
Halton Region Official Plan Review

Agriculture and Rural Policies - Technical Background Report

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1.0 INTRODUCTION

The Regional Municipality of Halton has begun a review of its Regional Official Plan (ROP) in accordance with the legislative requirements of the Planning Act. The last comprehensive review of the ROP resulted in Regional Official Plan Amendments (ROPA) 37, 38, and 39, which implemented the policies of the Growth Plan for the Greater Golden Horseshoe, 2006 and the Greenbelt Plan, 2005 amongst other key policy initiatives.

Through this Regional Official Plan Review (ROPR) specific theme areas and policies will need to be updated, enhanced, and refined based on changing demographics, evolving land use trends, the Provincial Policy Statement, 2020, A Place to Grow: Growth Plan for the Greater Golden Horseshoe and the applicable 2017 Provincial Plans (Growth Plan, Greenbelt Plan and Niagara Escarpment Plan). One of these themes deals with the agricultural and rural policy framework and the purpose of this backgrounder is to:

- ⊗ Review the new and emerging Provincial policy framework and its impacts on planning policy in the ROP;
- ⊗ Review a number of key background documents that have been completed by the Region, the Province and others that may have an impact on the ROP;
- ⊗ Review a number of best practices from other jurisdictions that also may have an impact on ROP policy; and
- ⊗ Review a number of other planning issues in the context of the updated ROP, including the review of proposed prime agricultural areas and candidate areas mapping prepared by the Province and review against mapping of prime agricultural areas generated through the Region's Land Evaluation and Area Review (LEAR) study in the ROP, the current designation of prime agricultural areas in the updated ROP, agriculture-related uses, on-farm diversified uses including agri-tourism, planning for cemeteries, agricultural impact assessments and special needs housing in the Agricultural System.



2.0 POLICY REVIEW

2.1 PURPOSE OF POLICY REVIEW

The purpose of the policy review is to review currently applicable Provincial policy and their impacts on the preparation of Official Plan policy in the Region. This is important because the Provincial policy led system to a very large extent requires Halton Region to ensure that Provincial interests are enshrined in its policy documents.

On the basis of the above, this component of the Technical Background Report reviews each of the Provincial policies that apply to the Region, comments on their applicability and their implications and reviews potential inconsistencies. This section then concludes with a review of the current Halton Region Official Plan (ROP), the purpose of which is to identify what needs to be changed and further considered ensuring consistency and conformity with Provincial policy.

2.2 BASIS FOR A POLICY-LED SYSTEM IN ONTARIO

Municipalities are a creation of the Province and there are number of pieces of legislation that have an impact on the making of municipal planning decisions. First and foremost of these is the Planning Act.

It is the Planning Act that governs municipal decisions on land use planning matters. Section 1.1 of the Act states that the purposes of the Planning Act are:

- (a) To promote sustainable economic development in a healthy natural environment within the policy and by the means provided under this Act;*
- (b) To provide for a land use planning system led by provincial policy;*
- (c) To integrate matters of provincial interest in provincial and municipal planning decisions;*
- (d) To provide for planning processes that are fair by making them open, accessible, timely and efficient;*
- (e) To encourage co-operation and co-ordination among various interests;*
- (f) To recognize the decision-making authority and accountability of municipal councils in planning.*

The first three items above have a direct impact on the preparation of an Official Plan, which is a document that is decided upon by an elected Council. Item (b) clearly articulates the Provincial requirement that the 'land use planning system' in Ontario is 'led by Provincial policy'.

Section 26(1) of the Planning Act requires that any Official Plan be revised as required to ensure that it has regard to the matters of Provincial interest listed in Section 2.

In this regard, Section 2 of the Planning Act sets out the responsibilities of a Council of a municipality. For Halton Region, the most relevant matters related to the agricultural and rural policy review in Section 2 include:

- (a) The protection of ecological systems, including natural areas, features and functions;**
- (b) The protection of the agricultural resources of the province; and**
- (c) The conservation and management of natural resources and the mineral resource base.**

Lastly, Section 3(5)(a) of the Planning Act states the following:

A decision of the council of a municipality, a local board, a planning board, a minister of the Crown and a ministry, board, commission or agency of the government, including the Municipal Board, in respect of the exercise of any authority that affects a planning matter,

- a) shall be consistent with the policy statements issued under subsection (1) that are in effect on the date of the decision.***
- b) Shall conform with the Provincial Plans that are in effect on that date or shall not conflict with them, as the case may be.***

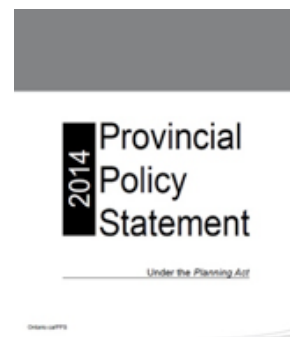
2.3 PROVINCIAL POLICY STATEMENT

The Policy Statement that is currently in effect is the 2020 Provincial Policy Statement ('PPS'), which came into effect on May 1, 2020. The overall context for municipal decision-making that is required to be consistent with the PPS is established in the first two paragraphs of the Part 1 Preamble to the PPS:

The Provincial Policy Statement provides policy direction on matters of provincial interest related to land use planning and development. As a key part of Ontario's policy-led planning system, the Provincial Policy Statement sets the policy foundation for regulating the development and use of land. It also supports the provincial goal to enhance the quality of life for all Ontarians.

The Provincial Policy Statement provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment. The Provincial Policy Statement supports improved land use planning and management, which contributes to a more effective and efficient land use planning system.

The matters of Provincial interest mentioned in the first paragraph above are included within Section 2 of the Planning Act, as discussed previously.



Part IV of the PPS establishes the vision for Ontario's land use planning system. It clearly identifies wise use and management of resources (such as natural heritage, agriculture and mineral resources to name a few) as a key provincial interest.

The Province's natural heritage resources, water resources including the Great Lakes, agricultural lands, mineral resources, and cultural heritage and archaeological resources provide important environmental resources, economic and social benefits. The wise use and management of these resources over the long term is a key provincial interest. The Province must ensure that its resources are managed in a sustainable way to protect essential ecological processes and public health and safety, minimize environmental and social impacts, provide for recreational opportunities (e.g. fishing, hunting and hiking) and meet its long-term needs.

The final paragraph in Part IV of the PPS establishes the context of the plan and reinforces the importance of the land use planning system in Ontario.

The fundamental principles set out in the Provincial Policy Statement apply throughout Ontario. To support our collective well-being, now and in the future, all land use must be well managed.

Given the significance of the Natural Heritage System in Halton Region, the introductory paragraph in Section 2.0 (Wise Use and Management of Resources) of the PPS is particularly applicable and it states the following:

Ontario's long-term prosperity, environmental health, and social well-being depend on conserving biodiversity, protecting the health of the Great Lakes, and protecting natural heritage, water, agricultural, mineral and cultural heritage and archaeological resources for their economic, environmental and social benefits.

It is noted that this paragraph sets the stage for the remaining policies in Section 2.0 of the PPS.

2.3.1 Use of Words in the PPS

The PPS significantly expanded upon Part III (How to Read the Provincial Policy Statement) from the PPS 2005. There is now a discussion in Part III on the need to read the entire PPS, the need to consider specific policy language and the geographic scale of the policies. This section also confirms that the policies represent minimum standards and it also articulates the relationship of the PPS with Provincial plans. This new section also contains direction on defined terms and meanings and guidance material. There is one enhancement in Part III of interest that was made in 2014 and carried forward to the PPS 2020 and it deals with the language used in the PPS. This enhancement is reproduced below:

When applying the Provincial Policy Statement it is important to consider the specific language of the policies. Each policy provides direction on how it is to be implemented, how it is situated within the broader Provincial Policy Statement, and how it relates to other policies.

Some policies set out positive directives, such as “settlement areas shall be the focus of growth and development.” Other policies set out limitations and prohibitions, such as “development and site alteration shall not be permitted.” Other policies use enabling or supportive language, such as “should,” “promote” and “encourage.”

The choice of language is intended to distinguish between the types of policies and the nature of implementation. There is some discretion when applying a policy with enabling or supportive language in contrast to a policy with a directive, limitation or prohibition.

On the basis of the above, it is clear that the Province, in writing and updating the PPS, was very cautious and deliberate with respect to the words used. Of particular interest to decision-makers is whether a particular policy incorporates the word “shall”, “should”, “promote” or “encourage”. The latter three are enabling or supportive, while the first (shall) when applied to a policy is a directive, limitation or prohibition.

All of the ‘shalls’ mentioned in the PPS have to be balanced when considering how to update the ROP (in this regard, there are 111 ‘shalls’ in the PPS). In addition, no single policy in the PPS is intended to act as an ‘override’ over other policies. In other words, all policies have to be considered and applied (subject of course to the policy having some relevance).

The word 'shall' when used means that the policy requirement that follows is mandatory. This is supported by the statement in Part III of the PPS which indicates that there is some discretion when applying a policy with enabling or supportive language in contrast to a policy with a directive, limitation or prohibition. In this regard, wherever the word ‘shall’ is used, it is a directive, limitation or a prohibition. With respect to Halton Region, below is a list of a few of the relevant directives, limitations and prohibitions (using the word 'shall') from the PPS that will need to be considered in the update of the ROP:

- Section 1.1.4.2 - In rural areas, rural settlement areas shall be the focus of growth and development and their vitality and regeneration shall be promoted.
- Section 1.2.4 e) - Where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with lower-tier municipalities shall identify and provide policy direction for the lower-tier municipalities on matters that cross municipal boundaries.
- Section 2.1.1 - Natural features and areas shall be protected for the long term.
- Section 2.1.4 - Development and site alteration shall not be permitted in
 - a) significant wetlands in Ecoregions 5E, 6E and 7E; and
 - b) significant coastal wetlands.
- Section 2.3.1 - Prime agricultural areas shall be protected for long-term use for agriculture.

-
- Section 2.3.2 - Planning authorities shall designate prime agricultural areas and specialty crop areas in accordance with guidelines developed by the Province, as amended from time to time.
 - Section 4.2 - This Provincial Policy Statement shall be read in its entirety and all relevant policies are to be applied to each situation.

2.3.2 Balancing of Policy

The word 'shall' was used on 96 occasions within PPS 2005. The number of 'shalls' in the PPS 2014 totaled 111. The 2020 PPS used “shall” 115 times with 1 use being “shallow” which may arguably not count, 8 times in the preamble (not policy) and 106 times in the remainder of the document.

Given the mandatory requirement in the PPS that comes with the use of the word 'shall', there clearly is a need to determine how the many mandatory policies in the PPS are to be balanced against each other. As a starting point, Section 4.4 of the PPS states the following:

This Provincial Policy Statement shall be read in its entirety and all relevant policies are to be applied to each situation.

A further consideration in making a determination on how policies should be balanced in Part III of the PPS which deals with minimum standards and which states the following:

Within the framework of the provincial policy-led planning system, planning authorities and decision-makers may go beyond these minimum standards to address matters of importance to a specific community unless doing so would conflict with any policy of the Provincial Policy Statement.

In addition, the following is also stated in Part III of the PPS:

The Provincial Policy Statement is more than a set of individual policies. It is to be read in its entirety and the relevant policies are to be applied to each situation. When more than one policy is relevant, a decision maker should consider all of the relevant policies to consider how they work together. The language of each policy, including the implementation and interpretation policies, will assist decision makers in understanding how the policies are to be implemented.

While specific policies sometimes refer to other policies for ease of use, these cross-references do not take away from the need to read the Provincial Policy Statement as a whole. There is no implied priority in the order in which the policies appear.

Given the above direction from the PPS, there are always challenges with the interpretation of how relevant policies are to be balanced and ultimately, which policy is more relevant than another policy.

For example, Section 1.1.3.6 of the PPS states the following:

New development taking place in designated growth areas should occur adjacent to the existing built up area and shall have a compact form, mix of uses and densities that allow for the efficient use of land, infrastructure and public service facilities.

Section 2.1.1 then states the following:

Natural features and areas shall be protected for the long term.

In many parts of the Province, natural features and areas are located adjacent to the built up area and many disputes have arisen as a consequence with respect to which of these two policies should take priority, or alternatively, which policy should be given more weight when making a decision.

2.3.3 The PPS and Rural Areas

In recognition both of the diversity of the Province from a geographic perspective and perhaps in recognition of the fact that while much of the population lives in urban areas, that there is a vast rural area as well, a number of other changes were made to the PPS affecting rural areas that will have an impact on the ROP update.

The most significant change in this regard involved the re-classification of the basic land use components in the Province. The PPS 2005 essentially divided the Province into three land use categories – 'settlement area', 'prime agricultural area' and 'rural area'.

The PPS 2014 reduced the number of categories to two with one being 'settlement area' and the second being 'rural area' and this was carried forward in the PPS 2020. In order to accomplish this, a revised 'rural area' definition has been added into the PPS and it means a system of lands within municipalities that may include rural settlement areas, rural lands, prime agricultural areas, natural features and areas and resource areas.

Two new paragraphs on rural areas were also added to Section 1.1.4 of the PPS:

Rural areas are important to the economic success of the Province and our quality of life. Rural areas are a system of lands that may include rural settlement areas, rural lands, prime agricultural areas, natural heritage features and areas, and other resource areas. Rural areas and urban areas are interdependent in terms of markets, resources and amenities. It is important to leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy.

Ontario's rural areas have diverse population levels, natural resources, geographies and physical characteristics, and economies. Across rural Ontario, local circumstances vary by region. For example, northern Ontario's natural environment and vast geography offer different opportunities than the predominately agricultural areas of southern regions of the Province.

The first paragraph above further reinforces the other changes made to the PPS that recognize the vastness of the Province. However, there is also recognition and direction that it is important to 'leverage rural assets and amenities and protect the environment as a foundation for a sustainable economy'.

In keeping with the above, another significant policy addition resulting from this change in approach is a new Section 1.1.4.1, which states the following:

Healthy, integrated and viable rural areas should be supported by:

- a) Building upon rural character, and leveraging rural amenities and assets;***
- b) Promoting regeneration, including the redevelopment of brownfield sites;***
- c) Accommodating an appropriate range and mix of housing in rural settlement areas;***
- d) Encouraging the conservation and redevelopment of existing rural housing stock on rural lands;***
- e) Using rural infrastructure and public service facilities efficiently;***
- f) Promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources;***
- g) Providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets;***
- h) Conserving biodiversity and considering the ecological benefits provided by nature; and***
- i) Providing opportunities for economic activities in prime agricultural areas, in accordance with policy 2.3.***

As a consequence of the above, Section 1.1.4.1 encourages rural areas to be supported by building rural character and amenities, promoting redevelopment, accommodating a range of housing, encouraging the conservation of the housing stock, promoting diversification, providing opportunities for tourism, conserving biodiversity and providing opportunities for economic activities in prime agricultural areas.

It is noted that there is also a new 'rural lands' definition, which applies to non-prime agricultural areas outside of urban areas. In the case of the Halton Region, the only rural lands under the PPS definition are within the Niagara Escarpment Plan and in the Greenbelt Plan. Both of the Provincial Plans contain specific policies for these areas, some of which are more restrictive than the PPS. As a result, the more restrictive policies currently apply. In addition, the amount of land in the 'rural lands' category is relatively small; because most of the rural area is comprised of prime agricultural areas and key features that are part of the Regional Natural Heritage System ('RNHS').

Within the rural lands section in Section 1.1.5 of the PPS, the following uses are permitted in Section 1.1.5.2 as set out below:

On rural lands located in municipalities, permitted uses are:

-
- a) *The management or use of resources;*
 - b) *Resource-based recreational uses (including recreational dwellings);*
 - c) *Residential development, including lot creation, that is locally appropriate;*
 - d) *Agricultural uses, agricultural-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards;*
 - e) *Home occupations and home industries;*
 - f) *Cemeteries; and*
 - g) *Other rural land uses.*

Home occupations, home industries and cemeteries have been 'added' as permitted uses in the PPS 2014 and carried forward in the PPS 2020. In addition, the previous permission in the PPS 2005 for 'resource based recreational activities' has been replaced by 'resource-based recreational uses (including recreational dwellings)' in recognition firstly of the difficulty in determining what an 'activity' is and secondly to recognize that recreational dwellings do exist and are common in many rural areas. It is noted that while 'limited' residential development is permitted, no definition of 'limited' is provided.

There is also recognition in the PPS that within rural areas, rural settlement areas shall be the focus of growth, which is not new. However, the servicing and related lot creation policies in the PPS have not changed in a significant way that would provide for more development within rural settlement areas. In the PPS 2020, reference (1.1.5.2 c)) is made to permitted uses on rural lands including residential development including lot creation, that is locally appropriate however it does not explain or define what "locally appropriate" means. In fact, in both cases, development is generally restricted to infilling and rounding out. However, it is recognized that the PPS no longer references the restriction to a maximum of five lots to be on private services in rural settlement areas as it did in the PPS 2005.

2.3.4 The PPS and Prime Agricultural Areas

A number of new policies have been included in the PPS 2020 that will have an impact on the ROP. Section 2.3.3.1 of the 2014 PPS introduces a new permitted use in prime agricultural areas and updates how other permitted uses are defined. The term 'secondary uses' in the Agriculture section of the 2005 PPS has been deleted and replaced with 'on-farm diversified uses' in the 2014 PPS and carried forward in the 2020 PPS. The 2020 PPS provides the following definition for an 'on-farm diversified use' below:

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

A new definition for 'agri-tourism' uses is now included in the PPS.

Agri-tourism: means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

It is also noted that a subtle change with respect to how an ‘agriculture-related use’ is defined in the PPS. An ‘agriculture-related use’ was defined in the 2005 PPS as follows:

Agriculture-related uses: means those farm-related commercial and farm-related industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation.

In the 2014 PPS and carrying forward to the 2020 PPS, agriculture-related uses is defined as set out below:

Agriculture-related uses: means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

The PPS definition now permits these uses to support ‘farm operations in the area’, as opposed to supporting only the ‘farm operation’ on the same property.

Many of the PPS changes made in 2014 and 2020 relating to agriculture are supportive of the agricultural industry and are intended to provide additional flexibility. Many of the changes made in the PPS will require implementation in the ROP, as discussed later in this section. In addition, Section 2.3.2 now requires that planning authorities designate prime agricultural areas. In the case of Halton Region, this new requirement will need to be implemented since the current version of the ROP identifies prime agricultural areas as a ‘constraint area’ (overlay).

2.3.5 Detailed Review of the PPS

Table A below review each of the relevant policies of the PPS and their applicability to Halton Region.

TABLE A - PROVINCIAL POLICY STATEMENT		
Section No.	Policy	Commentary
1.1.1 d)	<p>Healthy, liveable and safe communities are sustained by:</p> <p>Avoiding development and land use patterns that would prevent the efficient expansion of <i>settlement areas</i> in those areas which are adjacent or close to <i>settlement areas</i>;</p>	<p>This section essentially requires that decisions should not be made on the edges of urban areas that may have an impact on their efficient expansion in the future.</p> <p>This section can be implemented by including a policy in the Official Plan that adds this issue to the list of considerations when a Planning Act application is submitted for lands adjacent to an urban area.</p>

TABLE A - PROVINCIAL POLICY STATEMENT

Section No.	Policy	Commentary
1.1.4.1 a), c), d), e), g) and i)	<p>Healthy, integrated and viable <i>rural areas</i> should be supported by:</p> <ul style="list-style-type: none"> a) Building upon rural character, and leveraging rural amenities and assets; b) Promoting regeneration, including the redevelopment of <i>brownfield sites</i>; c) Accommodating an appropriate range and mix of housing in rural <i>settlement areas</i>; d) Encouraging the conservation and redevelopment of existing rural housing stock on <i>rural lands</i>; e) Using rural <i>infrastructure</i> and <i>public service facilities</i> efficiently; f) Promoting diversification of the economic base and employment opportunities through goods and services, including value-added products and the sustainable management or use of resources; g) Providing opportunities for sustainable and diversified tourism, including leveraging historical, cultural, and natural assets; h) Conserving biodiversity and considering the ecological benefits provided by nature; and i) Providing opportunities for economic activities in <i>prime agricultural areas</i>, in accordance with policy 2.3. 	<p>This section encourages municipalities to support uses that are compatible with the rural character of an area and those uses that leverage rural amenities and assets. This can be implemented by specifically permitting desirable uses in select geographies in an Official Plan.</p> <p>Key among these types of uses would be the full range of agricultural uses in prime agricultural areas.</p> <p>This section also indicates in subsection c) that an appropriate range and mix of housing should be provided in rural settlement areas as well as urban areas subject of course to servicing constraints.</p> <p>Subsection d) speaks to the conservation and redevelopment of existing rural housing on rural lands. This can certainly be encouraged in the ROP, however decisions to redevelop and improve are typically made by the landowners involved.</p> <p>This section also encourages tourism and in the case of Halton Region, such tourism should be related to the agricultural activities that are occurring in the Region. However, other uses such as small-scale accommodation and golf courses (of which there are 15 of them) could potentially be considered as well.</p> <p>Other major tourism uses in the Region include the Woodbine Mohawk Park (Mohawk Raceway) in Milton, the Halton Region Museum at the Kelso Conservation Area and Country Heritage Park, which recreates rural life in 19th Century Ontario. Halton's tourism uses also includes conservation areas such as, Rattlesnake Point, Hilton Falls, Mount Nemo, Crawford Lake, Kelso, Mountsberg, Glen Eden and Robert Edmondson.</p> <p>Lastly, this section supports additional economic activities in prime agricultural areas in accordance with Policy 2.3.</p>
1.1.4.2	<p>In rural areas, <i>rural settlement areas</i> shall be the focus of growth and development and their vitality and regeneration shall be promoted.</p>	<p>This policy is consistent with other policies that direct growth to settlement areas. This policy reaffirms that within rural areas, rural settlement areas shall also be the focus of growth and development.</p>

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		In Halton Region, rural settlements include Glen Williams, Terra Cotta, Silver Creek, Norval, Limehouse, Bannockburn, Ballinafad, Crewsons Corners, Brookville, Moffat, Campbellville, Kilbride, Mount Nemo and Lowville. Limited growth has been occurring in these hamlets in recent years.
1.1.4.3	When directing development in rural settlement areas in accordance with policy 1.1.3, planning authorities shall give consideration to rural characteristics, the scale of development and the provision of appropriate service levels.	This section suggests that a planning authority can decide which rural settlement areas are more suited to growth than another. An example of this would be in Halton Hills where there are three hamlets where most of the growth in the rural area is directed and a number of rural clusters where limited growth is expected.
1.1.5.2	<p>On rural lands located in municipalities, permitted uses are:</p> <ul style="list-style-type: none"> a) The management or use of resources; b) Resource-based recreational uses (including recreational dwellings); c) Limited residential development including lot creation, that is locally appropriate; d) Agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices, in accordance with provincial standards; e) Home occupations and home industries; f) Cemeteries; and g) Other rural land uses. 	<p>This section specifically identifies the uses permitted on rural lands, which are those lands outside of rural settlement areas and prime agricultural areas. While the uses listed are permitted by the PPS, it is up to the Official Plan to determine if they should be permitted as of right, or subject to an Amendment to the Official Plan.</p> <p>Home occupations, home industries and cemeteries have been 'added' as permitted uses. In addition, the previous permission in the PPS 2005 for 'resource based recreational activities' has been replaced by 'resource-based recreational uses (including recreational dwellings)' in recognition firstly of the difficulty in determining what an 'activity' is and secondly to recognize that recreational dwellings do exist and are common in many rural areas. It is noted that while 'limited' residential development is permitted, no definition of 'limited' is provided.</p>
1.1.5.3	Recreational, tourism and other economic opportunities should be promoted.	This section again reinforces the desire to promote a range of opportunities in rural areas.
1.1.5.4	Development that is compatible with the rural landscape and can be sustained by rural service levels should be promoted.	This section recognizes that there are constraints to development from a servicing perspective that need to be considered.
1.1.5.5	Development shall be appropriate to the <i>infrastructure</i> which is planned or available, and avoid the need for the unjustified and/or uneconomical expansion of this <i>infrastructure</i> .	This section reinforces the above policy and indicates that development shall be appropriate for the infrastructure that is planned or available.
1.1.5.6	Opportunities should be retained to locate new or expanding land uses that require separation from other uses.	This section supports the retention of the existing parcel fabric to the greatest extent possible to allow

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		for the development of uses that require separation from other uses.
1.1.5.7	Opportunities to support a diversified rural economy should be promoted by protecting agricultural and other resource-related uses and directing non-related development to areas where it will minimize constraints on these uses.	This section again supports the establishment of a diversified rural economy by ensuring that uses that may have an impact on desired uses are not established.
1.1.5.8	<i>Agricultural uses, agriculture-related uses, on-farm diversified uses and normal farm practices</i> should be promoted and protected in accordance with provincial standards.	This section specifically lists the uses that are permitted in prime agricultural areas.
1.1.5.9	New land uses, including the creation of lots, and new or expanding livestock facilities, shall comply with the <i>minimum distance separation formulae</i> .	This section establishes the basis for the application of the minimum distance separation ('MDS') formula 'MDS1' or 'MDS2'.
1.7.1 h) and i)	Long-term economic prosperity should be supported by: h) Providing opportunities for sustainable tourism development; i) Sustaining and enhancing the viability of the agricultural system through protecting agricultural resources, minimizing land use conflicts, providing opportunities to support local food and maintaining and improving the agri-food network;	This section again supports sustainable tourism development in Ontario. This section also speaks to minimizing land use conflicts and supporting local food production and agri-food and agri-product businesses some of which may be located in prime agricultural areas.
2.1.9	Nothing in policy 2.1 is intended to limit the ability of <i>agricultural uses</i> to continue.	This section essentially indicates that existing agricultural uses are permitted to continue even if they are on lands that are the site of a natural heritage feature or area.
2.3.1	<i>Prime agricultural areas</i> shall be protected for long-term use for agriculture. <i>Prime agricultural areas</i> are areas where <i>prime agricultural lands</i> predominate. <i>Specialty crop areas</i> shall be given the highest priority for protection, followed by Canada Land Inventory Class 1, 2, and 3 lands, and any associated Class 4 through 7 lands within the <i>prime agricultural area</i> , in this order of priority.	This section is mandatory and indicates that prime agricultural areas shall be protected for long-term use for agriculture. In the case of this policy, long-term means the planning period at a minimum.
2.3.2	Planning authorities shall designate <i>prime agricultural areas</i> and <i>specialty crop areas</i> in accordance with guidelines developed	This section requires that planning authorities designate prime agricultural areas in their Official Plans. While the term 'designate' implies that the

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Section No.	Policy	Commentary
	<p>by the Province, as amended from time to time.</p> <p>Planning authorities are encouraged to use an agricultural system approach to maintain and enhance the geographic continuity of the agricultural land base and the functional and economic connections to the agri-food network.</p>	<p>creation of a mutually exclusive land use designation is required, other approaches that achieve the same objective could be considered; however, the requirement to 'designate' was added to the current version of the PPS. At the present time, the ROP includes prime agricultural areas as a constraint area.</p>
2.3.3.1	<p>In prime agricultural areas, permitted uses and activities are: agricultural uses, agriculture-related uses and on-farm diversified uses.</p> <p><i>Proposed agriculture-related uses and on-farm diversified uses shall be compatible with, and shall not hinder, surrounding agricultural operations. Criteria for these uses may be based on guidelines developed by the Province or municipal approaches, as set out in municipal planning documents, which achieve the same objectives.</i></p>	<p>This section identifies the permitted uses in prime agricultural areas and indicates that agriculture-related uses and on-farm diversified uses shall not have an impact on agricultural operations. In this regard, the Province has issued detailed guidelines to consider.</p>
2.3.3.2	<p><i>In prime agricultural areas, all types, sizes and intensities of agricultural uses and normal farm practices shall be promoted and protected in accordance with provincial standards.</i></p>	<p>This section supports the full range of agricultural uses within prime agricultural areas.</p>
2.3.3.3	<p>New land uses in prime agricultural areas, including the creation of lots, and new or expanding livestock facilities shall comply with the <i>minimum distance separation formulae</i>.</p>	<p>This section requires the application of both the MDS1 and MDS2 formulas as appropriate.</p>
2.3.4.1 a)	<p>Lot creation in <i>prime agricultural areas</i> is discouraged and may only be permitted for:</p> <p><i>Agricultural uses, provided that the lots are of a size appropriate for the type of agricultural use(s) common in the area and are sufficiently large to maintain flexibility for future changes in the type or size of agricultural operations;</i></p>	<p>This section permits lot creation for agricultural uses provided the size of the lots are appropriate for agriculture uses that are common in the area. This minimum lot size for agricultural uses should ideally be set out in an Official Plan. A number of Ontario municipalities have included a minimum lot size of 40 hectares in prime agricultural areas. Lesser lot sizes have also been considered (10 hectares) in specialty crop areas.</p> <p>On July 22, 2016 the Halton Region Federation of Agriculture submitted an application to amend</p>

