

AMENDMENT NUMBER 269
TO THE COUNTY OF OXFORD OFFICIAL PLAN

The following Plan attached hereto as explanatory text,
constitutes Amendment Number 269 to the County of Oxford Official Plan.

THE COUNTY OF OXFORD

BY-LAW NO. 6437-2022

BEING a By-Law to adopt Amendment Number 269 to the County of Oxford Official Plan.

WHEREAS, the County of Oxford has held an open house, public hearing, and has recommended Amendment Number 269 to the County of Oxford Official Plan for adoption, and,

WHEREAS, pursuant to Section 26 of the Planning Act, the Province is the approval authority for Amendment Number 269 to the County of Oxford Official Plan.

NOW THEREFORE, the County of Oxford pursuant to the provision of the Planning Act, R.S.O. 1990, as amended, enacts as follows:

1. That Amendment Number 269 to the County of Oxford Official Plan, being the attached explanatory text, is hereby adopted.
2. This By-Law shall come into force and take effect on the day of the final passing thereof.

READ a first and second time this 11th day of May, 2022.

READ a third time and finally passed this 11th day of May, 2022.

LARRY G. MARTIN, WARDEN

CHLOÉ J. SENIOR, CLERK

1.0 PURPOSE OF THE AMENDMENT

The purpose of the Amendment is primarily to update Section 3.1 *Agriculture Land Resource* of the Official Plan, with a new set of policies that will apply primarily to the existing “Agriculture Reserve” designation, along with affiliated changes to section cross references and definitions to support and implement the agricultural policies. These changes comprehensively update the County’s agricultural land use policies and have been informed by extensive consultation with stakeholders, Provincial Ministries, and the public. This amendment seeks to ensure that the County’s prime agricultural area is protected for long term agriculture by avoiding further fragmentation of the land base, minimizing conflict between agricultural and non-agricultural uses; and supporting the needs of the agricultural community by permitting certain uses that are directly related to and supportive of agricultural uses in the area, where appropriate

Section 1.6, *Definitions*, will also be updated by this amendment to ensure the definitions for a number of terms referred to in the amended text of Section 3.1 appropriately reflect their intended meaning and/or are consistent with the definitions in the 2020 Provincial Policy Statement. Existing cross references to Section 3.1 in the rest of the Official Plan will also be updated to reflect changes in numbering.

2.0 LOCATION OF LANDS AFFECTED

This Amendment applies to all lands located within the corporate boundary of the County of Oxford that are outside of a designated settlement.

3.0 BASIS FOR THE AMENDMENT

3.1 SUMMARY OF CHANGES TO THE PLAN

Chapter 1 – Introduction, Section 1.6, *Definitions*, of the Official Plan is amended to ensure the definitions for various italicized terms in the amended text of Section 3.4.1 appropriately reflect their intended meaning and/or are consistent with the definitions in the 2020 Provincial Policy Statement. The amendments consist of a number of new and/or revised definitions and the deletion of existing definitions to ensure the italicised terms in the policies simply reference the corresponding definition in the 2020 Provincial Policy Statement.

Chapter 3 – Natural Resource Management Policies, Section 3.1, *Agricultural Land Resource*, of the Official Plan sets out the policies for the protection of the County’s agricultural lands for long term agricultural use. These policies also reflect the importance of agriculture and related uses, including on-farm diversified uses and agriculture-related uses.

The key updates to the policies of this Section include:

- ensuring continued protection of the County’s prime agricultural areas for long-term agricultural use, while recognising changing crops, commodities, markets and technologies;
- ensuring consistency with Provincial direction and, wherever possible, reflective of local goals and objectives;

- providing increased flexibility for the establishment of certain uses (e.g., value retaining facilities, on-farm diversified uses, agriculture-related uses), and support for small business (e.g., home occupations, rural entrepreneurial uses) within the rural area;
- including provisions to ensure that uses are permitted at appropriate scales, are compatible with surrounding land uses, and are appropriately sited;
- incorporation of a number of new/updated terms to reflect current terms and definitions from the PPS, 2020; and,
- improving the readability and clarity of the policies and reducing repetition overall.

3.2 PUBLIC PARTICIPATION AND INPUT

SPECIAL MEETING OF COUNCIL TO COMMENCE OFFICIAL PLAN UPDATE

Pursuant to the requirements under Section 26 of the Planning Act a ‘special public meeting’ of Council’ was held on October 13, 2021 to formally commence the review and update of the County’s Official Plan.

PUBLIC ENGAGEMENT ON THE CONSULTATION DRAFT

A draft of the agricultural policies was released by County Council on October 27, 2021. This draft was released for public review and input and was advertised in area newspapers and through social media and digital advertising. All materials were made available on the County’s website and included an online survey for feedback.

Pursuant to the requirements under Section 17(16) of the Planning Act, an open house was held virtually on November 9, 2021. A video recording was also released of the open house and posted to the [Official Plan update webpage](#) and the County’s YouTube page for public viewing, following the open house.

An additional series of public consultation sessions were held at a meeting of each of the five rural area municipal councils (South-West Oxford on November 16, 2021, East Zorra-Tavistock on November 17, 2021, Norwich on November 23, 2021, Blandford-Blenheim on December 1, 2021 and Zorra on December 15, 2021). These meetings were open to the public and used the various meeting formats (virtual, in person, hybrid, and teleconference) of each of the area municipalities, at the time the meetings were held, due to the ongoing COVID pandemic.

STATUTORY PUBLIC MEETING

A statutory public meeting was held on March 23, 2022 pursuant to the requirements of Section 17 of the Planning Act. A revised draft of the agricultural policies was considered at the public meeting which incorporated changes based on feedback from the consultation draft.

4.0 DETAILS OF THE AMENDMENT

- 4.1 That Chapter 1 – INTRODUCTION, Section 1.6, *Definitions*, as amended, is hereby amended by deleting the defined terms for “Alternative And/ Or Renewable Energy Systems”, “Biomass Energy Systems”, “Renewable Energy System” and, “Solar energy System”
- 4.2 That Chapter 1 – INTRODUCTION, Section 1.6, *Definitions*, as amended, is hereby amended by deleting the defined term for “Farm Unit” and replacing it with the following:

FARM UNIT A *farm unit* means the composite of all lots operated as an agricultural operation, the principal farm residence, any accessory residences, *woodlands*, barns and other structures necessary to support *agricultural uses* and associated ancillary uses.

- 4.3 That Chapter 1 – INTRODUCTION, Section 1.6, *Definitions*, as amended, is hereby amended by adding defined terms for “Agriculture-Related Use”, “Farm-Related Tourism”, “Farm Owner”, “Farm Vacation Rental”, “Farm Winery”, “On-Farm Diversified Use”, “Rural Entrepreneurial Use”, “Rural Home Industry”, “Rural Home Occupation”, “Value Added Agricultural Facility”, and “Value Retaining Facility”

AGRICULTURE-RELATED USE *Agriculture-related uses*: means those farm related commercial and farm related industrial uses, including *value retaining* and *value added agricultural facilities*, that are directly related to farm operations in the area and are required in close proximity to farm operations, support agriculture, and provide direct products and/or services to farm operations as a primary activity.

FARM-RELATED TOURISM *Farm-related tourism use* means small scale tourism uses that are secondary to the farm operation and are focused on promoting the enjoyment, education or activities directly related to the farm operation. These uses may include short term limited accommodation, such as a bed and breakfast or *farm vacation rental*.

FARM OWNER

Farm owner means an individual, partnership, or corporation which:

- a) Owns, is employed on, and manages an agricultural operation consisting of one or more agricultural lots;
- b) Earns a majority of their income from farming (the scale of the agricultural operation should be capable of generating reasonable operating profit under "normal" economic conditions);
- c) Spends a majority of their work day in the day-to-day operation of the farm on a full-time, year-round or extended seasonal basis;
- d) Demonstrates a continuing commitment to the farm operation and long term farming, such as through sustainable farming practices, on-going farm maintenance and improvement (i.e., drainage, erosion control, soil improvement, fencing etc.), and direct investment in equipment, buildings, and crops; and,
- e) Must have a valid Farm Business Registration Number.

The principal operator together with their spouse, or other owners that normally reside in the same household, may be considered as one individual owner, partner or member of a corporation.

**FARM VACATION
RENTAL**

Farm vacation rental means a rental for the temporary, short-term accommodation of guests as a *farm-related tourism use*. This may include the rental of a farm dwelling or accessory unit.

FARM WINERY

A *farm winery* includes any farm based use which produces alcohol through fermentation or distillation, including wineries, cideries, breweries and distilleries.

**ON-FARM
DIVERSIFIED USE**

On-farm diversified use means uses that are small scale, secondary to the principal agricultural use of the property, and limited in area. Such uses include *rural home industries*, *farm-related tourism uses*, *value added agricultural facilities*, *value retaining facilities*, smaller scale *agriculture-related uses*, and the seasonal storage of boats, recreational vehicles or automobiles within an existing building.

**RURAL ENTREPRE-
NEURIAL USE**

Rural entrepreneurial use means a small scale, business or industry, including:

- Home occupations, that exceed the permitted size and/or scale of a *rural home occupation* as set out in Section 3.1.4.3.1, and,
- *Rural home industries*.

Such uses shall be secondary to the rural residential use of the property and comply with the use, scale, and design criteria for a *rural entrepreneurial use*, as contained in this Plan.

**RURAL HOME
INDUSTRY**

Rural home industry means a small-scale business or industry that is secondary to the agricultural or residential use on the lot. Typical examples of such uses include:

- Small equipment repair;
- Small scale veterinary clinic;
- A workshop for a building contractor, trade occupation or, welder;
- A studio space for a woodworker, craftsperson or artist; or,
- Other similar use.

**RURAL HOME
OCCUPATION**

Rural home occupation means a small-scale occupation or business that is clearly secondary to the residential use on the lot. Typical examples of such uses include:

- A home office for a professional, agent or contractor;
- A personal service, such as: hair styling, aesthetics or massage therapy;
- A small scale catering operation;
- A home day care;
- A bed and breakfast establishment; or,
- Other similar use.

**VALUE ADDED
AGRICULTURAL
FACILITY**

Value added agricultural facility means uses, typically located on a farm, that process agricultural commodities into new forms that enhance their value and may include/ add off-farm inputs. Typical examples of such facilities include:

- Pressing apples and bottling cider;
- Small scale winery;
- Grain milling;
- Cherry pitting and preserving;
- Chopping and canning vegetables;
- Grain roasting for livestock feed; or,
- Retail-oriented packaging.

**VALUE RETAINING
FACILITY**

Value retaining facility means a use, typically located on a farm, that serves to maintain the quality of agricultural commodities produced on that farm (i.e., prevent spoilage) to ensure they remain saleable, or that provides a minimum amount of processing to make the agricultural commodities produced on that farm saleable. Typical examples of such facilities include:

- Refrigeration, controlled-atmosphere storage;
- Commodity cleaning, grading, drying, sorting;
- Evaporating maple sap into syrup;
- Honey extraction; or,
- Simple (bulk) packaging.

- 4.4 That Chapter 3 – Natural and Cultural Resource Management Policies, Section 3.1 (including, subsections 3.1.1 to 3.1.6) of the Official Plan entitled, 'Agricultural Land Resource' as amended, is hereby amended by deleting and replacing it with the following:

3.1 Agricultural Land Resource

INTRODUCTION

Agriculture in Oxford County has maintained its position as an extensive user of land and an industry of significant importance to the local economy. Over 90 percent of agricultural land in the County is within Classes I, II and III agricultural land capability. In, 2016 87 percent of the total County land base was devoted to agricultural production and the agricultural industry was the fourth most important employer in the County. Further, there were over 1875 farms in the County reporting total annual gross farm receipts of over \$709 million, with a continued trend toward fewer, but larger and more intensive farming operations. Based on the total value of products sold, Oxford County farms were, on average, the third most productive in Ontario.

Agriculture in Oxford is a key contributor to both the local and Provincial economies. Further, given the quality and extent of the agricultural land base, level of capital investment in agriculture and geographic location, the County will continue to be one of the most important agricultural areas in the Province. However it is also recognized that the agriculture industry in Oxford will need to continue to evolve and adapt in order to remain competitive and address on-going challenges, such as declining farm populations, fluctuating commodity prices, increasing competition, changing consumer preferences, and increasing environmental requirements and issues, including the impacts of a changing climate.

In order to ensure Oxford's agricultural industry remains healthy and sustainable for the long term and maintains the flexibility to respond to these challenges, County Council and Area Councils are committed to protecting and preserving the *prime agricultural area* of the County for *agricultural uses* for the long term. This is to be accomplished by designating all lands that are located outside of *settlements* in Oxford County as a *prime agricultural area* and establishing clear local policy direction with respect to permitted uses and lot creation in such areas. In general, the County policies will support agriculture by recognizing the value of the agricultural land base for current and future food and fibre production, minimizing the potential for conflict and land competition from non-agricultural uses, and by providing clear guidance that the County's *prime agricultural area* is to be preserved for *agriculture use*. The policies also support the promotion of local food and agri-business opportunities through the recognition of *agriculture-related* and *on-farm diversified uses*, as well as the promotion of the rural economy and tourism opportunities through the incorporation of *farm-related tourism uses*, *rural home occupations*, and *rural entrepreneurial uses*. All of these uses contribute to the agricultural system within Oxford County.

3.1.1 Goal for Agricultural Policies

County Council shall ensure that the County's *prime agricultural area* is preserved for food and fiber production by avoiding further fragmentation of the land base, minimizing conflict between *agricultural uses* and non-agricultural uses, and supporting the needs of the agricultural community by permitting land uses which are directly related to and supportive of agricultural uses in the area, where appropriate.

3.1.2 Strategic Approach

In order to manage *development* in the *prime agricultural area* of the County in a manner that is supportive of a strong agriculture industry, it is the strategic aim of County Council and the Area Councils to:

| | |
|---|---|
| DESIGNATE THE PRIME AGRICULTURAL AREA | Designate all lands in the County that are located outside of a <i>settlement</i> , as identified on Schedule C-3 and the Land Use Plan Schedules as a <i>prime agricultural area</i> . |
| PROTECT THE PRIME AGRICULTURAL AREA | Protect and preserve the County's <i>prime agricultural area</i> (i.e., not just the <i>prime agricultural lands</i>) for long-term <i>agricultural use</i> . |
| MINIMIZE CONFLICT WITH FARM OPERATIONS | Prevent situations of land use conflict in the <i>prime agricultural area</i> through careful management of non-agricultural uses, including rural residential, recreational, commercial, industrial, and aggregate resource extraction. |
| PROMOTE ALL TYPES, SIZES, AND INTENSITIES | In the <i>prime agricultural area</i> , all types, sizes and intensities of <i>agricultural uses</i> and normal farm practices shall be promoted and protected, where appropriate. However, any new and/or reconfigured agricultural lots shall remain sufficiently large to provide flexibility for future changes in the type, size and/or intensity of <i>agriculture uses</i> , limit land fragmentation, and minimize potential negative impacts on agriculture; |
| AGRICULTURE- RELATED USES | Allow for the establishment of <i>agricultural-related</i> uses that require a location in an agricultural area, are compatible with and do not hinder surrounding agricultural operations, and do not undermine or conflict with the planned function of settlements, to provide opportunities to establish agricultural services that support or improve agriculture in the area. |
| ON-FARM DIVERSIFIED USES | Allow for the establishment of <i>on-farm diversified uses</i> that are limited in scale, compatible with and do not hinder surrounding <i>agricultural uses</i> , and do not undermine or conflict with the planned function of settlements, to provide opportunities for farmers to establish a <i>value added agricultural facility</i> , <i>farm-related tourism use</i> or other appropriate small business use on their farm to supplement their income from farming. |
| PROTECTION OF THE ENVIRONMENT | Ensure that land uses within the <i>prime agricultural area</i> conform with the applicable policies of Section 3.2, Environmental Resource Policies. |

MONITORING

Monitor provincial and national agricultural related legislation, regulations, policies, and guidelines in order to determine whether the land use policies affecting agriculture in this Official Plan are consistent with efforts at other levels of government to provide for a sustainable agriculture industry.

