses, meaning that an active farm operation must be present, but the diversified use does not need to be directly related to farming (e.g. a retail store selling goods produced off site). Should the farm operation cease, the on-farm diversified use would also have to be removed.
- Agriculture-related uses, according to the provincial guidelines, may be stand-alone, so long as it can be demonstrated that they are supportive of (accessory to) active farm operations on surrounding lots (e.g. grain storage facility).

### **DISCUSSION**

The City of Ottawa [Rural Economic Development Strategy and Action Plan](#) directs staff to implement the PPS provisions by permitting on-farm diversified uses on agricultural lands. The proposed Official Plan, Zoning By-law and Site Plan Control By-law amendments are to bring the City's policies into alignment with the PPS, 2020 in a manner that aims to respect existing context and unique Ottawa circumstances.

To aid potential applicants, staff are also proposing to develop a guide booklet which will be available post-approval, for farmers interested in diversifying their operations, which will include direction with regard to taxes, building code requirements and retrofit of existing farm buildings, Minimum Distance Separation, and other planning tools.

## **Proposed Official Plan Amendments**

### **Consistency with Zoning By-law**

The City's Official Plan (OP) list 'nurseries' under agriculture-related use, requiring a Zoning By-law Amendment to establish, whereas the ZBL lists nurseries as an agricultural use (permitted as-of-right). It is proposed to retain the ZBL reference only and remove the existing reference in the OP. This is in keeping with provincial guidelines that nurseries are agricultural uses.

Staff have worked to ensure that these amendments are to be carried over into the new City of Ottawa Official Plan. The proposed OP provisions are an interim solution until the new plan is adopted.

### **Lot Creation**

Since on-farm diversified uses are under the OP, ancillary to an operating farm, lot creation will not be permitted for such uses, and should the farm practice cease, the on-farm diversified use will need to be removed.

For agriculture-related uses, provincial guidelines note that lot creation may be considered, though not encouraged:

"PPS Policy 2.3.4.1 b) addresses lot creation for agriculture-related uses. Lot creation may be permitted for agriculture-related uses provided that any new lot is limited to a minimum size needed to accommodate the use and its wastewater and water servicing requirements. A best practice is to consider alternatives before creating a new lot."  
(Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas)

It is therefore proposed to maintain the following lot severance provisions within the General Rural Area and Agricultural Resource Area of the OP:

- In the General Rural Area, Section 3.7.2.10 permits lot severances for residential and agricultural purposes only. Severances for agriculture-related commercial or industrial uses are not permitted. A minimum lot area of 10 hectares is required.
- In the Agricultural Resource Area, Sections 3.7.3.11 and 3.7.3.12 permits lot severances for agriculture-related and new farm holdings. Certain criteria must

be met including an identified poor pocket of at least 10 hectares in area.  
Agricultural severances are subject to a minimum lot area of 36 hectares.

In the case of a surplus farm severance, on the severed lot (0.8 hectares+) the owner is permitted an accessory agricultural use, however because agriculture would not be the principal use of the property, an on-farm diversified use would not be permitted.

#### **Permitted Size**

The ancillary farm diversified uses proposed here will be limited in size to address compatibility with agricultural uses. Should a business grow beyond this permitted size, it would be considered a principal commercial or industrial use. A Committee of Adjustment minor variance to increase the area permitted under the provisions for on-farm diversified use would not allow for the level of review necessary to ensure mitigation of impacts and protection of agricultural lands and would fail to encourage relocation to a more appropriate site. It is therefore necessary to be clear that increases to the permitted size of an on-farm diversified or agriculture-related use is considered a change of use and is to be permitted only through a zoning by-law amendment process. On-farm diversified uses are commercial and industrial uses that would not otherwise be permitted without a zoning amendment, so this proposal is to loosen existing restrictions and provide greater opportunity for farmers.

### **Proposed Zoning By-law Amendments**

#### **Consistency with Official Plan**

Inconsistencies between the City's Official Plan (OP) and Zoning By-law with respect to farming and farm related uses have been identified including overlap in definitions with respect to 'secondary tourism' and 'non-accessory storage of farm produce and farm related machinery'.

To resolve this, the following revisions to the definition of Agricultural use are proposed:

- 1) Remove reference to 'tourism' from the definition of 'agricultural use' in the ZBL.  
Permit farm-tourism under the on-farm diversified use umbrella, subject to appropriate area maximums (note: agri-tourism activities that are demonstrated not to impede the use of the lands for agriculture, such as wagon rides or corn mazes, will not be subject to area maximums).