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Section No.	Policy	Commentary
		<p>Section 66 of the Halton Regional Official Plan to permit lot creation for the severance of surplus farm residences in the Agricultural System of Halton Region. The product of the application was ROPA 46, which sets out criteria that must be satisfied to sever a residence deemed surplus as a result of farm consolidation. Council adopted ROPA 46 in early 2018.</p> <p>The criteria were developed after a careful review of best practices across Ontario, an analysis of Halton’s agricultural profile and an examination of severance potential using geographic information systems. In terms of key eligibility criteria, ROPA 46 allows for this severance provided that the applicant owns and operates a farm operation for a minimum of 3 years.</p> <p>ROPA 46 also contains key lot size criteria for both the retained farm parcel and the severed non-farm dwelling parcel. The retained farm parcel must be a minimum of 20 hectares unless it is being merged with an abutting farm parcel. ROPA 46 also includes other important criteria that are necessary to ensure conformity with Provincial Plans and policies. For example, the severance must meet Minimum Distance Separation Formulae requirements and the retained farm parcel must be zoned to Agricultural Purposes Only (APO) to prohibit new dwellings in perpetuity unless it is being merged with an abutting farm parcel.</p>
2.3.4.1 b)	<p>Lot creation in <i>prime agricultural areas</i> is discouraged and may only be permitted for:</p> <p><i>Agriculture-related uses, provided that any new lot will be limited to a minimum size needed to accommodate the use and appropriate sewage and water services;</i></p>	<p>This section permits lot creation for agriculture-related uses as well. This is a new permission in the PPS, since previously, agriculture-related uses had to be related to a farm on the same property. The establishment of policies that either permit or not permit this type of severance will be needed in the ROP.</p>
2.3.4.1 c)	<p>Lot creation in <i>prime agricultural areas</i> is discouraged and may only be permitted for:</p> <p><i>A residence surplus to a farming operation as a result of farm consolidation, provided that:</i></p>	<p>This section permits the creation of a lot for a residence surplus to a farming operation subject to conditions. In this regard, see the commentary relating to Section 2.3.4.1 a).</p>

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Section No.	Policy	Commentary
	<ol style="list-style-type: none"> 1. The new lot will be limited to a minimum size needed to accommodate the use and appropriate <i>sewage and water services</i>; and 2. The planning authority ensures that new residential dwellings are prohibited on any remnant parcel of farmland created by the severance. The approach used to ensure that no new residential dwellings are permitted on the remnant parcel may be recommended by the Province, or based on municipal approaches which achieve the same objective; and 	
2.3.4.1 d)	<p>Lot creation in <i>prime agricultural areas</i> is discouraged and may only be permitted for:</p> <p><i>Infrastructure</i>, where the facility or corridor cannot be accommodated through the use of easements or rights-of-way.</p>	<p>This section recognizes that infrastructure sometimes is developed in prime agricultural areas and lot creation to provide the basis for this infrastructure is provided for.</p>
2.3.5.1	<p>Planning authorities may only exclude land from <i>prime agricultural areas</i> for expansions of or identification of <i>settlement areas</i> in accordance with policy 1.1.3.8.</p>	<p>This section indicates that prime agricultural areas, once designated in an Official Plan, cannot be re-designated for another use unless a settlement area is being expanded.</p> <p>This also means that in the future, if lands are proposed for a non-agricultural use in accordance with Section 2.3.6.1 below, the lands must remain designated for agricultural purposes with an exception permitting the unique use. This means that the Region's existing Mineral Aggregate Resource designation would not be applied to new areas if the lands were designated for prime agricultural purposes. It is recognized that the nature of most aggregate resource operations in Halton Region do not lend themselves to agriculture as an after use.</p>

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Section No.	Policy	Commentary
2.3.6.1	<p>Planning authorities may only permit non-agricultural uses in <i>prime agricultural areas</i> for:</p> <ul style="list-style-type: none"> a) Extraction of <i>minerals, petroleum resources</i> and <i>mineral aggregate resources</i>; or b) Limited non-residential uses, provided that all of the following are demonstrated: <ul style="list-style-type: none"> 1. The land does not comprise a <i>specialty crop area</i>; 2. The proposed use complies with the <i>minimum distance separation formulae</i>; 3. There is an identified need within the planning horizon provided for in policy 1.1.2 for additional land to accommodate the proposed use; and 4. Alternative locations have been evaluated, and i. There are no reasonable alternative locations which avoid <i>prime agricultural areas</i>; and ii. There are no reasonable alternative locations in <i>prime agricultural areas</i> with lower priority agricultural lands. 	<p>This section provides the basis for the consideration of certain non-agricultural uses subject to the criteria identified. There is no restriction on the type of limited non-residential use that could be considered, however all of the criteria need to be satisfied.</p>
2.3.6.2	<p>Impacts from any new or expanding non-agricultural uses on surrounding agricultural operations and lands are to be mitigated to the extent feasible.</p>	<p>This section reinforces the application of the MDS1 formula.</p>
4.4	<p>This Provincial Policy Statement shall be implemented in a manner that is consistent with Ontario Human Rights Code and the Canadian Charter of Rights and Freedoms.</p>	<p>This section is self-explanatory.</p>
4.8	<p>Zoning and development permit by-laws are important for implementation of this Provincial Policy Statement. Planning authorities shall keep their zoning and development permit by-laws up-to-date with their official plans and this Provincial Policy Statement.</p>	<p>This section states that in addition to having up to date Official Plans, there is also a need for up to date zoning and development permit bylaws as well.</p>

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4.9	<p>The policies of this Provincial Policy Statement represent minimum standards. This Provincial Policy Statement does not prevent planning authorities and decision-makers from going beyond the minimum standards established in specific policies, unless doing so would conflict with any policy of this Provincial Policy Statement.</p>	<p>This section has been moved to Part III of the 2020 PPS.</p> <p>This section indicates that a planning authority may be more restrictive than the Provincial Policy Statement, provided the more restrictive policy does not conflict with any other policy in the PPS.</p> <p>Determining whether it is appropriate to go beyond the minimum standards is dependent on the whether the PPS policy is mandatory (i.e. through the use of the word 'shall') and the local context.</p>
4.7	<p>In addition to land use approvals under the <i>Planning Act</i>, <i>infrastructure</i> may also require approval under other legislation and regulations. An environmental assessment process may be required for new <i>infrastructure</i> and modifications to existing <i>infrastructure</i> under applicable legislation.</p> <p>Wherever possible and practical, approvals under the <i>Planning Act</i> and other legislation or regulations should be integrated, provided the intent and requirements of both processes are met.</p>	<p>This section recognizes that other legislation exists that has an impact on planning matters.</p>
4.12	<p><i>Provincial plans</i> shall be read in conjunction with this Provincial Policy Statement and take precedence over policies in this Provincial Policy Statement to the extent of any conflict, except where legislation establishing <i>provincial plans</i> provides otherwise. Examples of these are plans created under the <i>Niagara Escarpment Planning and Development Act</i>, the <i>Ontario Planning and Development Act, 1994</i>, the <i>Oak Ridges Moraine Conservation Act, 2001</i>, the <i>Greenbelt Act, 2005</i> and the <i>Places to Grow Act, 2005</i>.</p>	<p>This section has been modified and moved to Part III of the 2020 PPS.</p> <p>This section indicates that other Provincial plans also need to be taken into account in making a decision on a planning matter. However, determining the extent of a conflict that exists between policies and plans can only be determined on a case-by-case basis.</p>
Definition	<p>Agricultural System: A system comprised of a group of inter-connected elements that collectively create a viable, thriving agricultural sector. It has two components:</p> <ol style="list-style-type: none"> a) An agricultural land base comprised of <i>prime agricultural</i> 	

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Section No.	Policy	Commentary
	<p><i>areas, including specialty crop areas, and rural lands that together create a continuous productive land base for agriculture; and</i></p> <p>b) <i>An agri-food network which includes infrastructure, services, and assets important to the viability of the agri-food sector.</i></p>	
Definition	<p>Agricultural uses: means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.</p>	<p>This definition was updated in the current version of the PPS and will need to be included within the ROP as set out in the PPS. Changes made to the definition include the addition of 'biomass' and references to livestock facilities, manure storages and value-retaining facilities being a component of an agricultural use. The changes are shown below: Agricultural uses: means the growing of crops, including nursery, biomass and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.</p>
Definition	<p>Agri-food network: Within the <i>agricultural system</i>, a network that includes elements important to the viability of the agri-food sector such as regional <i>infrastructure</i> and transportation networks; on-farm buildings and infrastructure; agricultural services, farm markets distributors, and primary processing; and vibrant, agriculture-supportive communities.</p>	
Definition	<p>Agri-tourism uses: means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.</p>	<p>This new definition will need to be included within the ROP as set out in the PPS.</p>
Definition	<p>Agriculture-related uses: means those farm-related commercial and farm-related industrial uses that are directly related to</p>	<p>This definition was updated in the current version of the PPS and will need to be included within the ROP as set out in the PPS. The most significant change in</p>

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Section No.	Policy	Commentary
	farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.	the definition is that agriculture-related uses are no longer restricted to benefitting and supporting only farm operation on the same property. The changes are shown below: Agriculture-related uses: means those farm-related commercial and farm related industrial uses that are directly related to the farm operation, support agriculture, and are required in close proximity to farm operations, and provide direct service to farm operations as an exclusive activity.
Definition	<p>Development: means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the <i>Planning Act</i>, but does not include:</p> <ul style="list-style-type: none"> a) Activities that create or maintain <i>infrastructure</i> authorized under an environmental assessment process; b) Works subject to the <i>Drainage Act</i>; or c) For the purposes of Policy 2.1.4 a), underground or surface mining of minerals or advanced exploration of mining lands in significant areas of mineral potential in Ecoregion 5E, where advanced exploration has the same meaning as under the Mining Act. Instead, those matters shall be subject to policy 2.1.5 a). 	This definition will need to be included within the ROP as set out in the PPS. It is noted that 'development' does not include construction that requires only a building permit.
Definition	<p>Infrastructure: means physical structures (facilities and corridors) that form the foundation for development. <i>Infrastructure</i> includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.</p>	This definition was updated in the current version of the PPS and will need to be included within the ROP as set out in the PPS. The changes made to the definition are below: Infrastructure: means physical structures (facilities and corridors) that form the foundation for development. Infrastructure includes: sewage and water systems, septage treatment systems, stormwater management systems, waste management systems, electricity generation facilities, electricity transmission and distribution systems, communications/telecommunications, transit and transportation corridors and facilities, oil and gas pipelines and associated facilities.
Definition	<p>Minimum distance separation formulae: means formulae and guidelines developed by the Province, as amended from time to time, to separate uses so as to reduce</p>	This definition was updated in the current version of the PPS and will need to be included within the ROP as set out in the PPS. The following minor changes were made to the definition: Minimum distance separation formulae: means formulae and guidelines

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Section No.	Policy	Commentary
	incompatibility concerns about odour from livestock facilities.	developed by the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.
Definition	Normal farm practices: means a practice, as defined in the <i>Farming and Food Production Protection Act, 1998</i> , that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. Normal farm practices shall be consistent with the <i>Nutrient Management Act, 2002</i> and regulations made under that Act.	This definition will need to be included with the ROP as set out in the PPS. This definition was not changed in the current version of the PPS.
Definition	On-farm diversified uses: means uses that are secondary to the principal agricultural use of the property, and are limited in area. <i>On-farm diversified uses</i> include, but are not limited to, home occupations, home industries, <i>agri-tourism uses</i> , and uses that produce value-added agricultural products. Ground-mounted solar facilities are permitted in prime-agricultural areas, including specialty crop areas, only as on-farm diversified uses.	<p>This new definition will need to be included within the ROP as set out in the PPS.</p> <p>This new definition replaces the former 'secondary uses' definition as set out below: <i>Secondary uses: means uses secondary to the principal use of the property, including but not limited to, home occupations, home industries, and uses that produce value-added agricultural products from the farm operation on the property.</i></p> <p>The new definition removes the restriction that value-added agricultural products can only come from the farm operation on the same property.</p>
Definition	Prime agricultural area: means areas where <i>prime agricultural lands</i> predominate. This includes areas of <i>prime agricultural lands</i> and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. <i>Prime agricultural areas</i> may be identified by the Ontario Ministry of Agriculture and Food using guidelines developed by the Province as amended from time to time. A <i>prime agricultural area</i> may also be identified through an alternative	This definition was slightly updated in the current version of the PPS and will need to be included within the ROP as set out in the PPS.

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Section No.	Policy	Commentary
	agricultural land evaluation system approved by the Province.	
Definition	Prime agricultural land: means <i>specialty crop areas</i> and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection.	This definition was slightly updated in the current version of the PPS and will need to be included within the ROP as set out in the PPS.
Definition	Residence surplus to a farming operation: means an existing habitable farm residence that is rendered surplus as a result of farm consolidation (the acquisition of additional farm parcels to be operated as one farm operation).	ROPA 46 included an updated definition as follows: means an existing habitable farm residence that is rendered surplus as a result of a <i>farm consolidation</i> , but does not include a mobile or portable dwelling or dwelling developed for the purpose of farm labour use.
Definition	Rural areas: means a system of lands within municipalities that may include <i>rural settlement areas, rural lands, prime agricultural areas</i> , natural heritage features and areas, and resource areas.	This definition was updated in the current version of the PPS and will need to be included within the ROP as set out in the PPS. However, the lands that are considered to be rural areas have not changed.
Definition	Rural lands: means lands which are located outside <i>settlement areas</i> and which are outside <i>prime agricultural areas</i> .	This new definition will need to be included within the ROP as set out in the PPS.
Definition	Site alteration: means activities, such as grading, excavation and the placement of fill that would change the landform and natural vegetative characteristics of a site. For the purposes of policy 2.1.4(a), <i>site alteration</i> does not include underground or surface mining of <i>minerals</i> or advanced exploration on mining lands in <i>significant areas of mineral potential</i> in Ecoregion 5E, where advanced exploration has the same meaning as in the <i>Mining Act</i> . Instead, those matters shall be subject to policy 2.1.5(a).	This definition will need to be included with the ROP as set out in the PPS. This definition was not changed in the current version of the PPS.
Definition	Specialty crop area: means areas designated using guidelines developed by the Province, as amended from time to time. In these areas, specialty crops are predominantly grown such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil, usually resulting from: a) Soils that have suitability to produce specialty crops, or lands that are	This definition was slightly updated in the current version of the PPS and will need to be included within the ROP as set out in the PPS. There are no specialty crop areas in Halton Region.

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	<p>subject to special climatic conditions, or a combination of both;</p> <p>b) Farmers skilled in the production of specialty crops; and</p> <p>c) A long-term investment of capital in areas such as crops, drainage, infrastructure and related facilities and services to produce, store, or process specialty crops.</p>	

2.4 PROVINCIAL GROWTH PLAN

2.4.1 INTRODUCTION

The Provincial Government adopted the *Places to Grow Act* in June 2005. The Act provides a framework for the adoption of regional-scale Growth Plans. The first of these, the Growth Plan for the Greater Golden Horseshoe, was adopted by Regulation in June 2006 and then updated in 2013, 2017 and 2019.

The Growth Plan is a statement of Provincial policy directing growth-related planning decisions over the next 30 years. The intent of the Growth Plan is to significantly reduce urban sprawl and land consumption while making more efficient use of existing infrastructure. The Growth Plan requires that municipalities look to new ways to accommodate growth that breaks from the past, in terms of how communities are designed, and how land uses are mixed, all in an effort to improve quality of life, health and general well-being.

The Growth Plan as amended and updated in 2019 contains a vision for 2041 for the Greater Golden Horseshoe. This vision is described through a series of maps and text, and contains policies dealing with the essential aspects of the Plan. The Growth Plan contains specifics on where and how the area will grow and the infrastructure that may be needed to support that growth.

The Growth Plan establishes specific policies dealing with forecasts, intensification, urban growth centres and intensification corridors, employment areas, urban boundaries, and small cities and towns. It also establishes minimum densities that new development must achieve, requires that urban growth centre and intensification corridor boundaries be delineated, creates strong policies dealing with the preservation of employment areas and lists the criteria to be met to justify urban boundary expansions.

A chapter on infrastructure deals with transportation and water/wastewater systems. A chapter entitled "Protecting What is Valuable" establishes policies related to the natural system, agricultural system, rural areas, mineral aggregate and cultural heritage resources. There is also a chapter providing for implementation measures, including monitoring and review of the Plan's policies and projections.

The Growth Plan was recently updated in 2019 and it contains updated requirements for municipal comprehensive reviews and it increases the minimum intensification target and the minimum designated Greenfield area target. The updated Growth Plan also establishes the basis for the preparation of agricultural system and natural heritage system mapping (with such Provincial mapping released in February 2018). This mapping is also supported by an updated policy framework for both systems.

2.4.2 INTRODUCTION

Table B below reviews each of the relevant policies of the Growth Plan and their applicability to Halton Region.

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Section No.	Policy	Commentary
2.1	Strong, healthy and prosperous rural communities are also vital to the economic success of the GGH and contribute to our quality of life. This Plan recognizes and promotes the important role of rural towns and villages as a focus of economic, cultural and social activities that support surrounding rural and agricultural areas across the GGH. Opportunities to support a diversified rural economy should be promoted by protecting farmland and the viability of the agri-food sector in rural areas. Healthy rural communities are important to the vitality and well-being of the larger region.	This section establishes the context for long-term planning in the Greater Golden Horseshoe and recognizes the importance and value of protecting farmland and the viability of the agri-food sector to the economy. This paragraph should also be read in conjunction with the other paragraphs in this introductory section that deal with the form and location of expected population and employment growth in the Greater Golden Horseshoe.
2.2.8.3 f)	<p>Prime agricultural areas should be avoided where possible. To support the Agricultural System, alternative locations across the upper or single-tier municipality will be evaluated, prioritized and determined based on avoiding, minimizing and mitigating the impact on the Agricultural System in accordance with the following:</p> <ul style="list-style-type: none"> i. Expansion into specialty crop areas is prohibited; ii. Reasonable alternatives that avoid prime agricultural areas are evaluated; and iii. Where prime agricultural areas cannot be avoided, lower priority agricultural lands are used. 	<p>This section indicates that in considering a settlement area expansion in the future, prime agricultural areas should be avoided. This means that there is no restriction on the expansion of the urban area into the prime agricultural area according to the Growth Plan.</p> <p>In addition, this section also states that the impacts of urban expansion on prime agricultural areas should be minimized, which assumes that some impact is expected. However, it is also expected that these impacts would be mitigated.</p> <p>The Phase 1 Directions Report deals with all aspects of the ROPR and provides an overview of the planning policy context, the demographics and economics of the region, land use trends and a series of directions for consideration. Of particular interest to the discussion on agricultural and rural policies is the discussion in Section 4.3 of the Directions Report on the rural and agricultural system. The only recommendation made in this section of the Directions Report is set out below:</p> <p><i>"The Rural Agricultural Strategy Background Report, which identifies a range of actions that could be implemented as part of the Rural Agricultural Strategy to support the Region's agricultural and rural economy. Action items relevant to the ROP should be considered in the ROP Review."</i></p> <p>The background report referenced above provided the basis for the actual Rural Agricultural Strategy ('RAS') that was finalized on August 4, 2016. The vision of the RAS is set out below:</p>

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Section No.	Policy	Commentary
		<p><i>"A rural community and permanent agricultural system that is diverse, prosperous, productive and sustainable as an essential component of a healthy and complete Regional community".</i></p> <p>A key recommendation made in the RAS Background Report was that a regional agricultural system be established. In this regard, it is indicated the following:</p> <p><i>"Research indicates that a successful agricultural system is comprised of a connected, permanent land base that supports a critical mass of prosperous agri-food businesses including input services, primary production, first level processing, infrastructure support, marketing opportunities and delivery. The system incorporates rural settlements and natural heritage systems."</i></p> <p>The research referenced above is previous work completed by the consultant responsible for the preparation of the RAS.</p> <p>The following is then recommended in Task A1.2:</p> <p><i>"Establish permanent boundaries to define the agricultural system having regard for natural features and intra and inter regional connectivity."</i></p> <p>The RAS Background Report indicated that an opportunity exists as part of the Provincial Plan Review (then underway) to establishing agricultural land preserves. The following was then indicated:</p> <p><i>"As an alternative approach, as part of the upcoming Regional official plan review, policies could be implemented to establish permanent agricultural areas. Changes to the PPS in 2014 set up a process whereby this could be done."</i></p> <p>This appears to be the basis for the recommendation made in the RAS.</p> <p>While the basis for the recommendations made in the RAS Background Report is understood, there is no policy basis for establishing a 'permanent' agricultural area in the 2014 PPS. This is because Section 1.1.3.8 of the PPS permits the expansion of urban areas into</p>

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		<p>prime agricultural areas, subject to criteria, which means that prime agricultural areas could be considered when undertaking a Municipal Comprehensive Review in accordance with the Growth Plan. It is also noted that Section 2.2.8.3 h) of the Growth Plan also permits the consideration of urban expansion into prime agricultural areas as well, while indicating that these areas should be avoided where possible.</p> <p>At the present time, all of the Region's urban areas outside of the Greenbelt Plan area abut lands that are within the prime agricultural area, which means that the expansion of urban areas into prime agricultural areas will always need to be an option to consider when the Region is required to plan for the additional population and employment growth that is mandated by the Province. As a consequence, while the boundaries of the prime agricultural area designation can be fixed within the ROP, the boundaries can be re-considered when the Region initiates a Municipal Comprehensive Review ('MCR').</p> <p>Notwithstanding the above, the Region can decide through the current MCR process that the expansion of the urban area is not warranted at this time, because mandated population and employment growth can be accommodated within the current urban boundary as intensification or within existing designated Greenfield areas. If this were to occur, the spatial extent of the prime agricultural area would be fixed until the next MCR.</p>
2.2.8.3 g)	The settlement area to be expanded is in compliance with the minimum distance separation formulae.	This means that the MDS1 formula is to be applied and areas affected would be precluded from development until the livestock facility ceases to exist. This has meant in some cases the purchase of adjacent livestock facilities by developers to maximize the development potential of the new urban area.
2.2.8.3 h)	Any adverse impacts on the agri-food network, including agricultural operations from expanding settlement areas would be avoided or, if avoidance is not possible, minimized and	In order to implement this section, the nature and extent of the agri-food network in the vicinity of expanding settlement areas would need to be documented. In addition, it is noted that this section

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	mitigated as determined through an agricultural impact assessment.	does recognize that avoidance is not possible in all cases and that impacts should be minimized and mitigated as determined through future study.
2.2.9.1	Municipalities are encouraged to plan for a variety of cultural and economic opportunities within rural settlements to serve the needs of rural residents and area businesses.	This section supports the establishment of policies within Official Plans that are supportive of the development of a wide-range of businesses in rural settlement areas.
2.2.9.2	Public service facilities in rural settlements should be co-located and integrated in community hubs, and priority should be given to maintaining and adapting existing public service facilities in community hubs to meet the needs of the community, where feasible.	This section supports the establishment of community hubs in rural settlement areas.
2.2.9.3	<p>Subject to the policies in Section 4, development outside of settlement areas may be permitted on rural lands for:</p> <ul style="list-style-type: none"> a) The management or use of resources; b) Resource-based recreational uses; and c) Other rural land uses that are not appropriate in settlement areas provided they: <ul style="list-style-type: none"> i. Are compatible with the rural landscape and surrounding local land uses; ii. Will be sustained by rural service levels; and iii. Will not adversely affect the protection of agricultural uses and other resource-based uses such as mineral aggregate operations. 	<p>The use of the terms 'rural lands' in this context means those areas outside of settlement areas and prime agricultural areas. As noted previously, there is a limited amount of land in Halton Region outside of urban areas, rural settlement areas and prime agricultural areas that is not within the Regional Natural Heritage System.</p> <p>In any event, the list of uses permitted is different than the list of uses permitted on rural lands by the Provincial Policy Statement. For example, cemeteries and home industries are not specifically listed as permitted uses in the Growth Plan, however, they could be considered as 'other land uses' since they are specifically identified in the PPS.</p>
2.2.9.4	<p>Where permitted on rural lands, resource-based recreational uses should be limited to tourism-related and recreational uses that are compatible with the scale, character, and capacity of the resource and the surrounding rural landscape, and may include:</p> <ul style="list-style-type: none"> a) Commercial uses to serve the needs of visitors; and b) Where appropriate, resource-based recreational dwellings for seasonal accommodation. 	This section provides some controls on the nature of resource based recreational uses on rural lands.
2.2.9.5	Existing employment areas outside of settlement areas on rural lands that were designated for employment uses in an official plan that was approved and in effect as of June 16, 2006 may continue to be permitted.	This section does not apply to Halton Region; as all employment areas are included within urban areas.

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	Expansions to these existing employment areas may be permitted only if necessary to support the immediate needs of existing businesses and if compatible with the surrounding uses.	
2.2.9.6	New multiple lots or units for residential development will be directed to settlement areas, but may be allowed on rural lands in site-specific locations with approved zoning or designation in an official plan that permitted this type of development as of June 16, 2006.	This section permits limited opportunities for new residential development on rural lands provided the lands were zoned or designated for the use as of June 16, 2006. However, it is noted that this section indicates that such development 'may be allowed' which implies that a choice can be made. This also means that other policies such as those that deal with natural heritage and which are more specific in terms of permissions and prohibitions would take precedence over a permissive policy such as this one.
2.2.9.7	Notwithstanding policy 2.2.8.2, minor adjustments may be made to the boundaries of rural settlements outside of a municipal comprehensive review, subject to the following: <ul style="list-style-type: none"> a) The affected settlement areas is not in the Greenbelt Area; b) The change would constitute a minor rounding out of existing development, in keeping with the rural character of the area; c) Confirmation that water and wastewater servicing can be provided in an appropriate manner that is suitable for the long-term with no negative impacts on water; and d) Sections 2 (Wise Use and Management of Resources) and 3 (Protecting Public Health and Safety) of the PPS are applied. 	
4.1	<p>Context</p> <p>The GGH contains a broad array of important hydrologic and natural heritage features and areas, a vibrant and diverse agricultural land base, irreplaceable cultural heritage resources, and valuable renewable and non-renewable resources. These lands, features and resources are essential for the long-term quality of life, economic prosperity, environmental health, and ecological integrity of the region. They collectively provide essential ecosystem services, including water storage and filtration, cleaner air and habitats, and support pollinators, carbon storage, adaptation and resilience to climate change.</p>	This section establishes the context for what is valuable according to the Growth Plan. In addition to important hydrologic and natural heritage features and areas, a vibrant and diverse agricultural land base is considered to be an important component of the vision for the Greater Golden Horseshoe. This section also recognizes that important and productive farmland is a finite non-renewable resource. Lastly, this section provides the basis for the identification and protection of an agricultural system in the Greater Golden Horseshoe.