3.1.3 Land Use Designation and Mapping

The agricultural policies apply to the policy area identified as Agricultural Reserve on all Land Use Plan Schedules.

AGRICULTURAL
RESERVE AND
PRIME
AGRICULTURAL
DESIGNATION

The Agricultural Reserve designation on the Land Use Schedules identifies the *rural area* of the County which is intended for long term *agricultural use*. The Agricultural Reserve designation, together with the other land use designations that apply to lands located outside of *settlements*, comprise the *prime agricultural area* of the County.

The policies of this Section may also be considered in the evaluation of *development* proposals in the following land use designations and overlays: Environmental Protection Area, Open Space, Future Urban Growth and Quarry Area.

Agricultural uses shall be the priority use within the Agricultural Reserve designation. *Agricultural-related uses* and secondary uses, including *on-farm diversified uses*, may also be permitted, in accordance with the applicable policies of this Section. The development of *non-agricultural uses* shall not be permitted, except in the limited circumstances set out in this Plan.

SUBMISSION OF
INFORMATION AS
PART OF AN
APPLICATION

Where additional information or studies are required for a proposed *development*, in accordance with the policies of this plan, this information will be prepared by qualified individuals and submitted in a form satisfactory to the County or Area Municipality as applicable.

Further, the County and/or Area Municipality may, depending on the scope and complexity of the application, require third party review of any information, materials or documentation required by the County and/or Area Municipality. The applicant will be responsible for the costs of the third party review as well as the costs associated with any additional review resulting from revisions to the original materials that may be required as a result of the third party review.

Submission of planning and technical studies as applicable is required, prior to consideration of the development application by the County or Area Municipality as applicable.

3.1.4 Agricultural Uses in the Agricultural Reserve Designation

The policies in this Section apply to agricultural and other associated uses in the Agricultural Reserve designation in the County of Oxford. The policies for certain other land use designations and overlays, such as Quarry Area, Future Urban Growth, Open Space and Environmental Protection Area may also refer to these policies for direction on permitted agricultural uses.

3.1.4.1 Permitted Uses

The following land uses are permitted in the Agricultural Reserve designation as identified on the Land Use Plan Schedules in this Plan, subject to the policies of this Section.

AGRICULTURAL USES

The primary uses permitted in the Agricultural Reserve designation are *agricultural uses*.

All livestock and poultry farms will be subject to the policies of Section 3.1.4.2.1 pertaining to *Minimum Distance Separation Formula (MDS)* // and nutrient management.

SECONDARY USES

Secondary uses that may be permitted on a farm in the Agricultural Reserve designation include *rural home occupations* and *on-farm diversified uses*, in accordance with the policies of Section 3.1.4.3.

All secondary uses are subject to the specific policies for such uses as contained in this Plan.

AGRICULTURE- RELATED USES

Agriculture-related uses may be permitted in the Agricultural Reserve designation, in accordance with the policies of Section 3.1.4.3 of this Plan.

NON- AGRICULTURAL USES

In order to protect and preserve the County's *prime agricultural area* for long-term *agricultural use*, non-agricultural uses will only be permitted in the limited circumstances set out in the policies of Section 3.1.5 and 3.1.7 of this Plan.

RENEWABLE ENERGY FACILITIES

Renewable Energy Facilities, may be permitted in the Agricultural Reserve, in accordance with the policies of Section 3.1.5.4 of the Plan.

INFRASTRUCTURE

Infrastructure shall be permitted in the Agricultural Reserve, in accordance with the policies of Section 3.1.5.5 of the Plan.

INTERIM USES

Sand and gravel, oil, gas and gypsum extraction and ancillary uses are permitted in the Agricultural Reserve as interim uses, in accordance with the policies in Section 3.4, Resource Extraction Policies.

NATURAL HERITAGE FEATURES AND/OR SYSTEMS

Natural heritage features and areas and other *natural heritage system* components are located throughout the *prime agricultural area* of the County and form part of the *prime agricultural area*. Uses proposed within and adjacent to the various *natural features and areas* that comprise the *natural*

heritage system shall be in accordance with the applicable policies of this Section and Section 3.2, Environmental Resource Policies.

ALL USES

In addition to the policies of this Section, all permitted uses shall comply with all other applicable policies of this Plan, including, but not limited to: Section 3.2, Environmental Resource Policies, Section 3.3, Cultural Resource Policies and Chapter 10, Implementation Measures.

3.1.4.2 ***Agricultural Uses***

AGRICULTURAL
USE

All types, sizes and intensity of *agricultural uses* shall generally be permitted within the Agricultural Reserve designation, in accordance with the following policies and the applicable agricultural zoning provisions in the applicable Area Municipal zoning by-law.

The following policies apply to the development of *agricultural uses* in the Agricultural Reserve designation.

VALUE RETAINING
FACILITY

An *agricultural use* may include *value retaining facilities* that exclusively serve that *agricultural use*.

Where *value retaining facilities* serve more than one farm, they shall only be permitted, in accordance with the policies pertaining to *on-farm diversified uses* or *agriculture-related uses*.

CANNABIS

While the growing of cannabis is considered an *agricultural use*, related production uses, such as: laboratories, processing, packaging, and shipping, may only be considered as *on-farm diversified uses* or *agriculture-related uses* and are subject to the applicable policies for such uses, in addition to Provincial and Federal requirements.

ANAEROBIC
DIGESTERS

Anaerobic digesters, as a *renewable energy facility*, may be permitted as an *agricultural use*, in accordance with the requirements of 3.1.5.4.

LIVESTOCK
FARMING

Agricultural uses which include new or expanding livestock and poultry operations are permitted, subject to the requirements of 3.1.4.2.1.

DWELLINGS

Residential uses, including accommodation for farm labour, may be permitted on an agricultural lot as an accessory use, subject to the requirements of 3.1.4.2.2.

AGRICULTURAL
LOT SIZE

Agricultural lots shall be sufficiently large to facilitate parcel sizes and configurations that provide for flexible and efficient *agricultural uses* over the long term. The minimum size of agricultural lots shall be 30 hectares (74.1 acres).

Development on *existing* undersized agricultural lots, including the establishment of a new residential use, is subject to the requirements of 3.1.4.2.3.

3.1.4.2.1 New or Expanding Livestock or Poultry Operations

**LIVESTOCK AND
POULTRY**

The County of Oxford recognizes the importance of livestock and poultry operations for food production and the economy. In addition to the protection of agricultural lands and operations, the County also recognizes the importance of minimizing conflicts between livestock facilities and non-*agricultural uses* and protecting environmental resources, including water resources.

*MDS AND
NUTRIENT
MANAGEMENT*

New livestock or poultry housing facilities, anaerobic digesters and/or manure storages, and modifications for enlargement of an existing livestock or poultry housing facility or manure storage, shall generally comply with the *MDS* and the requirements of the Nutrient Management Act.

Area Municipalities may enact Zoning and/or other municipal by-laws to ensure that new livestock or poultry operations, that are below the minimum size subject to the *MDS* and/or regulated by the Nutrient Management Act, are appropriately located and can adequately manage the manure they generate.

*EXISTING
LIVESTOCK FARMS*

In the interests of proactive ground and surface water protection, existing livestock or poultry farms that are not currently subject to the Nutrient Management Act are encouraged to prepare a nutrient management plan and ensure that they have adequate and appropriately designed and located manure storage.

*OTHER
APPLICABLE
POLICIES*

Proposals shall also comply with all other applicable policies of this Plan, including, but not limited to: Section 3.2, Environmental Resource Policies, Section 3.3, Cultural Resource Policies and Chapter 10, Implementation Measures.

3.1.4.2.2 Residential Uses on Agricultural Lots

OBJECTIVES

The following objectives apply to proposals to establish one or more dwellings on an agricultural lot:

- To preserve and protect the *prime agricultural area* for viable agriculture and avoid or minimize potential impacts on agricultural operations;
- To permit the *development* of dwellings on agricultural lots as an accessory use only where required to accommodate full-time farm labour, when the size and nature of the agricultural operation requires additional employment, or, in accordance with the policies for converted dwellings or *garden suites*;
- To ensure that new dwellings on agricultural lots are located to minimize potential impacts on *agricultural uses* and the loss of *prime agricultural land*;

- To ensure that new second or additional permanent dwellings are only permitted where they are required to accommodate full-time labour necessary for the day-to-day operation of the farm over the long term; and,
- To ensure that farm dwellings are not permitted to be severed from the *farm unit*, except through farm consolidation, in accordance with the policies of Section 3.1.5.3.

POLICIES

RESIDENCES ONLY ACCESSORY TO THE FARM

Within the County's *prime agricultural area*, residential uses on an agricultural lot will only be permitted where they are accessory to the agricultural operation.

Area Zoning By-Laws shall prohibit the establishment of accessory residential dwellings on agricultural lots with no frontage on a public road that is maintained year-round at a reasonable level of construction.

Area Zoning By-laws will regulate the location of new accessory residential dwellings on agricultural lots to ensure such dwellings are located to minimize impacts on *agricultural uses* and the loss of *prime agricultural land*.

ADDITIONAL DWELLING

Additional dwelling units may be permitted on an agricultural lot in the form of temporary dwellings, such as mobile homes or modular dwellings, and permanent detached dwellings through a minor variance granted by the Area Committee of Adjustment, in accordance with the policies of this Section.

A converted dwelling and/or *garden suite* may be permitted on an agricultural lot in the County's *prime agricultural area*, in accordance with the policies of Sections 4.2.2.1 and 10.3.9, respectively.

SURPLUS RESIDENCE

On-farm dwellings are to be considered as part of the *agricultural use* and consent to sever any surplus farm dwellings will not be permitted by the Oxford County Land Division Committee, unless the proposal involves the severance of a dwelling that is rendered surplus as a result of a farm consolidation, in accordance with the policies of Section 3.1.5.3

3.1.4.2.2.1 Development Criteria for Residential uses on Agricultural Lots

CRITERIA FOR ADDITIONAL ON- FARM RESIDENCES

With the exception of a *garden suite* or converted dwelling, all applications for additional dwelling units shall satisfy the following criteria:

- The size and nature of the farm operation requires an additional dwelling unit to house farm labour needed for the day-to-day operation of the farm on a full-time year-round basis, or full-time seasonal basis over an extended growing season, and such labour needs to be located in close proximity to the farm operation;.

- The size of the agricultural lot is in keeping with the policies of Section 3.1.4.2 of the Official Plan and complies with the provisions of the Zoning By-Law of the Area Municipality.
- The number of existing dwellings already located on the *farm unit* cannot adequately serve the labour needs of the agricultural operation.
- The principal dwelling on the lot is occupied by the farmer, or a retired farmer.
- The additional dwelling unit is demonstrated to be necessary for accommodating farm labor directly involved with the farming operation on a full-time, year-round or extended seasonal basis.
- The additional dwelling is located so as to:
 - i) Be in close proximity to the principal farm dwelling;
 - ii) Minimize the area of agricultural land used or occupied by the dwelling and associated outdoor amenity areas and *individual on-site sewage services*; and,
 - iii) Utilize lands with existing constraints for agriculture, where they exist.
- *Individual on-site water services and individual on-site sewage services* are demonstrated to be adequate or will be made adequate to serve the proposed use, in accordance with the applicable policies of Sections 3.2.7.2, Water Quality and Quantity and 5.5, County Servicing Policy.
- Proposals shall also comply with all other applicable policies of this Plan, including, but not limited to: Section 3.2, Environmental Resource Policies, Section 3.3, Cultural Resource Policies and Chapter 10, Implementation Measures.

**REQUIREMENTS
FOR PERMANENT
DWELLINGS**

Additional dwellings shall generally be in the form of temporary dwellings. Permanent dwellings will only be considered where it has been demonstrated, to the satisfaction of the Area Council, that the following additional criteria have been addressed:

- The type, size and scale of the farm operation clearly justifies the continued need for an additional dwelling to house farm labour required on a full-time, year round or extended seasonal basis, over the long term;
- There are no other agricultural lots in the area that are part of the *farm unit* and would already permit the construction of a dwelling;
- The dwelling will be located in close proximity to the existing dwelling on the lot, so as to form a single site for on-farm residential uses that does not exceed 0.8 hectares (2 acres) in total area, including the area used for the dwellings and accessory residential buildings, driveways, outdoor amenity areas and *individual on-site sewage services*;
- The dwelling will use the existing driveway serving the principal farm dwelling for vehicular access to a public road; and,
- The dwelling will satisfy *MDS I*, or not further reduce an existing insufficient *MDS I* setback.

Where a minor variance to establish a second permanent dwelling is approved, it shall include conditions of approval to ensure the dwelling is located, in accordance with the locational criteria of this Section.

**REQUIREMENTS
FOR TEMPORARY
DWELLINGS**

Where the proposed additional farm dwelling is intended to be a temporary dwelling, such as a mobile dwelling unit or a modular dwelling unit, the conditions of approval shall require the applicant to enter into an agreement with the municipality to address issues, such as installation, maintenance, removal, period of occupancy, and other matters deemed appropriate to ensure the dwelling is, and remains, necessary to support the agricultural operation and temporary in nature. The conditions of approval shall also ensure the dwelling is located, in accordance with the location criteria of this Section.

*MINIMUM
DISTANCE
SEPARATION*

Temporary dwellings must also satisfy the requirements of *MDS I* or not further reduce an existing insufficient *MDS I* setback.

3.1.4.2.3 Existing Undersized Agricultural Lots

INTENT AND OBJECTIVES

It is recognized that there are numerous existing smaller agricultural lots within the *prime agricultural area* of the County. It is the intent of this Plan that such lots continue to be utilized for *agricultural use* over the long term and do not simply become development sites for residential and other non-*agricultural uses*.

The following key objectives apply to existing undersized agricultural lots:

- To ensure that the primary function of existing undersized agricultural lots is for agricultural purposes;
- To encourage the consolidation of existing undersized agricultural lots with abutting agricultural lots and only permit the construction of a residential dwelling where the principal agricultural function of the undersized lot is not compromised; and,
- To ensure the manure generated by smaller livestock and/or poultry operations that are not regulated by the Nutrient Management Act is appropriately managed.

POLICIES

PARCEL SIZE

The policies of this Section shall apply to all existing agricultural lots that are smaller than 16 ha (39.5 acres) in area. These agricultural lots are referred to as “existing undersized agricultural lots” in this Plan.

Existing agricultural lots that are 16 ha (39.5 acres) or larger in area shall be subject to the general agricultural use policies of this Plan and the applicable provisions of the Area Municipal Zoning By-Law.

PERMITTED USES

Existing undersized agricultural lots may be used for a primary use permitted in Section 3.1.4.1, however the *development* of a residential dwelling and/or other buildings and structures shall not be permitted, except, in accordance with the policies of 3.1.4.2.3.1.