- 2) Remove reference to 'non-accessory storage of farm produce and farm related machinery' from the ZBL definition of 'agricultural use' and instead permit this use as 'agriculture-related'. This will prevent inappropriately large storage buildings and associated parking lots on prime agricultural lands. The proposed amendment will permit non-accessory storage under the OP without a Zoning By-law Amendment and will allow for appropriate area maximums under the ZBL.

#### Definitions: On-Farm Diversified

The existing definition for on-farm diversified use in Ottawa's Zoning By-law, as provided above, is proposed to remain with two additions:

##### Place of Assembly

On-farm diversified uses in the City are currently limited to 'place of assembly', however place of assembly is not listed in the definition.

##### Solar Installations

Since the release of the provincial guidelines, the *Green Energy Act* has been repealed and renewable energy projects may now be regulated by municipalities. The 2020 PPS incorporates this change:

1.6.11.1 Planning authorities should provide opportunities for the development of energy supply including electricity generation facilities and transmission and distribution systems, district energy, and renewable energy systems and alternative energy systems, to accommodate current and projected needs.

The 2020 PPS definition for On-farm diversified use also indicates that "Ground-mounted solar facilities are permitted in prime agricultural areas, including specialty crop areas, only as on-farm diversified uses." This means that they will only be permitted where they are limited in area just as any other farm diversified use would be.

The proposed new definition for on-farm diversified use is as follows:

**On-farm diversified use** means a use that is ancillary to the principal agricultural use of a property, and includes but is not limited to educational displays, veterinary clinic, restaurant, bakery, retail store, retail food store,

micro-brewery, micro-distillery, place of assembly, solar installations, agri-tourism uses, and uses that produce value-added agricultural products.

#### Definitions: Agriculture-Related

The proposed new definition for agriculture-related is to capture non-accessory storage and associated sorting and packing as follows:

**Agriculture-related use** means those farm-related uses that are intended to provide direct products and/or services to farm operations as a primary activity, are compatible with local farm operations, and are limited to:

- non-accessory storage of farm products and farm related machinery;
- sorting or packing of farm products

The permitted agriculture-related uses are listed right in the definition for clarity and are the only uses considered appropriate as a stand-alone as-of-right commercial use in AG and RU zones.

Uses such as farm co-ops and abattoirs are large-scale operations with high traffic generation and therefore better suited to rural commercial and industrial zones. Other agriculture-related type uses, such as wineries, producing value added product will be able to establish under the provisions for on-farm diversified uses.

#### Impacted Zones

The Zoning By-law identifies two main zones where agriculture is permitted and where the new uses may be of consideration: Agricultural (AG) and Rural Countryside (RU). Of these two, AG zones represent the most productive lands for agriculture, and typically represent lands with higher soil quality (class 1 to 3).

The PPS states that both on-farm diversified uses and agriculture-related uses should be directed to areas of poorer soil quality and should maintain existing rural character. Though there is a desire to protect the most productive lands, the provincial policies are clearly intended to provide opportunities to farmers, who in this case, principally operate on lands that are zoned AG. The new uses are therefore proposed to be permitted equally whether the farm is in an AG or an RU zone. The preservation of high-quality

soils and agricultural character will instead be addressed through limits on permitted scale and location on site, as well as provisions to promote the reuse of existing farm buildings as per below.

Agricultural uses, and on-farm diversified uses – limited to place of assembly, are also currently permitted in the following zones. They will continue to be permitted so long as they do not preclude future development or hinder surrounding uses:

Development Reserve (DR) zone, the

Mineral Extraction (ME) zone,

Mineral Aggregate Reserve (MR) zone,

Rural Commercial Subzone 10 (RC10) zone

O1P Subzone - Hydro Corridor Subzone

O1O Subzone - Trans Canada Pipeline Subzone

Central Experimental Farm (L3) zone

New floor area will not be permitted in certain of these zones. For example, in the DR zone, since the intent of this zone is to recognize lands intended for future use, and not preclude those future uses. The O1O and O1P zones will be similar, as they do not currently permit buildings.

The limit to 'place of assembly' is proposed to be eliminated in all the zones above other than in the central experimental farm, as this does not represent a standard agricultural use. Agriculture-related (non-accessory storage) use is to be added as a permitted use in the DR and RC10 zones as well.

### **Zoning Provisions**

The intent of the proposed zoning provisions is to facilitate small-scale ancillary uses on farms, while mitigating the degree of potential impacts. Existing provisions for on-farm diversified uses can be found under Section 79 of the Zoning By-law. Proposed amendments, including new provisions for agriculture-related, are provided below.