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Section No.	Policy	Commentary
	<p>The GGH is home to some of Canada’s most important and productive farmland, which is a finite, non-renewable resource. The region’s fertile soil, favourable climate, and access to water make it significant both on a national and international scale.</p> <p>This Plan provides for the identification and protection of the Agricultural System in the GGH. The Agricultural System includes a continuous and productive land base, comprised of prime agricultural areas, including specialty crop areas, and rural lands, as well as a complementary agri-food network that together enable the agri-food sector to thrive. Many farms within the Agricultural System also contain important natural heritage and hydrologic features, and farmers play a vital role in their stewardship. Protecting the Agricultural System will support the viability of the agricultural sector as the Region grows.</p>	
4.2.2.3 b)	<p>The full range of existing and new agricultural uses, agriculture-related uses, on-farm diversified uses, and normal farm practices are permitted. However, new buildings or structures for agricultural uses, agriculture-related uses, or on-farm diversified uses are not subject to policy 4.2.2.3 a), but are subject to the policies in subsections 4.2.3 and 4.2.4.</p>	<p>Section 4.2.2 of the Growth Plan establishes policies for the Provincial Natural Heritage System. Section 4.2.2.3 a) then establishes a number of policies that are designed to control the scale and location of uses within the Provincial Natural Heritage System.</p> <p>Section 4.2.2.3 b) then exempts existing and new agricultural uses, agriculture-related uses, on-farm diversified uses from these policies and refers the reader to other policies that specifically deal with development within key features (section 4.2.3) and adjacent to key features (section 4.2.4).</p>
4.2.3.1 e) and f)	<p>Outside of settlement areas, development or site alteration is not permitted in key natural heritage features that are part of the Natural Heritage System or in key hydrologic features, except for:</p> <p>e) Expansions to existing buildings and structures, accessory structures and uses, and conversions of legally existing uses which bring the use more into conformity with this Plan, subject to demonstration that the use does not expand into the key hydrologic feature or key natural heritage feature or vegetative protection zone unless there is no other alternative, in</p>	<p>Sub-section e) deals with all other types of buildings not dealt with in sub-section f) and the conversion of other legally existing uses. In this regard, there will be a need for a process to determine how the 'unless there is no alternative test' can be satisfied on a case-by-case basis.</p> <p>Sub-section f) deals specifically with expansions or alterations to existing buildings and structures for agricultural uses, agriculture-related uses, on-farm diversified uses and expansions to existing residential dwellings.</p> <p>The criteria listed in sub-section f) imply that a process is required to determine how the policy could be</p>

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	<p>which case any expansion will be limited in scope and kept within close geographical proximity to the existing structure;</p> <p>f) Expansions or alterations to existing buildings and structures for agricultural uses, agriculture-related uses, on-farm diversified uses and expansions to existing residential dwellings if it is demonstrated that: i. there is no alternative, and the expansion or alteration in the feature is minimized and, in the vegetation protection zone, is directed away from the feature to the maximum extent possible; and ii. The impact of the expansion or alteration on the feature and its functions is minimized and mitigated to the maximum extent possible; and</p>	<p>satisfied on a case-by-case basis. This is because there is a need to demonstrate that there is 'no alternative', the expansion into the feature is 'minimized' and the development is 'directed away from the feature to the maximum extent possible'. Impacts are also expected to be minimized and mitigated to the maximum extent possible, which assumes that some impact can be considered. All of the above can only be assessed if there was a planning process in place to trigger the consideration of the above.</p>
4.2.4.1	<p>Outside settlement areas, a proposal for new development or site alteration within 120 metres of a key natural heritage feature within the Natural Heritage System or a key hydrologic feature will require a natural heritage evaluation or hydrologic evaluation that identifies a vegetation protection zone, which:</p> <p>a) Is of sufficient width to protect the key natural heritage feature or key hydrologic feature and its functions from the impacts of the proposed change;</p> <p>b) Is established to achieve and be maintained as natural self-sustaining vegetation; and</p> <p>c) For key hydrologic features, fish habitat, and significant woodlands, is no less than 30 metres measured from the outside boundary of the key natural heritage feature or key hydrologic feature.</p>	<p>This section indicates that an evaluation will be required to determine the width of a vegetation protection zone ('VPZ').</p> <p>However, the minimum width of such a VPZ is 30 metres for key hydrologic features, fish habitat and significant woodlands.</p> <p>While new buildings and structures for agricultural uses, agriculture-related uses, or on-farm diversified uses are exempt from preparing an evaluation in accordance with Section 4.2.4.4, new single detached dwellings would not be exempt. This means that there will be a need to establish a planning process that establishes a trigger for the evaluation of proposals to develop new single detached dwellings adjacent to key features.</p>
4.2.4.4 b) and c)	<p>Notwithstanding policies 4.2.4.1, 4.2.4.2 and 4.2.4.3:</p> <p>b) New buildings and structures for agricultural uses, agriculture-related uses, or on-farm diversified uses will not be required to undertake a natural heritage or hydrologic evaluation if a minimum 30 metre vegetation protection zone is provided from a key natural heritage feature or key hydrologic feature; and</p> <p>c) Uses permitted in accordance with policy</p>	<p>This policy specifically exempts new buildings and structures for agricultural uses, agriculture-related uses, or on-farm diversified uses from the policies that require a natural heritage and hydrological evaluation within 120 metres of a key natural feature and key hydrologic feature, provided a minimum 30 metre vegetation protection zone ('VPZ') is provided.</p> <p>The policies further exempt new buildings and structures for agricultural uses, agriculture-related uses, or on-farm diversified uses from providing natural self-sustaining vegetation within a VPZ,</p>

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	4.2.4.4 b): i. are exempt from the requirement of establishing a condition of natural self-sustaining vegetation if the land is, and will continue to be, used for agricultural purposes; and ii. Will pursue best management practices to protect and restore key natural heritage features, key hydrologic features, and their functions.	<p>provided the lands are, and will continue to be used for agricultural purposes.</p> <p>While new buildings and structures for agricultural uses, agriculture-related uses, or on-farm diversified uses are exempt from the evaluation requirement, the development of any other type of building within 120 metres of a key feature, including a single detached dwelling on an existing lot of record is required to be supported by an evaluation that identifies what the width of the VPZ should be.</p> <p>In this case, the minimum width of such a VPZ is 30 metres for key hydrologic features, fish habitat and significant woodlands as per Section 4.2.4.1. The minimum width of a VPZ adjacent to other key features would be determined through the required evaluation.</p>
4.2.6.1	An Agricultural System for the GGH has been identified by the Province.	This section simply indicates that the Province has identified an agricultural system. Since this policy was included in the Growth Plan in 2017, the Province has identified such an agricultural system.
4.2.6.2	Prime agricultural areas, including specialty crop areas, will be designated in accordance with mapping identified by the Province and these areas will be protected for long-term use for agriculture.	This section requires all municipalities to designate prime agricultural areas in accordance with Provincial mapping and to protect these lands for long-term use for agriculture. It is noted that the policy references the protection of prime agricultural areas for the long term, not permanently. It is noted that later policies allow for the refinement of the agricultural system before it is implemented in Official Plans.
4.2.6.3	Where agricultural uses and non-agricultural uses interface outside of settlement areas, land use compatibility will be achieved by avoiding or where avoidance is not possible, minimizing and mitigating adverse impacts on the Agricultural System. Where mitigation is required, measures should be incorporated as part of the non-agricultural uses, as appropriate, within the area being developed. Where appropriate, this should be based on an agricultural impact assessment.	<p>This section recognizes that there will be an interface between urban areas and agricultural uses. In this case, the policy requires that impacts on agricultural uses should be avoided and if this is not possible, minimized.</p> <p>This policy further indicates that where mitigation is required, measures should be incorporated as part of the non-agricultural use within the area being developed. The implication of this policy is that certain lands within the urban area could be relied upon to provide a buffer between urban uses and non-agricultural uses. Given the other policies in the Growth Plan that establish minimum density targets for designated Greenfield areas, reserving urban land for buffer purposes may not be that feasible, or desirable.</p>

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Section No.	Policy	Commentary
4.2.6.4	The geographic continuity of the agricultural land base and the functional and economic connections to the agri-food network will be maintained and enhanced.	This policy supports the geographic continuity of the agricultural land base and the protection of large contiguous areas of prime agricultural land.
4.2.6.5	The retention of existing lots of record for agricultural uses is encouraged, and the use of these lots for non-agricultural uses is discouraged.	This policy supports the retention of existing lots to provide as many options as possible for a range of agricultural uses in the future.
4.2.6.6	Integrated planning for growth management, including goods movement and transportation planning, will consider opportunities to support and enhance the Agricultural System.	This policy recognizes that there are often impacts between urban development and agricultural uses, with many of these impacts being felt on the movement of farm machinery along roads outside of agricultural areas. This policy requires that this be a factor to consider when reviewing and establishing growth management strategies.
4.2.6.7	<p>Municipalities are encouraged to implement regional agri-food strategies and other approaches to sustain and enhance the Agricultural System and the long-term economic prosperity and viability of the agri-food sector, including the maintenance and improvement of the agri-food network by:</p> <ul style="list-style-type: none"> a) Providing opportunities to support access the healthy, local and affordable food, urban and near-urban agriculture, food system planning and promoting the sustainability of agricultural, agri-food, and agricultural resources and minimizing land use conflicts; b) Protecting, enhancing, or supporting opportunities for infrastructure, services, and assets. Where negative impacts on the agri-food network are unavoidable, they will be assessed, minimized and mitigated to the extent feasible; and <p>Establishing or consulting with agricultural advisory committees or liaison officers.</p>	
4.2.6.8	Outside of the Greenbelt Area, provincial mapping of the agricultural land base does not apply until it has been implemented in the applicable upper or single-tier official plans that were approved and in effect as of July 1, 2017 will be considered the agricultural land base for the purposes of this Plan.	This policy indicates that prime agricultural areas that were identified in Official Plans on July 1, 2017 will continue to be protected until new Provincial mapping is implemented. This new mapping was released in February 2018 and this mapping supersedes the ROP. Many stakeholders have raised a number of significant concerns about the arbitrary nature of this policy, and the potential exists (as of April 2019) for this approach to be modified by the Province.

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Section No.	Policy	Commentary
4.2.6.9	Upper- and single-tier municipalities may, refine provincial mapping of the agricultural land base at the time of initial implementation in their official plans based on implementation procedures issued by the Province. For upper-tier municipalities, the initial implementation of provincial mapping may be done separately for each lower-tier municipality. After provincial mapping of the agricultural land base has been implemented in official plans, further refinements may only occur through a municipal comprehensive review.	This policy permits the refinement of the agricultural system through a Municipal Comprehensive Review in a manner that is consistent with the Growth Plan. The Province has released draft implementation procedures. However, these procedures and mapping will be the subject of a separate mapping audit.
4.2.9.3	Municipal planning policies and relevant development proposals will incorporate best practices for the management of excess soil generated and fill received during development or site alteration, including infrastructure development, to ensure that: <ul style="list-style-type: none"> a) Any excess soil is reused on-site or locally to the maximum extent possible and, where feasible, excess soil reuse planning is undertaken concurrently with development planning and design; b) Appropriate sites for excess soil storage and processing are permitted close to areas where proposed development is concentrated or areas of potential soil reuse; and c) Fill quality received and fill placement at a site will not cause an adverse effect with regard to the current or proposed use of the property or the natural environment and is compatible with adjacent land uses. 	This policy requires that municipal planning policies be developed to manage excess soil and fill received during development or site alteration. However, there is no reference in the policy to the regulatory responsibilities of the Province as it relates to excess soil. In this regard, the Province released complex rules for excess soil in April 2018. These rules, if implemented, would require a number of changes to existing Ontario regulations. These draft rules were intended to implement the Excess Soil Management Policy Framework that was finalized in December 2016. Further review of this issue will be required when further details are known about the Provincial regulatory approach to excess soils. In addition, there is a need to consider the difference between importing soil for agricultural use or for storage purposes.
4.2.10.1 g)	Upper- and single-tier municipalities will develop policies in their official plans to identify actions that will reduce greenhouse gas emissions and address climate change adaptation goals, aligned with other provincial plans and policies for environmental protection that will include: <ul style="list-style-type: none"> g) Promoting local food, food security, and soil health, and protecting the agricultural land base; 	This policy makes it clear that upper-tier municipalities will need to include policies in their Official Plans that promote local food, food security and soil health and which protect the agricultural land base. These same policies will also be required to address climate change vulnerability.
5.2.2.3	The province may review and update provincially significant employment zones, the agricultural land base mapping or the Natural	

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Section No.	Policy	Commentary
	Heritage System for the Growth Plan in response to a municipal request.	
Definition	Agri-food network - Means within the Agricultural System, a network that includes elements important to the viability of the agri-food sector such as regional infrastructure and transportation networks; on-farm buildings and infrastructure; agricultural services, farm markets, distributors and primary processing; and vibrant, agriculture-supportive communities (same as Greenbelt Plan)	This is a new definition that will need to be included in the ROP.
Definition	Agricultural Impact Assessment - Means a study that evaluates the potential impacts of non-agricultural development on agricultural operations and the Agricultural System and recommends ways to avoid or, if avoidance is not possible, minimize and mitigate adverse impacts (same as Greenbelt Plan)	This is a new definition that will need to be included in the ROP.
Definition	Agricultural system - Means the system mapped and issued by the Province, comprised of a group of inter-connected elements that collectively create a viable, thriving agricultural sector. It has two components: 1) An agricultural land base comprised of prime agricultural areas, including specialty crop areas, and rural lands that together create a continuous, productive land base for agriculture; and 2) An agri-food network, which includes infrastructure, services and assets important to the viability of the agri-food sector (same as Greenbelt Plan)	This is a new definition that will need to be included in the ROP.
Definition	Agricultural uses - same as PPS	See PPS table.
Definition	Agriculture-related uses - same as PPS	See PPS table.
Definition	Development - same as PPS	See PPS table.
Definition	Infrastructure - same as PPS	See PPS table.
Definition	Minimum distance separation formulae - same as PPS	See PPS table.
Definition	Municipal Comprehensive Review A new official plan, or an official plan amendment, initiated by an upper- or single-tier municipality under section 26 of the Planning Act that comprehensively applies the policies and schedules of this Plan.	
Definition	New Multiple Lots or Units for Residential Development	May not be relevant in Halton Region depending on the nature of pre-existing approvals.

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Section No.	Policy	Commentary
	The creation of more than three units or lots through either plan of subdivision, consent, or plan of condominium.	
Definition	Normal farm practices - same as PPS	See PPS table.
Definition	On-farm diversified uses - same as PPS. A new sentence was added to the end of the definition through Amendment 1 to A Place to Grow: Ground-mounted solar facilities are permitted in <i>prime agricultural areas</i> and <i>specialty crop areas</i> only as <i>on-farm diversified uses</i> .	See PPS table.
Definition	Prime Agricultural Area An area where prime agricultural lands predominate. This includes areas of prime agricultural lands and associated Canada Land Inventory Class 4 through 7 lands and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. <u>Prime agricultural areas are to be identified by the Ontario Ministry of Agriculture, Food and Rural Affairs using guidelines developed by the Province as amended from time to time.</u> (Based on PPS, 2014 and modified for this Plan)	This definition varies from the definition in the PPS in that clearly indicates that the Province will identify prime agricultural areas, as shown in the underlined text.
Definition	Prime agricultural lands - same as PPS	See PPS table.
Definition	Rural lands - same as PPS	See PPS table.
Definition	Rural Settlements - Existing hamlets or similar existing small settlement areas that are long established and identified in official plans. These communities are serviced by individual private on-site water and/or wastewater systems, contain a limited amount of undeveloped lands that are designated for development and are subject to official plan policies that limit growth. All settlement areas that are identified as hamlets in the Greenbelt Plan, as rural settlements in the Oak Ridges Moraine Conservation Plan, or as minor urban centres in the Niagara Escarpment Plan are considered rural settlements for the purposes of this Plan, including those that would not otherwise meet this definition.	See Growth Plan
Definition	Settlement Areas – Urban areas and rural settlements within municipalities (such as cities towns, villages and hamlets) that are; a) Built up areas where development is concentrated and which have a mix of land uses; and	See PPS table.

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Section No.	Policy	Commentary
	b) Lands which have been designated in an official plan for development in accordance with the policies of this plan. Where there are no lands that have been designated for development, the settlement area may be no larger than the area where concentrated development is concentrated.	
Definition	Site alteration - same as PPS	See PPS table.
Definition	Specialty crop area - same as PPS	See PPS table.

2.5 GREENBELT PLAN

In 2005, the Province of Ontario created the Greenbelt Plan, to permanently protect about 728,000+ hectares (1.8 million acres) of agricultural lands and ecological features/systems, from urban development, within the Greater Golden Horseshoe and beyond. The Greenbelt Plan was established under Section 3 of the *Greenbelt Act, 2005*.

The Greenbelt is the largest geographical area of its kind in the world, and includes the previously protected Oak Ridges Moraine and Niagara Escarpment.

The Greenbelt Act establishes the basis for the Greenbelt Plan. Section 5 of the Greenbelt Act sets out the objectives of the Greenbelt Plan:

The objectives of the Greenbelt Plan are,

- (a) To establish a network of countryside and open space areas which supports the Oak Ridges Moraine and the Niagara Escarpment;*
- (b) To sustain the countryside, rural and small towns and contribute to the economic viability of farming communities;*
- (c) To preserve agricultural land as a continuing commercial source of food and employment;*
- (d) To recognize the critical importance of the agriculture sector to the regional economy;*
- (e) To provide protection to the land base needed to maintain, restore and improve the ecological and hydrological functions of the Greenbelt Area;*
- (f) To promote connections between lakes and the Oak Ridges Moraine and Niagara Escarpment;*
- (g) To provide open space and recreational, tourism and cultural heritage opportunities to support the social needs of a rapidly expanding and increasingly urbanized population;*
- (h) To promote linkages between ecosystems and provincial parks or public lands;*
- (i) To control urbanization of the lands to which the Greenbelt Plan applies;*
- (j) To ensure that the development of transportation and infrastructure proceeds in an environmentally sensitive manner;*
- (k) To promote sustainable resource use;*
- (l) Any other prescribed objectives.*

Section 1.2.1 of the Greenbelt Plan (2017) sets out the vision for the Greenbelt Plan area as set out below:

The Greenbelt is a broad band of permanently protected land which:

- Protects against the loss and fragmentation of the agricultural land base and supports agriculture as the predominant land use;*
- Gives permanent protection to the natural heritage and water resource systems that sustain ecological and human health and that form the environmental framework around which major urbanization in south-central Ontario will be organized;*

- *Provides for a diverse range of economic and social activities associated with rural communities, agriculture, tourism, recreation and resource uses; and*
- *Builds resilience to and mitigates climate change.*

The context for the three elements of the Vision set out above is that the Greenbelt is a broad band of 'permanently protected land'. This Vision to a very large extent implements the context for the Greenbelt Plan established in Section 1.1 of the Greenbelt Plan. Section 1.1 states the following:

The Greenbelt was introduced in 2005 to help shape the future of this region. The Greenbelt is the cornerstone of Ontario's Greater Golden Horseshoe Growth Plan (Growth Plan) which is an overarching strategy that provides clarity and certainty about urban structure, where and how future growth should be accommodated and what must be protected for current and future generations.

The Greenbelt Plan, together with the ORMCP and the NEP, identifies where urbanization should not occur in order to provide permanent protection to the agricultural land base and the ecological and hydrological features, areas and functions occurring on this landscape.

This desire to permanently protect land is a significant over-riding principle of the Greenbelt Plan. The Greenbelt Plan was updated in 2017 to bring it in line with the updated Growth Plan (2017).

Table C below reviews each of the relevant policies of the Greenbelt Plan and their applicability to Halton Region.

TABLE C - GREENBELT PLAN		
Section No.	Policy	Commentary
1.4.1	<p>General</p> <p>This Plan informs decision-making to permanently protect the agricultural land base and the ecological and hydrological features, areas and functions occurring on this landscape. Although primarily implemented through Ontario's land use planning system, including official plans, this Plan is not solely a land use plan. Certain policies of this Plan contemplate implementation by both the Province and municipalities through other related tools, regulations, policies and guidelines.</p>	<p>This introductory section sets the stage for the permanent protection of the agricultural land base in particular.</p>
1.4.1	<p>Relationship with the Provincial Policy Statement</p> <p>The PPS provides overall policy direction on matters of provincial interest related to land use and development in Ontario and applies to the Greenbelt, except where this Plan or another provincial plan provides otherwise.</p>	<p>This section attempts to establish how the Greenbelt Plan will work with and not conflict with the Provincial Policy Statement.</p> <p>In this regard, it is clearly stated that the Greenbelt Plan is intended to build upon the policy foundation provided by the PPS. In addition, the Greenbelt Plan is intended to take precedence over the policies of the PPS to the</p>

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Section No.	Policy	Commentary
	<p>Like other provincial plans, this Plan builds upon the policy foundation provided by the PPS and provides additional and more specific land use planning policies to address issues facing specific geographic areas in Ontario.</p> <p>This Plan is to be read in conjunction with the PPS. The policies of this Plan take precedence over the policies of the PPS to the extent of any conflict, except where the relevant legislation provides otherwise.</p> <p>Where the policies of this Plan address the same, similar, related or overlapping matters as policies in the PPS, applying the more specific policies of this Plan satisfies the requirements of the more general policies in the PPS. In contrast, where matters addressed in the PPS do not overlap with policies in this Plan, those PPS policies must be independently satisfied.</p>	<p>extent of any conflict, except where the relevant legislation provides otherwise.</p> <p>In circumstances where both the PPS and the Greenbelt Plan deal with the same matter, the Greenbelt Plan is intended to take precedence.</p> <p>However, there is still a requirement to ensure consistency with the PPS where PPS policies do not overlap with the policies in the Greenbelt Plan.</p> <p>All of the above means that both the Greenbelt Plan and the PPS may need to be independently satisfied depending on the land use change being applied for through a Planning Act process.</p>
1.4.1	<p>Relationship with Other Provincial Plans, Legislation and Regulation</p> <p>This Plan must also be read in conjunction with other provincial plans, related planning mechanisms, regulations and standards of conservation authorities, other agencies and the federal government. This includes the Growth Plan, the ORMCP and the NEP as well as the Parkway Belt West Plan and the Central Pickering Development Plan. Other plans, including the Lake Simcoe Protection Plan under the <i>Lake Simcoe Protection Act, 2008</i> and some source protection plans under the <i>Clean Water Act, 2006</i>; upper-, lower- and single-tier official plans; zoning by-laws; Minister’s zoning orders under the <i>Planning Act</i> as well as other pertinent legislation (e.g. the federal <i>Rouge Urban Park Act</i>) and regulations (e.g. those under the <i>Endangered Species Act, 2007</i> and <i>Conservation Authorities Act</i>) also apply within the Greenbelt.</p> <p>Within the Greenbelt Area, there may be other provincial, federal or agency plans, regulations or standards that also apply. An application, matter or proceeding related</p>	<p>This section builds upon the section above and deals with other Provincial plans, legislation and regulation. Of interest is the statement that where another Provincial, Federal or agency plan, regulation or standard is more restrictive than the Greenbelt Plan, the more restrictive provision shall prevail. Again, this can only be determined on a case-by-case and context specific basis.</p> <p>This section also indicates that the Greenbelt Plan takes precedence over the Growth Plan in circumstances where the policies of the Growth Plan address the same, similar, related or overlapping matter unless the Greenbelt Plan specifically provides otherwise.</p>

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Section No.	Policy	Commentary
	<p>to these plans, regulations or standards shall conform with the Greenbelt Plan. However, where the plans, regulations or standards are more restrictive than this Plan, the more restrictive provision shall prevail.</p> <p>With respect to the Growth Plan specifically, the policies of that Plan that address the same, similar, related or overlapping matters as this Plan do not apply within the Greenbelt Area, except where the policies of this Plan provide otherwise.</p> <p>In contrast, where matters addressed in the Growth Plan do not overlap with policies in this Plan, those Growth Plan policies must be independently satisfied.</p>	
2.2	<p>The requirements of the NEP, established under the <i>Niagara Escarpment Planning and Development Act</i>, continue to apply and the Protected Countryside policies do not apply, with the exception of section 3.3.</p>	<p>This section essentially states that the Niagara Escarpment Plan applies to lands within the Niagara Escarpment Plan area and that the Greenbelt Plan does not apply, with the exception of Section 3.3. This section deals with parkland, open space and trails.</p>
3.1.1 (selected para.)	<p>The Protected Countryside contains an <i>Agricultural System</i> that provides a continuous, productive and permanent agricultural land base and a complementary <i>agri-food network</i> that together enable the agri-food sector to thrive. Many of the farms within this system also contain important natural heritage features, including areas that support pollinators, and hydrologic features. The stewardship of these farms facilitates both environmental benefits and agricultural protection.</p> <p>The agricultural land base is therefore integral to the long-term sustainability of the Natural Heritage System within the Protected Countryside. It is through evolving agricultural and environmental approaches and practices that this relationship can continue and improve.</p> <p>The agricultural land base is comprised of <i>prime agricultural areas</i>, including <i>specialty crop areas</i>, and <i>rural lands</i>. The <i>agri-food network</i> includes <i>infrastructure</i>, services and assets important to the viability of the agri-food sector.</p>	<p>This section establishes the basis for an agricultural system within the Protected Countryside.</p> <p>This policy also provides further details on how the agricultural system was delineated including through a Land Evaluation Area Review (LEAR).</p> <p>It is also noted later in this section that prime agricultural areas are those lands designated as such within Official Plans to permanently protect these areas for agriculture.</p> <p>Lastly, this section indicates that refinements to the mapping of the agricultural system can only occur in a manner that is consistent with the policies of Section 5.3. In this regard, Section 5.3 simply refers to the implementation procedures released by the Province.</p>

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Section No.	Policy	Commentary
	<p>The delineation of the <i>Agricultural System</i> is guided by a variety of factors, including a land evaluation area review (LEAR), which assesses such matters as soils, climate, productivity and land fragmentation; the existing pattern of agriculturally protected lands set out in official plans; the availability of <i>infrastructure</i>, services and assets important to the viability of the agri-food sector and a consideration of projected future growth patterns.</p> <p><i>Prime agricultural areas</i> are those lands designated as such within official plans to permanently protect these areas for agriculture.</p> <p><i>Rural lands</i> are those lands outside of <i>settlement areas</i> which are not <i>prime agricultural areas</i> and which are generally designated as rural or open space within official plans.</p> <p>When official plans are brought into conformity with this plan, the mapping of the <i>Agricultural System</i> may only be refined and augmented in a manner that is consistent with the policies of section 5.3.</p>	
3.1.3.1	<p>For lands falling within <i>prime agricultural areas</i> of the Protected Countryside, the following policies shall apply:</p> <p>All types, sizes and intensities of <i>agricultural uses</i> and <i>normal farm practices</i> shall be promoted and protected and a full range of <i>agricultural uses</i>, <i>agriculture-related uses</i> and <i>on-farm diversified uses</i> are permitted based on provincial Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas. Proposed <i>agriculture-related uses</i> and <i>on-farm diversified uses</i> shall be compatible with and shall not hinder surrounding agricultural operations.</p>	This section permits the same uses as the PPS in prime agricultural areas.
3.1.3.2	<p>Lands shall not be redesignated in official plans for non-agricultural uses except for:</p> <p>a) Refinements to the <i>prime agricultural area</i> and <i>rural lands</i> designations,</p>	This section is more restrictive than the PPS in that it only permits the re-designation of land for non-agricultural uses in circumstances where refinements to the prime agricultural area are proposed or when a settlement area boundary expansion is proposed.