Notwithstanding the permitted uses above, existing undersized agricultural lots that are greater than 1 ha (2.5 acres) in area and contain an existing permanent residential dwelling, or have existing zoning that allows for a permanent residential dwelling, shall be identified through an appropriate agricultural zoning category in the Area Municipal Zoning By-law. Such zoning shall recognize the existing lot area and permit the primary agricultural uses in Section 3.1.4.1, as well as a dwelling and/or necessary farm buildings.

Where livestock or poultry facilities and/or manure storages may be proposed, including expansions to existing facilities. They shall also be subject to the requirements of Section 3.1.4.2.1.

DEVELOPMENT
CRITERIA

LOTS WITH LESS
THAN ONE
HECTARE OF
TILLABLE LAND

3.1.4.2.3.1 Development of an Existing Undersized Agricultural Lot

The development of a residential dwelling on an existing undersized agricultural lot may only be permitted in accordance with one of the following:

- Where an existing undersized agricultural lot is:
 - i) Less than 1 ha (2.5 acres) in area; or,
 - ii) Larger than 1 ha (2.5 acres), but contains less than 1 ha (2.5 acres) that is suitable for agriculture/tillable due to the remainder of the lot area being covered by existing *significant natural heritage features and areas* that have not been used for *agricultural use* in the past 10 years.

The Area Municipality may permit the establishment of a dwelling, and/or agricultural buildings and structures on such lot through a site specific amendment to the Area Municipal Zoning By-law, where it has been demonstrated that the lot contains a building envelope that satisfies the following criteria:

- i) Has frontage on, or direct vehicular access to, a public road, maintained year round, at a reasonable standard of construction;
 - ii) Is the minimum size required to accommodate the dwelling and associated outdoor amenity areas, driveway and *individual on-site water services and individual on-site sewage services* and shall not exceed 0.4 ha (1 acres);
 - iii) Is located so as to minimize the loss of tillable agricultural land and potential impacts on existing and future agricultural uses on surrounding lots (e.g., *MDS II* setback requirements) and to maximize the continued and/or potential future use of the lot for agricultural purposes (e.g., by locating on lands with existing constraints for agriculture, wherever possible, and not creating small or irregularly shaped areas for tillage and cropping);
 - iv) Shall comply with *MDS I* requirements;
 - v) Where *development* or *site alteration* is proposed within or adjacent to *natural heritage features and areas*, it is supported by an Environmental Impact Study, in accordance with the requirements of Section 3.2; and,
 - vi) Proposals shall also comply with all other applicable policies of this Plan, including, but not limited to: Section 3.2, Environmental Resource Policies, Section 3.3, Cultural Resource Policies and Chapter 10, Implementation Measures.
- Site plan approval shall generally be required for such development. The site specific zoning provisions and, where required, site plan approval, shall incorporate any restrictions or requirements that may be necessary to ensure the above noted policy criteria and any other development and site design related matters are addressed. The Area Municipality may also utilize any other tools or measures (i.e., conservation easements, development agreements etc.) deemed necessary or advisable to assist in implementing and ensuring continued compliance with the above noted policies.

LOT LINE
ADJUSTMENTS

- A boundary adjustment proposal that will result in the addition of agricultural lands from the existing undersized agricultural lot to an abutting agricultural lot, provided that all of the following criteria are addressed to the satisfaction of the County:
 - i) The proposal will result in a substantial amount of tillable agricultural land being added to the agricultural lot that is to be enlarged. Further, the enlarged agricultural lot to be created by the boundary adjustment shall comply with the policies of Section 3.1.4.2.4 pertaining to agricultural lot additions;
 - ii) The lot to be retained shall be rezoned to allow for the development of a residential dwelling, and shall be sized and located so as to:
 - a) Have frontage on a public road, maintained year round, at a reasonable standard of construction;
 - b) Be the minimum size required to accommodate the dwelling and associated *individual on-site water services and individual on-site sewage services* and shall not exceed 0.4 ha (1 acres);
 - c) Satisfy *MDS I* requirements;
 - d) Preserve agricultural land by locating on lands with existing constraints for agriculture, wherever possible, and not create small or irregularly shaped areas for tillage and cropping; and,
 - e) Minimize potential impacts on existing and future agricultural uses on surrounding lots (e.g., *MDS II* setback requirements), including the lot to be enlarged;
- Notwithstanding ii. above, a larger minimum size for the retained lot may be considered where:
 - i) It is solely for the protection and, wherever possible, enhancement of *natural heritage features and areas*, avoids and/or mitigates the impacts of development within such features and areas and does not result in their further fragmentation, and does not result in a greater loss of *prime agricultural land*;
 - ii) It is supported through an Environmental Impact Study, in accordance with the requirements of Section 3.2; and,
 - iii) Implementation of the recommendations of the Environmental Impact Study is to be achieved through the use of such measures as site specific zoning, site plan control, conservation easements, development agreements and any other implementation tools deemed necessary and/or appropriate to ensure the objective of protecting and/or enhancing *natural heritage features and areas* and protecting agricultural land for long term agriculture.
- *Individual on-site water services and individual on-site sewage services* are demonstrated to be adequate or will be made adequate to serve the proposed use and be in accordance with the applicable policies contained in Section 3.2.7.2, Water Quality and Quantity, and Section 5.5, County Servicing Policy.

- Proposals shall also comply with all other applicable policies of this Plan, including, but not limited to: Section 3.2, Environmental Resource Policies, Section 3.3, Cultural Resource Policies and Chapter 10, Implementation Measures.

3.1.4.2.4 Creation of Agricultural Lots and Agricultural Lot Additions

| | |
|------------------------|--|
| OBJECTIVES | The following key objectives have been established for severances for agricultural purposes: |
| PARCEL SIZE | <ul style="list-style-type: none"> To provide for agricultural lot sizes and configurations that are suitable for the type of agricultural uses common to the area and ensure flexibility for farm operators to engage in differing types of viable agricultural operations now and in the future; |
| VIABILITY | <ul style="list-style-type: none"> To ensure that where agricultural lots are created, they are capable of sustaining a broad range of viable agricultural operations that are common to the area; |
| MINIMIZE FRAGMENTATION | <ul style="list-style-type: none"> To minimize farmland fragmentation and avoid the creation of irregularly shaped agricultural lots and tillable land areas; |
| COMPATIBILITY | <ul style="list-style-type: none"> To ensure that <i>MDS Formulae</i> are satisfied; and, |
| EVALUATION CRITERIA | <ul style="list-style-type: none"> To establish appropriate land use planning criteria for evaluating agricultural severance proposals. |
| POLICIES | The following policy criteria will be used to evaluate proposals to sever agricultural land for: |
| | <ul style="list-style-type: none"> Agricultural lot additions and farm consolidations, where the land being severed is to be legally consolidated with an abutting existing agricultural lot, to form one lot under identical ownership; and, The creation of new agricultural lots. |
| AGRICULTURAL PURPOSES | <i>Agricultural use</i> must be the intended use of the land being severed and/or the lot being enlarged, and the lot being retained, except in the case of a retained lot containing a dwelling rendered surplus as a result of farm consolidation in accordance with the policies of Section 3.1.5.3. |
| FLEXIBILITY | <p>The severed, retained and enlarged agricultural lots shall remain sufficiently large to provide the flexibility for existing and future agricultural operations on those lots to respond to changing market conditions and trends in agriculture, such as by:</p> <ul style="list-style-type: none"> Changing the commodity produced; Increasing the scale of operation; and, Diversifying and/or intensifying production of agricultural commodities. |

| | |
|---|---|
| SUITABILITY | The agricultural lot size and configuration shall be suitable for the types of agriculture common in the area as well as the type of <i>agriculture use</i> being proposed. |
| FRAGMENTATION | Agricultural severances should avoid further fragmentation of agricultural land. |
| MINIMUM LOT SIZE | Agricultural lots shall be sufficiently large to facilitate parcel sizes and configurations that provide for flexible and efficient <i>agricultural uses</i> over the long term. The minimum size of agricultural lots shall be 30 hectares (74.1 acres). |
| COMPATIBILITY | Consents for farm severance or consolidation purposes must satisfy <i>MDS Formulae</i> . |
| MINISTRY OF AGRICULTURE AND FOOD | The Ministry of Agriculture, Food and Rural Affairs may be consulted to assist in the evaluation of the farm severance criteria. |
| SITE SPECIFIC CRITERIA | <p>In considering the land use planning merits of the proposed consent, regard shall also be had for the following site specific criteria:</p> <ul style="list-style-type: none"> • The amount of tillable land in comparison to total lot size (i.e., lots should be substantially comprised of tillable agricultural land); • The size and configuration of the proposed lots and tillable areas for cropping and/or livestock purposes; and, • The presence of farm buildings or structures to support the proposed use. |
| SEVERANCE OF NATURAL HERITAGE FEATURES | <p><i>Woodlands</i> and other <i>natural heritage features and areas</i> should not be severed from an agricultural lot unless the <i>woodland</i> and/or other <i>natural heritage features and areas</i> are to be conveyed to the County of Oxford or another public authority or conservation land trust approved of by the County, for natural heritage conservation purposes. Consents for such purposes may be permitted, provided that no new buildable lot would be created, and any retained agricultural lot would comply with the applicable policies of 3.1.4.2.</p> <p>The proposed configuration of agricultural lots shall not result in further fragmentation of <i>natural heritage features and areas</i> and/or the broader <i>natural heritage system</i>. Compliance with this policy shall be determined by the County, in consultation with the Conservation Authority with jurisdiction and/or any other agencies or qualified professionals that the County may deem necessary.</p> |
| OTHER APPLICABLE POLICIES | Proposals shall also comply with all other applicable policies of this Plan, including, but not limited to: Section 3.2, Environmental Resource Policies, Section 3.3, Cultural Resource Policies and Chapter 10, Implementation Measures. |

3.1.4.2.4.1 Consent Conditions

The Land Division Committee may impose reasonable and appropriate conditions on the granting of a consent to sever a lot for agricultural purposes in order to ensure the legitimacy of the agricultural component of the consent and achieve other planning objectives. Such conditions may include, but are not limited to, the following:

- The prohibition of residential structures on the proposed agricultural lot through a site specific zoning.
- Requiring site specific zoning to ensure that any residential dwelling and associated *individual on-site water services and individual on-site sewage services*, outdoor amenity areas and driveways on the proposed agricultural lot will be situated and designed so as to:
 - i) Minimize the area of agricultural land used or occupied to the greatest extent possible, and shall not exceed 0.4 ha (1 acre);
 - ii) Be situated in close proximity to any farm buildings and utilize the same driveway;
 - iii) Maximize the continued use of the lot for agricultural purposes by locating on lands with existing constraints for agriculture, where they exist, and not creating small or irregularly shaped areas for tillage and cropping; and,
 - iv) Minimize the impact on the continued agricultural use of the lot and on surrounding agricultural operations. (e.g., area restricted for future livestock facilities due to *Minimum Distance Separation Formula II* setback requirements).
- A severance agreement requiring the construction of proposed farm buildings or structures prior to the construction of any residential buildings.
- The County shall consult with the Conservation Authority with jurisdiction, and/or any other agencies or qualified professionals that the County may deem necessary, to identify opportunities and measures on the lots to be severed, retained, and/or enlarged for restoring and/or enhancing the components of the *natural heritage system* and protecting and/or improving quality of *surface water features*. Such measures may include, but are not limited to:
 - i) Requiring fencing around *surface water features* to prevent livestock access;
 - ii) Establishing buffer or filter strips adjacent to *surface water features* and drainage systems; and/or,
 - iii) Establishing appropriate setbacks for buildings, structures, wells or wastewater disposal facilities from lot lines, municipal and private wells, *natural heritage features and areas*, and *surface water features*.

Where deemed reasonable and appropriate, the County may impose conditions on the granting of the consent to ensure such measures are implemented and maintained.

- The implementation of measures to assist in environmental protection, mitigation and enhancements, including topsoil preservation, *natural heritage system* enhancement, and water quality maintenance, as set out in Sections 3.1.4.2.4 and 3.2, Environmental Resource Policies.

3.1.4.3 *Secondary Uses and Agriculture-Related Uses*

INTENT

Secondary uses, which are comprised of *on-farm diversified uses* and *rural home occupations*, together with *agriculture-related uses*, are intended to provide opportunities to strengthen and diversify the rural economy, by allowing for the establishment of various businesses and services that support or improve agriculture the area, supplement and diversify farm incomes, and/or provide home based employment opportunities for farmers and other rural residents.

Such uses must be compatible with and not hinder agricultural operations, be appropriate for rural services, and not undermine or conflict with the planned function of rural settlements and meet various other development criteria.

3.1.4.3.1 Rural Home Occupations

OBJECTIVE

Rural home occupations are intended to provide opportunities for those living in the *rural area* to establish a small, home-based business as a secondary use in a portion of their dwelling and/or accessory residential structure.

DEVELOPMENT CRITERIA

Within the Agricultural Reserve designation, a portion of a residential dwelling or a structure accessory to a residential dwelling, may be used for the purpose of a *rural home occupation* provided that:

- Such *rural home occupation* is small scale and clearly secondary to the residential use on the lot.
- The gross floor area of all structures, or portions thereof, used and/or occupied by the *rural home occupation* shall generally not exceed 40 m² (431 ft²), or 25% of the gross floor area of the dwelling, whichever is the lesser.
- The *rural home occupation* is carried on by one or more residents of the dwelling on the lot and up to one non-resident employee.
- The *rural home occupation* does not generate noise, odour, traffic, visual, or other impacts that may have an adverse impact on adjacent properties.
- Any associated goods, materials and/or equipment are stored within a fully enclosed building and there is no other visible evidence of the business activity, other than a small sign.

- Where more than one dwelling exists on an agricultural lot, a *rural home occupation* may only occupy one dwelling or accessory residential structure on that lot.
- SERVICING
- Existing or proposed services, including *individual on-site water services and individual on-site sewage services* and/or road access are demonstrated to be adequate to serve the proposed development, to the satisfaction of the Area Municipality and/or County, as applicable.
- SUBJECT TO ZONING
- The Zoning By-Law will permit *rural home occupations* within the implementing zone category and contain provisions necessary to address the above policy criteria, including restrictions on permitted uses, maximum floor area, open storage, number of employees, and sale of goods and materials, and to ensure other evidence of the business activities, such as parking and signage, is appropriately regulated.

Area Municipalities may choose to establish more restrictive use, size and scale requirements for *rural home occupations* than permitted by the policies of this Plan. Where stricter requirements have been established by the Area Municipality in the Zoning By-Law they shall take precedence over these policies.

3.1.4.3.2 On-Farm Diversified Uses

OBJECTIVE *On-farm diversified uses* are intended to provide reasonable opportunities for *farmers* to diversify their farming operation and/or supplement their income from farming, by allowing for certain small scale business activities to be established as a secondary use on their farm.

ON-FARM DIVERSIFIED USES *On-farm diversified uses* may be permitted on an agricultural lot in accordance with the policies of this section.

Limitations on the type, size, scale and area of *on-farm diversified uses* are primarily to ensure that such uses:

- Are clearly secondary to the principal agricultural operation on the lot and limited in area;
- Are compatible with, and do not hinder, surrounding agricultural operations;
- Protect *prime agricultural areas* for the long term;
- Are appropriate for rural *infrastructure* and public services; and,
- Do not undermine, or conflict with, the planned function of *settlements*.

PERMITTED USES *On-farm diversified uses* shall include the following uses, provided they comply with all the applicable policies of this section:

- *A rural home industry;*
- *A value added agricultural facility* serving a number of local area farms;
- *A value retaining facility;*
- *A farm-related tourism use;*
- *A smaller scale agriculture-related use;*
- *A farm winery; or,*

USES NOT
PERMITTED

- A ground-mounted solar facility.