### **Lot Coverage**

**On-farm Diversified Uses:**

Existing maximum total lot coverage is proposed to remain at two per cent of lot area to a maximum of one hectare for on-farm diversified uses (consistent with OMAFRA guidelines). This includes floor area used to accommodate the new use, as well as any exterior areas such as parking or outdoor storage. Laneways and septic systems built before the 2017 Official Plan amendments that permitted these uses are not to be included in the lot area calculation to encourage both clustering and reuse of existing buildings as recommended in the Provincial guidelines. Area maximums include any home-based businesses and agriculture-related storage and packaging also operating on site.

**Agriculture-related Uses:**

Though lot coverage for agriculture-related uses is not specifically addressed in the OMAFRA Guidelines, they must be compatible with surrounding farm operations. Rather than a maximum lot coverage as above, since this use is so closely tied to agriculture and may be stand-alone, the total land area maximum for permitted agriculture-related uses is proposed to be capped at one hectare with a minimum lot size to match the minimums set out in the zone for principal use agricultural with livestock (two hectares in RU; 10 hectares in AG). This is to ensure that agriculture-related uses are not established on small lots intended to accommodate residential uses. Review of similar provisions from the eastern Ontario Townships of Otonabee-South Monaghan and Augusta indicate minimum lot areas of two hectares for agriculture-related type uses; and one hectare minimum for agriculture-related type uses in Russell Township. Storage uses that will remove more than one hectare of land from agricultural use are better suited to locations outside of prime agricultural areas.

**Floor Area**

**On-farm Diversified Uses:**

The Zoning By-Law currently limits building floor area to 20 per cent of the permitted lot coverage, per Provincial guidelines. This is to remain, however a maximum total floor area is proposed to be limited to 600 square metres, with a maximum of 300 square metres for new buildings, and 600 for conversions of buildings built prior to the 2017 Official Plan amendments permitting these uses (excepting specific uses identified



below). Floor area maximums will not include area used for processing of inputs grown off site, such as in the case of a brewery or winery.

Floor area maximums prevent inappropriately large buildings particularly on larger lots. The proposed maximum of 300 square metres for a new building is in keeping with exemption criteria under the current Site Plan Control By-law. Further, 300 square metres is the maximum area permitted for consideration of a Zoning By-law Amendment for commercial or retail use in the General Rural Area in the OP (Sec. 3.7.2.5). This is based on the OPA 180 staff report (Hemson Employment Land Review), which indicated that retail is considered small-scale when less than 300 square metres in area (page 77). This floor area maximum is also like recent provisions developed for 'storefront industries', which are permitted to a maximum of 350 square metres in commercial zones and 200 square metres in village zones. Floor area maximums in comparable Ontario municipalities ranged between 300 and 500 square metres.

Though the proposed maximum represents the lower end of commercial floor areas approved through rural Zoning By-law amendments in Ottawa, those proposals would have been reviewed based on site-specific circumstances. These permissions are meant to broadly allow for limited new opportunity for ancillary commercial endeavours without severely jeopardising the principal use of the lands for agriculture or impacting neighbouring properties.

Proposals larger than these permissions will continue to be permitted through the Zoning By-law Amendment process on a site-specific basis.

Additionally, existing zoning provisions under Section 79 limit floor area for places of assembly to 150 square metres. This use will be maintained as places of assembly are considered higher impact and better suited to locations outside of prime agricultural areas. Floor areas larger than this permit higher occupancies and generally require costly additional safety and servicing requirements under the building code (e.g. numerous bathroom stalls, sprinkler systems, hard paving for accessibility, excessively large septic systems). The intent is to keep occupancy below 100 people. Larger group gatherings may also be incompatible with surrounding farm uses due to high traffic volumes, parking, and noise. For the same reasons, this limit will also be extended to instructional facilities and restaurants.

Tents and mobile toilets may remain an appropriate solution for temporary events on a larger scale. Section 79 lot coverage provisions would still apply.

Agriculture-related uses:

No floor area maximums are proposed as such uses are more in keeping with existing agricultural practices which are not subject to building area maximums.

### **Building Conversions**

Reuse of existing farm buildings to preserve rural character is encouraged. Fit up of existing structures to accommodate new uses however will require a building permit and renovations. Building code requirements are dependent on criteria such as: use, occupancy, and whether alcohol or food are being prepared or served on site.

Retrofitting a barn to meet code requirements is anticipated to be expensive, which is why incentives to retain existing buildings are necessary. As such, larger floor areas will be permitted within existing barns or buildings built before the 2017 Official Plan amendment that permitted these uses. Maximum floor area for retrofits are proposed to be capped at 600 square metres. This is in keeping with the intent of OMAFRA guidelines, which recommend that floor area of existing buildings be discounted by 50 per cent. This additional area permission will not be applied to place of assembly, restaurant or instructional facility uses, due to potential high occupancies and associated impacts of these uses. It is noted that buildings larger than 300 square metres, or those requiring more than 9 parking spaces (e.g. a wedding venue of more than 90 square metres), are currently subject to site plan control review.