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Section No.	Policy	Commentary
	<p>subject to the policies of section 5.3; or</p> <p>b) <i>Settlement area</i> boundary expansions, subject to the policies of section 3.4.</p>	<p>This means that the limited non-residential uses that are potentially permitted by the PPS in Section 2.3.6.1 b) cannot be considered in the Greenbelt Plan area.</p> <p>It is however noted that Section 4.3.2.4 does permit new mineral aggregate operations in prime agricultural areas and the expansion of settlement areas into prime agricultural areas as well.</p>
3.1.3.3	<p>Non-agricultural uses may be permitted subject to the policies of sections 4.2 to 4.6. These uses are generally discouraged in <i>prime agricultural areas</i> and may only be permitted after the completion of an <i>agricultural impact assessment</i>.</p>	<p>This section provides additional permissions within prime agricultural areas as set out in Sections 4.2 to 4.6. In this regard, Section 4.2 deals with infrastructure, Section 4.3 deals with natural resources, Section 4.4 deals with cultural heritage resources, Section 4.5 deals with existing uses and Section 4.6 deals with lot creation.</p>
3.1.3.4	<p>New land uses, including the creation of lots (as permitted by the policies of this Plan), and new or expanding livestock facilities, shall comply with the <i>minimum distance separation formulae</i>.</p>	<p>This section is consistent with the PPS in terms of the application of the minimum distance separation formula.</p>
3.1.3.5	<p>Where <i>agricultural uses</i> and non-agricultural uses interface, land use compatibility shall be achieved by avoiding or, where avoidance is not possible, minimizing and mitigating adverse impacts on the <i>Agricultural System</i>, based on provincial guidance. Where mitigation is required, measures should be incorporated as part of the non-agricultural uses, as appropriate, within the area being developed.</p>	<p>This section is the same as Section 4.2.6.3 of the Growth Plan.</p>
3.1.3.6	<p>The geographic continuity of the agricultural land base and the functional and economic connections to the <i>agri-food network</i> shall be maintained and enhanced.</p>	<p>This policy is the same as Section 4.2.6.4 of the Growth Plan.</p>
3.1.4.1	<p><i>Rural lands</i> support and provide the primary locations for a range of recreational, tourism, institutional (including cemetery) and resource-based commercial/ industrial uses.</p> <p>They also contain many historic highway commercial, non-farm residential and other uses which, in more recent times, would be generally directed to <i>settlement areas</i> but which are recognized as <i>existing uses</i> by this Plan and allowed to continue and expand subject to the policies of section 4.5.</p> <p>Notwithstanding this policy, official plans may be more restrictive than this Plan with</p>	<p>This section provides a more detailed description of rural lands than the PPS and specifically recognizes the many historic highway commercial, non-farm residential and other uses that exist on rural lands.</p> <p>This section specifically recognizes these uses as existing uses and permits them to expand subject to Section 4.5.</p> <p>It is however noted that Official Plans may be more restrictive than the Greenbelt Plan with respect to the types of uses permitted on rural lands. In this regard, Section 5.3 indicates that Official Plans cannot be more restrictive as they apply to agricultural uses and mineral aggregate resource uses as provided for in the Greenbelt Plan.</p>

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	respect to the types of uses permitted on <i>rural lands</i> , subject to the policies of section 5.3.	
3.1.4.2	Rural lands may contain existing agricultural operations and provide important linkages between prime agricultural areas as part of the overall Agricultural System. Normal farm practices and a full range of agricultural uses, agriculture-related uses and on-farm diversified uses are supported and permitted. Proposed agriculture-related uses and on-farm diversified uses should be compatible with and should not hinder surrounding agricultural operations. Criteria for all these uses shall be based on provincial Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas.	This policy recognizes that agricultural uses may also occur on rural lands and they are supported.
3.1.4.3	<i>Settlement area</i> expansions may be permitted into <i>rural lands</i> , subject to the policies of section 3.4 - <i>Settlement Area</i> .	This policy is self-explanatory.
3.1.4.4	Other uses may be permitted subject to the policies of sections 4.1 to 4.6. Where non-agricultural uses are proposed, with the exception of a <i>mineral aggregate operation</i> , the completion of an <i>agricultural impact assessment</i> should be considered.	This policy indicates that an agricultural impact assessment is optional when other uses are considered on rural lands. This section also clearly indicates that an Agricultural Impact Assessment is not required for a mineral aggregate operation.
3.1.4.5	<i>New multiple lots or units for residential development</i> (e.g. estate residential subdivisions and adult lifestyle or retirement communities), whether by plan of subdivision, condominium or severance, shall not be permitted on <i>rural lands</i> . Official plans may be more restrictive than this Plan with respect to residential severances. Official plans shall provide guidance for the creation of lots on <i>rural lands</i> . Regardless, new lots for any use shall not be created if the creation would extend or promote strip development.	As per the Growth Plan definition, new multiple lots or units means the creation of more than three units or lots through Plan of Subdivision, Consent or Plan of Condominium. This section goes on to state that Official Plans may be more restrictive than the Greenbelt Plan with respect to residential severances.
3.1.4.6	New land uses, including the creation of lots (as permitted by the policies of this Plan), and new or expanding livestock facilities, shall comply with the <i>minimum distance separation formulae</i> .	This section is consistent with the PPS and the Growth Plan on minimum distance separation formula.
3.1.4.7	Where <i>agricultural uses</i> and non-agricultural uses interface, land use compatibility shall be promoted by avoiding or, if avoidance is not possible, minimizing and mitigating adverse impacts on the <i>Agricultural System</i> , based on provincial guidance. Where mitigation is	This section is the same as Section 3.1.3.5 of the Greenbelt Plan, which means this policy, applies to prime agricultural areas and rural lands.

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	required, measures should be incorporated as part of the non-agricultural uses, as appropriate, within the area being developed.	
3.1.4.8	The geographic continuity of the agricultural land base and the functional and economic connections to the <i>agri-food network</i> shall be maintained and enhanced.	This policy is the same as Section 3.1.3.6 of the Greenbelt Plan as per the above.
3.1.4.9	Where <i>public service facilities</i> exist on <i>rural lands</i> , consideration should be given to maintaining and adapting these as community hubs, where feasible, to meet the needs of the community.	This policy is similar to Policy 2.2.9.2 of the Growth Plan and is specific to rural lands within the Greenbelt Plan area.
3.1.5.1	Integrated planning for growth management, including goods movement and transportation planning, shall consider opportunities to support and enhance the <i>Agricultural System</i> .	This policy is the same as Section 4.2.6.6 of the Growth Plan, which means that it also applies to the rural lands in the Greenbelt Plan area.
3.1.5.2	Municipalities are encouraged to implement regional agri-food strategies and other approaches to sustain and enhance the <i>Agricultural System</i> and the long-term economic prosperity and viability of the agri-food sector, including the maintenance and improvement of the <i>agri-food network</i> , by: <ul style="list-style-type: none"> a) Providing opportunities to support access to healthy, local, and affordable food, urban and near-urban agriculture, food system planning and promoting the sustainability of agricultural, agri-food and agri-product businesses while protecting agricultural resources and minimizing land use conflicts; b) Protecting, enhancing or supporting opportunities for <i>infrastructure</i>, services and assets. Where negative impacts on the <i>agri-food network</i> are unavoidable, they shall be assessed, minimized and mitigated to the extent feasible; and c) Establishing or consulting with agricultural advisory committees or liaison officers. 	This section is the same as Section 4.2.6.7 of the Growth Plan.
3.1.6	The <i>Agricultural System</i> is connected both functionally and economically to the agricultural land base and agri-food sector across municipal boundaries and beyond the boundaries of the Greenbelt. Agriculture is the predominant land use in the Greenbelt	This section recognizes that the agricultural system extends beyond the Greenbelt and that agriculture is the predominant land use in the Greenbelt. This section also encourages municipalities to consider the implications of development outside of the Greenbelt

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	<p>and is an important economic factor in the quality of life for communities in and beyond the Greenbelt.</p> <p>To strengthen the connections between the <i>Agricultural Systems</i> of the Greenbelt and the rest of the <i>GGH</i>, municipalities, farming organizations and other agencies and levels of government are encouraged to collaborate with each other to support the <i>Agricultural System</i>. As well, consideration should be given to activities and changes in land use, both within and in proximity to the Greenbelt, and how they relate to the broader agricultural system and economy of southern Ontario. Municipalities should plan appropriately to ensure both functional and economic connections are maintained and strengthened in conjunction with natural heritage systems, water resources, growth management and <i>infrastructure</i> to maximize synergies and support a viable agri-food sector.</p>	<p>on the agricultural system that extends into the Greenbelt Plan area.</p>
3.2.2.1	<p>The full range of existing and new <i>agricultural, agriculture-related and on-farm diversified uses</i> and <i>normal farm practices</i> are permitted subject to the policies of section 3.2.2.2.</p>	<p>See Section 3.2.2.2 below.</p>
3.2.2.2	<p>New buildings or structures for <i>agriculture, agriculture-related and on-farm diversified uses</i> are not subject to the policies of section 3.2.2.3, but are subject to the policies of section 3.2.5.</p>	<p>This section exempts these uses from the development and site alteration policies that apply in the natural heritage system. See discussion on Section 3.2.5 below.</p>
3.2.2.3 d)	<p>New <i>development or site alteration</i> in the Natural Heritage System (as permitted by the policies of this Plan) shall demonstrate that:</p> <ul style="list-style-type: none"> d) Except for uses described in and governed by the policies of sections 4.1.2 and 4.3.2, <ul style="list-style-type: none"> i. The disturbed area, including any buildings and structures, of the <i>total developable area</i> will not exceed 25 per cent (40 per cent for golf courses); and ii. The impervious surface of the <i>total developable area</i> will not exceed 10 	<p>This section indicates that all uses except agriculture, agriculture related and on-farm diversified uses (which are exempted from this section as per the above), recreational uses subject to Section 4.1.2 and mineral aggregate resource uses subject to Section 4.3.2 are subject to this policy.</p>

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	per cent; and	
3.2.4.2	Section 3.2.4.1 does not apply to <i>major development</i> that is a new or expanding building or structure for <i>agricultural uses, agriculture-related uses or on-farm diversified uses</i> where the total impervious surface does not exceed 10 per cent of the lot.	<p>Major development in the context of this section means the creation of four or more lots, the construction of a building or buildings with a ground floor area of 500 square metres or more or the establishment of a major recreational use.</p> <p>This exemption only applies if the total impervious surface does not exceed 10% of the lot.</p>
3.2.5.7	Notwithstanding section 3.2.5.5, new buildings and structures for <i>agricultural, agriculture-related or on-farm diversified uses</i> are not required to undertake a natural heritage or hydrologic evaluation if a minimum 30 metre <i>vegetation protection zone</i> is provided from a <i>key natural heritage feature or key hydrologic feature</i> . In addition, these uses are exempt from the requirement of establishing a condition of <i>natural self-sustaining vegetation</i> if the land is and will continue to be used for agricultural purposes. However, <i>agricultural, agriculture-related and on-farm diversified uses</i> shall pursue best management practices to protect and/or restore <i>key natural heritage features and key hydrologic features</i> and functions.	<p>This section is the same as Sections 4.2.4.4 b) and c) of the Growth Plan.</p> <p>This policy specifically exempts new buildings and structures for agricultural uses, agriculture-related uses, or on-farm diversified uses from the policies that require a natural heritage and hydrological evaluation within 120 metres of a key natural feature and key hydrologic feature, provided a minimum 30 metre vegetation protection zone ('VPZ') is provided.</p> <p>The policies further exempt new buildings and structures for agricultural uses, agriculture-related uses, or on-farm diversified uses from providing natural self-sustaining vegetation within a VPZ, provided the lands are, and will continue to be used for agricultural purposes.</p> <p>While new buildings and structures for agricultural uses, agriculture-related uses, or on-farm diversified uses are exempt from the evaluation requirement, the development of any other type of building within 120 metres of a key feature, including a single detached dwelling on an existing lot of record is required to be supported by an evaluation that identifies what the width of the VPZ should be.</p> <p>In this case, the minimum width of such a VPZ is 30 metres for key hydrologic features, fish habitat and significant woodlands as per Section 4.2.4.1. The minimum width of a VPZ adjacent to other key features would be determined through the required evaluation.</p>
3.4.1	Settlement Areas <i>Settlement areas</i> within the Greenbelt support and provide significant economic, social and commercial functions to <i>prime agricultural areas and rural lands</i> . They are an integral part of the long-term economic and social sustainability of the Greenbelt and this	This section establishes the basis for the planning of settlement areas within the Greenbelt Plan area. In this regard, there are two types of settlement areas – towns/villages and hamlets. The only town/village in the Greenbelt Plan area in Halton Region is Acton. All other rural settlement areas would be considered a hamlet.

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	<p>Plan envisions that they continue to evolve and grow in keeping with their rural and/or existing character. Land use patterns within <i>settlement areas</i> shall support the achievement of <i>complete communities</i> that move towards low-carbon communities, with the long term goal of net-zero communities.</p> <p>The achievement of <i>complete communities</i> shall in part be supported by facilitating the development of community hubs that involve the co-location of public services to address local community needs in convenient locations that are accessible by <i>active transportation</i> and, where available, transit.</p> <p>The <i>settlement areas</i> have been placed into two categories: Towns/Villages and Hamlets. These <i>settlement areas</i> vary significantly in both spatial and population size, economic activity, diversity/intensity of uses, the type(s) of water and sewage services and the role they play within their municipalities. <i>Settlement areas</i> of all types are found throughout the Protected Countryside. Towns/Villages and Hamlets are identified on Schedule 1. To determine the precise <i>settlement area</i> boundaries, reference should be made to official plans.</p> <p>Towns/Villages have the largest concentrations of population, employment and <i>development</i> within the Protected Countryside and tend to be the central <i>settlement area(s)</i> for their respective municipalities. Although most have full municipal water and sewer services, some only have a <i>municipal water service</i> and/or a combination of private and <i>municipal water services</i>. Towns/Villages are the focus of development and related economic and social activity.</p> <p>Hamlets are substantially smaller than Towns/Villages and play a significantly lesser role in accommodating concentrations of residential, commercial, industrial and institutional development. Further, they are typically serviced with individual on-site</p>	

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	sewage and water services and thus are not locations to which growth should be directed.	
3.4.2.1	<i>Settlement areas</i> outside the Greenbelt are not permitted to expand into the Greenbelt.	This policy is self-explanatory.
3.4.2.2	<p>Municipalities shall incorporate policies in their official plans to facilitate the development of community hubs that:</p> <ul style="list-style-type: none"> a) Enable the co-location of public services to promote cost-effectiveness and service integration; b) Facilitate access through locations served by a range of transportation options, including <i>active transportation</i> and, where available, transit; c) Give priority to existing <i>public service facilities</i> within <i>settlement areas</i> as the preferred location, where appropriate; and a) d) Enable the adaptive reuse of existing facilities and spaces in <i>settlement areas</i>, where appropriate. 	This policy specifically identifies the policies that are required to be included within Official Plans as they apply to settlement areas within the Greenbelt Plan area.
3.4.2.6	Municipalities should develop excess soil reuse strategies as part of planning for growth and development.	This policy requires as an option that municipalities develop strategies to deal with excess soil reuse. These strategies could also be in the form of Official Plan policy.
3.4.2.7	<p>Municipal planning policies and relevant development proposals shall incorporate best practices for the management of excess soil generated and fill received during <i>development or site alteration</i>, including <i>infrastructure</i> development, to ensure that:</p> <ul style="list-style-type: none"> a) Any excess soil is reused on-site or locally to the maximum extent possible and, where feasible, excess soil reuse planning is undertaken concurrently with development planning and design; b) Appropriate sites for excess soil storage and processing are permitted close to areas where proposed development is concentrated or areas of potential soil reuse; and c) Fill quality received and fill placement at a site will not cause an adverse effect 	<p>This policy is the same as Section 4.2.9.3 of the Growth Plan.</p> <p>This policy requires that municipal planning policies be developed to manage excess soil and fill received during development or site alteration.</p> <p>However, there is no reference in the policy to the regulatory responsibilities of the Province as it relates to excess soil. In this regard, the Province released complex rules for excess soil in April 2018. These rules, if implemented, would require a number of changes to existing Ontario regulations. These draft rules were intended to implement the Excess Soil Management Policy Framework that was finalized in December 2016. Further review of this issue will be required when further details are known about the Provincial regulatory approach to excess soils. In addition, there is a need to consider the difference between importing soil for agricultural use or for storage purposes.</p>

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	with regard to the current or proposed use of the property or the natural environment, and is compatible with adjacent land uses.	
3.4.3.1	Towns/Villages are subject to the policies of the Growth Plan and continue to be governed by official plans and related programs or initiatives and are not subject to the policies of this Plan, save for the policies of sections 3.1.5, 3.2.3, 3.2.6, 3.3 and 3.4.2.	This section specifically applies to Acton and it indicates that the Greenbelt Plan does not apply. However, certain sections are applicable and they are Section 3.1.5 (agri-food network), Section 3.2.3 (water resource system policies), Section 3.2.6 (external connections), Section 3.3 (parkland, open space and trails) and Section 3.4.2 (general settlement area policies). For example that policies on key natural heritage features do not apply within towns/villages.
3.4.3.2	Extensions or expansions of services to <i>settlement areas</i> within the Protected Countryside shall be subject to the <i>infrastructure</i> policies of section 4.2 of this Plan, including the requirements regarding environmental assessments and <i>agricultural impact assessments</i> .	This policy is self-explanatory and relates back to Section 4.2.
3.4.3.3	As part of a municipal comprehensive review under the Growth Plan, an upper- or single-tier planning authority may allow expansions of <i>settlement area</i> boundaries in accordance with the policies 2.2.8.2 and 2.2.8.3 of the Growth Plan.	This policy is also self-explanatory and it indicates that the Growth Plan applies to settlement area expansions in the Greenbelt Plan area.
3.4.4.1	Hamlets are subject to the policies of the Growth Plan and continue to be governed by official plans and related programs or initiatives and are not subject to the policies of this Plan, save for the policies of sections 3.1.5, 3.2.3, 3.2.6, 3.3 and 3.4.2. Limited growth is permitted through infill and <i>intensification</i> of hamlets subject to appropriate water and sewage services.	This section specifically applies to the hamlets and it indicates that the Greenbelt Plan does not apply. However, certain sections are applicable and they are Section 3.1.5 (agri-food network), Section 3.2.3 (water resource system policies), Section 3.2.6 (external connections), Section 3.3 (parkland, open space and trails) and Section 3.4.2 (general settlement area policies). This means for example that policies on key natural heritage features do not apply within towns/villages.
4.1.1.2	Proposals for non-agricultural uses must demonstrate that: <ul style="list-style-type: none"> a) The use is appropriate for location on <i>rural lands</i>; b) The type of water and sewer servicing proposed is appropriate for the type of use; c) There are no <i>negative impacts on key natural heritage features or key hydrologic features</i> or their functions; 	These policies apply to proposed non-agricultural uses on rural lands only. These policies do not apply to lands within prime agricultural areas.

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Section No.	Policy	Commentary
	<p>and</p> <p>d) There are no <i>negative impacts</i> on the biodiversity or <i>connectivity</i> of the Natural Heritage System.</p>	
4.1.1.3	<p>With the exception of <i>mineral aggregate operations</i>, where non-agricultural uses are proposed on <i>rural lands</i>, the completion of an <i>agricultural impact assessment</i> should be considered.</p>	<p>This policy requires the consideration of the completion of an agricultural impact for all proposed non-agricultural uses except mineral aggregate operations.</p>
4.1.2.1	<p>In addition to the non-agricultural use policies of section 4.1.1, recreational uses are also subject to the following policies:</p> <p>1. Residential dwelling units, other than for an employee, shall not be permitted in association with recreational uses.</p>	<p>This policy makes it clear that residential dwelling units other than for an employee are not permitted in association with recreational uses.</p>
4.1.2.2	<p>An application to establish or expand a <i>major recreational use</i> in the Natural Heritage System shall be accompanied by a vegetation enhancement plan that incorporates planning, design, landscaping and construction measures that:</p> <p>a) Maintain or, where possible, enhance the amount of <i>natural self-sustaining vegetation</i> on the site and the <i>connectivity</i> between adjacent <i>key natural heritage features</i> or <i>key hydrologic features</i>;</p> <p>b) Wherever possible, keep intermittent stream channels and drainage swales in a free-to-grow, low-maintenance condition;</p> <p>c) Minimize the application and use of pesticides and fertilizers; and</p> <p>d) Locate new <i>natural self-sustaining vegetation</i> in areas that maximize the <i>ecological functions</i> and <i>ecological value</i> of the area.</p>	<p>Given that major recreational uses may only be permitted on rural lands (in accordance with Section 3.1.4.4) these policies set out conditions under which such uses could be considered on rural lands.</p>
4.1.2.3	<p>An application to expand or establish a <i>major recreational use</i> shall be accompanied by a conservation plan demonstrating how water, nutrient and biocide use shall be kept to a minimum, including through the establishment and monitoring of targets.</p>	<p>This section is self-explanatory.</p>

TABLE C - GREENBELT PLAN

Section No.	Policy	Commentary
4.5.1	<p>For lands falling within the Protected Countryside, the following policies shall apply:</p> <p>1. All <i>existing uses</i> are permitted.</p>	<p>For the purposes of this policy, existing uses are uses legally established prior to the date that the Greenbelt Plan came into force on December 16, 2004 or were legally established before lands were added to the Greenbelt Plan after December 16, 2004.</p>
4.5.2	<p>Single dwellings are permitted on existing lots of record, provided they were zoned for such as of the date the Greenbelt Plan came into force. Municipalities are encouraged to retain existing lots of record for <i>agricultural uses</i> and discourage non-agricultural uses where appropriate</p>	<p>This policy permits single dwellings on existing lots of record provided they were zoned in December 2004. This means that if a currently vacant existing lot was not zoned to permit a dwelling when the Greenbelt Plan came into force as it applies to the subject lands, the Greenbelt Plan does not permit the establishment of a dwelling on that lot.</p>
4.5.3	<p>Outside of the Natural Heritage System, second dwelling units are permitted within single dwellings permitted in accordance with sections 4.5.1 and 4.5.2 or within existing accessory structures on the same lot.</p>	<p>This policy indicates that second dwelling units are permitted within single dwellings only outside of the natural heritage system. This policy is more restrictive than the Planning Act in that it does not permit second dwellings within semi-detached and row house dwellings.</p>
4.5.4	<p>Expansions to existing buildings and structures, accessory structures and uses and/or conversions of legally <i>existing uses</i> which bring the use more into conformity with this Plan are permitted subject to a demonstration of the following:</p> <ul style="list-style-type: none"> a) Notwithstanding section 4.2.2.2, new municipal services are not required; and b) The use does not expand into <i>key natural heritage features</i> or <i>key hydrologic features</i> or their associated <i>vegetation protection zones</i>, unless there is no other alternative, in which case any expansion shall be limited in scope and kept within close geographical proximity to the existing structure. 	<p>This policy permits the expansion of any existing building and structure and accessory structures and uses anywhere in the Greenbelt Plan area provided municipal services are not required. Sub-section b) is the same as Section 4.2.3.1 e) of the Growth Plan. In this regard, there will be a need for a process to determine how the 'unless there is no alternative test' can be satisfied on a case-by-case basis. In addition, it would have to be demonstrated that that the expansion and/or conversion brings the use more into conformity with the Greenbelt Plan.</p>
4.5.5	<p>Expansions or alterations to existing buildings and structures for <i>agricultural uses</i>, <i>agriculture-related uses</i> or <i>on-farm diversified uses</i> and expansions to existing residential dwellings may be considered within <i>key natural heritage features</i>, <i>key hydrologic features</i> and their associated <i>vegetation protection zones</i> if it is demonstrated that:</p>	<p>This section is the same as Section 4.2.3.1 f) of the Growth Plan and it deals specifically with expansions or alterations to existing buildings and structures for agricultural uses, agriculture-related uses, on-farm diversified uses and expansions to existing residential dwellings.</p>

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Section No.	Policy	Commentary
	<ul style="list-style-type: none"> a) There is no alternative, and the expansion or alteration in the feature is minimized and, in the <i>vegetation protection zone</i>, is directed away from the feature to the maximum extent possible; and b) The impact of the expansion or alteration on the feature and its functions is minimized and mitigated to the maximum extent possible. 	<p>The criteria listed in sub-sections a) and b) imply that a process is required to determine how the policy could be satisfied on a case-by-case basis. This is because there is a need to demonstrate that there is 'no alternative', the expansion into the feature is 'minimized' and the development is 'directed away from the feature to the maximum extent possible'. Impacts are also expected to be minimized and mitigated to the extent possible, which assumes that some impact can be considered. All of the above can only be assessed if there was a planning process in place to trigger the consideration of the above.</p>
4.6.1	<p>For lands falling within the Protected Countryside, the following policies shall apply:</p> <p>1. Lot creation is discouraged and may only be permitted for:</p> <ul style="list-style-type: none"> a) Outside <i>prime agricultural areas</i>, including <i>specialty crop areas</i>, the range of uses permitted by the policies of this Plan; b) Within <i>prime agricultural areas</i>, including <i>specialty crop areas</i>: <ul style="list-style-type: none"> i. <i>Agricultural uses</i>, where the severed and retained lots are intended for <i>agricultural uses</i> and provided the minimum lot size is 16 hectares (or 40 acres) within <i>specialty crop areas</i> and 40 hectares (or 100 acres) within <i>prime agricultural areas</i>; and ii. <i>Agriculture-related uses</i>, provided that any new lot shall be limited to the minimum size needed to accommodate the use and appropriate sewage and water services; c) Acquiring land for <i>infrastructure</i> purposes, subject to the <i>infrastructure</i> policies of section 4.2; d) Facilitating conveyances to public bodies or non-profit entities for natural heritage conservation, provided it does not create a separate lot for a residential dwelling in 	<p>These policies are quite detailed and set out the circumstances under which lot creation can be permitted within the Protected Countryside.</p> <p>In this regard, lot creation for any permitted use is permitted outside of prime agricultural areas as per Section 4.6.1.1 a).</p> <p>Within prime agricultural areas, minimum sizes are established for new lots for agricultural uses in Section 4.6.1.1 b) i) which provides more detail than Section 2.3.4.1 a) of the PPS (which deals with the same subject matter).</p> <p>The lot creation policies for agricultural related uses in Section 4.6.1.1 b) ii) are the same as the PPS.</p> <p>The permission set out in Section 2.3.4.1 d) is unique to the Greenbelt Plan area and recognizes the value of protecting lands for natural heritage conservation.</p> <p>The permission for minor lot adjustments in Section 4.6.1 e) is slightly different than a similar policy in Section 2.3.4.2 of the PPS. In this regard, this section of the Greenbelt Plan states that 'minor lot adjustments or boundary additions' are permitted while Section 2.3.4.2 of the PPS states that 'easements, corrections of deeds, quit claims, and minor boundary adjustments' are permitted. At the present time, the ROP reflects Section 2.3.4.2 of the PPS.</p> <p>The policies on the severance of a residence surplus to a farming operation in Section 4.6.1 f) is also similar to Section 2.3.4.1 c) of the PPS.</p>