For greater clarity, the following uses shall not be permitted as an *on-farm diversified use*;

- Retail uses, offices, medical/dental clinics and restaurants, except where explicitly permitted in this section;
- Residential uses or accommodation, except for limited, short-term accommodation, including a *farm vacation rental* or bed and breakfast;
- Institutional uses;
- Recreational uses and special event facilities;
- Large scale commercial and industrial uses; and,
- Other uses that, in the opinion of the County and/or Area Municipality, may:
 - i) Attract large numbers of customers or other people;
 - ii) Generate significant traffic, or not otherwise be appropriate for rural *infrastructure* or public services;
 - iii) Create compatibility or enforcement issues;
 - iv) Undermine or conflict with the planned function of rural settlements, except where explicitly permitted by the policies of this section; or,
 - v) Not otherwise be consistent with the applicable policies and objectives of this Plan.

WHOLESALE
AND/OR RETAILING

Wholesaling or retailing shall not be permitted, except where:

- It is clearly ancillary to a permitted *on-farm diversified use* and limited to a small proportion of the total gross floor area of the *on-farm diversified use*;
- The goods, wares or merchandise offered for sale are produced, processed or fabricated on the farm lot upon which the *on-farm diversified use* is located; or,
- It is restricted to the sale of farm inputs (e.g., feed, seeds or fertilizer) primarily to farm operations in the area, or to the sale of farm produce grown in the area.

OFFICE AND
RESTAURANT
USES

Business offices and/or small restaurants (e.g., café, tea room) may only be permitted, where they are clearly ancillary to a permitted *on-farm diversified use*.

Small scale office uses may also be permitted on an agricultural lot in accordance with the requirements for a *rural home occupation* in Section 3.1.4.3.1.

DEVELOPMENT
CRITERIA

On-farm diversified uses shall comply with the following criteria:

ZONE CHANGE
FOR SPECIFIC USE

- The establishment of an *on-farm diversified use* shall require a site specific amendment to the Area Municipal Zoning By-Law. The site specific zoning amendment shall identify the specific *on-farm diversified use* to be permitted and contain any provisions necessary to ensure the policy criteria of this section are addressed. Only proposals for a specific *on-farm diversified use* will be considered by the Area Municipal Council.

Area Municipalities may choose to establish more restrictive use, size and scale requirements for *on-farm diversified uses* than permitted by the policies of this Plan, provided they do not conflict with said policies. Where stricter requirements are established by the Area Municipality in the Zoning By-Law they shall take precedence over these policies.

ROADSIDE
PRODUCE STANDS

- Small roadside farm produce stands, which exclusively sell produce grown on the agricultural lot on which they are located, may be permitted as an *on-farm diversified use*, as of right, so long as the use meets any other requirements of the Area Municipal zoning by-law.

SECONDARY TO
THE FARM
OPERATION

- An *on-farm diversified use* will only be permitted on an agricultural lot that is being actively farmed and must be clearly secondary to the agricultural operation on the lot in terms of size, scale and importance.

In addition to compliance with the use, size and scale related policies of this section, it must be demonstrated that the owner of the farm will reside on the agricultural lot on which the *on-farm diversified use* is to be established.

On-farm diversified uses shall generally not be permitted on agricultural lots that are less than 16 ha (39.5 acres) in area.

CONCEPT PLAN
AND SITE PLAN
APPROVAL

- To ensure that the land area to be used and/or occupied by the proposed *on-farm diversified use* is the minimum required to accommodate the use and that the other location, scale and compatibility criteria of this section will be appropriately addressed, all development proposals for an *on-farm diversified use* shall include a detailed description of the proposed use and be accompanied by a detailed site plan, which:
 - i) Shows the location of all buildings and structures and related facilities, wells and septic beds, driveways, parking and loading areas, storage and display areas, landscaping and outdoor public areas, lot grading and drainage, and,
 - ii) Includes any other information deemed necessary for the proper review of the proposal;
- *On-farm diversified uses* shall generally be subject to site plan control to ensure, compliance with the applicable policies of this section, that the use is appropriately located and restricted in area, and that any other site design related matters are addressed. Area Municipalities may also utilize business licensing or other measures to assist in regulating and monitoring such uses to ensure they continue to comply with these policies.

LOCATION

- The *on-farm diversified use* shall be undertaken as part of the agricultural operation and, as such, any buildings, structures, or facilities associated with the *on-farm diversified use* shall be located within and/or integrated with the principal farm building cluster on the lot and use the existing driveway, unless it can be demonstrated that it is clearly not feasible and/or appropriate for the proposed use.

Where, in the opinion of Area Council, the need for an alternative location is justified, it must be further demonstrated that the proposed location minimizes disruption to, and loss of, agricultural land and the potential for conflict with existing and/or future agricultural operations in the area, including on the subject property.

- In addition to the requirements for *on-farm diversified uses*, *farm vacation rentals* shall only be permitted where the use is located within the principal farm building cluster, or an existing dwelling, and shall not impact the enjoyment or privacy of neighboring properties.

MORE THAN ONE
ON-FARM
DIVERSIFIED USE

- More than one *on-farm diversified use* may be permitted on a lot, however the cumulative gross floor area, land area, and number of employees of all such uses on the lot shall not exceed the limitations set out in this section.

LIMITATIONS ON
LAND AREA

- The total land area used and/or occupied by an *on-farm diversified use* and related facilities (e.g., buildings, parking, landscaped areas, berms, outdoor storage, new driveways, *individual on-site sewage services*) shall:
 - i) Be limited to the minimum area required for the proposed *on-farm diversified use*;
 - ii) Not exceed 2% of the total lot area or 0.8 ha (2.0 acres), whichever is the lesser; and,
 - iii) Avoid locating on productive agricultural land to the greatest extent possible, with the first priority being re-use of agricultural buildings existing as of May 11, 2022.

LIMITATIONS ON
BUILDING SIZE

- The maximum gross floor area of all buildings and/or structures used for the purposes of an *on-farm diversified use* or *agriculture-related use* shall be regulated through the provisions of the Area Municipal Zoning By-Law.

However, in no case shall the cumulative gross floor area of all buildings and/or structures, or portions thereof, used or occupied by an *on-farm diversified use* exceed 557 m² (6,000 ft²), except in accordance with the minor exception policies of this section.

WINERIES,
BREWRIES,
CIDERIES AND
DISTILLERIES

- In addition to the general requirements for an *on-farm diversified use*, a *farm winery* shall only be permitted where:
 - i) The *farm winery* uses crops (i.e., fruit/grains) grown on site to produce the majority of the wine/cider/beer/spirits, and all alcoholic commodities produced by the *farm winery* shall be processed, fermented, and bottled on site;
 - ii) An on-site tasting room and retail floor space shall not exceed the lesser of 75 m² or 25% of the total winery floor area, provided that it does not conflict with any minimum floor area requirement for licensing approval; and,
 - iii) All provincial regulations, including licensing requirements of the Alcohol and Gaming Commission of Ontario, are met.

EMPLOYEES

- The *on-farm diversified use* shall directly involve the farmer living on the same lot as the *on-farm diversified use* and may also involve any other permanent residents on the lot and up to two employees who do not reside on the lot. A limited number of additional seasonal employees may be permitted for a *farm-related tourism use*.

MINOR
EXCEPTIONS TO
SCALE OF USE

- Reasonable exceptions to the maximum gross floor area and/or number of employees for an *on-farm diversified use* may be considered on a site specific basis for a *value retaining facility*, *value added agricultural facility*, and/or smaller *agriculture-related use*, where Area Council is satisfied that such use could not reasonably be located within a rural *settlement*. A minor exception to the maximum gross floor area cap may also be permitted for the seasonal storage of boats, recreational vehicles and/or automobiles in existing, as of May 11, 2022, farm buildings or structures.

Minor exceptions to the total site area restrictions and locational criteria for *on-farm diversified uses* may be considered for temporary areas or facilities associated with short term seasonal activities that are part of a *farm-related tourism use* (e.g., corn maze) or onetime special event (e.g., ploughing match), provided such areas or facilities do not interfere with the primary farming activity (e.g., area used will continue to produce a harvestable crop), or negatively impact the ability of the lands to continue to be used for agriculture (e.g., no site alteration or soil compaction).

RESTRICTIONS ON
SCALE AND
EXPANSIONS

- Development proposals for new or expanding *on-farm diversified uses* which would exceed the number of employees, gross floor area or site area restrictions in this section will not be permitted, unless they comply with the *agriculture-related use* policies in Section 3.1.4.3.3.
- Proposals that cannot comply with the policies of Section 3.1.4.3.3 for an *agriculture-related use* shall be directed to locate, or relocate, in a *settlement* or must comply with the applicable policies for non-agricultural uses in Section 3.1.5 and 3.1.7.

OPEN STORAGE

- A limited amount of open storage may be permitted for an *on-farm diversified use*, provided that such storage is appropriately screened from public view, neighboring properties and residential dwellings on adjacent lots.

DESIGN OF
BUILDINGS AND
STRUCTURES

- All new buildings and/or structures used or occupied by the *on-farm diversified use* shall be designed and constructed so as to maintain the agricultural character of the property/area and be easily removed without negatively impacting the agricultural capability of the land, or easily converted to *agriculture use* should the *on-farm diversified use* on the lot cease (e.g., be moved to a *settlement* to facilitate the expansion).

COMPATIBILITY

- *On-farm diversified uses* shall be compatible with, and not hinder, surrounding agricultural operations, or other nearby land uses.
- The proposed use, scale and location of the *on-farm diversified use* shall be reviewed to ensure that potential compatibility issues with respect to traffic, noise, dust, odour, spraying and other agricultural activities and normal farm practices can be prevented or effectively mitigated. Further, an *on-farm diversified use* shall be appropriately designed, buffered and/or separated from nearby residential and other *sensitive land uses* to prevent, or acceptably mitigate, potential impacts and to minimize risk to public health and safety.
- The *on-farm diversified use* shall be reviewed to ensure that all applicable provincial and municipal requirements regarding, emissions, noise, odour, nuisance, compatibility, water, and wastewater standards are addressed and that the proposal has received all applicable environmental approvals and addressed any public health and safety requirements.
- The site specific zoning provisions and, where required, the site plan approval for the proposed *on-farm diversified use* shall incorporate any restrictions or requirements that may be necessary to implement this policy.

MINIMUM
DISTANCE
SEPARATION

- *On-farm diversified uses*, with the exception of a *value added agricultural facility* and/or *value retaining facility*, shall be located in conformity with *MDS I*. However, site specific exceptions may be considered where:
 - i) an existing insufficient *MDS I* setback will not be further reduced and the use is unlikely to create greater compatibility issues; or,
 - ii) the Area Municipality is satisfied that the level of human occupancy and/or activity associated with the *on-farm diversified use* does not warrant full compliance with *MDS I*;
- The application of the *MDS I* setback to *on-farm diversified uses* will be identified through the provisions of the Area Municipal Zoning By-law, with any site specific exceptions identified through the implementing zoning by-law amendment.

SERVICING

- Existing or proposed *individual on-site water services and individual on-site sewage services* are demonstrated to be adequate or will be made adequate to serve the proposed *on-farm diversified use*, and shall be in accordance with the requirements of the County, including the applicable policies of Sections 3.2.7.2, Water Quality and Quantity and 5.5, County Servicing Policy.
- *On-farm diversified uses* that would require *individual on-site sewage services* that have a design capacity in excess of 10,000 litres per day shall not generally be permitted. Site specific exceptions may be considered for *on-farm diversified uses* consisting exclusively of *value retaining facilities, value added agricultural facilities and/or agriculture-related uses*, where the County and Area Municipality are satisfied that:
 - i) Such use could not reasonably be located within a fully serviced *settlement*;
 - ii) It has been demonstrated site conditions are suitable for the long-term provision of such services with no *negative impacts*; and,
 - iii) All other requirements, including the applicable policies of Sections 3.2.7.2, Water Quality and Quantity and 5.5, County Servicing Policy have been addressed.

On-farm diversified uses must also be appropriate for other rural *infrastructure* and public services.

TRAFFIC AND
ACCESS

- Vehicular access for an *on-farm diversified use* shall not create a traffic hazard due to proximity to bridges, railway crossings, curves or grades or any other potential traffic hazard.

On-farm diversified uses shall be located on a road capable of accommodating the access and the type and volume of traffic anticipated to be generated, to the satisfaction of the authority with jurisdiction over the road, and be in accordance with the applicable policies of Section 5.1, County Transportation Policy.

RESTRICTIONS ON
SEVERANCE

- The severance of an *on-farm diversified use* from the agricultural lot upon which it is located shall not be permitted.

OTHER
APPLICABLE
POLICIES

- Proposals shall also comply with all other applicable policies of this Plan, including, but not limited to: Section 3.2, Environmental Resource Policies, Section 3.3, Cultural Resource Policies and Chapter 10, Implementation Measures.

3.1.4.3.3 Agricultural-Related Uses

OBJECTIVES

The following objectives apply to development proposals for *agriculture-related uses*:

RELATED TO FARM OPERATIONS

- To ensure that *agriculture-related uses* are directly related to farm operations in the area, require a location in close proximity to those farm operations, support agriculture, and provide direct products and/or services to farm operations as their primary activity;

MINIMIZE LOSS OF AGRICULTURAL LAND

- To minimize the amount of agricultural land which is developed for *agriculture-related uses*;

PROTECT EMPLOYMENT FUNCTION OF SETTLEMENTS

- To ensure that new *agriculture-related uses* are directed to rural settlements wherever feasible to support the planned employment and/or service function of the settlements in the County; and,

MINIMIZE LAND USE CONFLICT

- To ensure that *agriculture-related uses* are compatible with and do not hinder surrounding agricultural operations and other nearby land uses.

AGRICULTURE-RELATED USES

Agriculture-related uses, may be permitted in the Agricultural Reserve designation, where the policies of this section can be satisfied. Smaller scale *agriculture-related uses* may also be permitted as an *on-farm diversified use*, in accordance with the policies of Section 3.1.4.3.2

USES NOT PERMITTED

For greater clarity, the following uses shall not be permitted as *agriculture-related uses*:

- Retail uses, offices and restaurants, except where explicitly permitted by the policies of this section;
- Residential uses or accommodation, with the exception of an existing accessory dwelling;
- Institutional uses;
- Recreational uses;
- Banquet halls and special event facilities;
- Mechanics shops, automobile and recreational vehicle dealerships, distilleries, trucking operations; wrecking yards, contractor's yards, landscaper business, well drillers, excavators, building suppliers and other general commercial and/or industrial uses; and,
- Other uses that, in the opinion of the County and/or Area Municipality, may:
 - i) Attract large numbers of customers or other people;
 - ii) Generate significant traffic, or not otherwise be appropriate for rural *infrastructure* or public services;
 - iii) Create compatibility or enforcement issues;
 - iv) Undermine or conflict with the planned function of rural settlements, except where explicitly permitted by the policies of this section; or,
 - v) Not otherwise be consistent with the applicable policies and objectives of this Plan.

WHOLESALE
AND/OR RETAILING

Wholesaling or retailing shall not be permitted, except where it is clearly ancillary to the primary *agriculture-related use* and is limited to a small proportion of the total gross floor area, and:

- i) The goods, wares or merchandise offered for sale are produced, processed, or fabricated on the lot as the primary function of the *agriculture-related use* (e.g., cheese, canned produce); or,
- ii) It is restricted to the sale of farm inputs (e.g., feed, seeds or fertilizer) primarily to farm operations in the area, or to the sale of farm produce grown in the area.