### **Setbacks and Screening**

Setbacks and screening requirements for on-farm diversified uses are proposed to match those currently prescribed under the rural home-based business provisions, which do not permit outdoor storage within 10 metres of a side lot line, and must be screened from view with a 1.4-metre high fence. Large parking areas should also be screened from view. These are a soft way of addressing concerns related to visual impact, noise, light and dust, not only from neighbouring residential uses, but also from the public realm and neighbouring farms and animals. A 10-metre outdoor storage setback is like that observed for other municipalities such as Russell Township, and

agricultural properties are generally larger. Buildings themselves will continue to be subject to the required setbacks of the zone.

Screening is also proposed to address privacy, preservation of existing rural character and again match rural home-based business provisions. Due to the large lot sizes in rural areas, requiring screening in the form of a fence may be very expensive to achieve, therefore the proposed provision provides flexibility to screen using soft landscaping such as trees, existing buildings, or other alternative measures to minimize visibility from any abutting private property or public street.

Permitted agriculture-related uses are considered similar enough in form to other agricultural uses so as not to require additional setbacks or screening. Such uses often take the form of grain storage in silos or storage of tractors parked in an existing barn which may not comply with current setback requirements.

#### **Parking**

Both on-farm diversified, and agriculture-related uses will be subject to parking requirements applicable to the type of use established as outlined under Table 101 of the Zoning By-law. A building for non-accessory storage of farm produce for example, would be considered a warehouse use for the purposes of parking provisions under Table 101 (0.8 per 100 square metres for the first 5000 square metres of floor area). Proposed parking layouts will be reviewed as part of the site plan control process outlined below.

#### **Proposed Site Plan Control By-law Amendments**

The PPS permits municipalities to define the parameters for establishing on-farm diversified and agriculture-related uses within their jurisdictions based on local considerations of compatibility. Zoning as a tool to address site-specific and development-specific circumstances is limited, particularly with respect to a concern raised by both staff and conservation authorities regarding groundwater impacts. Review of such impacts is done through hydrogeological testing and reporting. Such review and approval cannot be mandated through zoning or building permit review and requires a different tool set. This is also the case for review of traffic impacts and site layout.

Any size of commercial use in an agricultural area has the potential to upset a delicate rural balance, though Ottawa's Site Plan Control (SPC) By-law only applies to commercial uses of 300 square metres or more (or more than nine parking spaces). The increased demand on water is one of the reasons that site plan control applies to coach houses, though the floor area for a coach house isn't actually very large. While some businesses are known for their water and wastewater impacts (e.g. breweries), it is not possible to establish all of those uses that may be of concern. Some municipalities have even gone so far as to enact separate by-laws to address water impacts. Vancouver, for example, is working with producers to address contamination issues associated with the micro-brewery industry and has adopted a fermentation operations by-law to address effluent impacts. In order to permit the wide range of on-farm diversified uses proposed and facilitate business innovation however, a broader policy is required. Therefore SPC is proposed to apply to all on-farm diversified uses. In an agricultural context, high-water users such as dairy farms, though exempt from SPC, are subject to review under separate farming regulations.

As far as commercial uses on agricultural properties goes, site plan control is considered an appropriate and necessary tool, and one that permits greater flexibility in zoning. A formal approval process on a case by case basis is considered to lead to best outcomes without unduly limiting farmers in the manner that stringent zoning provisions might. A provision to permit the General Manager to waive the condition for SPC should review of additional studies or plans not be required is further proposed to permit greater flexibility for these small scale uses.

In future, and per the recommendations of the Rural Economic Development Strategy and Action Plan, staff also recommend that on-farm diversified uses be considered as part of a Community Planning Permit System to provide a more streamlined approach and reduce costs for rural applicants.

Small-scale buildings (less than 300 square metres) where no public consultation is required, would fall under the fees category of 'rural small', with minimal submission requirements. Larger proposals of greater than 300 square metres or more than nine parking spaces (e.g. a wedding venue of more than 90 square metres in floor area) will continue to be subject to standard site plan control processes and rural fees.

### **Other Applicable Legislation**

#### Minimum Distance Separations (MDS I and MDS II)

MDS requirements are in place to address compatibility of uses where agricultural practices are present. MDS is applied to any new development in proximity to a farm operation.

**MDS I** – provides the minimum distance separation between proposed new development and any existing livestock barns, manure storages and/or anaerobic digesters.

**MDS II** – provides the minimum distance separation between proposed new, expanding or remodelled livestock barns, manure storages and/or anaerobic digesters and existing or approved development.

MDS calculations are to be reviewed by the municipality during the site plan control or building permit application process for any on-farm diversified uses and home-based businesses.