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Section No.	Policy	Commentary
	<p><i>prime agricultural areas</i>, including <i>specialty crop areas</i>;</p> <p>e) Minor lot adjustments or boundary additions, provided they do not create a separate lot for a residential dwelling in <i>prime agricultural areas</i>, including <i>specialty crop areas</i>, and there is no increased fragmentation of a <i>key natural heritage feature</i> or <i>key hydrologic feature</i>; and</p> <p>f) The severance of a <i>residence surplus to a farming operation</i> as a result of a farm consolidation, on which a habitable residence was an <i>existing use</i>, provided that:</p> <ul style="list-style-type: none"> i. The severance will be limited to the minimum size needed to accommodate the use and appropriate sewage and water services; and ii. The planning authority ensures that a residential dwelling is not permitted in perpetuity on the retained lot of farmland created by this severance. Approaches to ensuring no new residential dwellings on the retained lot of farmland may be recommended by the Province, or municipal approaches that achieve the same objective should be considered. 	
5.3	<p>The Province, in collaboration with the municipalities, shall undertake an exercise to provide consistent identification, mapping and protection of the <i>Agricultural System</i> across the area of the Growth Plan, the Greenbelt Plan, the NEP and the ORMCP. Within the Protected Countryside, upper- and single-tier municipalities shall refine and augment official plan mapping to bring <i>prime agricultural areas</i>, including <i>specialty crop areas</i>, and <i>rural lands</i> into conformity with provincial mapping and implementation procedures. Until the province has completed mapping and the <i>Agricultural System</i> implementation procedures, municipalities</p>	<p>This section provides additional detail on what is required to be included within an Official Plan. In this regard, planning authorities are required to map the agricultural system and the remaining rural lands accordingly. It is also further indicated that there is no requirement to establish land use designations for the agri-food network.</p>

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Section No.	Policy	Commentary
	<p>shall continue to retain existing designations for <i>prime agricultural areas</i> within the Protected Countryside.</p> <p>The <i>agri-food network</i> does not require land use designations in official plans. Municipalities are expected to provide policies to maintain and enhance the <i>agri-food network</i> and to identify the physical location of components of the <i>agri-food network</i> in collaboration with the Province. This work will assist with the long-term viability of the agri-food sector by planning for agriculture and the rural economy.</p> <p>Despite the policies in the Greenbelt Plan, there is nothing in this Plan that limits the ability of decision-makers on planning matters to adopt policies that are more stringent than the requirements of the Plan, unless doing so would conflict with any of the policies or objectives of the Plan. With the exception of the policies of section 4.6, official plans and zoning by-laws shall not, however, contain provisions that are more restrictive than the policies of sections 3.1 and 4.3.2 as they apply to agricultural uses and mineral aggregate resources respectively.</p> <p>It is intended that the numerical figures identified in this Plan be considered to be approximate and that, for the purposes of preparing official plans, zoning by-laws, subdivision approvals, site plan approvals, severances or building permits, minor deviations may be permitted without amendment to this Plan, provided that such deviations do not alter the intent of this Plan.</p>	
Definition	<p>Agri-food network Means within the <i>Agricultural System</i>, a network that includes elements important to the viability of the agri-food sector such as regional <i>infrastructure</i> and transportation networks; on-farm buildings and infrastructure; agricultural services, farm markets, distributors and primary processing; and vibrant, agriculture-supportive communities.</p>	<p>This new definition applies to lands subject to the Growth Plan and the Greenbelt Plan and will need to be included in the ROP.</p>

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Section No.	Policy	Commentary
Definition	Agricultural impact assessment Means a study that evaluates the potential impacts of non-agricultural development on agricultural operations and the <i>Agricultural System</i> and recommends ways to avoid or, if avoidance is not possible, minimize and mitigate adverse impacts.	This new definition applies to lands subject to the Growth Plan and the Greenbelt Plan and will need to be included in the ROP.
Definition	Agricultural System Means the system mapped and issued by the Province, comprised of a group of interconnected elements that collectively create a viable, thriving agricultural sector. It has two components: a) an agricultural land base comprised of <i>prime agricultural areas</i> , including <i>specialty crop areas</i> , and <i>rural lands</i> that together create a continuous, productive land base for agriculture; and b) an <i>agri-food network</i> , which includes <i>infrastructure</i> , services and assets important to the viability of the agri-food sector.	This new definition applies to lands subject to the Growth Plan and the Greenbelt Plan and will need to be included in the ROP.
Definition	Agricultural uses - same as PPS 2020	See PPS table.
Definition	Agricultural-related uses - same as PPS 2020	See PPS table.
Definition	Development - same as PPS 2020	See PPS table.
Definition	Existing uses Means: a) Uses legally established prior to the date that the Greenbelt Plan came into force on December 16, 2004; or b) For the purposes of lands added to the Greenbelt Plan after December 16, 2004, uses legally established prior to the date the Greenbelt Plan came into force in respect of the land on which the uses are established.	This updated definition will need to be included in the ROP.
Definition	Infrastructure - Same as PPS 2020	See PPS table.
Definition	Major development Means <i>development</i> consisting of: a) The creation of four or more lots; b) The construction of a building or buildings with a ground floor area of 500 m ² or more; or c) The establishment of a <i>major recreational use</i> .	This new definition will need to be included in the ROP.
Definition	Major recreational use	This definition remains unchanged from the 2005 Greenbelt Plan.

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Section No.	Policy	Commentary
	Means a recreational use that requires large-scale modification of terrain, vegetation or both and usually also requires large-scale buildings or structures, including but not limited to the following: golf courses; serviced playing fields; serviced campgrounds; and ski hills.	
Definition	Minimum distance separation formulae - same as PPS 2020	See PPS table.
Definition	Normal farm practices - same as PPS 2020	See PPS table.
Definition	On-farm diversified uses - same as PPS. A sentence was added to on-farm diversified uses. "Ground-mounted solar facilities are permitted in prime agricultural areas, including specialty crop areas, only as on-farm diversified uses."	See PPS table.
Definition	Prime agricultural area Means an area where <i>prime agricultural lands</i> predominate. This includes areas of <i>prime agricultural lands</i> and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration of farms which exhibit characteristics of ongoing agriculture. <i>Prime agricultural areas</i> are to be identified by the Ontario Ministry of Agriculture, Food and Rural Affairs using guidelines developed by the Province, as amended from time to time.	This definition has been updated to reflect the plan by the Province to establish an agricultural system.
Definition	Prime agricultural land - same as PPS	See PPS table.
Definition	Residence surplus to a farm operation - same as PPS	See PPS table.
Definition	Rural lands - same as PPS	See PPS table.
Definition	Specialty crop areas - same as PPS	See PPS table.

2.6 NIAGARA ESCARPMENT PLAN

The Niagara Escarpment Commission ('NEC') was established in June 1973 in accordance with the Niagara Escarpment Planning and Development Act.

The first Niagara Escarpment Plan ('NEP') was prepared in 1985 and it has been updated from time to time as required to deal with emerging policy issues and site-specific development applications. In 2017, a significantly updated NEP was released, as were updates to the Oak Ridges Moraine Conservation Plan, the Growth Plan and the Greenbelt Plan.

The NEP applies to about 180,000 hectares of land between the Niagara River and Tobermory. The NEP is implemented to varying degrees in upper and lower tier Official Plans, but not through the application of zoning by-laws pursuant to the Planning Act.

Instead of zoning, the NEC oversees the issuance of development permits for all development within the NEP area. In addition, the NEC also is responsible for processing applications to amend the NEP and for commenting on applications to amend the Regional and Local Official Plans as required. In addition, the development permit process administered by the NEC also allows for conditions to be included and attached to development permits. To a very large extent, the development permit system relied upon by the NEC is very similar to the development permit process established by the Province through amendments to the Planning Act (now known as the Community Planning Permits System).

One of the other significant differences between the NEP and the Greenbelt Plan is that the NEP does not establish a natural heritage system. Instead, the NEP contains a number of policies on the individual natural features that are found within the NEP area. These features include stream valleys, wetlands and related natural areas and cultural features. Mention is also made in the NEP to forest lands and wooded areas.

In terms of how the NEP relate to other Provincial Plans, the extract below from the NEP provides some context:

The Greenbelt Act, 2005 authorized the preparation of the Greenbelt Plan, which was first approved in February, 2005. The Greenbelt Plan identifies where urbanization should not occur in order to provide permanent protection of the agricultural land and the ecological features and functions occurring in the Greenbelt Plan Area, which includes the Niagara Escarpment Plan Area, as well as the Oak Ridges Moraine Conservation Plan Area, and the Protected Countryside of the Greenbelt Plan. The Greenbelt Plan provides that the policies of the Niagara Escarpment Plan are the policies of the Greenbelt Plan for the Niagara Escarpment Plan Area and the Protected Countryside policies do not apply with the exception of section 3.3 (Parkland, Open Space and Trails).

The Niagara Escarpment Plan, the Oak Ridges Moraine Conservation Plan and the Greenbelt Plan work within the framework set out by the Growth Plan for the Greater Golden Horseshoe for where and how future population and employment growth should be accommodated. Together, all four provincial plans build on the Provincial Policy Statement to establish a land use planning framework for the Greater Golden Horseshoe and the Greenbelt Plan Area that supports a thriving economy, a clean and healthy environment and social equity.

As noted above the NEP was significantly updated in 2017. On the basis of the above, **Table D** below reviews each of the relevant policies of the NEP and their applicability to Halton Region.

TABLE D - NIAGARA ESCARPMENT PLAN		
Section No.	Policy	Commentary
	<p>How to Read a Provincial Plan The Provincial Policy Statement provides overall policy directions on matters of provincial interest related to land use and development in Ontario, and applies throughout the Niagara Escarpment Plan Area. Decisions made by municipalities, planning boards, the Province, or a commission or agency of the government (including the Niagara Escarpment Commission) must be consistent with the Provincial Policy Statement.</p> <p>The Niagara Escarpment Plan builds upon the policy foundation provided by the Provincial Policy Statement and provides additional land use planning policies for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment and to ensure that only such development occurs as is compatible with that natural environment. The Niagara Escarpment Plan is to be read in conjunction with the Provincial Policy Statement but shall take precedence over the policies of the Provincial Policy Statement to the extent of any conflict. Where the Niagara Escarpment Plan is silent on policies contained within the Provincial Policy Statement, the policies of the Provincial Policy Statement continue to apply, where relevant.</p> <p>Provincial plans should also be read in conjunction with other provincial plans, as defined in the Planning Act, that may apply within the same geography. Within the Niagara Escarpment Plan Area, these include the Growth Plan for the Greater Golden Horseshoe, the Greenbelt Plan and the Parkway Belt West Plan. Other plans, including source protection plans under the Clean Water Act, 2006, may also apply within the Niagara Escarpment Plan Area. Each of these plans applies to certain defined parts of the Niagara</p>	<p>This introductory section of the NEP is not part of the NEP, in accordance with the following section entitled 'How to read this Plan' which indicates that the NEP begins with the purpose statement.</p> <p>This section clearly indicates that all planning decisions shall be consistent with the PPS, but that the NEP takes precedence over the PPS to the extent of any conflict.</p> <p>In addition, where the NEP is silent on a matter, the PPS applies.</p> <p>This section also indicates that other Provincial plans, most notably the Growth Plan also apply.</p>

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Section No.	Policy	Commentary
	Escarpment Plan Area and provides specific policy on certain matters.	
	<p>Purpose The purpose of this Plan is to provide for the maintenance of the <i>Niagara Escarpment</i> and land in its vicinity substantially as a continuous <i>natural environment</i>, and to ensure only such development occurs as is <i>compatible</i> with that <i>natural environment</i>.</p>	<p>This purpose statement sets out the overall purpose of the NEP, which is to provide for the maintenance of the Niagara Escarpment and land in its vicinity substantially as a continuous natural environment. This is later implemented in Objective 5 that follows:</p> <p><i>To ensure that all new development is compatible with the purpose of the Plan;</i></p>
1.2	<p>Land Use Designations The area of the Niagara Escarpment Plan has been allocated among the following seven land use designations:</p> <ul style="list-style-type: none"> • Escarpment Natural Area • Escarpment Protection Area • Escarpment Rural Area • Minor Urban Centre • Urban Area • Escarpment Recreation Area • Mineral Resource Extraction Area <p>The land use designations are shown on Maps 1 to 9 of this Plan.</p>	<p>This section sets out the seven land use designations that apply in the NEP. Changes to the boundaries of all land use designations require an amendment to the NEP, except if public lands are being added to the Parks and Open Space System.</p>
1.3	<p>Escarpment Natural Area Escarpment features that are in a relatively natural state and associated valleylands, wetlands and woodlands that are relatively undisturbed are included within this designation. These areas may contain important cultural heritage resources, in addition to wildlife habitat, geological features and natural features that provide essential ecosystem services, including water storage, water and air filtration, biodiversity, support of pollinators, carbon storage and resilience to climate change. These are the most sensitive natural and scenic resources of the Escarpment. The policies aim to protect and enhance these natural areas.</p>	<p>This section identifies the lands that have been included in this designation and indicate that the lands so designated are the most sensitive and scenic resources of the escarpment.</p>
1.3.2	<p>Criteria for Designation</p> <ol style="list-style-type: none"> 1. Escarpment slopes and Escarpment Related Landforms associated with the underlying bedrock that are in a relatively natural state. 2. Where woodlands abut the Escarpment, the designation includes the woodlands 	<p>This section simply identifies what lands are included within the designation. Lands within this designation are within the Regional Natural Heritage System in the ROP.</p>

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Section No.	Policy	Commentary
	<p>300 metres back from the brow of the Escarpment slopes.</p> <p>3. Provincially significant Areas of Natural and Scientific Interest (Life Science).</p> <p>4. Significant valleylands, provincially significant wetlands and wetlands greater than 20 hectares in size.</p>	
1.3.3	<p>Permitted Uses</p> <p>Subject to Part 2, Development Criteria, the following uses may be permitted:</p> <ol style="list-style-type: none"> 1. <i>Existing uses</i> (for greater certainty, includes existing <i>agricultural uses</i>, existing <i>agriculture-related uses</i> and existing <i>on-farm diversified uses</i>). 2. <i>Single dwellings</i>. 3. Non-motorized <i>trail activities</i>, outside of <i>prime agricultural areas</i>. 4. Unserviced camping on public and institutional land, outside of <i>prime agricultural areas</i>. 5. <i>Forest, wildlife and fisheries management</i>. 6. Licensed archaeological fieldwork. 7. <i>Infrastructure</i>. 8. <i>Accessory uses</i> (e.g., garage, swimming pools, tennis courts or <i>signs</i>), except for ponds. 9. Uses permitted in the Parks and Open Space System Master/Management Plans that are not in conflict with the Niagara Escarpment Plan. 10. <i>Home occupations</i>. 11. Essential <i>watershed management</i> and flood and erosion control projects carried out or supervised by a <i>public body</i>. 12. The <i>Bruce Trail corridor</i>, including the pedestrian footpath and, where necessary, trail-related constructions (e.g., bridges, boardwalks), <i>overnight rest areas</i> and <i>Bruce Trail access points</i>. 13. <i>Bed and breakfast</i>. 14. <i>Nature preserves</i> owned and managed by an approved <i>conservation</i> 	<p>This section sets out exactly what uses are permitted in this designation. It is noted that only existing agricultural uses are permitted, which is more restrictive than the policies of the Regional Natural Heritage System in the ROP. However, home occupations and bed and breakfasts are permitted.</p>

TABLE D - NIAGARA ESCARPMENT PLAN

Section No.	Policy	Commentary
	<i>organization.</i>	
1.4	<p>Escarpment Protection Area Escarpment Protection Areas are important because of their visual prominence and their environmental significance, including increased resilience to climate change through the provision of essential ecosystem services. They are often more visually prominent than Escarpment Natural Areas. Included in this designation are Escarpment Related Landforms and natural heritage and hydrologic features that have been significantly modified by land use activities, such as agriculture or residential development, as well as lands needed to buffer Escarpment Natural Areas and natural areas of regional significance. The policies aim to protect and enhance natural and hydrologic features and the open landscape character of the Escarpment and lands in its vicinity.</p>	<p>This section identifies the lands that have been included in this designation and indicate that the lands so designated are more visually prominent than the lands within the Escarpment Natural Area designation. However, certain lands within this designation have been significantly altered, such as in the City of Hamilton, City of Niagara Falls and the Town of Blue Mountains.</p>
1.4.2	<p>Criteria for Designation</p> <ol style="list-style-type: none"> 1. Escarpment slopes and Escarpment Related Landforms where existing land uses have significantly altered the natural environment (e.g., agricultural lands or residential development). 2. Areas in close proximity to Escarpment slopes that are visually part of the landscape unit. 3. Areas of Natural and Scientific Interest (Life Science), or environmentally sensitive or environmentally significant areas identified by municipalities or conservation authorities. 	<p>This section simply identifies what lands are included within the designation. Lands within this designation are within the Regional Natural Heritage System in the ROP.</p>
1.4.3	<p>Permitted Uses</p> <p>Subject to Part 2, Development Criteria, the following uses may be permitted:</p> <ol style="list-style-type: none"> 1. <i>Agricultural uses.</i> 2. <i>Agriculture-related uses and on-farm diversified uses, in prime agricultural areas.</i> 3. <i>Existing uses.</i> 4. <i>Single dwellings.</i> 5. <i>Mobile or portable dwelling unit(s)</i> 	<p>Many of the permitted uses are the same as in the Escarpment Natural Area; however, permitted agricultural uses are not limited to existing uses. Additional permitted uses are institutional uses, home industries and recycling depots.</p>

TABLE D - NIAGARA ESCARPMENT PLAN

Section No.	Policy	Commentary
	<p><i>accessory</i> to agriculture.</p> <p>6. Non-motorized <i>trail activities</i> and snowmobiling, outside of <i>prime agricultural areas</i>.</p> <p>7. Unserviced camping on public and institutional land, outside of <i>prime agricultural areas</i>.</p> <p>8. <i>Forest, wildlife and fisheries management</i>.</p> <p>9. Licensed archaeological fieldwork.</p> <p>10. <i>Infrastructure</i>.</p> <p>11. <i>Accessory uses</i> (e.g., a garage, swimming pool, tennis court, ponds or <i>signs</i>).</p> <p>12. <i>Institutional uses</i>, outside of <i>prime agricultural areas</i>.</p> <p>13. Uses permitted in the Parks and Open Space System Master/Management Plans that are not in conflict with the Niagara Escarpment Plan.</p> <p>14. <i>Home occupations and home industries</i>.</p> <p>15. <i>Watershed management</i> and flood and erosion control projects carried out or supervised by a <i>public body</i>.</p> <p>16. The <i>Bruce Trail corridor</i>, including the pedestrian footpath and, where necessary, trail-related constructions (e.g., bridges, boardwalks), <i>overnight rest areas</i> and <i>Bruce Trail access points</i>.</p> <p>17. Recycling depots for paper, glass and cans etc., serving the local community.</p> <p>18. <i>Bed and breakfast</i>.</p> <p>19. <i>Nature preserves</i> owned and managed by an approved <i>conservation organization</i>.</p> <p>20. <i>Agricultural Purposes Only lot (APO lot)</i>.</p>	
1.4.4	<p>Lot Creation</p> <p>New lots may be created, subject to conformity with the provisions of this section, the applicable policies in Part 2, Development Criteria, and official plans where applicable, zoning by-laws that are not in conflict with the Niagara Escarpment Plan.</p> <p>1. A lot may be created by severing one original township lot or original</p>	

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Section No.	Policy	Commentary
	<p>township half lot, from another original township lot or original township half lot, provided there have been no previous lots severed from one of the affected original township lots or original township half lots. Such severances shall only occur along the original township lot line.</p> <p>2. Notwithstanding Part 1.4.4.1, provided no new building lot(s) is created a severance may be permitted;</p> <p>a) For the purpose of correcting conveyances, provided the correction does not include the re-creation of merged lots;</p> <p>b) For the purpose of enlarging existing lots;</p> <p>c) As part of, or following, the acquisition of lands by a public body; or</p> <p>d) As part of, or following the acquisition of lands by an approved conservation organization for the purpose of establishing a nature preserve.</p> <p>3. New lots may be created for agricultural uses, provided both the severed and remnant lots of sufficient size to remain useful for agricultural purposes, and such lots are not less than 16 hectares in a specialty crop area or 40 hectares in any other prime agricultural area. These new lots shall only be permitted in municipalities where the official plan has identified specialty crop areas and/or prime agricultural areas.</p> <p>4. New lots may be created for agriculture-related uses, provided that any new lot is limited to the minimum size needed to accommodate the use. A lot created for an agriculture-related use shall not be used for residential purposes.</p>	

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Section No.	Policy	Commentary
	<ol style="list-style-type: none"> 5. In the Town Plot of Brooke, Grey Country, a lot may be created by severing one of the original Town Plot lots from another, provided there have been no previous lots severed from one of the affected Town Plot lots. Such severances shall only occur along the original Town Plot lot lines. 6. The severance of a lot with a residence that has been rendered surplus to an agricultural operation as a result of a farm consolidation is permitted, subject to the policies found in Part 2.4 of this Plan that apply to such a severance and the associated remnant APO lot created by this severance. 7. A lot created by a public body (e.g. for a road or part), or by an approved conservation organization for a nature preserve will not be considered a previous lot. A remnant lot(s) created as a result of a lot acquired by a public body or an approved conservation organization which may be used as a building lot(s) shall be considered an existing lot of record, if the pre-existing lot was an existing lot of record and will be considered a previous lot for the purpose of determining entitlement to further severances if the pre-existing lot was a previous lot. 	
1.5	<p>Escarpment Rural Area Escarpment Rural Areas are an essential component of the Escarpment corridor, including portions of the Escarpment and lands in its vicinity. They provide a buffer to the more ecologically sensitive areas of the Escarpment.</p>	<p>This section identifies the lands that have been included in this designation and indicate that the lands so designated provide a buffer to the more ecologically sensitive areas of the Escarpment.</p>
1.5.2	<p>Criteria for Designation</p> <ol style="list-style-type: none"> 1. Minor Escarpment slopes and Escarpment Related Landforms. 2. Lands in the vicinity of the Escarpment necessary to provide an open landscape character. 	<p>This section simply identifies what lands are included within the designation.</p>

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Section No.	Policy	Commentary
	<ol style="list-style-type: none"> 3. Lands in the vicinity of the Escarpment which are of ecological importance to the Escarpment environment. 4. Lands that have potential for enhanced ecological values through natural succession processes or due to their proximity to other ecologically sensitive lands, areas or features. 	
1.5.3	<p>Permitted Uses</p> <p>Subject to Part 2, Development Criteria, the following uses may be permitted:</p> <ol style="list-style-type: none"> 1. <i>Agricultural uses.</i> 2. <i>Agriculture-related uses and on-farm diversified uses.</i> 3. <i>Existing uses.</i> 4. <i>Single dwellings.</i> 5. <i>Secondary dwelling units.</i> 6. <i>Mobile or portable dwelling unit(s) accessory to agriculture.</i> 7. <i>Recreational uses, outside of prime agricultural areas.</i> 8. <i>Forest, wildlife and fisheries management.</i> 9. <i>Licensed archaeological fieldwork.</i> 10. <i>Infrastructure.</i> 11. <i>Accessory uses (e.g., a garage, swimming pools, tennis courts, ponds, or signs).</i> 12. <i>Institutional uses, outside of prime agricultural areas.</i> 13. <i>Uses permitted in the Parks and Open Space System Master/Management Plans that are not in conflict with the Niagara Escarpment Plan.</i> 14. <i>Home occupations and home industries.</i> 15. <i>Watershed management and flood and erosion control projects carried out or supervised by a public body.</i> 16. <i>The Bruce Trail corridor, including the pedestrian footpath and, where necessary, trail-related constructions (e.g., bridges, boardwalks), overnight rest areas and Bruce Trail access points.</i> 17. <i>New licensed mineral aggregate</i> 	<p>This designation is more permissive than the two previous designations and also permits recreational uses and small mineral aggregate resource operations.</p>

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Section No.	Policy	Commentary
	<p><i>operations</i> producing up to 20,000 tonnes annually.</p> <p>18. Wayside pits and quarries</p> <p>19. Recycling depots for paper, grass and cans etc. serving the local community</p> <p>20. Bed and breakfast</p> <p>21. Nature preserves owned and managed by an approved conservation organization</p> <p>22. Agricultural Purposes Only lot (APO)</p>	
1.5.4	<p>Lot Creation</p> <p>New lots may be created, subject to conformity with the provisions of this section, the applicable policies in Part 2, Development Criteria, and official plans and, where applicable, zoning by-laws that are not in conflict with the Niagara Escarpment Plan.</p> <ol style="list-style-type: none"> 1. A lot may be created by severing one original township lot or original township half lot from another original township lot or original township half-lot, provided there has been no more than one previous lot severed from one of the affected original township lot or original township half lot. Such severances shall only occur along the original township lot line. 2. Notwithstanding Part 1.5.4.1 provided no new building lot(s) is created, a severance may be permitted; <ol style="list-style-type: none"> a) For the purpose of correcting conveyances, provided the correction does not include the re-creation of merged lots; b) For the purpose of enlarging existing lots; c) As part of, or following, the acquisition of lands by a public body; or d) As part of, or following, the acquisition of lands by an approved conservation organization for the purpose of 	

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Section No.	Policy	Commentary
	<p>establishing a nature preserve.</p> <ol style="list-style-type: none"> <li data-bbox="365 327 829 709">3. New lots may be created for agricultural uses, provided both the severed and remnant lots are of sufficient size to remain useful for agricultural purposes, and such lots are not less than 16 hectares in a specialty crop area or 40 hectares in any other prime agricultural area. These new lots shall only be permitted in municipalities where the official plan has identified specialty crop areas and/or prime agriculture areas. <li data-bbox="365 732 829 953">4. New lots may be created for agriculture-related uses, provided that any new lot is limited to the minimum size needed to accommodate the use. A lot created for an agriculture-related use shall not be used for residential purposes. <li data-bbox="365 976 829 1262">5. Provided no lots have been created in the past from the original township lot, or original township half lot, where the original township lot is 80 hectares or more, and where the proposed lot is not in conflict with the Agricultural Policies of the Provincial Policy Statement, one lot may be severed for a permitted use. <li data-bbox="365 1285 829 1440">6. No new lots are permitted where one or more lots have been severed from the original township lot, or original township half lot, where the original township lot is 80 hectares or more. <li data-bbox="365 1463 829 1749">7. The severance of a lot with a residence that has been rendered surplus to an agricultural operation as a result of a farm consolidation is permitted, subject to the policies found in Section 2.4 and Section 2.8 of this Plan that apply to such a severance and the associated APO lot created by this severance. <li data-bbox="365 1772 829 1856">8. A lot created by a public body (e.g. for a road or park), or by an approved conservation organization for a nature 	

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Section No.	Policy	Commentary
	<p>preserve will not be considered a previous lot. A remnant lot(s) created as a result of a lot acquired by a public body or an approved conservation organization, which may be used as a building lot(s), shall be considered an existing lot of record if the pre-existing lot was an existing lot of record and shall be considered a previous lot for the purpose of determining entitlement to additional severances if the pre-existing lot was a previous lot.</p>	
1.6	<p>Minor Urban Centre This land use designation identifies those rural settlements, villages and hamlets that are distributed throughout the Niagara Escarpment Plan area.</p>	<p>The Minor Urban Centres in Halton Region are Mount Nemo, Kilbride and Lowville in Burlington, Campbellville in Milton and Limehouse, Henderson's Corners and Silver Creek in Halton Hills. These communities are designated as Hamlets in the ROP.</p>
1.6.7	<p>Land Use Control Land use control within a Minor Urban Centre with an approved official plan and/or secondary plan that is not in conflict with the Niagara Escarpment Plan may be exercised either through by-laws passed under the Planning Act or through Development Control as authorized under the provisions of the Niagara Escarpment Planning and Development Act. By-laws or by-law amendments must not conflict with the Objectives and Development and Growth Objectives of this designation, and the Development Criteria in Part 2 of the Niagara Escarpment Plan.</p>	<p>This section essentially indicates that the Regional and Official Plans apply to lands within Minor Urban Centres. Notwithstanding this section, Section 1.6.8 of the NEP also applies in Minor Urban Centres.</p>
2.2	<p>General Development Criteria The objective is to permit reasonable enjoyment by the owners of all lots that can sustain development.</p> <ol style="list-style-type: none"> 1. The Escarpment environment shall be protected, restored and where possible enhanced for the long term having regard to single, multiple or successive development that have occurred or are likely to occur. 2. The site shall not be prone to natural hazards, and the development will not impact the control of these natural hazards including flooding hazards, erosion hazards, or other water-related 	<p>This general section applies to all development that is subject to the NEP. Where specific restrictions are identified, the Region cannot be more permissive.</p> <p>Many of the provisions in this section are subjective and are applied through a Development Permit process, which is not a Planning Act process. This is why most municipalities defer planning approvals to the NEC.</p>

