

To: Warden and Members of County Council

From: Director of Community Planning

Phase 1 Official Plan Update - Agricultural Policies – Amended OPA 269

RECOMMENDATIONS

1. That Oxford County Council adopt application OP 22-01-9 to amend Chapter 3, Section 3.1 – Agricultural Land Resource, of the County Official Plan, and Chapter 1 Section 1.6, to update the corresponding definitions;
2. And further, that County Council declare that Amendment No. 269 conforms with provincial plans, has regard to matters of provincial interest, and is consistent with the Provincial Policy Statement, 2020;
3. And further, that Council adopt the attached Amendment No. 269 to the County of Oxford Official Plan;
4. And further, that the necessary by-law to adopt Amendment No. 269 be raised;
5. And further, that staff be directed to prepare and submit Amendment No. 269 to the Ministry of Municipal Affairs and Housing for final approval in accordance with the requirements under the Planning Act.

REPORT HIGHLIGHTS

- The purpose of this report is to bring forward a revised version OPA 269, which incorporates the changes based on County Council direction received at the meeting on May 11, 2022.
- Specifically the policies contained within the amendment has been revised to incorporate changes to the undersized agricultural policies to permit a dwelling on vacant undersized agricultural lots, subject to a rezoning, development criteria and site plan control.

Implementation Points

The adoption of the recommendations contained in this report will endorse and adopt the changes to amend the policies of the County Official Plan as they pertain to the agricultural policies. Final approval of the amendment from the Province is required, as they are the approval authority for Official Plan updates under Section 26 of the Planning Act.

Financial Impact







No immediate financial implications beyond this year's approved budget. Any additional funding that may be required for future phases will be considered as part of the annual budget process.

Communications

A combination of an open house, public meetings, and online participation opportunities have been provided and were advertised as part of the consultation on the October 27, 2021 draft of the agricultural policies, as detailed in Report CP 2021-337. In addition, a public meeting was held regarding the revised policies on March 23, 2022, as detailed in Report CP 2022-98.

The [agricultural policy updates webpage](#) on Speak Up Oxford has been updated to include the outcomes of the May 11, 2022 County Council meeting and will be further updated to reflect Council's decision on this report. Notifications were provided to those members of the public that have requested to be kept informed regarding the agricultural updates and/or the OP review as a whole. Based on Council's direction, no further consultation is proposed with respect to amendments to the agricultural policies requested by Council at their May 11, 2022 meeting.

Strategic Plan (2020-2022)

					
WORKS WELL TOGETHER	WELL CONNECTED	SHAPES THE FUTURE	INFORMS & ENGAGES	PERFORMS & DELIVERS	POSITIVE IMPACT
		3.ii. 3.iii.	4.i. 4.ii.		

DISCUSSION

Background

County Council commenced a review of the County Official Plan on October 13, 2021 by holding a special meeting of Council, as required under Section 26 of the Planning Act, and as detailed in Report CP 2021-336. The first phase of that review, consisting of proposed updates to the agricultural policies, was released for public input on October 27, 2021 as detailed in Report CP 2021-337. The feedback received resulted in the revised policies, as detailed in Report CP 2022-98. A statutory public meeting was held March 23, 2022 regarding the revised policies to provide a further opportunity for feedback and input. County Council considered the resulting

Official Plan amendment (OPA 269) at their meeting of May 11, 2022 and directed staff to make further changes, as outlined in the comments section of this report.

Comments

At their meeting of May 11, 2022 County Council deferred their decision on application OP 22-01-9 and directed that staff amend the policies with respect to existing undersized agricultural parcels to remove the requirement for excess agricultural lands to be severed and added to an abutting agricultural lot as a condition for allowing a dwelling to be constructed on such lots, provided certain zoning and site plan requirements are met.

Further to this direction, planning staff have revised the policies for existing undersized agricultural lots, as contained in Section 3.1.4.2.3 of OPA 269, to allow for the establishment of a dwelling, subject to a zone change and associated development criteria to guide the location of the dwelling, and limit the land area that can be utilized for residential purposes, to minimize the impacts on agricultural lands and natural heritage features. Such development would also be subject to site plan control.

These specific changes are shown in Attachment 2 and have been incorporated into the OPA 269, which forms Attachment 1 to this report. Subsequently dates included in the amendment, intended to reflect the date of County adoption have also been revised to reflect May 25, 2022.

In staff's opinion, these policy updates, as included in the recommended policies in the Amendment in Attachment 1:

- Conform, or do not conflict with, any applicable provincial plan or plans;
- Have regard to matters of provincial interest; and
- Are consistent with the Provincial Policy Statement, 2020.

Next Steps

Unlike other Official Plan amendments for which the County is the approval authority, the County is required to submit the amendment for Provincial approval within 15 days of County Council adopting the amendment. Under the Planning Act, the Province is required to make a decision regarding the amendment within 120 days from the date the complete application is received. Based on this, staff anticipate a decision from the Province regarding the agricultural policies sometime in the fall. However, it is currently unclear whether recent amendments to Provincial authorities with respect to the approval of municipal Official Plan amendments, incorporated into the Planning Act through Bill 109, may impact that timing.

Conclusions

The purpose of this report is to present Council with the recommended official plan amendment for updating the agricultural policies to support the long-term protection of the County's prime agricultural area, as included in Attachment 1. This amendment updates the County's Agricultural Policies as contained in Section 3.1 of the Official Plan, together with associated terms and definitions to be updated and included within Section 1.6.

The policy updates have been prepared based on extensive background research, consideration of applicable Provincial legislation, policies, guidelines and input, detailed analysis of spatial (i.e. GIS) and non-spatial data and extensive community engagement and input as described in Reports [CP 2021-337](#) and [CP 2022-98](#).

The agricultural policies, as included in the Amendment within Attachment 1, are consistent with current Provincial legislation, plans, policies, and guidelines, and also improve the overall intent, clarity and implementation of the policies and ensure they continue to reflect local planning goals and objectives.

SIGNATURES

Report Author:

Original signed by
April Nix
Development Planner – Policy Focus

Report Author:

Original signed by
Paul Michiels
Manager of Planning Policy

Departmental Approval:

Original signed by
Gordon K. Hough
Director

Approved for submission:

Original signed by
Michael Duben, B.A., LL.B.
Chief Administrative Officer

ATTACHMENTS

Attachment 1 - Official Plan Amendment 269
Attachment 2 - Changes to undersized agricultural policies