#### Development Charges

Development Charges (DCs) are one-time fees levied by municipalities through the building permit process to finance a portion of the capital costs associated with new infrastructure and municipal service expansion needed to support growth. These fees vary depending on whether the development is residential or non-residential. DCs are also collected through the building permit process on behalf of the City's four school boards in accordance with the *Ontario Education Act*. Certain types of development, such as farm buildings, are exempt from paying DCs, however fees may still apply for conversion to a use that is not exempt, such as conversion of a barn to a wedding venue. The floor area maximums applicable through zoning will limit associated development charge fees to an extent.

One of the key tenets of the City's Rural Economic Development Strategy and Action Plan is the reduction of barriers to development, and DC rates were noted as a significant barrier to the establishment of farm diversified uses during consultation sessions. The application of DCs to conversion of existing farm buildings should be reviewed as part of any future amendments to the City's Development Charges By-law.

To date, the Region of Peel is the only example in Ontario found to have removed the requirement that on-farm diversified uses pay commercial development charges.

#### **Municipal Taxes**

Prior to tax reforms in the late 1990s, properties in most regions were assessed and classified based on their predominant use, even if there was more than one activity on the property. Some agricultural properties were taxed at a commercial rate due to a commercial business being located on site.

Under the current system, where portions of a property are used for different activities, assessors may apportion the total assessment of the property among the various subclasses according to the distinct uses on the property, meaning that where there is a commercial use present, the area of that use (minimum 0.4 hectares) is taxed at a commercial rate, leaving the majority of the property to continue being taxed at a lower agricultural rate.

In addition, in 2019, the City passed by-law 2019-133 to adopt a new 'small scale on-farm business property subclass' for tax purposes, which further reduces the first \$50,000 of commercial use land value by 75 per cent, provided that the assessed value is less than 1 million dollars.

#### **Cash-in-Lieu of Parkland (CIL)**

Under the City's Parkland Dedication By-law 2009-95, secondary uses such as home-based businesses and accessory dwelling units are exempt from cash-in-lieu of parkland charges. To be consistent with the above, the Rural Economic Development Strategy and Action Plan, and since on-farm diversified uses are to include the area of other secondary uses such as home-based businesses, a new exemption under Section 14 for on-farm diversified uses is proposed, as outlined in Document 4.

Agriculture-related uses that are stand alone commercial/industrial uses are not proposed for exemption under this By-law.

## **RURAL IMPLICATIONS**

These amendments will provide greater opportunity for rural farmers and residents through new permissions for small businesses on farm properties or in support of farming operations.

## **CONSULTATION**

This project took place in parallel with the Rural Economic Development Strategy and Action Plan study, which formed the consultation backbone for Ottawa specific trends and desirable rural outcomes.

An initial public notification of the project was provided in fall 2019 following establishment of a study webpage, which provided information regarding the scope of the project and contact information.

Internal and external stakeholder groups were formed. Stakeholder meetings permitted discussion of the more technical aspects of the proposal, from building code and development fee requirements to use and area maximum concerns, as well as broader concerns relating to fees and restrictions to rural lots. One-on-one consultations were held with these stakeholders as well as group sessions.

Comments received included unique business proposals such as space for club meetings, proposals for wedding venues, and concerns regarding cost to establish an on-farm diversified use. Several water and wastewater comments were also received, including the following from the Rideau Valley Conservation Authority: “the policy should require a hydrogeological investigation and terrain analysis that is scoped for the particular project.”

Site Plan Control and Development Charges were noted as barriers to the establishment of on-farm diversified uses due to costs, timelines and lack of clarity regarding requirements. Staff have made every effort to address concerns relating to cost and access to information necessary for planning a project. The nature of the activities in question, however, require a level of overview currently only afforded through site plan control. Application of this mechanism is considered necessary for addressing site-specific considerations such as water and wastewater impacts and permit less stringent zoning provisions. The proposals not currently subject to SPC will typically fall under the rural small category of application fee and be subject to minimal

submission requirements. A guide booklet is being prepared to aid applicants in understanding the various requirements and policies relevant to their proposals.

Notification with specific details regarding the proposed amendment provisions was sent out on May 12, 2021 along with an update to the study webpage.

### **LEGAL IMPLICATIONS**

There are no legal impediments to implementing the recommendations of this report.

### **RISK MANAGEMENT IMPLICATIONS**

There are risk implications. These risks, including impacts to farmland and the natural environment, have been identified and explained in the report and are being managed by the appropriate staff.

### **ASSET MANAGEMENT IMPLICATIONS**

There are no asset management implications associated with this report.

### **FINANCIAL IMPLICATIONS**

There are no direct financial implications.