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Section No.	Policy	Commentary
	<p>hazards and hazard events associated with unstable soil or unstable bedrock.</p> <ol style="list-style-type: none"><li data-bbox="331 352 781 415">3. Development is permitted only on an existing lot of record.<li data-bbox="331 428 824 680">4. A property listed as a nature preserve in Appendix 4 of this Plan, acquired by an approved conservation organization, shall not be used as a building lot or for any other purpose inconsistent with the maintenance and protection of the natural features and values for which the nature preserve was established.<li data-bbox="331 693 829 982">5. Where a lot is located in more than one designation, development shall be located on that portion of the lot located in the least restrictive designation, except where the impact of development on the Escarpment environment would be reduced by locating the development on a portion of the lot located in a more restrictive designation.<li data-bbox="331 995 829 1562">6. Any development permitted should be designed and located in such a manner as to promote design and orientation that:<ol style="list-style-type: none"><li data-bbox="386 1129 786 1226">a) Maximizes energy efficiency and conservation and considers the mitigating effects of vegetation;<li data-bbox="386 1239 824 1335">b) Maximizes opportunities for the use of renewable energy systems and alternative energy systems; and<li data-bbox="386 1348 818 1562">c) Reduces greenhouse gas emissions so that the development is contributing to the goal of low-carbon communities and net-zero communities in Minor Urban Centres, Urban Areas, and Escarpment Recreation Areas.<li data-bbox="331 1575 818 1864">7. Only one single dwelling is permitted on each existing lot of record in the Escarpment Natural, Escarpment Protection and Escarpment Rural Area designations, unless a second single dwelling is, in the opinion of the implementing authority, the only viable way to conserve the heritage attributes of an existing single dwelling; and	

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Section No.	Policy	Commentary
	<p>a) The existing single dwelling is a heritage attribute and is subject to a heritage conservation easement agreement;</p> <p>b) This existing single dwelling is the only single dwelling located on the lot;</p> <p>c) The second single dwelling is located on the same existing lot of record as the existing single dwelling to be preserved;</p> <p>d) The second single dwelling is not located within the Escarpment Natural Area unless the implementing authority has determined that there is no other less restrictive designation within which the new dwelling can be sited; and</p> <p>e) Municipal official plan policies and standards are met (e.g., lot size).</p> <p>8. Development permitted should be designed and located in such a manner as to provide for or protect access to the Niagara Escarpment, including the Bruce Trail corridor.</p> <p>Institutional uses</p> <p>9. The gross floor area of buildings and related structures used for institutional uses shall not exceed 500 square metres, unless a larger size can be demonstrated to be compatible with the site and the surrounding landscape.</p> <p>Home Occupations and Home Industries</p> <p>10. Home occupations and home industries in Urban Areas, Minor Urban Centres and Escarpment Recreation Areas are subject to the policies for such uses as set out in the municipal official plan and/or zoning by-law. In the case of all other land use designations, the following provisions apply to home occupations and home industries:</p> <p>a) In the Escarpment Natural Area designation, home occupations shall be located in the single dwelling or in an addition to the</p>	

TABLE D - NIAGARA ESCARPMENT PLAN

Section No.	Policy	Commentary
	<p>dwelling;</p> <p>b) In the Escarpment Protection Area, Escarpment Rural Area and Mineral Resource Extraction Area designations, home occupations and home industries shall be located in the single dwelling or in an addition to the dwelling, unless the need to locate it within an accessory facility can be justified</p> <p>c) Home occupations or home industries should normally be limited to one per lot;</p> <p>d) Where the home occupation or home industry is located within the single dwelling or in an addition to the dwelling, not more than 25 per cent of the total floor area, including any addition to the dwelling, shall be devoted to the use, to a maximum of 100 square metres;</p> <p>e) Where the home occupation or home industry is located in an accessory facility, not more than 100 square metres of the building shall be devoted to the use;</p> <p>f) In no instance shall there be more than 125 square metres devoted to the use, where the home occupation or home industry is located within the single dwelling or in an addition to the dwelling and an accessory facility;</p> <p>g) Where there is more than one home occupation or home industry on a lot, the total floor area of all home occupations and home industries cannot exceed the maximum sizes set out in sub-sections d), e) and f) above;</p> <p>h) Where the home occupation or home industry is located in an accessory facility, the accessory facility must share a common driveway and where possible must share residential services (e.g.,</p>	

TABLE D - NIAGARA ESCARPMENT PLAN

Section No.	Policy	Commentary
	<p>septic system for domestic waste only, well, parking) with the single dwelling;</p> <ul style="list-style-type: none"> i) Home occupations and home industries shall: <ul style="list-style-type: none"> i. Be secondary to the primary residential or agricultural use on the lot; ii. Be operated by residents of the household on the lot; and iii. Be located in a manner that considers potential land use compatibility issues, such as noise, odour and dust, with adjacent more sensitive uses (e.g., residential, daycare). j) Municipal official plan policies and standards (e.g., lot size, parking, floor area, retail space) must be met. <p>Secondary Dwelling Units</p> <p>11. The following provisions apply to secondary dwelling units:</p> <ul style="list-style-type: none"> a) A single secondary dwelling unit may be permitted on an existing lot of record; b) Notwithstanding the above, a secondary dwelling unit shall not be permitted on an existing lot of record where there is more than one single dwelling, including any dwelling approved under Part 2.2.7 of this Plan; c) The secondary dwelling unit shall be contained entirely within a single dwelling or in an addition to a single dwelling and shall not be permitted in a detached accessory facility; d) The floor area of a secondary dwelling unit shall be subordinate in size to the single dwelling; e) Secondary dwelling units shall not be permitted in a group home or a single dwelling containing a bed and breakfast; and 	

TABLE D - NIAGARA ESCARPMENT PLAN

Section No.	Policy	Commentary
	f) A home occupation or home industry shall not be permitted within a secondary dwelling unit.	
Definition	Agri-food network - same as Greenbelt Plan and the Growth Plan	This is a new definition that will need to be included in the ROP.
Definition	Agricultural Purposes Only lot (APO lot): The agricultural lot that is the remnant created following the severance of another lot containing a residence that is rendered surplus when associated with a <i>farm consolidation</i> (see definition for <i>residence surplus to a farm operation</i>). The permitted uses on APO lots are limited in accordance with the policies of this Plan.	This is a unique definition that only applies in the NEP. It is noted that ROPA 46 added the following definition: AGRICULTURAL PURPOSES ONLY is a designation or zone in a local official plan or zoning by-law that prohibits a dwelling on a remnant agricultural lot created from a severance of a residence surplus to a farm operation as a result of farm consolidation.
Definition	Agricultural system - same as Greenbelt Plan and Growth Plan.	This is a new definition that will need to be included in the ROP.
Definition	Agricultural use - same as PPS 2020	See PPS table.
Definition	Agriculture-related use - same as PPS 2020	See PPS table.
Definition	Agri-tourism use - same as PPS 2020	See PPS table.
Definition	Bed and breakfast: Sleeping accommodation (including breakfast and other meals, services, facilities and amenities for the exclusive use of guests) for the travelling or vacationing public within an existing <i>single dwelling</i> that is the principal residence of the proprietor. A <i>bed and breakfast</i> in an existing <i>single dwelling</i> of local heritage value or interest must retain the features that cause it to be designated of local heritage value or interest.	This is a unique definition that only applies in the NEP. It is noted that the permission only applies to 'existing' dwellings.
Definition	Compatible: Where the building, structure, activity or use blends, conforms or is harmonious with the <i>Escarpment environment</i> .	This is a unique definition that only applies in the NEP. This definition is relied upon when making decisions on development permit applications.
Definition	Existing use: The legal use of any land, building or structure for a purpose that is not otherwise listed as a permitted use under the applicable designation in the Niagara Escarpment Plan, and that was: a) Existing on the day of approval of the Niagara Escarpment Plan, June 12, 1985; b) Approved in accordance with the provisions of the Niagara Escarpment Plan since June 12, 1985 but prior to the date of any amendment to this Plan under which the use ceased to be a permitted use; or c) Existing, in an area added to the Niagara	This is a unique definition that only applies in the NEP. This definition is also relied upon when making decisions on development permit applications.

TABLE D - NIAGARA ESCARPMENT PLAN

Section No.	Policy	Commentary
	<p>Escarpment Plan at the date of the approval of the amendment to this Plan that added the lands to this Plan;</p> <p>Provided that the <i>existing use</i> has continued without interruption after the effective date as set out under a), b), and c).</p>	
Definition	<p>Group home: A residence that is licensed or funded by a <i>public body</i> for the accommodation of three to ten persons, exclusive of staff, living under supervision in a single housekeeping unit and who, by reason of their emotional, mental, social or physical condition or legal status, require a group living arrangement for their well-being.</p>	<p>This is also a definition that is unique to the NEP as well, and it restricts the number of people that can be accommodated in a group home.</p>
Definition	<p>Home industry: A use, providing a service primarily to the rural or farming community and that is <i>accessory to a single dwelling</i> or agricultural operation, performed by one or more residents of the <i>household</i> on the same <i>property</i>. A <i>home industry</i> may be conducted in whole or in part in an <i>accessory facility</i> and may include an animal kennel, carpentry shop, a metal working shop, a welding shop, an electrical shop or blacksmith's shop, etc., but does not include an auto repair or paint shop, or furniture stripping facility.</p>	<p>This definition is also unique to the NEP, and is the same as the current definition of home industry in the ROP.</p>
Definition	<p>Home occupation: An occupation that provides a service as an <i>accessory use</i> within a <i>single dwelling</i>, in an addition to the dwelling, or in an <i>accessory facility</i>, performed by one or more residents of the <i>household</i> on the same <i>property</i>. Such occupations may include services performed by an accountant, architect, auditor, dentist, medical practitioner, veterinarian, engineer, insurance agent, land surveyor, lawyer, realtor, planner, hairdresser, desktop publisher or word processor, computer processing provider, teacher or day care provider. Other occupations may also include dressmaking, upholstering, weaving, baking, ceramic-making, painting, sculpting and the repair of personal effects.</p>	<p>This definition is unique to the NEP and is not the same as the definition of such in the ROP. Consideration will need to be given to either deferring to the NEP definition in the ROP or having a unique NEP definition in the ROP.</p>
Definition	<p>On-farm diversified uses - same as PPS 2020. There is an added sentence to the definition "Ground-mounted solar facilities are permitted in prime agricultural areas,</p>	<p>See PPS table.</p>

TABLE D - NIAGARA ESCARPMENT PLAN

Section No.	Policy	Commentary
	including specialty crop areas, only as on-farm diversified uses.	
Definition	Prime agricultural area - same as Growth Plan.	See Growth Plan table.
Definition	Prime agricultural land - same as PPS	See PPS table.

2.7 REGION OF HALTON OFFICIAL PLAN

In accordance with the Places to Grow Act, 2005, municipalities had three years to implement the Growth Plan in their planning documents.

It is on this basis that Halton Region embarked on the Sustainable Halton Planning process ('SHP') that led to the eventual adaption of ROPA 38. The primary objective of the SHP was to determine how population and employment would be allocated to the four lower tier municipalities in the Region. A further objective of the SHP was to identify and protect those features and resources which are an integral component of the Region (environmental and agricultural lands) and/or which are required in the future to support growth (aggregates).

On April 22, 2009, through report LPS46-09, the Region released a report entitled "*Directions Report - Towards Sustainability*". The purpose of the Directions Report was to identify additional policy directions for inclusion in the Regional Official Plan that implement the policies of the Provincial Growth Plan and contribute to a growth management strategy that will guide the Region's growth to 2031.

The Directions Report drew upon the research undertaken and results presented in the 22 technical background reports to the SHP process, subsequent reports that have been prepared on the natural heritage system, agricultural and aggregate sectors and health issues, and the 13 reports prepared in Phase 3 of the SHP process.

The theme of the Regional Directions Report is "Towards Sustainability". In report LPS32-09/CA, staff identified ten "Draft" Sustainability Principles that were to be the basis of a consultation process. The Region's proposed approach to sustainability is based on four system conditions adapted from "The Natural Step":

- Natural resources are not being over-used;
- Waste generated does not accumulate over time;
- The natural environment is not being degraded; and,
- This and future generation's capacity to meet their needs is not being undermined.

The overall planning vision of the ROP as amended by ROPA 38 is to deliver:

- Strong, vibrant, healthy and complete communities;
- An enhanced Natural Heritage System;
- A strong and sustainable agriculture industry; and
- A sustainable land use decision-making process.

A key component of the ROPA 38 process was the establishment of a Regional Natural Heritage System ('RNHS'). Initially, it was proposed to establish one Natural Heritage System for the entire Region. However, based on feedback received from the Towns of Milton and Halton Hills and the Halton Federation of Agriculture, an alternative approach was agreed upon that deferred the planning policy framework for the area north and west of the Niagara Escarpment Plan (NEP) Area (i.e. above the Brow) to the Greenbelt Plan.

Below the brow however, the RNHS was applied to lands within the Greenbelt Plan.

The Natural Heritage System in the Region is therefore comprised of the RNHS and the Greenbelt Natural Heritage System. With respect to the NEP (which does not contain a natural heritage system policy framework), the RNHS was applied to the Escarpment Natural and Escarpment Protection Areas of the NEP.

The Ministry of Municipal Affairs and Housing approved ROPA 38 with 165 modifications to the text and mapping on November 24, 2011. Some of the modifications made were extensive. In addition, 41 appeals were received.

One of the appellants in this regard was the Halton Federation of Agriculture ('HFRA'). However, Minutes of Settlement were entered into, with the result being a number of significant changes to both the natural heritage and agricultural policy frameworks, since there is considerable overlap between these two systems.

The product of the ROPA 38 process and the later discussions with the HFRA and others is an Agricultural System that is comprised of two components, which are:

- The Agricultural Area, which is divided into Prime Agricultural Area and Outside of Prime Agricultural Area; and,
- Parts of the Natural Heritage System that are outside of Key Features.

The Agricultural Area is a designation in the ROP and it is applied to lands below the Escarpment Brow that are not subject to the Niagara Escarpment Plan, within the Niagara Escarpment Plan Area and in the Protected Countryside Area of the Greenbelt Plan. This area is shown on Map 1 to the ROP.

Below the Escarpment Brow, the Agricultural Area designation generally applies to all lands outside of the Key Features of the RNHS. In this area, it is noted that there is some overlap with the RNHS (outside of Key Features) and with the Protected Countryside designation in the Greenbelt Plan.

Within the boundary of the Niagara Escarpment Plan Area, there is overlap with the Agricultural Area of the ROP and some, but not all, of the Escarpment Natural Area. Above the Niagara Escarpment Plan Area in the Greenbelt Plan Area, all lands outside of settlement areas and Rural Cluster Areas are designated Agricultural Area in the ROP.

The Agricultural Area designation in the ROP is then divided into Prime Agricultural Area and the Agricultural System outside of Prime Agricultural Area.

In the ROP, these areas are not designated as 'Prime Agricultural Area'. Instead, the ROP identifies the Prime Agricultural Area as a 'Constraint to Development' and provides policies for development within this area. In the Niagara Escarpment Plan Area, there is generally overlap between the identified Prime Agricultural Area and the Escarpment Rural Area in the Niagara Escarpment Plan. There is also overlap between the Agricultural System outside of Prime Agricultural Area and the Escarpment Protection Area.

Above the Escarpment Brow in the Greenbelt Plan Area, the majority of the lands are identified as the Agricultural System outside of Prime Agricultural Area, however there are some lands that have been identified as Prime Agricultural Area.

The second component of the Agricultural System are those parts of the RNHS outside of Key Features, as well as individual Key Features that are only a significant earth science area of natural and scientific interest. The Region has deliberately established this category in the ROP to recognize that the greatly expanded RNHS now applies to lands that are currently an agricultural use. It is noted that the policy framework continues to permit agricultural uses in these areas.

One of the purposes of the Rural and Agricultural Policy Review is to suggest enhancements. However, before doing so, there is a need to understand which of the policies in the ROP need to be updated to either provide the clarity required or require updating because of changes to Provincial policy. It is on the basis of the above that **Table E** below has been prepared.

TABLE E - HALTON REGION OFFICIAL PLAN		
Section No.	Policy	Commentary
26	Halton recognizes its strategic location within the Greater Toronto and Hamilton Area and the importance of population and employment growth to the social and economic life of its residents. Halton expects further urbanization and changes to its landscape within the planning period between now and 2031. In this regard, Halton will undertake the necessary steps to ensure that growth will be accommodated in a fashion that is orderly, manageable, yet sensitive to its natural environment, heritage and culture. To maintain Halton as a desirable and identifiable place for this and future generations, certain landscapes within Halton must be preserved permanently. This concept of “landscape permanence” represents Halton’s fundamental value in land use planning and will guide its decisions and actions on proposed land use changes accordingly.	<p>This section introduces the concept landscape permanence, which is a key tenant of the current ROP and has been in previous iterations.</p> <p>There are a number of other policies in other parts of the ROP that speak to which landscapes within Halton are intended to be preserved permanently. Through the updating of the ROP, the Region will need to decide whether this core concept is to be retained going forward.</p>
27	<p>In Halton’s vision, its future landscape will always consist of three principal categories of land uses in large measures:</p> <ol style="list-style-type: none"> (1) Settlement areas with identifiable communities, (2) A rural countryside where agriculture is the preferred and predominant activity, and (3) A natural heritage system that is integrated within settlement areas and the rural countryside, to preserve and enhance the biological diversity and ecological functions of Halton. <p>The land uses in these categories are complementary to each other and will together move Halton towards the goal of sustainability.</p>	<p>This section identifies the three principal categories of land uses in Halton Region.</p> <p>Of interest in this report is the second category that consists of the rural countryside where agriculture is the preferred and predominant activity. It is further noted at the end of this policy that there is an anticipation that these three principal categories of land uses will exist in 'large measure' over time, both during and beyond the planning period.</p> <p>This means that the areas within the three categories are not static and also may change over time as the need arises for example to expand urban areas into prime agricultural areas.</p>

TABLE E - HALTON REGION OFFICIAL PLAN

Section No.	Policy	Commentary
	Each will always exist in large measures over time, both during and beyond the planning period.	
29	The concept of landscape permanence will be reflected in the goals, objectives, and policies of this Plan. In pursuit of this concept, Regional Council will exercise its powers and authority, as permitted by legislation, and deploy its resources accordingly. Other government agencies, as well as individuals or corporations, making decisions affecting Halton's landscape are also encouraged to incorporate this concept.	This section indicates that Regional Council will incorporate the concept of landscape permanence in all other decisions.
30	Although the best means of preserving landscapes is by public ownership, the Region believes that this is impractical or unnecessary in most cases. Instead, the preservation should be a shared value among Halton's residents, land owners, business sector, development industry, agricultural community and government agencies. Regional Council therefore advocates the principle of "land stewardship" --that all land owners are entitled to reasonable use and enjoyment of their land but they are also stewards of the land and should give proper regard to the long term environmental interests in proposing any land use change to their land. Within the rural area the protection and use of rural resources including agriculture is supported as the predominant use in harmony with the natural environment. As well, within parts of the natural heritage system, agriculture supported as the predominant use in harmony with the natural environment. In its approach to making planning decisions, Council will refer to the concept of sustainable development and the principles of sustainability, i.e., seeking a balance among the environmental, economic and social interests.	<p>This lengthy section identifies the balance that needs to be considered in the making of land use decisions.</p> <p>This section should be considered as narrative since it is not policy. The policy does recognize that public ownership is the best means of preserving landscapes.</p> <p>It is however noted that a key component of this section is the idea that agricultural uses should be in harmony with the natural environment.</p>
33	In summary, Halton will use the concept of sustainable development and principles of sustainability to guide its land use decisions and hence achieve its planning vision. Stated plainly, this vision is to preserve for this and future generations a landscape that is rich, diverse, balanced, productive and sustainable, and a society that is economically strong, equitable and caring. Specifically, such a vision will be delivered through the two main themes of land stewardship and healthy communities. Part III, Land Stewardship Policies, describes area-specific	<p>This section sets out where policies that support the concept of landscape permanence are contained within Part 3 (land stewardship policies).</p> <p>Reference is then made to Part 4 of the ROP, which deals with healthy communities as well, with these policies being applied to all land use decisions made in Halton Region.</p>

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	land use policies that apply to designated geographical areas of Halton to support the concept of landscape permanence. Part IV, Healthy Communities Policies, contains general policies that apply to all land use decisions to be made in Halton.	
44	The Region's primary role is to provide broad policy directions on strategic matters such as management of land and natural resources, growth strategies, housing, economic development, water and wastewater services, solid waste management, transportation, and health and social services. Recognizing the above, the Local Municipalities are to deal with their local environments to best express their own individualities. The structuring of communities and neighbourhoods and the internal configuration of each of the Local Municipalities, for instance, are the responsibilities of the Municipalities as long as the overall planning vision for Halton and policies of this Plan are adhered to.	<p>This section essentially indicates that the Region's primary role is to provide strategic direction.</p> <p>However, many components of the ROP are very detailed and do not include options for the local municipalities to consider through implementation.</p> <p>It is recommended that this section be reconsidered based on the direction the ROP will take in terms of whether it will be strategic, prescriptive or both, depending on the context.</p>
45	The Planning Act requires that Local Municipalities' Official Plans and Zoning By-laws be amended to conform with this Plan.	This section is not required in the ROP since it is simply restating a fact.
47	Local Official Plans, covering the whole of each Local Municipality, are necessary extensions of The Regional Plan, and are intended to direct development in accordance with local desires while adhering to policies of this Plan. They will contain development phasing and land use distributions and standards at a level of detail sufficient for the implementation of both Regional and local policies, and for the preparation of Zoning Bylaws and specific development proposals. In the event of conflict between policies of The Regional Plan and those of a Local Official Plan, the former shall prevail.	<p>This section speaks to the need for local Official Plans and in the end indicates that the Regional Plan shall prevail over a local Official Plan in the case of conflict.</p> <p>It is recommended that the thrust of this section be reconsidered since there may be a desire for the ROP to be more strategic and to rely more on the local Official Plans for the detail required to assess individual development applications.</p>
50.2	<p>The Regional Structure implements Halton's planning vision of its future landscape as described in Section 27 by organizing land uses into the following broad categories:</p> <ol style="list-style-type: none"> 1) Settlement Areas, consisting of the Urban Area, Hamlets and Rural Clusters, as shown on Maps 1E and 1G, 2) Agricultural System, consisting of the Agricultural Area and those parts of the Natural Heritage System outside the Key Features or where the only Key Feature is a 	<p>This section builds upon the narrative in Section 27 and indicates that there are three broad categories of land uses in the Region with one of these categories being the agricultural system.</p> <p>It is in this section where the distinction is made between lands that are in the agricultural system and lands that are within the natural heritage system, but outside of the key features that have been identified.</p>

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	<p>significant earth science area of natural and scientific interest, as shown on Map 1E, and</p> <p>3) Natural Heritage System, consisting of the Regional Natural Heritage System and the Greenbelt Natural Heritage System, as shown on Map 1G.</p> <p>Certain parts of the Agricultural System and the Natural Heritage System overlap each other as they meet the objectives of both these systems. Specific land uses, however, under these categories are governed by policies and permitted uses according to mutually exclusive land use designations as described in Section 51 and constraints to development as described in Section 51.2.</p>	<p>This section, along with a number of other sections, will need to be revisited based on decisions made on the inclusion of the Provincial agricultural system as a designation or an overlay.</p> <p>Decisions will also need to be made on how the Regional natural heritage system designation (or overlay) relates to the agricultural system designation (or overlay) as well.</p>
51	<p>The Regional Structure consists of the following mutually exclusive land use designations:</p> <p>(1) Urban Area, where urban services are provided to accommodate concentrations of existing and future development,</p> <p>(2) Agricultural Area, within which the primary activity is agricultural operation,</p> <p>(2.1) [Section number not in use.]</p> <p>(2.2) Hamlets, which are compact rural communities,</p> <p>(2.3) Mineral Resource Extraction Areas, where a valid licence has been issued under the Aggregate Resources Act,</p> <p>(3) Regional Natural Heritage System, a system of connected natural areas and open space to preserve and enhance the biological diversity and ecological functions within Halton,</p> <p>(3.1) Regional Waterfront Parks, to provide public access and recreational opportunities at strategic locations along Halton’s waterfront, and,</p> <p>(4) North Aldershot Policy Area, which implements the North Aldershot Inter-Agency Review, permitting a limited amount of development while protecting natural areas.</p>	<p>This section identifies the mutually exclusive land use designations in the ROP.</p> <p>It is within this section that the agricultural area is identified as a specific designation, even though there are a number of other designations within the agricultural area including Hamlets, mineral resource extraction areas and lands that are not considered to be within a prime agricultural area.</p>
51.2	<p>Each land use designation has specific goals, objectives and policies, including permitted uses, governing development within the area so</p>	<p>This section identifies areas that are subject to other polices and/or conditions for development, with one</p>

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	<p>designated. Additionally, certain areas are subject to other policies and/or conditions for development, as described in Sections 139.3 to 139.12. They are as follows:</p> <ul style="list-style-type: none"> (1) Greenbelt Natural Heritage System, as shown on Map 1, (1.1) Parkway Belt Transportation and Utility Corridors, as shown on Map 1B, (2) Future Strategic Employment Areas, as shown on Map 1C, (3) Municipal Wellhead Protection Zones, as shown on Map 1D, (4) Prime Agricultural Areas, as shown on Map 1E, (5) Identified Mineral Resource Areas, as shown on Map 1F, and (6) Key Features of both the Greenbelt and Regional Natural Heritage Systems, as shown on Map 1G. 	<p>of these being prime agricultural areas as shown on Map 1E.</p> <p>As mentioned previously, prime agricultural areas are required to be designated by the Provincial Policy Statement. However, it is also recognized that an overlay approach may be acceptable.</p>
58	<p>Uses are permitted as specified for each land use designation provided that:</p> <ul style="list-style-type: none"> (1) The site is not considered hazardous to life or property due to conditions such as soil contamination, unstable ground or soil, erosion, or possible flooding; (1.1) Adequate supply of water and treatment of wastewater for the proposed use has been secured to the satisfaction of the Region; and (2) Development meets all applicable statutory requirements, including regulations, Official Plan policies, zoning by-laws, and municipal by-laws. 	<p>This section indicates that there are a number of basic requirements that need to be met for permitted uses to be allowed.</p>
59	<p>No building permits should be issued by a Local Municipality until Section 58 has been complied with.</p>	<p>This section should be reconsidered since an Official Plan is not considered to be applicable law in accordance with the Ontario Building Code.</p>
62	<p>All development within the Niagara Escarpment Plan Area is subject to the provisions of the Niagara Escarpment Planning and Development Act and the Niagara Escarpment Plan, as well as applicable policies of this Plan, Local Official Plan, and Local Zoning Bylaws.</p>	<p>This section indicates that all development in the NEP is subject to the NEP as well as the applicable policies on this Plan, local Official Plans and local zoning bylaws. This section is not necessary since it does not establish how conflicts between policies are to be dealt with. In addition, local zoning bylaws apply to only a small amount of the area subject to the NEP.</p>