OFFICE AND
RESTAURANT
USES

Business offices and/or small restaurants (e.g., café, tea room) may only be permitted where they are clearly accessory and ancillary to the primary *agriculture-related use* on the lot.

DEVELOPMENT
CRITERIA

Agriculture-related uses shall comply with the following criteria:

ZONE CHANGE
FOR SPECIFIC USE

- The establishment of an *agriculture-related use* shall require a site specific amendment to the Area Municipal Zoning By-Law. The site specific zoning amendment shall identify the specific *agriculture-related use* to be permitted and contain any provisions necessary to ensure the policy criteria of this section are addressed. Only proposals for a specific *agriculture-related use* will be considered by Area Council.

Area Municipalities may choose to establish more restrictive use, size and scale requirements for *agriculture-related uses* than permitted by the policies of this Plan, provided they do not conflict with said policies. Where stricter requirements are established by the Area Municipality in the Zoning By-Law they shall take precedence over these policies.

- To ensure that the land area to be used and/or occupied by the proposed *agriculture-related use* is the minimum required to accommodate the use and that the other location, scale and compatibility criteria of this section will be appropriately addressed, all development proposals for an *agriculture-related use* shall include a detailed description of the proposed use and be accompanied by a detailed site plan, which provides:
 - i) The location of all buildings and structures and related facilities, wells and septic beds, driveways, parking and loading areas, storage and display areas, landscaping and outdoor public areas and shows lot grading and drainage; and,
 - ii) Any other information deemed necessary for the proper review of the proposal.
- *Agriculture-related uses* shall be subject to site plan control to ensure compliance with the applicable policies of this section, that the use is appropriately located and restricted in area, and that any other site design related matters are addressed. Area Municipalities may also utilize business licensing or other measures to assist in regulating and monitoring such uses to ensure they continue to comply with these policies.

LOCATION

- *Agriculture-related uses* shall not undermine or conflict with the planned employment and/or service functions of settlements in the County. As such, the proponent will be required to demonstrate that the proposed *agriculture-related use* is clearly not suitable for, and/or cannot reasonably be accommodated within, a settlement before a location in the County's *prime agricultural area* will be considered.
- *Agriculture-related uses* which satisfy the above policy criteria shall be directed to the following locations, in this order of priority:
 - i) Existing agribusiness, non-farm rural residential, commercial, industrial (except aggregate or quarry industrial), or institutional zoned lots;
 - ii) Existing undersized agricultural lots that are less than 2 ha (5 acres) in area and that contain, or are zoned to permit, a dwelling. Such lots shall not exceed the minimum area required for the proposed *agriculture-related use*, unless any excess land is severed and legally merged with an abutting agricultural lot, under identical ownership; or,
 - iii) A portion of an agricultural lot that is a minimum of 16ha (39.5 acres) in area, but only where it has been demonstrated that the proposed *agriculture-related use* is directly related to the farm operation on that lot, and requires a location in immediate proximity to that farm operation.
- Proposals to develop an *agriculture-related use* shall generally be required to demonstrate, to the satisfaction of Area Council, that the higher priority locational options have been considered and are clearly

not suitable or feasible for the proposed use before a lower priority option will be considered.

USE ON A
PORTION OF
AGRICULTURAL
PARCEL

- Where an *agriculture-related use* is to be developed on a portion of an agricultural lot, the following additional criteria shall also be satisfied:
 - i) Any new buildings, structures or facilities for the *agriculture-related use* shall be located in close proximity to the dwelling and/or principal farm building complex on the property, unless it can be demonstrated that there are specific health, safety and/or other operational requirements that would preclude such a location; and,
 - ii) Where the proposed *agriculture-related use* cannot be located in close proximity to the dwelling and/or principal farm building complex on the property, it shall be demonstrated that the proposed location, site layout and configuration, building design, and associated services and facilities will:
 - a) Minimize disruption to and loss of *prime agricultural lands* and potential compatibility issues with existing and future agricultural operations in the vicinity to the extent possible;
 - b) Not negatively impact the flexibility or suitability of the parcel to be used exclusively for agriculture in the future, should the *agriculture-related use* cease; and,
 - c) Maximize the continued use of the lot for agricultural purposes by locating on lands with existing constraints for agriculture, where they exist, and not create small or irregularly shaped areas for tillage and cropping.

OPEN STORAGE

- A limited amount of open storage may be permitted for an *agriculture-related use*, provided that such storage is appropriately screened from public view, neighboring properties and residential dwellings on adjacent lots.

DESIGN OF
BUILDINGS AND
STRUCTURES

- All new buildings and/or structures used or occupied by the *agriculture-related use* shall be designed and constructed so as to maintain the agricultural character of the property/area and be easily removed without negatively impacting the agricultural capability of the land, or easily converted to *agriculture use* should the *agriculture-related use* on the lot cease (e.g., be moved to a *settlement* to facilitate the expansion).

COMPATIBILITY

- *Agriculture-related uses* shall be compatible with, and not hinder, surrounding agricultural operations, or other nearby land uses.

The proposed use, scale, and location of the *agriculture-related use* shall be reviewed to ensure that potential compatibility issues with respect to traffic, noise, dust, odour, spraying, and other agricultural activities and normal farm practices can be prevented, or effectively mitigated. Further, an *agriculture-related use* shall be appropriately designed, buffered and/or separated from nearby residential and other *sensitive land uses* to prevent, or acceptably mitigate, potential impacts and to minimize risk to public health and safety.

The *agriculture-related use* shall be reviewed to ensure that all applicable provincial and municipal requirements regarding, emissions, noise, odour, nuisance, compatibility, water, and wastewater standards are addressed and that the proposal has received all applicable environmental approvals and addressed any public health and safety requirements.

The site specific zoning provisions and site plan approval for the proposed *agriculture-related use* shall incorporate any restrictions or requirements that may be necessary to implement this policy.

MINIMUM DISTANCE SEPARATION

- *Agriculture-related uses* shall be located in conformity with *MDS I*. However, site specific exceptions may be considered where:
 - i) An existing insufficient *MDS I* setback will not be further reduced, and the use is unlikely to create greater compatibility issues; or,
 - ii) The Area Municipality is satisfied that the level of human occupancy and/or activity associated with the *agriculture-related use* does not warrant full compliance with *MDS I*;
- Enlargements to existing *agriculture-related uses* shall not further reduce an existing insufficient *MDS I* setback.
- The application of the *MDS I* setback to *agriculture-related uses* will be identified through the provisions of the Area Municipal Zoning By-law, with any site specific exceptions identified through the implementing zoning by-law amendment.

SERVICING

- *Agriculture-related uses* which, in the opinion of the County, would use significant amounts of water or produce significant amounts of effluent, shall be directed to *settlements* serviced by *municipal water supply* and *municipal sewage services*.
- Existing or proposed *individual on-site water services* and *individual on-site sewage services* are demonstrated to be adequate to serve the proposed *agriculture-related use* and shall be, in accordance with the applicable policies of Sections 3.2.7.2, Water Quality and Quantity and 5.5, County Servicing Policy.

- *Agriculture-related uses* that would require *individual on-site sewage services* that have a design capacity in excess of 10,000 liters per day shall not generally be permitted. Site specific exceptions may be considered where the County and Area Municipality are satisfied that:

- i) The only reasonable locational option for the *agriculture-related use* is in an area not served by *municipal sewage services*;
- ii) It has been demonstrated that site conditions are suitable for the long-term provision of such services with no *negative impacts*; and,
- iii) Shall be in accordance with the applicable policies of Sections 3.2.7.2, Water Quality and Quantity and 5.5, County Servicing Policy.

Agriculture-related uses shall also be appropriate for other rural *infrastructure* and public services.

TRAFFIC AND
ACCESS

- Vehicular access for an *agriculture-related use* shall not create a traffic hazard due to proximity to bridges, railway crossings, curves or grades or any other potential traffic hazard.
- *Agriculture-related uses* shall be located on a road capable of accommodating the access and the type and volume of traffic anticipated to be generated, to the satisfaction of the authority with jurisdiction over the road, and comply with the applicable policies of Section 5.1 County Transportation Policy.

RESTRICTIONS ON
SEVERANCE

- The severance of an *agriculture-related use* shall only be permitted in accordance with the requirements of Section 3.1.4.3.4.

OTHER
APPLICABLE
POLICIES

- Proposals shall also comply with all other applicable policies of this Plan, including, but not limited to: Section 3.2, Environmental Resource Policies, Section 3.3, Cultural Resource Policies and Chapter 10, Implementation Measures.

3.1.4.3.4 Creation of Lots for Agriculture-Related Uses

CREATION OF NEW AGRICULTURE- RELATED LOTS

An *agriculture-related use* developed on a portion of an agricultural lot shall not be severed from the agricultural lot upon which it is located. Notwithstanding this policy, Land Division Committee may consider the granting of consents to allow for the severance of an existing *agriculture-related use* established on a portion of an agricultural lot prior to January 14th, 2009, provided that it has been demonstrated the use was legally established and severance is necessary for the successful continuation of the use.

For *agriculture-related uses* located, or proposed to be located, on an existing non-agriculturally zoned lot, the Land Division Committee may consider the granting of consents to permit minor expansion of the lot, or minor re-adjustment of the lot boundaries, to accommodate the immediate needs of a new or expanding *agriculture-related use*.

Severances for *agriculture-related uses* shall comply with all the applicable policies under Section 3.1.4.3.3 and 3.1.4.3.4. Any retained agricultural lot resulting from a consent to sever for *agriculture-related use* purposes shall comply with the applicable policies of Section 3.1.4.2.4.

3.1.5 Non-Agricultural Uses in the Agricultural Reserve

OBJECTIVES

The policies in this section apply to non-agricultural uses in the Agricultural Reserve land use designation in the County of Oxford.

The following objectives apply to non-agricultural uses:

NO CONFLICT WITH AGRICULTURAL GOAL

- To permit new or expanded non-agricultural uses only where such uses do not conflict with the "Goal for Agricultural Policies", as set out in Section 3.1.1;

SECONDARY IMPORTANCE

- To preserve and protect the *prime agricultural area* for long term, viable *agricultural use* and avoid or minimize potential impacts on agricultural operations; and,

DIRECT TO SETTLEMENTS

- To direct non-agricultural uses to *settlements* wherever possible.

POLICIES

For the purposes of this section, "Non-Agricultural Uses" include commercial, industrial, institutional, recreational and non-farm rural residential uses, as well as *renewable energy facilities* and *alternative energy facilities* and *infrastructure*. These uses may only be permitted subject to the applicable policies of this plan, including 3.1.4, 3.1.5, and 3.1.7.

GENERAL INTENT

It is the intent of this Plan that, within the Agricultural Reserve designation, the use of *prime agricultural land* for agricultural, mineral, petroleum, and environmental resources will be given a higher priority in land use decision making than its use for non-agricultural uses.

3.1.5.1 **Redevelopment of Non-Agricultural Uses for Agricultural Use**

DEVELOPMENT CRITERIA

Existing non-agricultural lots that:

- Contain an existing dwelling;
- Are located outside of a designated *settlement*;
- Are greater than 1.0 ha (2.5 acres) in area; and,
- Are zoned for residential, commercial, industrial or institutional use,

may be rezoned to allow *agricultural uses*, in accordance with the following policies.

PERMITTED USES

Where such existing parcels are proposed to be used for a primary *agricultural use* permitted in Section 3.1.4.1, the *development* of farm buildings or structures or the keeping of livestock or poultry may be permitted, if the following criteria are satisfied:

SERVICING

- Existing or proposed *individual on-site water services and individual on-site sewage services* are demonstrated to be adequate to serve the proposed agricultural use and any accessory residential use to the satisfaction of the County, and shall be in accordance with the requirements of the County, including the applicable policies of Sections 3.2.7.2, Water Quality and Quantity and 5.5, County Servicing Policy.

NUTRIENT MANAGEMENT AND MINIMUM DISTANCE SEPARATION FORMULA II

- Proposals to create new livestock or poultry farms will be evaluated to determine their compatibility with neighboring land uses. Proposals involving the construction of new livestock buildings or structures shall comply with the policies of Section 3.1.4.2.1.

SUITABILITY

- The type of agricultural use proposed is compatible with the type of *agricultural uses* in the area, and the agricultural lot size and configuration are suitable for the type of agricultural use proposed.

OTHER APPLICABLE POLICIES

- Proposals shall also comply with all other applicable policies of this Plan, including, but not limited to: Section 3.2, Environmental Resource Policies, Section 3.3, Cultural Resource Policies and Chapter 10, Implementation Measures.

3.1.5.2 **Rural Residential Uses**

POLICY INTENT

Non-farm rural residential *development* is considered to be incompatible with agriculture as it can create conflicts with farming activities and remove land from agriculture use. As such, this Plan will limit residential development to where it is the result of a farm consolidation, in accordance within the requirements of this section. In keeping with the Goal for the Agricultural Policies, existing non-farm rural residential uses will be encouraged to re-develop for *agricultural uses* and *agriculture-related uses*, subject to the policies of Section 3.1.4.3.3 and Section 3.1.5.1.

CONVERTED
DWELLINGS AND
GARDEN SUITES

A converted dwelling, or *garden suite*, may be permitted on an existing rural residential lot, in accordance with the applicable policies in Section 4.2.2.1 and 10.3.9 respectively.

3.1.5.2.1 Secondary Uses on Rural Residential Lots

POLICY INTENT

To allow for certain business uses to be established on existing rural residentially zoned lots, where they are small scale and secondary to the residential use on the lot.

Such business uses are intended to complement the planned employment and service function of designated rural *settlements*, by providing additional live-work opportunities for non-farmers in *rural areas*. However, such uses are not to detract from the residential character of the lot upon which they are located, and shall be compatible with surrounding land uses, including *agricultural uses*.

PERMITTED USES

The following secondary uses may be permitted on an existing residentially zoned lot that is located outside of a *settlement*:

- *Rural home occupation*, in accordance with the requirements of Section 3.1.4.3.1; and,
- *Rural entrepreneurial use*

RURAL
ENTREPRENEURIAL
USE

The following policies apply to the establishment of a *rural entrepreneurial use* on an existing residentially zoned lot.

PERMITTED USE

The specific uses that may be permitted as a *rural entrepreneurial use* in each Area Municipality shall be set out in the Area Municipal Zoning By-law and be in accordance with the applicable policies of this section.

USES NOT
PERMITTED

For greater clarity, the following uses shall not be permitted as a *rural entrepreneurial use*;

- Retail uses, offices, medical/dental clinics and restaurants, except where explicitly permitted in this section;
- Institutional uses;
- Restaurants;
- Residential uses or accommodation; and,
- Other uses that, in the opinion of the County and/or Area Municipality, may:
 - i) Attract large numbers of customers or other people;
 - ii) Generate significant traffic, or not otherwise be appropriate for rural *infrastructure* or public services;
 - iii) Create compatibility or enforcement issues;
 - iv) Undermine or conflict with the planned function of rural settlements, except where explicitly permitted by the policies of this section; or,
 - v) Not otherwise be consistent with the applicable policies and objectives of this Plan.

WHOLESALING,
RETAILING AND/OR
OFFICE AND SALES
USES

Wholesaling, retail uses and/or offices shall only be permitted where such uses are accessory and ancillary to a permitted *rural entrepreneurial use*.

Any goods, wares, and/or merchandise offered for sale shall be contained within a fully enclosed building, with the exception of a small outdoor display area for goods, wares, or merchandise produced, processed, or fabricated on the lot.