### **ACCESSIBILITY IMPACTS**

The recommendations of this report are for new use permissions. There are no direct impacts to accessibility criteria. Accessibility considerations have been incorporated into the design of the website and guide document.

### **ENVIRONMENTAL IMPLICATIONS**

Staff recognize that commercial and industrial uses have potential to negatively impact the rural environment, and the proposed permissions are attempting to navigate a delicate balance between protection of resources and habitats, while allowing for greater rural opportunities.

Commercial or industrial uses on farmlands have the potential to impact soil and water quality. Additionally, consideration of environmentally sensitive areas such as wetlands and watercourses should be included in any review of potential applications for such uses. Proposed mitigation efforts include site specific review through the City's Site Plan



Control process, and Zoning and Official Plan policies that ensure the area of commercial and industrial uses remains relatively small, and encourages reuse of existing and clustering of buildings. In addition to any municipal requirements, all projects must meet Provincial and Federal environmental policies, standards and regulations in place.

### **TERM OF COUNCIL PRIORITIES**

This project addresses the following Term of Council Priorities:

- Economic Growth and Diversification;
- Integrated Transportation; Thriving Communities;
- Environmental Stewardship;

### **SUPPORTING DOCUMENTATION**

Document 1 Details of Recommended Official Plan Amendment

Document 2 Details of Recommended Zoning

Document 3 Details of Recommended Site Plan Control Amendment

Document 4 Details of Recommended Cash-in-Lieu of Parkland Amendment

Document 5 Appendix A: Guidelines for Permitted Uses in Ontario's Prime Agricultural Areas.

### **DISPOSITION**

Legislative Services, Office of the City Clerk and Solicitor to notify the applicant; Krista O'Brien, Tax Billing, Accounting and Policy Unit, Revenue Service, Corporate Services (Mail Code: 26-76) of City Council's decision.

Zoning and Interpretations Unit, Policy Planning Branch, Economic Development and Long Range Planning Services to prepare the implementing by-laws and Official Plan amendment and forward to Legal Services.

Legal Services, Office of the City Clerk and Solicitor to forward the implementing by law to City Council.

Planning Operations Branch, Planning Services to undertake the statutory notification.

Upon approval by Council, the Parkland Dedication by-law amendment and Site Plan Control by-law amendment will come into force only once the Zoning By-law amendment and Official Plan amendment have come into full force and effect.

**AGRICULTURE AND RURAL  
AFFAIRS COMMITTEE  
REPORT 23  
JUNE 7, 2021**

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**COMITÉ DE L'AGRICULTURE ET  
DES AFFAIRES RURALES  
RAPPORT 23  
LE 7 JUILLET 2021**

**Document 1 – Details of Recommended Official Plan Amendment**

Official Plan Amendment XX

To the Official Plan of the City of Ottawa

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**Statement of Components**

PART A – THE PREAMBLE introduces the actual amendment but does not constitute part of Amendment No. XX to the Official Plan for the City of Ottawa.

PART B – THE AMENDMENT constitutes Amendment XX to the Official Plan for the City of Ottawa.

## **PART A – THE PREAMBLE**

### **1. Purpose**

The purpose of this amendment is to amend Policies 3.7.3.5 and 3.7.2.5 within Volume 1 of the Official Plan. The Official Plan Amendment would permit alignment with zoning by-law definitions and provincial guidelines respecting on-farm diversified uses and agriculture-related uses.

### **2. Location**

The proposed Official Plan amendment applies to Agricultural Resource and General Rural areas within the City of Ottawa.

### **3. Basis**

The amendment to the Official Plan is required to align the City's policies with the Provincial Policy Statement respecting on-farm diversified uses and agriculture-related uses.

### **4. Rationale**

The proposed Official Plan amendment represents good planning as it permits economic development and support for the rural community, while mitigating risk to human health and the environment.

## **PART B – THE AMENDMENT**

### **1. Introduction**

All of this part of this document entitled Part B – The Amendment consisting of the following text and the attached Schedules constitutes Amendment No. XX to the Official Plan for the City of Ottawa.