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63	All development within the Parkway Belt West Plan Area is subject to the provisions of the Ontario Planning and Development Act, applicable Provincial Land Use Regulations, the Parkway Belt West Plan, the Greenbelt Plan (where applicable) as well as policies of this Plan and Local Official Plan, and Local Zoning By-laws.	Same comment as the above.
63.1	All development within the Greenbelt Plan Protected Countryside Area and Greenbelt Natural Heritage System, as shown on Map 1, is subject to the provisions of the Greenbelt Act and the Greenbelt Plan, as well as applicable policies of this Plan, Local Official Plan, and Local Zoning By-laws.	Same comment as the above.
64	In the event of conflict between provisions of this Plan and those of the Niagara Escarpment Plan, the Parkway Belt West Plan or the Greenbelt Plan, the Provincial Plans shall prevail. Provisions of this Plan that are more restrictive than those of the Provincial Plans, however, shall apply unless doing so would conflict with the Provincial Plans.	This section actually does deal with the issue of conflict and it indicates that the ROP can be more restrictive than Provincial plans unless doing so would conflict with the Provincial plans. Given that this is an operational matter, it is not necessary for such a policy to be included within the ROP.
66 (2.1)	<p>Subject to other policies of this Plan, applicable Local Official Plan policies and Zoning Bylaws, and policies of the applicable Provincial Plan, new lots may be created: for adjusting lot lines provided that:</p> <p>a) The adjustment is minor and for legal or technical reasons such as easements, corrections of deeds and quit claims; and</p> <p>b) The proposal does not result in additional building lots; or</p>	<p>Section 2.3.4.2 of the PPS deals with the same subject matter and permits lot adjustments for legal or technical reasons which is defined below:</p> <p><i>"Means severances for purposes such as easements, corrections of deeds, quit claims, and minor boundary adjustments, which do not result in the creation of a new lot."</i></p> <p>The permission in the PPS is broader than in the ROP since it lists 'minor boundary adjustments' as being separate from easements, correction of deeds and quit claims. This expanded permission should be included within the ROP.</p>
66 (3)	<p>Subject to other policies of this Plan, applicable Local Official Plan policies and Zoning Bylaws, and policies of the applicable Provincial Plan, new lots may be created:</p> <p>For an existing residence surplus to a farm operation as a result of a farm consolidation in the Agricultural System identified on Map 1E, provided that:</p> <p>a) A minimum of one (1) farm residence is maintained as part of the consolidated farm operation;</p> <p>b) The residence surplus to a farm operation is</p>	<p>On July 22, 2016 the Halton Region Federation of Agriculture submitted an application to amend Section 66 of the Halton Regional Official Plan to permit lot creation for the severance of surplus farm residences in the Agricultural System of Halton Region. The product of the application was ROPA 46, which sets out criteria that must be satisfied to sever a residence deemed surplus as a result of farm consolidation. Council adopted ROPA 46 in early 2018.</p> <p>The criteria were developed after a careful review of best practices across Ontario, an analysis of Halton's</p>

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	<p>habitable on the date of the application for severance and meets the local municipal standards for occupancy;</p> <p>c) The applicant owns and operates the farm operation for a minimum of 3 years, as demonstrated through Land Title and Farm Business Registration Number;</p> <p>d) As a condition of the severance the retained farm lot shall be either:</p> <p style="padding-left: 20px;">[i] Merged on title with an adjacent farm lot; or</p> <p style="padding-left: 20px;">[ii] Zoned to Agricultural Purposes Only (APO) to prohibit new dwellings in perpetuity, if non-abutting;</p> <p>e) The lot associated with the residence surplus to a farm operation, shall be:</p> <p style="padding-left: 20px;">[i] limited in size to the minimum area needed to accommodate private servicing on the property, in keeping with the policies of this Plan; and</p> <p style="padding-left: 20px;">[ii] an existing use, built and occupied, since December 16, 2004;</p> <p>f) The retained farm lot, created as a result of the severance, shall:</p> <p style="padding-left: 20px;">[i] Be a minimum size of 20 hectares, if non-abutting; and</p> <p style="padding-left: 20px;">[ii] Be in compliance with the Minimum Distance Separation Formulae; and</p> <p style="padding-left: 20px;">[iii] Not be further severed, except as permitted by other policies of this Plan or relevant Provincial Plans; and</p> <p>g) Notwithstanding the policies of 66(3) c, d [ii], and e [ii], for lands in the Niagara Escarpment Plan Area outside of the Escarpment Natural Area and Mineral Resource Extraction Area, lot creation for a residence surplus to a farming operation is subject to the following criteria:</p> <p style="padding-left: 20px;">[i] The application for severance of the surplus residence must occur within two (2) years of the date that the lands were acquired as part of a farm consolidation;</p> <p style="padding-left: 20px;">[ii] Lot creation is to be undertaken in accordance with the policies of the Niagara Escarpment Plan; and</p> <p style="padding-left: 20px;">[iii] The proposed surplus residence has been built and occupied for not less</p>	<p>agricultural profile and an examination of severance potential using geographic information systems. In terms of key eligibility criteria, ROPA 46 allows for this severance provided that the applicant owns and operates a farm operation for a minimum of 3 years.</p> <p>ROPA 46 also contains key lot size criteria for both the retained farm parcel and the severed non-farm dwelling parcel. The retained farm parcel must be a minimum of 20 hectares unless it is being merged with an abutting farm parcel. ROPA 46 also includes other important criteria that are necessary to ensure conformity with Provincial Plans and policies. For example, the severance must meet Minimum Distance Separation Formulae requirements and the retained farm parcel must be zoned to Agricultural Purposes Only (APO) to prohibit new dwellings in perpetuity unless it is being merged with an abutting farm parcel.</p> <p>Since this amendment was approved, there have been no applications to test the policy framework. However, Regional staff have suggested that two enhancements to the policy framework be made as per below:</p> <p style="padding-left: 40px;">d) As a condition of the severance the retained farm lot shall be either:</p> <p style="padding-left: 80px;">[i] Merged on title with an adjacent farm lot, including the registration of common ownership agreement between the owner and the Town, if abutting or,</p> <p>In addition to the above, a new section h) is suggested as per below:</p> <p style="padding-left: 20px;">h) A covenant is registered on title of the lot associated with the residence surplus to a farm operation stating that the lot is located adjacent to an agricultural area and may therefore be subjected to noise, dust, odours and other nuisances associated with agricultural activities.</p> <p>Halton Region staff will continue to monitor the effectiveness of the current policy framework.</p>

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	than ten (10) years, at the time of the application for severance.	
68	<p>Single detached dwellings, where permitted by policies of this Plan, are limited to one permanent dwelling per lot unless:</p> <ul style="list-style-type: none"> (1) The residential use is accessory to agriculture in which case objectives and policies relating to the designation apply; or (2) For the purpose of preserving the local, provincial or national heritage value of an existing single detached dwelling within the Niagara Escarpment Plan Area, in which case a second single detached dwelling may be permitted in accordance with policies of the Niagara Escarpment Plan and the Local Official Plan. <p>Such additional dwellings on the same lot shall not be the basis for the creation of additional building lots.</p>	This section permits more than one permanent dwelling per lot in special circumstances.
69	An existing agricultural operation is a permitted use in all land use designations outside the Urban Area. Within the Urban Area, agricultural uses are encouraged and permitted as interim uses until the lands are required for the orderly phasing of urban development.	This section permits existing agricultural operations in all land use designations outside the urban area. It is not clear why only existing agricultural operations are permitted in all land use designations. It may be appropriate to delete this section going forward and to specifically list permissions within each of the land use designations as appropriate.
71	<p>The geographic area of Halton is divided into the following mutually exclusive land use designations, as shown on Map 1 with the exception of Regional Waterfront Parks, which are shown by symbol on Map 1 and detailed on Map 2:</p> <ul style="list-style-type: none"> (1) Urban Area, (2) Agricultural Area, (3) [Section number not in use.] (4) Hamlets, (5) Mineral Resource Extraction Areas, (6) Regional Natural Heritage System, (7) Regional Waterfront Park, and, (8) North Aldershot Policy Area. 	<p>This section lists the mutually exclusive land use designations shown on Map 1.</p> <p>As noted previously, the agricultural area designation will need to be revisited since prime agricultural areas are a subset of the agricultural area designation.</p>
91	The goal of the Agricultural System is to maintain a permanently secure, economically viable agricultural industry and to preserve the open-space character and landscape of Halton’s non-urbanized areas.	This section indicates that one of the goals of the agricultural system is to maintain a permanently secure agricultural industry.

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Section No.	Policy	Commentary
		<p>This section references the need to maintain a permanently secure industry. For commentary on the desire to establish a permanent agricultural area, please refer to the commentary on Section 2.2.8.3 h) of the Growth Plan.</p> <p>This section does also speak to preserving the open space character of the landscape of Halton non-urbanized areas, however this is a goal, not a policy.</p>
92	<p>The Agricultural System, as shown on Map 1E, consists of two components: lands designated as Agricultural Area and those parts of the Region’s Natural Heritage System outside the Key Features or where the only Key Feature is a significant earth science area of natural and scientific interest. While the second component is subject to the relevant goals, objectives, permitted uses and policies as parts of the Region’s Natural Heritage System, agricultural operations are compatible uses and are promoted and supported within these areas as part of the Agricultural System.</p>	<p>This section attempts to explain how the agricultural system is mapped in the ROP. However, indicating that the agricultural system overlaps with the Regional natural heritage system leads to some challenges with respect to interpretation and implementation.</p> <p>In the end, it may very well be that there will be a need for a mutually exclusive regional natural heritage system designation in which agriculture is a permitted use and a mutually exclusive prime agricultural area designation.</p>
93	<p>Parts of the Agricultural System that are Prime Agricultural Areas as shown on Map 1E are subject to the policies of Sections 139.9, 139.9.1 and 139.9.2.</p>	<p>This section directs the reader to other parts of the ROP that deal with prime agricultural areas.</p>
99	<p>The objectives of the Agricultural System are:</p> <ol style="list-style-type: none"> (1) To recognize agriculture as the primary activity and land use in the Agricultural System. (2) To preserve Prime Agricultural Areas, as shown on Map 1E, and prime agricultural lands. (3) To maintain as much as possible lands for existing and future farm use. (4) To protect farms from incompatible activities and land uses which would limit agricultural productivity or efficiency. <ol style="list-style-type: none"> (4.1) To promote normal farm practices and to protect the right to farm. (5) To reduce the fragmentation of lands suitable for agriculture and provide for their consolidation. (6) To promote the rental for farming of lands not so used. (7) To promote a diverse, innovative and economically strong agricultural industry in 	<p>There are 19 objectives in this section, which is too many.</p> <p>There is a need to shorten the objectives and focus on those objectives that have a direct impact on the making of land use decisions in accordance with the ROP.</p> <p>If there is a desire to maintain a long list of objectives, it is suggested that they be broken up into subsections for clarity.</p>

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Section No.	Policy	Commentary
	<p>Halton by tailoring its products and marketing to meet local and regional needs and demands.</p> <p>(8) To promote agriculture-related tourism and direct sales of farm produce and accessory products to visitors and local communities and businesses.</p> <p>(9) To preserve the farm community as an important part of Halton's rural fabric.</p> <p>(10) To promote environmentally sensitive and sustainable farm practice.</p> <p>(11) To retain or increase tree cover for harvest, soil erosion protection, and buffering from adjoining non-farm land uses.</p> <p>(12) To encourage a strong farm support service industry in Halton.</p> <p>(13) To encourage the participation of the agricultural industry and community in dealing with concerns of an agricultural nature.</p> <p>(14) [Section number not in use.]</p> <p>(15) [Section number not in use.]</p> <p>(16) To recognize existing rural uses and allow their continuation in a manner sensitive to the ecological balance and the farming community.</p> <p>(17) To provide for the designation of new Mineral Resource Extraction Areas which can be accommodated in accordance with goals, objectives and policies of, and by amendment to, this Plan and, where applicable, the Niagara Escarpment Plan and the Greenbelt Plan.</p> <p>(18) To maintain scenic values of lands in the vicinity of the Escarpment.</p> <p>(19) To provide a buffer for the more ecologically sensitive areas of the Escarpment.</p>	
99.1	The Agricultural Area consists of areas so designated on Map 1.	This section simply identifies where the agricultural area designation is mapped.
100	Subject to other policies of this Plan, applicable policies of the Greenbelt Plan and Niagara Escarpment Plan, and applicable Local Official Plan policies and Zoning Bylaws, the following uses may be permitted in the Agricultural Area:	This section leads off by saying that there are other policies in the Provincial plans and zoning bylaws that have an impact on the list of uses that are permitted. It goes without saying that all uses are subject to other plans and bylaws.

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Section No.	Policy	Commentary
	<p>(1) All types, sizes and intensities of agricultural operations,</p> <p>(1.1) Normal farm practices,</p> <p>(2) Existing uses,</p> <p>(3) Single detached dwelling on existing lots, unless the lot is identified as Agricultural Purposes Only (APO) in the Local Official Plans and/or Zoning By-laws.</p> <p>(4) Dwelling(s) accessory to an agricultural operation, which must be mobile or portable if located within the Niagara Escarpment Plan Area, unless the lot is identified as Agricultural Purposes Only (APO) in the Local Official Plans and/or Zoning Bylaws.</p> <p>(5) Non-intensive recreation uses such as nature viewing and pedestrian trail activities, only if the lands are publicly owned or are part of the Bruce Trail,</p> <p>(6) Forest, fisheries and wildlife management,</p> <p>(7) Archaeological activities,</p> <p>(8) Transportation and utility facilities,</p> <p>(9) Accessory buildings or structures,</p> <p>(10) Incidental uses,</p> <p>(11) [Section number not in use.]</p> <p>(12) [Section number not in use.]</p> <p>(13) Uses permitted in an approved Niagara Escarpment Park and Open Space Master/Management Plan, if the subject</p>	<p>This section also contains no less than 42 subsections some of which establish conditions on some of the permitted uses.</p> <p>This entire section needs to be re-written and clear and distinct subsections created that deal with the individual permitted uses and the standards under which they would be permitted.</p> <p>In addition, there will be a need to update the <u>terminology</u> used to ensure that it matches up with the Provincial Policy Statement (for example – on farm diversified uses).</p> <p>It is noted that <u>normal farm practices</u> are not a land use; it is simply a practice. It is also noted that the Normal Farm Practices Protection Board is responsible for making a determination on what is a 'normal farm practice'.</p> <p>The permission for <u>existing uses</u> should be revisited since for example an existing use in the Niagara Escarpment Plan area is a use that existed when the first NEP came into effect or when an amendment to the NEP was approved, which can be many years ago.</p> <p>It is recognized that the Greenbelt Plan does use the term “existing uses”, but it is not necessary in the ROP.</p> <p>In addition, the definition of existing use was recently changed to deal with horticultural trade uses and in this case, such uses are existing uses if they are recognized under local zoning bylaws.</p> <p><u>Archaeological activities</u> are also not a land use and <u>transportation and utility facilities</u> can be dealt with globally in the infrastructure section of the Official Plan.</p>

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Section No.	Policy	Commentary
	<p>land is located within the Niagara Escarpment Plan Area,</p> <p>(14) Home occupations and cottage industries with a gross floor area not exceeding 100 sq. m or 25 per cent of the residential living area, whichever is lesser,</p> <p>(15) Bed and breakfast establishments with three or fewer guest bedrooms,</p> <p>(16) Veterinary clinics, only if located on a commercial farm secondary to the farming operation, and serving primarily the agricultural community.</p> <p>(17) Animal kennels, only if located on a commercial farm, secondary to the farming operation, and in conjunction with a single detached dwelling.</p> <p>(18) Watershed management and flood and erosion control projects carried out or supervised by a public agency.</p> <p>(19) [Section number not in use.]</p> <p>(20) Sanitary landfill operation and accessory uses, only on the Halton Waste Management Site shown on Map 1,</p> <p>(21) Following uses only if located on a commercial farm and secondary to the farming operation:</p> <ul style="list-style-type: none"> a) Home industries with a gross floor area not exceeding 200 sq. m, b) Retail uses with a gross floor area not exceeding 500 sq. m and the majority of the commodities for sale, measured by monetary value, produced or manufactured on the farm, c) Agriculture-related tourism uses with a gross floor area not exceeding 500 sq. m, and d) Small-scale businesses that provide supplementary income to the farming operation provided that: <ul style="list-style-type: none"> [i] such uses are permitted by specific Local Official Plan policies and Local Zoning By-laws; 	<p>It is also noted that both <u>home occupations</u> and <u>cottage industries</u> are permitted with the definitions of each being very similar and with the use permitted in a single detached building or an accessory building. It is recommended that these permissions be revisited to determine if there is a need for both terms. A determination should be made on whether the ROP should contain numerical values as it relates to home industries and horticultural trade uses in order to allow for more flexibility through interpretation at the local level.</p> <p>It is also noted that certain uses are only permitted on a <u>commercial farm</u>. The definition of commercial farm in the ROP indicates that a commercial farm is a farm that is deemed to be a viable farm operation and which normally produces sufficient income to support a farm family. It is not clear how this would ever be determined and confirmed. A review of the commercial farm terminology is recommended. It is noted that OMAFRA indicates that a farm is a 'farm' if it generates \$7,000 in gross revenues per year.</p> <p>It is noted that there are no explicit permissions for <u>residential care facilities</u> in the Agricultural Area. This issue is dealt with later in Section 4.5 of this Technical Backgrounder.</p>

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	<ul style="list-style-type: none"> <li data-bbox="467 283 867 373">[ii] their scale is minor and does not change the appearance of the farming operation; <li data-bbox="467 380 846 562">[iii] their impact such as noise, odour and traffic on surrounding land uses is minimal and will not hinder surrounding agricultural uses; and <li data-bbox="467 569 867 695">[iv] they meet all Regional criteria as stated in the On-Farm Business Guidelines adopted by Council; <li data-bbox="418 701 846 791">e) Subject to site plan approval by the Local Municipality, horticultural trade uses provided that: <ul style="list-style-type: none"> <li data-bbox="467 806 841 863">[i] the use meets all the criteria under Sections 100(21) d); <li data-bbox="467 869 854 959">[ii] the farm property accommodating the use is at least 4 hectares in size; <li data-bbox="467 966 862 1148">[iii] at least 70 per cent of the arable area of the farm property accommodating the use is dedicated to the growing of horticultural plants; <li data-bbox="467 1155 862 1337">[iv] the use is located within the existing farm building cluster, with only minor rounding out of the cluster permitted provided that there are no tree removals; <li data-bbox="467 1344 862 1400">[v] the gross floor area for the use does not exceed 500 sq. m; <li data-bbox="467 1407 841 1497">[vi] the outdoor storage area for the use does not exceed 1,000 sq. m; <li data-bbox="467 1503 862 1686">[vii] the use including buildings, outdoor storage, parking areas, and loading/unloading zones is adequately screened from neighbouring properties and public highways; and <li data-bbox="467 1692 862 1833">[viii] the use can be accommodated by the private water supply and wastewater treatment systems located on the property. 	

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Section No.	Policy	Commentary
101 (1)	<p>It is the policy of the Region to:</p> <p>(1) Require Local Official Plans to recognize the Agricultural System as identified in this Plan and Local Zoning By-laws to permit agricultural operations within the Agricultural System in accordance with policies of this Plan.</p>	<p>This policy is self-explanatory.</p>
101 (1.2)	<p>Prohibit the creation of new lots for residential purposes except in Hamlets or Rural Clusters, or otherwise permitted by policies of this Plan.</p>	<p>This policy is also self-explanatory as well.</p>
101 (1.5)	<p>Consider recreation uses including golf courses and driving ranges in the Agricultural Area only by site-specific amendment to this Plan unless permitted by specific policies and provided that:</p> <ul style="list-style-type: none"> a) The proposed use meets the requirements of Section 139.9.2(3) where applicable, b) The proposed use be subject to the following conditions: <ul style="list-style-type: none"> [i] Any changes to the natural topography are kept to a minimum; [ii] Buildings and structures are minor in scale and are located in a manner that will secure an open-space character of the area; [iii] There is no overnight accommodation for users or guests of the facility; [iv] Landscaping and berms are provided where necessary to secure an open space character of the area; [v] The impact on adjacent agricultural operations is kept to a minimum, through the preparation by the proponent of an Agricultural Impact Assessment to the satisfaction of the Region; [vi] If the use involves significant taking of ground or surface water, the proponent must demonstrate, through a detailed study and to the satisfaction of the Region, that the 	<p>Permitting golf courses and driving ranges in the prime agricultural area would be subject to the policies applying to limited non-residential development in prime agricultural areas in Section 2.3.6.1 b) of the PPS.</p> <p>It is noted that Section 139.9.2(3) indicates that lands can be removed from prime agricultural areas for specific purposes and uses such as golf courses and driving ranges. This is no longer permitted by the PPS. In other words, lands can be re-designated to permit a use by exception but the lands are not permitted to be re-designated from prime agricultural area to a non-prime agricultural area designation.</p>

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Section No.	Policy	Commentary
	<p>water resource in the general area will not be adversely affected;</p> <p>[vii] In addition to meeting the requirements of Sections 118(3) and 139.3.7(4), there should be a net gain, or at the minimum no net loss, of overall natural features and areas or their ecological functions as a result of the development, through appropriate studies, site designs and mitigative measures, to the satisfaction of the Region; and</p> <p>[viii] The design and construction of the use are in keeping with the Golf Course and Recreational Facilities Best Management Guidelines adopted by Regional Council.</p> <p>c) Within the Greenbelt Plan Protected Countryside Area of the Greenbelt Plan, the following additional requirements will apply:</p> <p>[i] The use is not located in a Prime Agricultural Area; and</p> <p>[ii] The major recreational use policies of the Greenbelt Plan have been satisfied.</p>	
101 (1.6)	<p>Recognize and protect lands within the Agricultural System as an important natural resource to the economic viability of agriculture and to this end:</p> <p>a) Direct non-farm uses to the Urban Area, Hamlets and Rural Clusters unless specifically permitted by policies of this Plan.</p> <p>b) Promote the maintenance or establishment of woodlands and treescaping on farms.</p> <p>c) Encourage farmers to adopt farm practices that will sustain the long term productivity of the land and minimize adverse impact to the natural environment.</p>	<p>This policy is somewhat repetitive and does not directly have an impact on land use decisions, particularly subsections b) and c).</p>
101 (1.7)	<p>Require that new land uses, including the creation of lots, and new or expanding livestock facilities within the Agricultural System comply with the provincially developed Minimum Distance Separation formulae.</p>	<p>This policy is consistent with Section 2.3.3.3 the PPS.</p>
101 (1.8)	<p>Require an Environmental Impact Assessment for new development in accordance with Sections 118(3), 118(3.1) and 139.3.7(4).</p>	<p>This section directs the reader to sections that set out the conditions under which an Environmental Impact Assessment is required or not required.</p>

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Section No.	Policy	Commentary
101 (1.9)	Ensure that Key Features, identified in Section 115.3 that may exist outside the Regional Natural Heritage System are protected in accordance with Section 139.12.	<p>This section directs the reader to Section 139.12 that indicates that there may be other key features on the landscape that need to be considered.</p> <p>However, there is no context for this section in this part of the ROP.</p> <p>It is recommended that the sections dealing with EIAs, key features and agricultural uses be entirely re-written for clarity purposes and included in one section in the ROP.</p>
101 (2)	<p>Recognize, encourage and protect agriculture as an important industry in Halton and as the primary long-term activity and land use throughout the Agricultural System, and to this end:</p> <ul style="list-style-type: none"> a) Support and develop plans and programs that promote and sustain agriculture. b) Monitor, investigate and periodically report on its conditions, problems, trends and means to maintain its competitiveness. c) Adopt a set of Livestock Facility Guidelines to support and provide flexibility to livestock operations and to promote best management practices in improving their compatibility with non-farm uses. These guidelines shall be developed in accordance with Provincial Plans and policies, including but not limited to Minimum Distance Separation formulae and the Right to Farm legislation. d) Require Local Municipalities to apply provincially developed Minimum Distance Separation formulae in their Zoning By-laws. e) Require the proponent of any non-farm land use that is permitted by specific policies of this Plan but has a potential impact on adjacent agricultural operations to carry out an Agricultural Impact Assessment (AIA), based on guidelines adopted by Regional Council. f) Support programs to reduce trespassing on agricultural operations and discourage the location of public trails near agricultural operations. g) Preserve the agricultural land base by protecting Prime Agricultural Areas as 	<p>This section is fairly repetitive in that many of its components are already covered off in other objectives or policies.</p>

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Section No.	Policy	Commentary
	identified on Map 1E.	
101 (3)	<p>Recognize, encourage and support secondary industries essential to Halton's agricultural industry and as a major contributor to its economic base and to this end:</p> <ul style="list-style-type: none"> a) Promote the location of major secondary agricultural processing, manufacturing, wholesaling and retailing operations within the Urban Area. b) Promote life science industries in Halton that complement and support agriculture, where appropriate. c) Promote the location of farm support operations within the Urban Area and within Hamlets. d) Ensure that Local Official Plans provide opportunities and directions for the development of these industries. 	This section is also fairly repetitive and should be reconsidered.
101(4)	<p>Recognize, encourage, protect and support Halton's farmers and agricultural operations and to this end:</p> <ul style="list-style-type: none"> a) Consult with and support Halton's farm organizations. b) Maintain a broad-based Agricultural Advisory Committee to advise Council on agriculture-related matters and review and comment on AIAs provided under this Plan. c) Provide sewage sludge suitable for fertilizer, subject to Regional and Provincial environmental protection guidelines. d) Ensure, in cooperation with the Local Municipalities, enforcement of Weed Control By-laws. e) [Section number not in use.] f) Promote diverse and innovative farming that caters to local and regional specialty markets. g) Introduce programs that will encourage visitors to experience and understand agricultural operations in Halton. h) Support a farm-fresh produce network that promotes direct sales of farm produce and related products to residents, local businesses and visitors. i) Support provincial and federal programs to 	This section is also fairly repetitive and should be reconsidered. It is recognized that some of these initiatives are included within Halton Regions Rural Agricultural Strategy, where these initiatives are more appropriately identified.