DEVELOPMENT
CRITERIA

Rural entrepreneurial uses may be permitted subject to the following:

ZONE CHANGE
FOR SPECIFIC USE

- The establishment of a *rural entrepreneurial use* shall require a site specific amendment to the Area Municipal Zoning By-Law. The site specific zoning amendment shall identify the specific *rural entrepreneurial use* to be permitted and contain any provisions necessary to ensure the policy criteria of this section are addressed, including but not necessarily limited to:
 - i) The location of the use on the lot;
 - ii) Restrictions on sale of goods or materials, maximum floor area, and number of employees;
 - iii) Parking and loading requirements; and,
 - iv) Appropriate restrictions on signage, outdoor storage and/or display, and other evidence of the business activity.

Only proposals for a specific *rural entrepreneurial use* will be considered by the Area Municipality.

- Area Municipalities may choose to establish more restrictive use, size and scale requirements for a *rural entrepreneurial use* than permitted by the policies of this Plan, provided they do not conflict with said policies.

Where stricter requirements are established by the Area Municipality in the Zoning By-Law, they shall take precedence over these policies.

SITE PLAN
APPROVAL

- To ensure compliance with the above noted policies, all applications for a *rural entrepreneurial use* shall be accompanied by a detailed description of the proposed use and a detailed site plan showing: all buildings and structures, wells and septic systems, driveways, parking and loading areas, outdoor display areas, landscaping and buffering; and, any other information deemed to be necessary for the proper review of the proposal by the Area Municipality.
- *Rural entrepreneurial uses* shall be subject to site plan control to ensure that compatibility and site design related matters are appropriately addressed. Area Municipalities may also require other measures, such as business licensing, to assist in regulating and monitoring such uses to ensure they continue to comply with these policies.

LIMITATIONS ON
SITE AREA,
BUILDING SIZE AND
CHARACTER

- A *rural entrepreneurial use* shall be small scale and not detract from the residential character of the property.
- The maximum gross floor area of all buildings and/or structures permitted to be used for the purposes of a *rural entrepreneurial use* shall be regulated through the Area Municipal Zoning By-Law. However, the cumulative gross floor area of all buildings and structures, or portions thereof, used or occupied by a rural entrepreneurial use shall not exceed 280 m² (3,014 ft²), or 10% of the total lot area, whichever is the lesser.
- All new buildings and/or structures used or occupied by a *rural entrepreneurial use* shall be designed and constructed so as to maintain or complement the residential character of the property and be sited on the lot so as to be visually secondary to the residential use.

COMPATIBILITY
AND SITE LAYOUT

- The *rural entrepreneurial use* and any associated structures and facilities shall be sufficiently separated from nearby residential uses and other *sensitive land uses* and appropriately designed and/or buffered to: prevent, or acceptably mitigate, impacts on neighbouring properties from noise, odour, dust, vibration, traffic, lighting, visual intrusion, and other potential off-site impacts; minimize risk to public health and safety; and meet all applicable provincial and municipal requirements and approvals. *Rural entrepreneurial uses* shall also be compatible with and not hinder surrounding *agricultural uses*.
- *Rural entrepreneurial uses* shall generally be recognized as a Type A use for the purposes of determining the application of *MDS I*.

LOT SIZE

- The lot shall be of sufficient size to accommodate the required *individual on-site water services and individual on-site sewage services*, parking and on-site loading requirements and vehicular movements, and to ensure that any buildings, structures, or facilities associated with the *rural entrepreneurial use* can be appropriately sited on the lot to ensure compliance with the compatibility policies.

| | |
|---------------------------|--|
| OPEN STORAGE | <ul style="list-style-type: none"> The storage of goods, materials and/or equipment shall only be permitted within a fully enclosed building, unless otherwise stated in the Area Municipal Zoning by-law. |
| EMPLOYEES | <ul style="list-style-type: none"> One or more of the occupants of the dwelling on the lot must be directly involved in the operation of the <i>rural entrepreneurial use</i>. The rural entrepreneurial use may involve up to two additional employees who do not reside on the lot. |
| SERVICING | <ul style="list-style-type: none"> <i>Rural entrepreneurial uses</i> that would require <i>individual on-site sewage services</i> that have a design capacity in excess of 10,000 litres per day shall not be permitted. Existing or proposed <i>individual on-site water services and individual on-site sewage services</i> are demonstrated to be adequate \ to serve the proposed <i>rural entrepreneurial use</i>, as well as the primary residential use on the lot, and shall be in accordance with the applicable policies of Sections 3.2.7.2, Water Quality and Quantity and 5.5, County Servicing Policy. |
| TRAFFIC AND ACCESS | <ul style="list-style-type: none"> The vehicular access for a <i>rural entrepreneurial use</i> shall not create a traffic hazard due to proximity to bridges, railway crossings, curves or grades, or any other potential traffic hazard. <i>Rural entrepreneurial uses</i> shall be located on a road capable of accommodating the access and the type and volume of traffic anticipated to be generated, to the satisfaction of the authority with jurisdiction over the road. <i>Rural entrepreneurial</i> shall also be in accordance with the applicable policies of Section 5.1 County Transportation Policy. |
| RESTRICTIONS ON SEVERANCE | <ul style="list-style-type: none"> The severance of a <i>rural entrepreneurial use</i> from the residential lot upon which it is located is prohibited. |
| RESTRICTIONS ON EXPANSION | <ul style="list-style-type: none"> New or expanding <i>rural entrepreneurial uses</i> that would exceed the size, scale, or use limitations in this section shall not be permitted. Such uses shall be directed to locate or relocate in a <i>settlement</i>, or must comply with the policies for establishing a non-agricultural use as contained in Section 3.1.7. |
| OTHER APPLICABLE POLICIES | <ul style="list-style-type: none"> Proposals shall also comply with all other applicable policies of this Plan, including, but not limited to: Section 3.2, Environmental Resource Policies, Section 3.3, Cultural Resource Policies and Chapter 10, Implementation Measures. |

3.1.5.3 **Creation of Rural Residential Lots**

NON-FARM RURAL RESIDENTIAL DEVELOPMENT

The policies of this section shall apply to the evaluation of non-farm rural residential *development* proposals in the following land use designations and overlays: Agricultural Reserve, Environmental Protection Area, Open Space, Future Urban Growth, and Quarry Area.

Non-farm rural residential *development* shall be considered to include both the severed and retained lots, in the case of consent, and lands subject to rezoning for residential purposes, in the case of zoning by-law amendment applications. The enlarged agricultural lot that would result from a proposed non-farm rural residential *development* through farm consolidation shall comply with the applicable policies of Section 3.1.4.2.

Notwithstanding the policies of Section 1.5, Interpretation, for the purposes of the application of the policies in Section 3.1.5.3, the numerical references and measurements are intended to be absolute.

DEVELOPMENT
CRITERIA

Non-farm rural residential *development* outside of a *settlement* shall be prohibited, except in accordance with the following:

NATURE OF THE
PROPOSAL

- The proposed non-farm rural residential *development* consists of one of the following:
 - i) A proposal to rezone an existing industrial (with the exception of aggregate or limestone industrial), commercial, or institutionally zoned lot to a residential use, provided such lot does not exceed 1 ha (2.5 acre) in area. Where such lot is larger than 1 ha (2.5 acre) in area, consideration may only be given to rezoning for *agricultural use*, in accordance with the policies of Section 3.1.5.1; or,
 - ii) A proposal to create a lot for a *residence surplus to a farming operation* as a result of farm consolidation, provided that:
 - a) The proposal is to retain an existing permanent, habitable dwelling that was constructed prior to December 13, 1995, where such dwelling is contained on an agricultural lot that is to be legally consolidated with an abutting agricultural lot, to form one larger agricultural lot under identical ownership;
 - or,
 - b) The proposal is to retain an existing permanent, habitable dwelling, where the *farm owner* owns multiple agricultural lots which may or may not abut, and providing:
 - The lot containing the surplus dwelling proposed to be severed contains a minimum of 2 existing dwellings, and all such dwellings were constructed prior to December 13, 1995;
 - The resulting agricultural lot is owned by the *farm owner*, and,

- The resulting agricultural lot is rezoned to prohibit the future construction of a new residential dwelling of any type and an agreement for such prohibition is also registered on the property title. The requirement for the Zoning By-law amendment and agreement, as noted above, shall be implemented through conditions imposed by the County's Land Division Committee at the time that provisional consent approval is given.

- The resulting agricultural lot shall also comply with the applicable policies of Section 3.1.4.2.4.

ONLY DWELLING

- The proposal shall not result in the severance of the only dwelling from an agricultural lot, except in the case of a farm consolidation involving the merger of abutting agricultural lots as one larger lot under identical ownership, where one of the agricultural lots to be consolidated is vacant, but the existing zoning would permit the construction of an accessory dwelling on that lot.

ONLY
AGRICULTURAL
LOTS

- The lands subject to the application must be zoned for *agricultural use*.

IN QUARRY OR
LIMESTONE/SAND
AND GRAVEL
RESOURCE AREA

- The proposed rural residential lot shall not be located within the Quarry Area designation, or an area identified as a Limestone Resource or Sand and Gravel Resource Area on Appendix 2-1.

IN FUTURE URBAN
GROWTH AREAS

- The proposed residential lot shall not be located within a Future Urban Growth Area designation as identified on Schedule C-3, and referred to in Chapter 4.0, Growth Management Policies.

MAXIMUM LOT SIZE

- Non-farm rural residential lots shall be as small as is practical in order to preserve the County's agricultural land base. Severance proposals to create new or expanded lots for non-farm rural residential development will generally not exceed 0.8 ha (2 acres). Proposals seeking to create lots larger than this area limit will only be considered where it can be demonstrated that the additional area is required to accommodate *individual on-site water services and individual on-site sewage services*, the lands have topographic limitations for *agricultural use* or are physically separated from the remainder of the farm by *significant natural heritage features and areas* and/or watercourses, or to conserve cultural *heritage resources*. In no case shall a new or expanded non-farm rural residential lot exceed 1 ha (2.5 acres) in area.
- Notwithstanding the above, a larger minimum size for the proposed residential lot may be considered where:
 - i) It is solely for the protection and, wherever possible, enhancement of *natural heritage features and areas*, avoids and/or mitigates the impacts of development within such features and areas, and does not result in a greater loss of *prime agricultural land*, and,
It is supported through an Environmental Impact Study, in accordance with the requirements of Section 3.2, and,
 - ii) The recommendations of the Environmental Impact Study are implemented through the use of such measures as site specific zoning, site plan control, conservation easements, development agreements, and any other implementation tools deemed necessary and/or appropriate to ensure the objective of protecting and/or enhancing *natural heritage features and areas* and protecting agricultural land for long term agriculture.

SERVICING

- Existing or proposed *individual on-site water services and individual on-site sewage services* are demonstrated to be adequate to serve the proposed non-farm rural residential use, and shall be in accordance with the applicable policies of Sections 3.2.7.2, Water Quality and Quantity and 5.5, County Servicing Policy.
- A Proposal for non-farm rural residential development shall satisfy the requirements of *MDS I*, or not further reduce an existing insufficient setback.

MINIMUM DISTANCE SEPARATION FORMULA

Notwithstanding the above policy, in the case of a farm consolidation, a lot proposed to contain an existing surplus farm dwelling shall only be required to comply with the requirements of *MDS I* from a livestock and/or manure storage facility located on the severed lot.

ACCESS AND
TRAFFIC SAFETY

- The proposed rural residential *development* shall have direct frontage on a permanent public road maintained year-round at a reasonable standard of construction.

New vehicular access to any road shall be in accordance with the requirements of authority having jurisdiction over the road, including the applicable policies of Section 5.1 County Transportation Policy. The authority having jurisdiction over the road from which vehicular access is to be obtained shall be satisfied that there are no traffic safety concerns.

HERITAGE

- To recognize and conserve *heritage resources* in the agricultural areas of the County in accordance with the policies in Section 3.3.2 of this Plan.

Proposals involving the creation or rezoning of a lot for non-farm residential purposes in accordance with the policies of this section will be encouraged where:

- i) Such lot contains buildings or other *built heritage* resources that have been protected pursuant to the Ontario Heritage Act; and,
- ii) The proposed severance or rezoning will allow the County and/or Area Municipality to implement requirements or measures to ensure that such *heritage resources* will be *conserved*.

AGRICULTURAL
SEVERANCE
POLICIES

- Any enlarged agricultural lot that would result from a proposal for non-farm rural residential *development* through farm consolidation shall comply with the applicable policies of Section 3.1.4.2.4.

AGRICULTURAL
STRUCTURES

- The proposed non-farm rural residential lot may only contain a existing barn or other farm structures where they are suitable to be used as accessory structures to a residential use and have been formally converted such that they are no longer suitable for the housing of livestock or poultry or storage/handling of manure, and/or are protected pursuant to the Ontario Heritage Act.

Further, where a barn or other farm structure exists within the immediate vicinity of a non-farm rural residential lot to be created through a farm consolidation, the demolition or formal conversion of such structure shall be required, to ensure it cannot be used for the housing of livestock or poultry or storage/handling of manure in the future.

OTHER
APPLICABLE
POLICIES

- Proposals shall also comply with all other applicable policies of this Plan, including, but not limited to: Section 3.2, Environmental Resource Policies, Section 3.3, Cultural Resource Policies and Chapter 10, Implementation Measures.

CONDITIONS OF
APPROVAL

The County Land Division Committee or Area Councils may impose conditions of approval or may restrict land uses pertaining to a non-farm rural residential *development* proposal in accordance with the policies of this Plan to ensure that all necessary works or facilities required to achieve conformity are incorporated into the *development*.

3.1.5.4 Renewable Energy Facilities

RENEWABLE ENERGY FACILITIES

Renewable energy facilities and *alternative energy facilities* may be permitted within the Agricultural Reserve designation to support long term energy supply, and to accommodate current and projected needs.

DEVELOPMENT CRITERIA

Renewable energy facilities and *alternative energy facilities* are generally considered to be non-agricultural uses, except for:

- Class 1 anaerobic digesters, as prescribed under the Renewable Energy Approvals Regulation (359/09) under the Environmental Protection Act, or any successor thereof, shall be permitted as an *agricultural use*, subject to the requirements of Section 3.1.4.2.1;
- Ground mounted solar facilities on an agricultural zoned lot shall only be permitted as an *on-farm diversified use*, and must meet all applicable requirements of Section 3.1.4.3.2;
- Ground mounted solar facilities may be permitted on a lot zoned as rural residential where the facility does not generally exceed 10% of the lot coverage, to a maximum of 100 m² (1,076 ft²); or,
- Roof and wall mounted solar facilities may be permitted on existing buildings and structures, subject to any Area Municipal zoning requirements.

All other *renewable energy facilities* and *alternative energy facilities* shall:

- Be subject to a zoning by-law amendment and site plan approval.
- Prepare and submit planning and technical studies addressing these, and any other applicable policies.
- Demonstrate how all other Provincial and/or Federal are being addressed.
- Prepare an Agricultural Impact Assessment in accordance with Section 3.1.7.3 to demonstrate that the proposed *development*:
 - i) Is clearly secondary to the principal use on the lot and limited in area;
 - ii) Is compatible with, and does not hinder, surrounding agricultural operations or other sensitive adjacent land uses;
 - iii) Is located on lower priority agricultural lands and/or within close proximity to the farm building cluster;
 - iv) Is appropriate for rural *infrastructure* and public services; and does not undermine, or conflict with, the planned function of *settlements*; and,
 - v) Has identified and mitigated any potential impacts.
- Proposals shall also comply with all other applicable policies of this Plan, including, but not limited to: Section 3.2, Environmental Resource Policies, Section 3.3, Cultural Resource Policies and Chapter 10, Implementation Measures.