### **2. Details**

The City of Ottawa Official Plan, Volume 1, is hereby amended as follows:

- 2.1 Under section 3.7.3 – Agricultural Resource Area, subsection 5, which states “On-farm diversified uses and agriculture-related uses that are compatible with, and do not hinder surrounding agricultural operations, may be permitted subject to the criteria below and the Provincial Guidelines”, by removing subclauses (a) and (b) in their entirety, and replacing with the following:
  - “a. On-farm diversified uses are secondary to the principal agricultural use of the property. They are to be limited in area and include but are not limited to: home industries, retail, agri-tourism and uses that produce value-added agricultural products. A Zoning By-law amendment is required for any increase to the permitted size of an on-farm diversified use.
  - b. Agriculture-related uses are commercial or industrial uses that are intended to serve local farm operations and are limited in size. A Zoning By-law amendment is required for any increase to the permitted size of an agriculture-related use, and the applicant must demonstrate that the use at the scale proposed is compatible with and is not hindering surrounding agricultural operations, and that every effort has been made to locate the use in an area of poor soils.”
- 2.2 By removing policies under section 3.7.2.5 – General Rural Area, and subclause 3.7.2.5(a) in their entirety, and replacing with the following:

“A zoning by-law amendment will be required where any of the following are proposed in General Rural Areas:

- a. Agriculture-related commercial or industrial uses, or increases to the permitted size of an agriculture-related industrial or commercial use.”

2.3 By removing the words “A site-specific zoning by-law amendment permits the use” and replacing with the words “The use is permitted in the zoning by-law prior to the consent” under section 3.7.3.11(a) – Agricultural Resource Area – Severances for Agriculture-related uses, and to remove the last sentence, “A rezoning will be required as a condition of consent where the use is not permitted at the time of severance”, under subsection 11(1) to read as follows:

11. The severance of lots for small-scale farm-related industrial and farm-related commercial uses described in policy 4b above, will be permitted in areas of poor soils where all of the following criteria are met:

1. The use is permitted in the zoning by-law prior to the consent;
2. (...)

### 3. Implementation and Interpretation

Implementation and interpretation of this Amendment shall be in accordance with the policies of the Official Plan for the City of Ottawa.



## Document 2 – Details of Recommended Zoning

The Proposed amendments for the City of Ottawa Zoning By-law 2008-250:

1. Under Section 54 – Definitions:

- a. Remove the definition of On-farm Diversified Use and replace with the following:

**On-farm diversified use** means a use that is ancillary to the principal agricultural use of a property, and includes but is not limited to educational displays, veterinary clinic, restaurant, bakery, retail store, retail food store, micro-brewery, micro-distillery, place of assembly, solar installations, agri-tourism uses, uses that produce value-added agricultural products, and agriculture-related uses.

- b. Remove subsection f. and g. under the definition for Agricultural use, so that it reads as follows:

**Agricultural use** means the cultivation of the soil to produce crops and the raising of farm animals, and without limiting the generality of the foregoing includes:

- a. the growing of crops;
- b. nurseries, greenhouses, market gardens, orchards, vineyards, agro-forestry operations and maple syrup production;
- c. the keeping and raising of livestock, fowl, fish, bees or fur or wool bearing animals;
- d. farm-based home industry involving the production of value-added or value-retained products from produce grown or raised on-site;
- e. a farm produce outlet selling agricultural products produced on the premises

- c. Add a new definition for Agriculture-related use to read as follows:

**Agriculture-related use** means those farm-related uses that are intended to provide direct products and/or services to farm operations as a primary activity, are compatible with local farm operations, and are limited to:

- non-accessory storage of farm products and farm related machinery;
- sorting or packing of farm products

2. Repeal Section 79 – Provisions for On-Farm Diversified Uses in its entirety, and replace with the following:

Section 79A - On-farm Diversified and Agriculture-Related Uses

(1) **On-farm diversified** uses are subject to the following provisions:

- a) An on-farm diversified use is permitted if the principal use of the lot is agricultural;
- b) On-farm diversified uses are limited to 2% of the total lot area, to a maximum of 1 hectare;
- c) the area of on-farm diversified uses on a lot includes:
  - i. The total area of buildings, structures and outdoor storage associated with home-based businesses, and
  - ii. The total area of buildings and structures built after November 8, 2017 associated with the on-farm diversified use, and
  - iii. 50% of the area of buildings or structures built prior to November 8, 2017 that have been converted to an on-farm diversified use, and
  - iv. The area of laneways and septic systems that were developed on or after November 8, 2017, and
  - v. Parking areas, outdoor storage areas, and landscaped areas that are associated with an on-farm diversified use, and