The Area Municipality may impose limits on the scale, height, and location of any proposed *renewable energy facility* through the Area Municipal zoning by-law.

3.1.5.5 *Infrastructure and Public Works Yards*

INFRASTRUCTURE

Infrastructure, including public works yards, will be permitted in the Agricultural Reserve designation.

Infrastructure will make efforts to avoid, minimize, and mitigate impacts in the *prime agricultural area*. Mitigation of impacts may pertain to the *prime agricultural lands* and/or *agricultural uses* in the area, to the extent feasible, and shall be in accordance with the requirements of Section 5.2, Public Services, Utilities, and Infrastructure.

3.1.5.6 *Other Non-Agricultural Uses*

NEW USES

In order to maintain the agricultural land resource for *agricultural use* and ensure that new non-agricultural uses, , develop on an appropriate level of services and are directed to settlements to support their planned service and/or employment functions, new non-agricultural uses that are not specifically addressed elsewhere in Section 3.1.5, including commercial, industrial (not including aggregate industrial), institutional, and recreational uses, will not be permitted within the Agricultural Reserve designation, except in accordance with the policies of Section 3.1.7.

EXISTING USES

For the purposes of this section, existing non-agricultural uses shall include the following.

COMMERCIAL, INDUSTRIAL AND INSTITUTIONAL USES

- Non-agricultural commercial, industrial, or institutional uses located in the County's *prime agricultural area* that are recognized by existing zoning as of May 11, 2022 will be considered as permitted uses. For these existing uses, Area Municipal Councils may permit a minor expansion or minor change in use and the Land Division Committee may consider the granting of consents to permit the minor expansion of the use, or the minor adjustment of existing lot boundaries, subject to the policies of Section 3.1.5.6.1.

RECREATIONAL
USES

- Recreational uses located in the County's *prime agricultural area* that are recognized by existing zoning as of January 14, 2009, will be considered as existing non-agricultural uses. However, where an existing recreational use has ceased operation and the site is suitable for restoration to *agricultural use*, the Area Council shall consider rezoning the site back to agriculture as part of their next comprehensive Zoning By-Law update.

Minor changes in use to existing campgrounds or seasonal trailer parks may be considered in accordance with the existing use policies of this section. However, changes to allow for year-round occupancy or permanent residential uses will not be permitted.

With the exception of campgrounds and/or seasonal trailer parks, Area Councils may permit minor expansion or minor change to the existing use, and the Land Division Committee may consider the granting of consents, to permit the minor expansion of the existing use, or the minor adjustment of existing lot boundaries (excluding lot creation) without amendment to this Plan, subject to the policies of Section 3.1.5.6.1.

3.1.5.6.1 Development Criteria for Minor Expansion or Minor Change of an Existing Non-Agricultural Use

DEVELOPMENT
CRITERIA

All applications for minor expansion or minor change of an existing non-agricultural use shall satisfy the following criteria:

NEED FOR
EXPANSION

- The applicant has demonstrated that any proposed lot addition is required for the continued operation of the use and is limited to the minimum area required to accommodate the immediate needs of the use and required *individual on-site water services and individual on-site sewage services*. The proposed expansion area shall be located and configured so as to avoid, or mitigate to the extent feasible, impacts on surrounding agricultural lands and/or operations.

SERVICING

- Existing or proposed *individual on-site water services and individual on-site sewage services* are demonstrated to be adequate to serve the proposed development and shall be in accordance with the applicable policies of Sections 3.2.7.2, Water Quality and Quantity and 5.5, County Servicing Policy.

TRANSPORTATION,
ACCESS, AND
DRAINAGE

- Other existing or proposed infrastructure, including stormwater management and road access are demonstrated to be adequate to serve the proposed *development* to the satisfaction of the Area Municipality and/or County, as applicable, and shall be in accordance with the applicable policies of Sections 3.2.7.2 Water Quality and Quantity and Section 5.1, County Transportation Policy.

COMPATIBILITY

- The proposed development shall be appropriately designed, buffered and/or separated from nearby residential and other *sensitive land uses* to prevent or mitigate adverse impacts from noise, odour, dust, vibration, traffic, lighting, visual intrusion, and other potential off-site impacts and minimize risk to public health and safety.
- Further, impacts from any proposed change in use or expansion on surrounding agricultural operations and lands shall be avoided, or mitigated to the extent feasible. Any proposed change in use shall be similar to, or more compatible with surrounding agricultural operations, than the existing use. Any proposed change in use or expansion shall comply with *MDS I*, or not further reduce an existing insufficient *MDS I* setback or increase the potential for odour complaints.
- The site specific zoning provisions and site plan approval required for the proposed expansion or change in use shall incorporate any restrictions or requirements that may be necessary to implement this policy.

SITE PLAN

- Proposals shall be accompanied by a detailed site plan showing the location of buildings and structures, septic beds, areas for parking, storage and landscaping, lot grading and drainage, points of access, and any other information deemed to be relevant to review of the proposal.

Proposals shall be subject to site plan approval to address site design and land use compatibility related considerations.

OTHER
APPLICABLE
POLICIES

- Proposals shall also comply with all other applicable policies of this Plan, including, but not limited to: Section 3.2, Environmental Resource Policies, Section 3.3, Cultural Resource Policies and Chapter 10, Implementation Measures.

3.1.6 Consents for Legal or Technical Reasons

CONSENTS FOR
LEGAL OR
TECHNICAL
REASONS

Consents for severance involving *agricultural uses* and non-agricultural uses, including rural residential uses, may be considered for the following legal or technical reasons:

- To create or alter any private easement or right-of-way;
- To correct or confirm valid title for an agricultural lot which is held in distinct and separate ownership;
- To make minor adjustments to the boundaries between abutting lots to conform to existing patterns of exclusive use and occupancy, or to rectify problems created by the encroachment of buildings, structures, *individual on-site water services and individual on-site sewage services* on abutting lots; or,

- To permit the severance of non-farm rural residential zoned lands, where they will be legally consolidated with an abutting agricultural lot to form one lot under identical ownership and rezoned for agricultural purposes.

NO NEW LOT

Consents granted for the above purposes shall not result in the creation of a new lot. Notwithstanding this restriction, a consent to allow for the re-establishment of a previously existing rural residential lot may be considered, provided that the lot was previously held in distinct and separate ownership, but has since legally merged with an adjacent parcel and remained residentially zoned in the Area Municipal Zoning By-Law.

Proposals which have the effect of adding agricultural land to an existing residentially zoned lot will satisfy the policies relating to maximum lot size in Section 3.1.5.3.

3.1.7 Official Plan Amendments for Settlement Expansions and Non-Agricultural Uses

OFFICIAL PLAN AMENDMENTS

Proposals for *settlement* expansions, or to establish a new non-agricultural use in the *prime agricultural area*, will only be considered through an Official Plan Amendment, in accordance with the following requirements. Such proposals shall prepare and submit planning and technical studies addressing these requirements.

3.1.7.1 Settlement Area Expansions

EXPANSION OF SETTLEMENTS

Settlement expansions shall only be considered through a *comprehensive review*.

Proposals for *settlement* expansion shall be consistent with the policies of Chapter 4, Growth Management Policies, including the requirement to undertake secondary planning and servicing strategies in accordance with 4.2.2.4.1 and 4.2.2.6.1, and the following policies.

REQUIREMENTS

JUSTIFICATION ANALYSIS

Compelling evidence shall be required to demonstrate whether a proposed *settlement* expansion is justified in accordance with the applicable policies of the Provincial Policy Statement and this Plan. This will include, but is not limited to, and studies and information required to address the above noted *comprehensive review*, secondary planning and servicing strategy requirements and the following:

AGRICULTURAL IMPACT ASSESSMENT

- As part of the *comprehensive review* for a *settlement* expansion, the preparation of an Agricultural Impact Assessment shall be required and as detailed in Section 3.1.7.3; and,

OTHER APPLICABLE POLICIES

- Proposals shall also comply with all other applicable policies of this Plan, including, but not limited to: Section 3.2, Environmental Resource Policies, Section 3.3, Cultural Resource Policies and Chapter 10, Implementation Measures.

3.1.7.2 Non-Agricultural Uses

PROHIBITED USES

New or expanded campgrounds and/or seasonal trailer parks are prohibited.

SCOPE OF PROPOSAL AND CONCEPT PLAN

For new non-agricultural uses, the proposal shall state the specific use and contain a detailed site plan showing the location of buildings and structures, *individual on-site water services and individual on-site sewage services*, areas for parking, storage and landscaping, lot grading and drainage, road access, and any other information deemed to be relevant to the proposal.

REQUIREMENTS

JUSTIFICATION ANALYSIS

Compelling evidence shall be provided to demonstrate, to the satisfaction of the County and the Area Municipality, that the proposed *non-agricultural use* cannot be located within a *settlement* and that the following considerations have been addressed:

- There is a demonstrated need within the planning period for additional land to be removed from agricultural production and re-designated for the proposed use, given the nature and capacity of undeveloped lands within nearby *settlements* and/or within other appropriate land use designations;
- The nature of the proposal and whether the use requires special locational requirements or physical features that are only available in the *prime agricultural area*;
- The amount of land proposed for the new *development* is the minimum required for the immediate needs of the proposed use;

SERVICING

- The level of servicing planned or available for the proposed *development* is consistent with the servicing hierarchy established in Section 5.5.3 of this Plan for *individual on-site water services and individual on-site sewage services*. *Infrastructure and public services* which are planned or available are suitable for the proposed *development* over the long term and protect public health and safety;

COMPATIBILITY

- The proposed use shall be compatible with and not hinder surrounding agricultural operations or other nearby land uses;

The proposed use, scale and location shall be reviewed to ensure that potential compatibility issues with respect to traffic, noise, dust, odour, spraying, and other agricultural activities and normal farm practices can be prevented or effectively mitigated. Further, the proposed shall be appropriately designed, buffered, and/or separated from nearby residential and other sensitive land uses to prevent or mitigate potential impacts from noise, odour, dust, vibration, traffic, lighting, visual intrusion, and other potential off-site impacts and to minimize risk to public health and safety;

All applicable provincial and municipal requirements regarding, emissions, noise, odour, nuisance, compatibility, water, public health and safety and wastewater standards shall be addressed, including receipt of all applicable environmental approvals;

The site specific zoning provisions and site plan approval for the proposed *use* shall incorporate any restrictions or requirements that may be necessary to implement this policy;

TRAFFIC AND ACCESS

- The proposed use shall not create traffic hazards and the road infrastructure shall be capable of accommodating the use, in accordance with the requirements of the authority with jurisdiction over the road, and shall comply with the applicable policies of Section 5.1 County Transportation Policy;

MINERAL AND PETROLEUM RESOURCES

- The proposal will not conflict with the policies of Section 3.4, Resource Extraction Policies;

AGRICULTURAL
IMPACT
ASSESSMENT

- As part of the application for a new non-agricultural use, the preparation of an Agricultural Impact Assessment shall be required and as detailed in Section 3.1.7.3; and,

OTHER
APPLICABLE
POLICIES

- Proposals shall also comply with all other applicable policies of this Plan, including, but not limited to: Section 3.2, Environmental Resource Policies, Section 3.3, Cultural Resource Policies and Chapter 10, Implementation Measures.

3.1.7.3 Agricultural Impact Assessment

AGRICULTURAL
IMPACT
ASSESSMENT

An Agricultural Impact Assessment is a study which:

- Characterizes *agricultural uses* and the *prime agricultural area*;
- Evaluates the potential impacts of a proposed *settlement* expansion or non-agricultural development on surrounding *prime agricultural areas* and associated *agricultural uses*;
- Identifies opportunities and provides recommendations for the proposed *development* to avoid, minimize and mitigate impacts, including for site rehabilitation or restoration for an *agricultural use* or to an *agricultural condition* where applicable; and,
- Is prepared by a qualified individual, familiar with agricultural land use planning, soil science or agricultural engineering and demonstrated experience in characterizing, evaluating, and assessing agricultural impacts, relative to the use and location, being proposed.

SCOPE OF STUDY

The scope of the Agricultural Impact Assessment (AIA) will be based on the proposed *settlement* expansion or non-agricultural use. A terms of reference may be required by the County to confirm the scope and level of detail required for the AIA.

At minimum the AIA shall characterize the surrounding *prime agricultural area*, including existing *agricultural uses*, evaluate the potential impacts of the proposed *development* on *agricultural uses* and the *prime agricultural area*, and demonstrate that:

- The lands do not comprise specialty crop areas;
- There are no reasonable alternatives which avoid *prime agricultural areas*;
- There are no reasonable alternatives on lands with lesser agricultural capability or on lands left less suitable for agriculture by existing or past *development*;
- *MDS I* is satisfied; and,
- Impacts from the *settlement* expansion or non-agricultural uses on nearby agricultural operations and *prime agricultural lands* are avoided or mitigated to the extent feasible;

POLICY
IMPLICATIONS

The proposal is acceptable regarding the ability to achieve the Goal for Agricultural Policies as set out in Section 3.1.1, the precedent to be established for other sites within the County and the ability to implement planned land uses in the vicinity; and,

THIRD PARTY
REVIEW

Further, the County and/or Area Municipality may, depending on the scope and complexity of the application, require third party review of any information, materials or documentation required by the County and/or Area Municipality. The applicant will be responsible for the costs of the third party review as well as for the costs associated with any additional review resulting from revisions to any original materials that may be required as a result of the third party review.

3.1.8 Special Agricultural Policies

The following site specific policies apply in addition to the relevant policies of Section 3.1. These policies provide more specific direction for the *development* of each site.

3.1.8.1 Part Lot 28, Conc. 10 (East Nissouri) Township of Zorra

A 2 ha (5 acres) parcel of land, forming part of Lot 28, Concession 10 (East Nissouri) in the Township of Zorra, located on the west side of County Road 119 between Road 92 and Road 96 be exempt from the *Minimum Distance Separation Formula I* requirements of Section 3.1.4.2.1 of the County Official Plan for the purpose of establishing a farm implement dealership on the subject property.

AMENDMENT NO. 20

3.1.8.2 Part Lots 25 & 26, Conc. 2, (West Oxford) Township Of South-West Oxford

A 24.3 hectare (60 acre) parcel of land lying in part of Lots 25 and 26, Concession 2 (West Oxford) which is located south of Robinson Road, west of Wallace Line and north of Wilson Line in the Township of South-West Oxford may be used for a truck transport terminal.

Servicing

It is intended that *development* on the property shall take place on full municipal services (municipal *centralized water supply and waste water treatment systems*).

Performance Standards

The following performance standards shall govern the *development* of the subject property:

- The access points to the subject property shall be designed in a manner which will minimize the danger to vehicular traffic;
- *Development* of the subject lands shall be subject to site plan control in accordance with the provisions of the Planning Act and shall deal with such matters, but not be restricted to, lighting, landscaping and fencing, disposal of storm water and location and surfacing of parking facilities. A storm water management plan shall be prepared by the proponent and be acceptable to the Upper Thames River Conservation Authority, the Ministry of Transportation and the Township of South-West Oxford;
- A wellhead protection plan for Well No. 11 of the Ingersoll Public Utility Commission outlining protection measures, construction techniques and on-going monitoring shall be prepared by the proponent and be acceptable to the County of Oxford and the Ingersoll Public Utility Commission;
- A waste water collection and treatment system employed by the truck washing facility shall be prepared by the proponent and be acceptable to the County of Oxford.

AMENDMENT NO. 7

3.1.8.3 Lot 18, Concession 3 (East Oxford) Township Of Norwich

Notwithstanding the policies of Section 3.3.1.4, two parcels of land totaling 12.75 hectares (31.5 acres) situated in part of Lot 18, Concession 3 (East Oxford), Township of Norwich with frontage on the east side of Highway No. 59 may be used for aggregate and construction related processing, manufacturing and distribution in addition to uses permitted on the subject property by this Plan. Permitted activities include but are not limited to crushing, screening, washing, asphalt batching and concrete ready-mix and associated business office and maintenance activities.

3.1.8.4 Lot 11 And Part Lot 10, Conc. 11 (Blenheim) Township Of Blandford-Blenheim

A parcel of land consisting of Lot 11 and the northwest quadrant of Lot 10, Concession 11 (Blenheim), Township of Blandford-Blenheim, may be used for the following specific uses to accommodate the use of the lands by a religious order, or orders, that function as a single entity on said property. It is intended that the non-agricultural uses as well as the residential uses shall be located within the existing developed area of the *farm unit* which comprises approximately 5.6 hectares (13.8 acres) which fronts on Concession Road No. 12 and is located in the north half of Lot 11, Concession 11 (Blenheim). The *farm unit* shall generally be operated as a single entity by a religious order, or orders that reside on the lands. It is also intended that the policies of Section 3.2.8, shall apply, where applicable.

AMENDMENT NO. 170

Land Use

A maximum of 20 dwelling units will be permitted. New dwelling units will be located in the existing developed area of the *farm unit* and will be of the modular home type. The modular dwellings shall be removed from the site at such time as the *farm unit* ceases to be operated as a single entity by a religious order, or orders.

AMENDMENT NO. 170

In addition to those agricultural uses permitted on the subject property, additional farm related commercial and industrial services, school, nursery school, limited manufacturing and a business office, as specified in the site specific zoning by-law may be allowed. Manufacturing shall be limited to those uses permitted through the implementing Zoning By-Law and shall be of a dry industrial nature, characterized by minimal water requirements for their processing, cooling or equipment washing and which do not discharge large quantities of waste water.

AMENDMENT NO. 170

Servicing

Notwithstanding the policies of Section 5.5.3 to the contrary, *development* on the property shall take place on a private well and a private *communal waste water treatment* plant as approved by the County of Oxford and the Ministry of the Environment. The owner will enter into an appropriate agreement with the Township of Blandford-Blenheim which shall address the operation and maintenance of the private *communal waste water treatment* plant and the decommissioning and/or removal of the plant in the event that the religious order vacates the subject property.

AMENDMENT NO. 170

Performance Standards

The following performance standards shall govern the *development* of this special agricultural area:

AMENDMENT NO. 170

- The residential dwellings and non-agricultural related uses along with agricultural related uses will be considered to be part of the *farm unit* and consent to sever such uses from the *farm unit* will not be permitted;
- AMENDMENT NO. 170
- Adequate off-street vehicle parking areas shall be provided which will permit the parking of vehicles clear of any road allowance and permit adequate manoeuvring of vehicles within such parking areas;
- AMENDMENT NO. 170
- The access points to such parking areas shall be designed in a manner which will minimize the danger to vehicle and pedestrian traffic;
- AMENDMENT NO. 170
- Open storage areas shall be effectively screened from adjacent land uses and from Concession Road 12;
- AMENDMENT NO. 170
- The residential dwellings and non-agricultural related uses shall be clearly secondary to the existing farm operation and shall not change the agricultural character of the *farm unit* nor create a public nuisance in particular regard to noise, traffic and/or parking;
- AMENDMENT NO. 170
- The residential uses and non-agricultural related uses shall be subject to a site plan control by-law pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended, requiring the entering into of an agreement between the Township and the owner ;
- AMENDMENT NO. 170
- The residential dwellings and non-agricultural related uses shall be limited to the existing developed area along Concession Road No. 12 to an area of approximately 5.6 hectares (13.8 acres);
- AMENDMENT NO. 170
- New residential dwellings shall be of a modular type which will be removed at such time as the farm unit ceases to be operated as a single entity by the religious order, or orders;
- AMENDMENT NO. 170
- It is intended that *development* shall be by a zoning by-law amendment restricting the uses on the property and keeping the lands within an agricultural zoning.
- AMENDMENT NO. 170

3.1.8.5 Part Lots 13, 14 & 15 Conc. 11 (Blenheim) Township Of Blandford-Blenheim

A 238.8 hectare (590 acre) parcel of land consisting of Part Lots 13, 14 and 15, Concession 11 (Blenheim) in the Township of Blandford-Blenheim, may be used for the following specific on-farm diversified uses to accommodate the Community Farm of the Brethren. It is intended that the non-agricultural uses as well as the residential uses shall be located within the existing developed area of the *farm unit*.

- A maximum of 20 dwelling units within one or more buildings will be permitted to accommodate members of the Community Farm of the Brethren.
- In addition to those agricultural uses already permitted on the subject property, additional on-farm diversified uses, including the manufacturing of down bedding and accessory retail outlet, an egg noodle processing plant, a construction business and a gear cutting business may be allowed in the site specific zoning by-law. The on-farm diversified uses shall be of a dry industrial nature, characterized by minimal water requirements for their processing, cooling or equipment washing and which do not discharge large quantities of waste water. Each on-farm diversified use shall directly involve the farm operators and resident on-farm family members and each use shall be limited to one additional full-time employee.
- The residential uses and non-agricultural related uses shall be subject to a site plan control by-law pursuant to Section 41 of the Planning Act, R.S.O. 1990, as amended, requiring the entering into of an agreement between the Township and the Community Farm.
- It is intended that *development* shall be by a zoning by-law amendment restricting the uses on the property and keeping the lands within an agricultural zoning.

AMENDMENT NO. 38

3.1.8.6 Part Lot 19, Concession 3 (East Oxford) Township Of Norwich

A 28.3 hectare (70 acre) parcel of land consisting of Part Lot 19, Concession 3 (East Oxford), Township of Norwich, which is located immediately west of County Road 59 and consists of the non-developed lands between Pattullo Avenue and Old Stage Road, may be used for an active recreational use, specifically a golf course, within the area identified as a Sand and Gravel Resource Area in Appendix 2-1. All other criteria in the County of Oxford Official Plan to assess an application to permit an active recreational use shall be complied with. In addition, *development* of a golf course shall follow the environmental guidelines established by the Royal Canadian Golf Association.

- 4.5 That all other Chapters, Sections or Subsections of the Official Plan which include cross references to Section 3.1 (including subsections 3.1.1 to 3.1.8) entitled, 'Agricultural Land Resource' as amended, are hereby amended by deleting and replacing them with the revised cross reference and numbering as included within this amendment.

5.0 IMPLEMENTATION

This Official Plan Amendment shall be implemented in accordance with the implementation policies of the Official Plan.

6.0 INTERPRETATION

This Official Plan Amendment shall be interpreted in accordance with the interpretation policies of the Official Plan.

This amendment should be read in conjunction with the current Official Plan, as amended.

Proposed changes to Rural Entrepreneurial Use policies in response to Provincial feedback.

DEFINITION

RURAL ENTREPRENEURIAL USE

Rural entrepreneurial use means a small scale, business or industry including:

- Home occupations that exceed the permitted size and/or scale of a *rural home occupation* as set out in Section 3.1.4.3.1; and,
- *Rural home industries*.

Such uses shall be secondary to the rural residential use of the property, and comply with the use, scale and design criteria for a *rural entrepreneurial use* as contained in this Plan.

POLICIES

3.1.5.2.1 Secondary Uses on Rural Residential Lots

POLICY INTENT

To allow for business uses to be established on existing rural residentially zoned lots, where they are small scale and secondary to the residential use on the lot.

Such business uses are intended to complement the planned employment and service function of designated rural *settlements*, by providing additional live-work opportunities for non-farmers in *rural areas*. However, such uses are not to detract from the residential character of the lot upon which they are located and shall be compatible with surrounding land uses, including *agricultural uses*.

PERMITTED USES

The following uses may be permitted on an existing residentially zoned lot located outside of a *settlement*:

- *Rural home occupation* in accordance with the requirements of Section 3.1.4.3.; and,1
- *Rural entrepreneurial use*

RURAL ENTREPRENEURIAL USE

The following policies apply to the establishment of a *rural entrepreneurial use* on an existing residentially zoned lot.

PERMITTED USE

The specific uses that may be permitted as a *rural entrepreneurial use* in each Area Municipality shall be set out in the Area Municipal Zoning By-law and be in accordance with the applicable policies of this section.

USES NOT
PERMITTED

For greater clarity, the following uses shall not be permitted as a *rural entrepreneurial use*;

- retail uses, offices, medical/dental clinics and restaurants, except where explicitly permitted in this subsection;
- institutional uses;
- restaurants;
- residential uses or accommodation; and,
- other uses that, in the opinion of the County and/or Area Municipality, may:
 - i) Attract large numbers of customers or other people;
 - ii) Generate significant traffic or not otherwise be appropriate for rural *infrastructure* or public services;
 - iii) Create compatibility or enforcement issues;
 - iv) Undermine or conflict with the planned function of rural settlements, except where explicitly permitted by the policies of this subsection; or,
 - v) Not otherwise be consistent with the applicable policies and objectives of this Plan.

WHOLESALE,
RETAILING AND/OR
OFFICE AND SALES
USES

- Wholesaling, retail uses, offices shall only be permitted where such uses are accessory and ancillary to a permitted *rural entrepreneurial use*.

Any goods, wares and/or merchandise offered for sale shall be contained within a fully enclosed building, with the exception of a small outdoor display area for goods, wares or merchandise produced, processed or fabricated on the lot.

DEVELOPMENT
CRITERIA

Rural entrepreneurial uses may be permitted subject to the following:

ZONE CHANGE
FOR SPECIFIC USE

- The establishment of a *rural entrepreneurial use* shall require a site specific amendment to the Area Municipal Zoning By-Law. The site specific zoning amendment shall identify the specific *rural entrepreneurial use* proposed to be permitted and contain any provisions necessary to ensure the policy criteria of this section are addressed, including but not necessarily limited to:
 - i) The location of the use on the lot;
 - ii) Restrictions on sale of goods or materials, maximum floor area and number of employees;
 - iii) Parking and loading requirements; and
 - iv) Appropriate restrictions on signage, outdoor storage and/or display and other evidence of the business activity.

Only proposals for a specific *rural entrepreneurial use* will be considered by the Area Council.

- Area Municipalities may choose to establish more restrictive use, size and scale requirements for a *rural entrepreneurial use* than permitted by the policies of this Plan, provided they do not conflict with said policies. Where stricter requirements are established by the Area Municipality in the Zoning By-Law they shall take precedence over these policies.

SITE PLAN
APPROVAL

- To ensure compliance with the above noted policies, all applications for a *rural entrepreneurial use* shall be accompanied by a detailed description of the proposed use and a detailed site plan showing: all buildings and structures; wells and septic systems; driveways, parking and loading areas; outdoor display areas; landscaping and buffering; and any other information deemed to be necessary for the proper review of the proposal by the Area Municipality.
- *Rural entrepreneurial uses* shall be subject to site plan control to ensure that compatibility and site design related matters are appropriately addressed. Area Municipalities may also require other measures, such as business licensing, to assist in regulating and monitoring such uses to ensure they continue to comply with these policies.

LIMITATIONS ON
SITE AREA,
BUILDING SIZE AND
CHARACTER

- A *rural entrepreneurial use* shall be small scale and not detract from the residential character of the property.
- The maximum gross floor area of all buildings and/or structures permitted to be used for the purposes of a *rural entrepreneurial use* shall be regulated through the Area Municipal Zoning By-Law. However, the cumulative gross floor area of all buildings and structures, or portions thereof, used or occupied by a rural entrepreneurial use shall not exceed 280 m² (3,014 ft²) or 10% building coverage of the total lot area, whichever is less.
- All new buildings and/or structures used or occupied by a *rural entrepreneurial use* shall be designed and constructed so as to maintain or complement the residential character of the property and be sited on the lot so as to be visually secondary to the residential use.

COMPATIBILITY
AND SITE LAYOUT

- The *rural entrepreneurial use* and any associated structures and facilities shall be sufficiently separated from nearby residential uses and other *sensitive land uses*, and appropriately designed and/or buffered to prevent or acceptably mitigate impacts on neighbouring properties from noise, odour, dust, vibration, traffic, lighting, visual intrusion and other potential off-site impacts and to minimize risk to public health and safety and meet all applicable provincial and municipal requirements and approvals. *Rural entrepreneurial uses* shall also be compatible with and not hinder surrounding *agricultural uses*.
- *Rural entrepreneurial uses* shall generally be recognized as a Type A use for the purposes of determining the application of *MDS I*.

LOT SIZE

- The lot shall be of sufficient size to accommodate the required *individual on-site water services and/or individual on-site sewage services*, parking and on-site loading requirements and vehicular movements and to ensure that any buildings, structures or facilities associated with the *rural entrepreneurial use* can be appropriately sited on the lot to ensure compliance with these compatibility policies.

OPEN STORAGE

- The storage of goods, materials and/or equipment shall only be permitted within a fully enclosed building, unless otherwise stated in the Area Municipal Zoning by-law.

EMPLOYEES

- One or more of the occupants of the dwelling on the lot must be directly involved in the operation of the *rural entrepreneurial use*. The rural entrepreneurial use may involve up to two additional employees who do not reside on the lot.

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| SERVICING | <ul style="list-style-type: none"> • <i>Rural entrepreneurial uses</i> that would require <i>individual on-site sewage services</i> that have a design capacity in excess of 10,000 litres per day shall not be permitted. • Existing or proposed <i>individual on-site water services</i> and/or <i>individual on-site sewage services</i> are demonstrated to be adequate or will be made adequate to serve the proposed <i>rural entrepreneurial use</i> as well as the primary residential use on the lot, and shall be in accordance with the applicable policies of Sections 3.2.7.2, Water Quality and Quantity and 5.5, County Servicing Policy. |
| TRAFFIC AND ACCESS | <ul style="list-style-type: none"> • The vehicular access for a <i>rural entrepreneurial use</i> shall not create a traffic hazard due to proximity to bridges, railway crossings, curves or grades or any other potential traffic hazard. <i>Rural entrepreneurial uses</i> shall be located on a road capable of accommodating the access and the type and volume of traffic anticipated to be generated, to the satisfaction of the authority with jurisdiction over the road. • <i>Rural entrepreneurial uses</i> shall be in accordance with the requirements of the County including the applicable policies of Section 5.1 County Transportation Policy. |
| RESTRICTIONS ON SEVERANCE | <ul style="list-style-type: none"> • The severance of a <i>rural entrepreneurial use</i> from the residential lot upon which it is located is prohibited. |
| RESTRICTIONS ON EXPANSION | <ul style="list-style-type: none"> • New or expanding <i>rural entrepreneurial uses</i> that would exceed the size, scale or use limitations in this section shall not be permitted. Such uses shall be directed to locate or relocate in a <i>settlement</i> or must comply with the policies for establishing a non-agricultural use as contained in Section 3.1.7. |
| OTHER APPLICABLE POLICIES | <ul style="list-style-type: none"> • Proposals shall comply with all other applicable policies of this Plan, including: Section 3.2, Environmental Resource Policies, Section 3.3, Cultural Resource Policies and Section 3.4.2 Petroleum Resources. |