- vi. Despite the above, the area of agri-tourism uses associated with activities such as wagon rides or corn mazes on lands producing harvestable crops are not included in the area calculations;
  - d) The total floor area occupied by on-farm diversified uses may not exceed 20% of the total land area permitted for on-farm diversified uses on the lot, to a maximum of 600 square metres (except where otherwise stated), and;
    - i. The total floor area occupied by on-farm diversified uses, limited to place of assembly, instructional facility and restaurant uses, whether located in new or existing buildings, may not exceed 150 square metres;
    - ii. The total cumulative floor area of all on-farm diversified uses on a lot may not exceed 600 square metres, with a maximum of 300 square metres for floor area built after November 8, 2017;
    - iii. Floor area used for processing that may incorporate inputs grown off-site does not need to be counted towards the maximum total floor area and is subject only to the maximum areas under b) above.
  - e) Any outdoor storage or parking areas associated with an on-farm diversified use must be screened from view from a public street or a residential use on an abutting lot.
  - f) Outdoor storage areas and parking areas associated with an on-farm diversified use must not be located within 10 metres of any lot line.
  - g) Maximum number of heavy vehicles, including recreational vehicles, associated with an on-farm diversified use: 3
  - h) Required parking is as identified under Table 101 for the use proposed
  - i) Every effort should be made to cluster on-farm diversified uses, make use of existing laneways, and locate on areas of poorer soil
3. Add a new Section 79B with the following provisions:

(1) **Agriculture-related** uses are subject to the following provisions:

- a) The maximum combined area of all agriculture-related uses and on-farm diversified uses on a lot is 1 hectare;
  - b) The minimum lot area for an agriculture-related use is as per the zone;
  - c) If there is more than one agriculture-related use or on-farm diversified use on a lot, the combined area of all agriculture-related and on-farm diversified uses is included in the total;
  - d) The maximum area of agriculture-related uses includes any buildings, structures, outdoor storage areas, parking areas, and well and septic systems that are associated with the use.
4. Under Permitted Uses of Sections 211(1)(c), 213(1)(a), 215(1)(a), 218(9)(b), 227(1)(d), and 228(1)(a):
- a. Remove the words “, limited to a place of assembly” after the words “on-farm diversified use”
  - b. Add the following as a permitted use: “**Agriculture-related use**, See *Part 3, Section 79B*”
5. Under Permitted Uses of Sections 180(15)(a) - O1O Subzone - Trans Canada Pipeline Subzone, and 180(16)(a) - O1P Subzone - Hydro Corridor Subzone: remove the words “, limited to a place of assembly” after the words “**on-farm diversified use**”
6. Under Development Reserve Zone - Section 237(1):
- a. Add “(b) on-farm diversified uses are limited to conversions and temporary structures, and no new buildings are permitted”
  - b. Add the following as permitted uses:
    - i. “**On-farm diversified use**, See *Part 3, Section 79A*”
    - ii. “**Agriculture-related use**, See *Part 3, Section 79B*”

7. Add the following text as a new subsection (8) under Section 211 – Agricultural Zone; as a new subsection (5) under Section 213 – Mineral Extraction Zone; and as a new subsection (4) under Section 215 – Mineral Aggregate Reserve Zone:

“Agriculture-related uses are permitted only on a lot of 10 hectares or greater”

8. Under Section 227 – Rural Countryside Zone and 228 – Rural Countryside Subzones, add a new subsection (3) with the following text:

“Agriculture-related uses are permitted only on a lot of 2 hectares or greater”

9. Revise Column V of exception 877r under Section 240 – Rural Exceptions to remove reference to Section 79(1)(b) to read as follows:

- Maximum size of an on-farm diversified use, limited to a place of assembly: 0.54 ha.
- The calculation of the area of the on-farm diversified use, limited to a place of assembly includes the area of all buildings and land used for the on-farm diversified use, limited to a place of assembly.
- Maximum area of a building or portion of a building used for an on-farm use, limited to a place of assembly: 480 m<sup>2</sup>
- Maximum area used for all on-farm diversified uses and agriculture-related uses on the lot: 0.54 ha

The provisions in Section 79A (1)(c), (d), and (e) do not apply to a place of assembly use.

**Document 3 – Details of Recommended Site Plan Control Amendment**

The Proposed amendments for the City of Ottawa Site Plan Control By-law 2014-256:

1. Amend Section 4 – Classes of Development Exempt, subsection 1(c)(iv), which begins “Does not establish any of the following: [...]”, by adding:  
  
“q. on-farm diversified use or agriculture-related use, unless written permission is obtained from the General Manager, Planning, Infrastructure and Economic Development, subject to the concurrence of the Ward Councillor that the requirement for site plan control approval is waived.”

**Document 4 – Details of Recommended Cash-in-Lieu of Parkland Amendment**

The Proposed amendments for the City of Ottawa Parkland Dedication By-law 2009-95:

The Proposed amendments for the City of Ottawa Parkland Dedication By-law 2009-95:

1. Amend Section 14 (1)(i) by adding the words “; an on-farm diversified use; or, an agriculture-related use” after the words “home-based business” to read as follows:

**“Section 14**

1. No conveyance of land or payment of money in-lieu under this by-law is required in the case of the development or redevelopment of:

(...)

- (i) a home based business; an on-farm diversified use; or, an agriculture-related use as defined in the Zoning By-law;”