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Section No.	Policy	Commentary
	<p>attract farmers to Halton.</p> <p>j) Encourage the Local Municipalities to:</p> <ul style="list-style-type: none"> i. Permit, without creating a new lot, one second dwelling within the existing farm building cluster of an active farm for accommodating fulltime farm help. Such permission shall be restricted to only portable or mobile dwellings for farm help within the Niagara Escarpment Plan Area. ii. Adopt Zoning By-laws that will allow home occupations, cottage industries, home industries on commercial farms, on-farm businesses and agriculture related tourism in accordance with policies of this Plan. iii. Permit or provide permanent or temporary facilities for farmers' markets in the Urban Area or Hamlets. iv. Enact municipal by-laws and conduct by-law enforcement in a manner that is sensitive to and does not present barriers to normal farm practices. <p>j.1) Encourage Conservation Authorities to recognize normal farm practices including the importance of keeping agricultural drainage systems in good repair;</p> <p>k) Encourage the Provincial government to:</p> <ul style="list-style-type: none"> i. Lease to farmers Provincially owned lands on a long-term basis for agricultural use. ii. Maintain a property tax system that encourages farming and reflects the true farm, i.e. productive, value of lands. <p>l) Encourage the Federal Government to pursue a national agricultural policy that provides incentives to farmers and agricultural operations and supports the agricultural industry in the global markets.</p>	
101 (5)	<p>Develop and implement programs and plans to support and sustain agriculture in Halton, which may include, among others, the following:</p> <ul style="list-style-type: none"> a) An agricultural facilitator acting as a direct 	<p>This section is also fairly repetitive and should be reconsidered. It is recognized that some of these initiatives are included within Halton Regions Rural</p>

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	<p>and on-going liaison between the agricultural community and Regional Council,</p> <ul style="list-style-type: none"> b) Development of an economic development and investment strategy for agriculture in Halton, c) Marketing and promotion of local agricultural products to Halton communities, d) Farm succession planning including attracting new, young and immigrant farmers to Halton, e) Financial support to promote environmental stewardship including the preparation of Environmental Farm Plans and Environmental Impact Assessments for agricultural buildings, and preservation and enhancement of natural areas and functions, f) Fiscal tools including innovative tax policies, reduced development charges, and venture capitals for innovative agriculture, g) Development and implementation of education programs to promote public awareness and support for the agricultural industry, h) Programs for securing agricultural lands from non-farming landowners for long term agricultural uses by farmers, and i) Use of Community Improvement Plans under the Planning Act to promote and support agriculture. 	<p>Agricultural Strategy, where these initiatives are more appropriately identified.</p>
114.2	<p>Those parts of the Natural Heritage System that are outside the Key Features or where the only Key Feature is a significant earth science area of natural and scientific interest also form parts of the Agricultural System, as described in Section 92 and shown on Map 1E. Within these areas, agriculture is recognized, supported and promoted in accordance with policies of the Agricultural System.</p>	<p>This section again deals with parts of the agricultural system that are not within a key feature. There is also reference to significant earth science areas of natural and scientific interest as well in which case such lands are within the agricultural system. This is fairly confusing and requires revision.</p>
115.4	<p>Included within the Regional Natural Heritage System are:</p> <ul style="list-style-type: none"> (1) Escarpment Natural Area and Escarpment Protection Area as identified in the Niagara 	<p>This section again identifies parts of the agricultural system as being within the regional natural heritage system.</p>

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Section No.	Policy	Commentary
	<p>Escarpment Plan, and</p> <p>(2) Regulated Flood Plains as determined, mapped and refined from time to time by the appropriate Conservation Authority.</p> <p>(3) Parts of the Agricultural System, being those areas of the Regional Natural Heritage System outside the Key Features or where the only Key Feature is a significant earth science area of natural and scientific interest, where agricultural operations are promoted and supported as compatible and complementary uses in the protection of the Regional Natural Heritage System in accordance with policies of the Agricultural System.</p>	<p>The means by which these mutually exclusive designations are to be dealt with will require that revisions be made to all sections that are similar to this section in the ROP.</p>
117.1.1	<p>Subject to other policies of this Plan, applicable policies of the Greenbelt Plan and Niagara Escarpment Plan, and applicable Local Official Plan policies and Zoning Bylaws, the following uses may be permitted:</p> <p>(1) All types, sizes and intensities of agricultural operations except within the following areas:</p> <p style="padding-left: 40px;">a) Escarpment Natural Area, and</p> <p style="padding-left: 40px;">b) Key Features of the Regional Natural Heritage System;</p> <p>Notwithstanding Section 117.1(1) b), agricultural operations are permitted within the Regional Natural Heritage System where the only Key Feature is a significant earth science area of natural and scientific interest,</p>	<p>This section deals with agricultural operations.</p> <p>While the term 'operation' implies something more than just the growing of crops, the ROP definition includes the growing of crops as part of an agricultural operation. It is not clear how the Region or any other public authority would be able to control the growing of crops. The terminology may require review as per new/updated provincial terms.</p> <p>It is noted that subsection 3 later on in this section does permit exiting uses including existing agricultural operations within the regional natural heritage system, including within key features.</p> <p>All of the comments respecting permitted uses within the agricultural area designation also apply within the regional natural heritage system designation as well.</p>
118 (2)	<p>Apply a systems based approach to implementing the Regional Natural Heritage System by:</p> <p>a) Prohibiting development and site alteration within significant wetlands, significant coastal wetlands, significant habitat of endangered and threatened species and fish habitat except in accordance with Provincial and Federal legislation or regulations;</p> <p>b) Not permitting the alteration of any components of the Regional Natural Heritage System unless it has been demonstrated that there will be no negative impacts on the natural features</p>	<p>Subsection b) in particular recognizes that agricultural operations are compatible and complementary uses in those parts of the RNHS under the agricultural system. In other words, those parts outside of the key features. This policy repeats a permission that has been repeated already a number of times.</p>

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	<p>and areas or their ecological functions; in applying this policy, agricultural operations are considered as compatible and complementary uses in those parts of the Regional Natural Heritage System under the Agricultural System and are supported and promoted in accordance with policies of this Plan;</p> <p>c) Refining the boundaries of the Regional Natural Heritage System in accordance with Section 116.1; and</p> <p>d) Introducing such refinements at an early stage of the development or site alteration application process and in the broadest available context so that there is greater flexibility to enhance the ecological functions of all components of the system and hence improve the long-term sustainability of the system as a whole.</p>	
118 (3)	<p>Require the proponent of any development or site alteration that meets the criteria set out in Section 118(3.1) to carry out an Environmental Impact Assessment (EIA), unless:</p> <p>a) The proponent can demonstrate to the satisfaction of the Region that the proposal is minor in scale and/or nature and does not warrant an EIA,</p> <p>b) It is a use conforming to the Local Official Plan and permitted by Local Zoning By-laws;</p> <p>c) It is a use requiring only an amendment to the Local Zoning By-law and is exempt from this requirement by the Local Official Plan; or</p> <p>d) Exempt or modified by specific policies of this Plan.</p> <p>The purpose of an EIA is to demonstrate that the proposed development or site alteration will result in no negative impacts to that portion of the Regional Natural Heritage System or unmapped Key Features affected by the development or site alteration by identifying components of the Regional Natural Heritage System as listed in Section 115.3 and their associated ecological functions and assessing the potential environmental impacts, requirements for impact avoidance and mitigation measures,</p>	<p>This section is particular problematic because since items b) and c) can only apply to lands outside of the NEP, which is not subject to zoning bylaws.</p> <p>However, the opportunity does exist to pre-identify these circumstances under which an EIA does not need to be carried out. Examples include minor additions, replacements or accessory buildings and structures within the existing cluster of buildings on the property. This could be established in advance and in the ROP.</p>

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	and opportunities for enhancement. The EIA, shall, as a first step, identify Key Features on or near the subject site that are not mapped on Map 1G.	
118 (3.1)	<p>Set the criteria for the requirement of an EIA for proposed developments and site alterations as follows:</p> <ul style="list-style-type: none"> a) Agricultural buildings with a footprint not exceeding 1,000 sq. m or single detached dwellings on existing lots and their incidental uses that are located wholly or partially inside or within 30 m of any Key Feature of the Regional Natural Heritage System other than those areas where the only Key Feature is a significant earth science area of natural and scientific interest; if the proposed buildings or structures are located entirely within the boundary of an existing farm building cluster surrounded by woodlands, no EIA is required as long as there is no tree removal within the woodlands; b) Agricultural buildings with a footprint over 1,000 sq. m that are located wholly or partially inside or within 30m of the Regional Natural Heritage System; and c) All other developments or site alterations, including public works, that are located wholly or partially inside or within 120m of the Regional Natural Heritage System. 	<p>This section needs to be completely re-written to provide the clarity required on when an EIA is required or at least should be considered.</p> <p>It is recognized that the Region will be considering updated wording through the review of the natural heritage policies.</p>
118 (3.3)	Assist the proponent in carrying out the EIA required for an agricultural building under Section 118(3.1) through a scoped EIA and/or by providing financial aid and/or in-kind service.	It is understood that this will be considered further through the updated EIA guidelines. There is also a need to determine what type of financial aid, if any, is potentially available.
118 (4.1)	Apply, as appropriate, policies of this Plan that support and promote agriculture and normal farm practices on those parts of the Regional Natural Heritage System under the Agricultural System where such uses are permitted. These policies include but are not limited to Sections 101(2) to 101(5).	This policy is repetitive and not required.
139.3	<p>In addition to the land use designations that prescribe conditions for development, there are seven areas where development is subject to further conditions or constraints. They are:</p> <ul style="list-style-type: none"> (1) Greenbelt Natural Heritage System, as shown on Map 1, (2) Parkway Belt Transportation and Utility 	This is the section that identifies prime agricultural areas as a constraint to development. It is recommended that this no longer be identified as a constraint. This means re-thinking how prime agricultural areas are designated in the ROP.

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	<p>Corridors, as shown on Map 1B, (3) Future Strategic Employment Areas, as shown on Map 1C,</p> <p>(3) Municipal Wellhead Protection Zones, as shown on Map 1D,</p> <p>(4) Prime Agricultural Areas, as shown on Map 1E,</p> <p>(5) Identified Mineral Aggregate Resource Areas, as shown on Map 1F, and</p> <p>(6)</p> <p>(7) Key Features within the Greenbelt and Regional Natural Heritage Systems, as shown on Map 1G.</p>	
139.9	<p>The purpose of the Prime Agricultural Areas, as shown on Map 1E, is to assist in interpreting policies of this Plan and to assist the City of Burlington and the Towns of Milton and Halton Hills in developing detailed implementation policies for their respective Official Plans.</p>	<p>This section should be re-visited based on the approach to land use designations in the ROP.</p>
139.9.1	<p>The Prime Agricultural Areas shown on Map 1E include lands in the Agricultural Area and Regional Natural Heritage System designations. Together these lands support and advance the goal to maintain a permanently secure, economically viable agricultural industry and to preserve the open space character and landscape of Halton's non urbanized area.</p>	<p>This section should be re-visited based on the approach to land use designations in the ROP.</p>
139.9.2	<p>It is the policy of the Region for Prime Agricultural Areas to:</p> <p>(1) Require Local Municipalities to designate Prime Agricultural Areas in accordance with Map 1E, within their Official Plans and include detailed supporting policies which implement the related goals, objectives and policies of this Plan.</p> <p>(2) Within the Greenbelt Plan Area, prohibit the redesignation of land within Prime Agricultural Areas to permit non-agricultural uses, except where permitted by the Greenbelt Plan.</p> <p>(3) Outside the Greenbelt Plan Area, permit the removal of land from Prime Agricultural Areas only where the following have been demonstrated through appropriate studies to the satisfaction of the Region:</p> <p>a. Necessity for such uses within the planning horizon for additional land to</p>	<p>This section requires that local municipalities designate prime agricultural lands and include more detailed policies on development within the designation. At the present time, the ROP already contains a number of detailed policies on some topics and less detail on others (such as when a EIA is triggered). It is recommended that a determination be made on how prescriptive the ROP should be going forward.</p> <p>The redesignation/removal of prime agricultural land is no longer permitted by Section 2.3.5.1 of the PPS, unless the lands are needed for a settlement area expansion. However, Section 2.3.6 of the PPS does permit non-residential uses in prime agricultural areas subject to criteria and the ROP should contain consistent policies.</p>

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	<p>be designated to accommodate the proposed uses;</p> <ul style="list-style-type: none"> b. Amount of land area needed for such uses; c. Reasons for the choice of location; d. Justification that there are no reasonable alternate locations of lower capability agricultural lands; e. No negative impact to adjacent agricultural operations and the natural environment; f. There are no reasonable alternatives that avoid Prime Agricultural Areas as shown on Map 1E, and g. The land does not comprise a specialty crop area. <p>Extraction of mineral aggregate resources is permitted in Prime Agricultural Areas in accordance with Section 110(6.1).</p>	
183	<p>Subsequent to the approval of this Plan by the Province, the Planning Act requires that all Official Plans and Zoning By-laws of the Local Municipalities be amended to conform to this Plan. To this end, Regional Council will:</p> <p>(1) Adopt the following tests for conformity between the Regional and Local Official Plans:</p> <ul style="list-style-type: none"> a. The overall direction and long term objectives of the Local Plan are in congruence with those of The Regional Plan. b. The Local Plan contains policies, maps and/or schedules required specifically by policies of The Regional Plan. c. The Local Plan makes reasonable efforts in accommodating matters encouraged by policies of The Regional Plan. Alternatively, the Local Municipality can provide a statement indicating why the policy direction encouraged by the Region is not appropriate in the local context. d. Except where limited by Provincial policy, the Local Plan can be more restrictive than The Regional Plan and, in that case, it includes a statement to the effect that, in the event of conflict, the more 	<p>It is suggested that these conformity tests be deleted from the ROP, particularly sub-section c.</p>

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	<p>restrictive provision shall apply.</p> <p>(2) Upon approval by Regional Council of a Local Plan or its amendment, such Plan or amendment is deemed to conform to The Regional Plan.</p> <p>(3) Identify to the Local Municipalities, upon Provincial approval of this Plan or its amendments, the areas of conflict between the Local Plan and Zoning By-laws and The Regional Plan.</p> <p>(4) Require the Local Municipalities to amend their Local Official Plan and Zoning By-laws expeditiously to conform to the Regional Official Plan or its amendments.</p>	
205.1 and 205.2	<p>205.1 Regional Council will consider funding on an annual basis towards supporting a viable and sustainable agricultural industry in Halton.</p> <p>205.2 Projects eligible for funding are generally described under Section 101(5).</p>	It is suggested that this policy not be included within the Official Plan since this deal with budget issues, not land use planning.
211	Abutting: means a property with a specific feature or attribute that physically touches or shares a common boundary with the subject property.	This definition was added by ROPA 46 (surplus farm dwellings)
215	AGRICULTURE or AGRICULTURAL INDUSTRY or AGRICULTURAL OPERATION or AGRICULTURAL USE or FARMING means the growth of crops, including nursery and horticultural crops (but not horticultural trade use); raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including accommodation for full-time farm labour when the size and nature of the operation requires additional employment.	<p>There should be one defined term as per the PPS and the definition should be the same as the PPS. Current PPS definition is below:</p> <p><i>Agricultural uses: means the growing of crops, including nursery, biomass, and horticultural crops; raising of livestock; raising of other animals for food, fur or fibre, including poultry and fish; aquaculture; apiaries; agro-forestry; maple syrup production; and associated on-farm buildings and structures, including, but not limited to livestock facilities, manure storages, value-retaining facilities, and accommodation for full-time farm labour when the size and nature of the operation requires additional employment.</i></p>
215.1	AGRICULTURE-RELATED USES means those farm-related commercial and farm related industrial uses that are small scale and directly related to the farm operation and are required in close proximity to the farm operation.	<p>To be updated to be consistent with the PPS, which now has a broader definition.</p> <p>Current PPS definition is below:</p>

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		<i>Agriculture-related uses: means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.</i>
215.1.1	AGRICULTURAL PURPOSES ONLY is a designation or zone in a local official plan or zoning by-law that prohibits a dwelling on a remnant agricultural lot created from a severance of a residence surplus to a farm operation as a result of farm consolidation.	This definition is required in support of the ROPA 46 policy framework.
215.1.2	FARM CONSOLIDATION means the acquisition of additional farm parcels to be operated as one farm operation.	This definition is required in support of the ROPA 46 policy framework.
221	COMMERCIAL FARM means a farm which is deemed to be a viable farm operation and which normally produces sufficient income to support a farm family.	A definition of some type for this term is needed to implement and apply a number of policies in the ROP, including those policies that deal with the severance of surplus farm dwellings as a result of a farm consolidation. However, it is recognized that determining viability can be very subjective.
223	COTTAGE INDUSTRY means an activity conducted as an accessory use within a single detached dwelling or in an addition to the dwelling or an accessory building not further than 30m from the dwelling and serviced by the same private water and wastewater systems, performed by one or more residents of the household on the same property. A cottage industry may include activities such as dressmaking, upholstering, weaving, baking, ceramic-making, painting, sculpting and the repair of personal effects.	There is a need to review the terminology used for cottage industries, home industries, home occupations, on-farmed diversified uses and other small-scale businesses that provide supplementary income to the farming operation to ensure that mutually exclusive use terms are created. There is also a need to consider how these uses are related to broader categories of uses such as on-farm diversified uses. It is noted that the term cottage industry is not used in the NEP or Greenbelt Plan.
226	DEVELOPMENT means the creation of a new lot, a change in land use, or the construction of buildings and structures, any of which requires approval under the Planning Act, or that are subject to the Environmental Assessment Act, but does not include: (1) Activities that create or maintain infrastructure authorized under an environmental assessment process, (2) Works subject to the Drainage Act, or (3) Within the Greenbelt Plan Area, the carrying out of agricultural practices on land that was being used for agricultural uses on the date the Greenbelt Plan 2005 came into effect.	This definition needs to be updated to be consistent with the PPS. Current PPS definition is below: <i>Development: means the creation of a new lot, a change in land use, or the construction of buildings and structures requiring approval under the Planning Act, but does not include:</i> <i>a) Activities that create or maintain infrastructure authorized under an environmental assessment process;</i> <i>b) Works subject to the Drainage Act; or</i>

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229.2	ENVIRONMENTAL FARM PLAN means a voluntary, confidential, agricultural producer driven planning exercise that uses specifically designed resource material and technical assistance to develop a farm plan that identifies on farm environmental risks and establishes a priority sequence of action items to reduce those risks.	This term is only used in Section 101(5) of the ROP, which deals with financial support. This term does not need to be defined.
234	EXISTING USE as it applies to a Section of this Plan means the use of any land, building or structure legally existing, or approved under a Parkway Belt land use regulation, on the day of adoption of this Plan or the amendment to this Plan giving effect to the subject Section by Regional Council or, in the case of the Niagara Escarpment Plan Area, the day of approval of the Niagara Escarpment Plan or an amendment to that Plan or, in the case of the Greenbelt Plan, a use which lawfully existed on December 15, 2004. An existing use, building or structure may expand or be replaced in the same location and of the same use in accordance with Local Zoning By-laws. For the purpose of horticultural trade uses, they are considered existing uses provided that they are recognized as legal uses under Local Zoning By-laws or through the issuance of a development permit by the Niagara Escarpment Commission; such a process must commence within one year and be completed within five years of Regional Council adoption of the Amendment introducing such uses in this Plan.	<p>This is a very complicated definition.</p> <p>Both the Greenbelt Plan and the NEP contain unique definitions for existing use that should simply be referred to.</p> <p>For lands outside of the two above plans, there may not be a need to include 'existing uses' as an overarching permission so many years after the first ROP. If there is a need to recognize certain uses (such as horticultural trade uses) this could be done through policy.</p>
247	HOME INDUSTRY means a small scale use providing a service primarily to the rural farming community and which is accessory to a single detached dwelling or agricultural operation, performed by one or more residents of the household on the same property. A home industry may be conducted in whole or in part in an accessory building and may include a carpentry shop, a metal working shop, a welding shop, an electrical shop, or blacksmith's shop, etc., but does not include an auto repair or paint shop, or furniture stripping	This term is defined the same way in the NEP and would apply at least on the lands subject to the NEP.
248	HOME OCCUPATION means an activity that provides a service as an accessory use within a single detached dwelling or in an addition to the dwelling or in an accessory building not further than 30m away from the dwelling and serviced by the same private water and wastewater	See comments above on the cottage industry definition. There should not be a numerical value in the definition. The definition is also not the same as the definition of home occupation in the NEP.

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	systems, performed by one or more residents of the household on the same property. Such activities may include services performed by an accountant, architect, auditor, dentist, medical practitioner, engineer, insurance agent, land surveyor, lawyer, realtor, planner, hairdresser, desk top publisher or word processor, computer processing provider, teacher or day care provider.	
249.1	HORTICULTURAL TRADE USES means a non-farm business associated with the sale, supply, delivery, storage, distribution, installation, and/or maintenance of horticultural plants and products used in landscaping, but does not include uses associated with the principal agricultural operation.	Given the changes to the PPS, there may be a need to re-visit this type of use and determine whether it is truly an agriculture-related use or an on-farm diversified use, since the term as defined clearly indicates the use is a 'non-farm' use.
259.2	MINIMUM DISTANCE SEPARATION FORMULAE means formulae developed by the Province to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.	This definition should be updated to be consistent with the PPS definition, which is below: <i>Minimum distance separation formulae: means formulae and guidelines developed by the Province, as amended from time to time, to separate uses so as to reduce incompatibility concerns about odour from livestock facilities.</i>
261.1	NORMAL FARM PRACTICE means a practice that: (1) Is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances, or (2) Makes use of innovative technology in a manner consistent with proper advanced farm management practices. If required, the determination of whether a farm practice is a normal farm practice shall be in accordance with the provision of the Farming and Food Production Protection Act, including the final arbitration on normal farm practices by the Farm Practices Protection Board under the Act.	It is not the role of the Region to make a determination of what is a normal farm practice and therefore it is recommended that this definition be deleted. If retained, it should be updated to match the current PPS definition as per below: <i>Normal farm practices: means a practice, as defined in the Farming and Food Production Protection Act, 1998, that is conducted in a manner consistent with proper and acceptable customs and standards as established and followed by similar agricultural operations under similar circumstances; or makes use of innovative technology in a manner consistent with proper advanced farm management practices. Normal farm practices shall be consistent with the Nutrient Management Act, 2002 and regulations made under that Act.</i>
265.1	PRIME AGRICULTURAL AREA means areas where prime agricultural lands predominate. Prime Agricultural Areas have been identified by the Region through an agricultural evaluation system approved by the Province and are identified on Map 1E of this Plan. Sections 139.9, 139.9.1 and 139.9.2 set out policies for land within Prime Agricultural Areas.	This definition should be updated as per the current PPS as per below: <i>Prime agricultural area: means areas where prime agricultural lands predominate. This includes areas of prime agricultural lands and associated Canada Land Inventory Class 4 through 7 lands, and additional areas where there is a local concentration</i>

TABLE E - HALTON REGION OFFICIAL PLAN

Section No.	Policy	Commentary
		<p><i>of farms which exhibit characteristics of ongoing agriculture. Prime agricultural areas may be identified by the Ontario Ministry of Agriculture and Food using guidelines developed by the Province as amended from time to time. A prime agricultural area may also be identified through an alternative agricultural land evaluation system approved by the Province.</i></p> <p>In addition to the above, there should be no section references in a definition.</p>
266	<p>PRIME AGRICULTURAL LANDS means specialty crop lands and those lands of agricultural soils classes 1, 2 and 3 (and combination equivalents thereof), as defined in the Canada Land Inventory of Soil Capability for Agriculture, in this order of priority for protection.</p>	<p>This definition should be updated as per the current PPS as per below:</p> <p>Prime agricultural land: means specialty crop areas and/or Canada Land Inventory Class 1, 2, and 3 lands, as amended from time to time, in this order of priority for protection.</p>
247.2	<p>RESIDENCE SURPLUS TO A FARM OPERATION means an existing habitable farm residence that is rendered surplus as a result of a farm consolidation, but does not include a mobile or portable dwelling or dwelling developed for the purpose of farm labour use.</p>	<p>This definition is required in support of the ROPA 46 policy framework.</p>
276.1	<p>SECONDARY USES means uses secondary to the principal use of the property, including but not limited to, home occupations, home industries, and uses that produce value-added agricultural products from the farm operation on the property.</p>	<p>This term is no longer in the PPS and has been replaced with the following term:</p> <p>On-farm diversified uses: means uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.</p>
280.1	<p>SPECIALTY CROP AREA means an area designated using evaluation procedures established by the Province, as amended from time to time, where specialty crops such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil lands are predominantly grown, usually resulting from:</p> <ol style="list-style-type: none"> (1) Soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both; and/or (2) A combination of farmers skilled in the production of specialty crops, and of capital investment in related facilities and services 	<p>Given that the Region does not contain specialty crop areas, this definition may not be required. If retained in the ROP, this definition should be updated as per the current PPS as per below:</p> <p>Specialty crop area: means areas designated using guidelines developed by the Province, as amended from time to time. In these areas, specialty crops are predominantly grown such as tender fruits (peaches, cherries, plums), grapes, other fruit crops, vegetable crops, greenhouse crops, and crops from agriculturally developed organic soil, usually resulting from:</p> <ol style="list-style-type: none"> a) Soils that have suitability to produce specialty crops, or lands that are subject to special climatic conditions, or a combination of both;

TABLE E - HALTON REGION OFFICIAL PLAN

Section No.	Policy	Commentary
	to produce, store, or process specialty crops.	<i>b) Farmers skilled in the production of specialty crops; and c) A long-term investment of capital in areas such as crops, drainage, infrastructure and related facilities and services to produce, store, or process specialty crops.</i>

3.0 REVIEW OF OTHER BACKGROUND DOCUMENTS

The purpose of this section of the report is to review a number of background reports and other documents to determine if they are relevant to the update for Halton Region Official Plan. The documents reviewed in this section are below:

- **Section 3.1** - GUIDELINES ON PERMITTED USES IN ONTARIO'S PRIME AGRICULTURAL AREAS (OMAFRA)
- **Section 3.2** - IMPLEMENTATION PROCEDURES FOR THE AGRICULTURAL SYSTEM IN ONTARIO'S GREATER GOLDEN HORSESHOE (OMAFRA)
- **Section 3.3** - REGIONAL AGRI-FOOD STRATEGIES FOR THE GREATER GOLDEN HORSESHOE (OMAFRA)
- **Section 3.4** - HALTON REGION RURAL AGRICULTURAL STRATEGY (Prepared for Halton Region)
- **Section 3.5** - REGIONAL OFFICIAL PLAN REVIEW - PHASE 1 DIRECTIONS REPORT (Prepared for Halton Region)
- **Section 3.6** - GOLDEN HORSESHOE AGRICULTURE AND AGRI-FOOD STRATEGY: FOOD AND FARMING, AN ACTION PLAN 2021 (Greater Toronto Area Agricultural Action Committee)
- **Section 3.7** - THE HALTON REGION AGRI-TOURISM ACTION PLAN (Ontario Culinary Tourism Alliance)
- **Section 3.8** - HALTON REGION RURAL ECONOMIC DEVELOPMENT REPORT (School Of Rural Environmental Design And Rural Development, University Of Guelph)
- **Section 3.9** - THE AGRICULTURAL SYSTEM: COMPONENTS, LINKAGES AND RATIONALE (Dr. Wayne Caldwell)
- **Section 3.10** - AGRICULTURE BY THE NUMBERS: UNDERSTANDING THE GREENBELT'S UNIQUE ADVANTAGES (The Friends of the Greenbelt)
- **Section 3.11** - CLIMATE CHANGE AND AGRICULTURE (OMAFRA)
- **Section 3.12** - FERTILE GROUND: GROWING THE COMPETITIVENESS OF ONTARIO'S AGRICULTURAL SECTOR (Ontario Chamber of Commerce)
- **Section 3.13** - GUIDE TO SUPPORT AGRICULTURAL GROWTH IN YOUR MUNICIPALITY (Ontario Federation of Agriculture)
- **Section 3.14** - 2016 CENSUS OF AGRICULTURE (OMAFRA COUNTY PROFILES COMPARING 2011 AND 2016) (OMAFRA) AGRICULTURE IN HALTON - SNAPSHOT
- **Section 3.15** - REGIONAL GUIDELINE - AGRICULTURAL IMPACT ASSESSMENT GUIDELINES (Halton Region)
- **Section 3.16** - DRAFT PROVINCIAL AGRICULTURAL IMPACT ASSESSMENT (AIA) GUIDANCE DOCUMENT (OMAFRA)
- **Section 3.17** - REGIONAL GUIDELINE – LIVESTOCK FACILITIES (Halton Region)
- **Section 3.18** - REGIONAL GUIDELINE – ON-FARM BUSINESSES (Halton Region)
- **Section 3.19** - REGIONAL GUIDELINE – ENVIRONMENTAL IMPACT ASSESSMENTS (Halton Region)
- **Section 3.20** - UNLEASHING THE GROWTH POTENTIAL OF KEY SECTORS (BARTON REPORT) (Advisory Council On Economic Growth)

3.1 GUIDELINES ON PERMITTED USES IN ONTARIO'S PRIME AGRICULTURAL AREAS (OMAFRA)

3.1.1 Purpose of Guidelines

In 2016, the Ontario Ministry of Agriculture Food and Rural Affairs (OMAFRA) published the Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas (OMAFRA Guidelines). The intent of the OMAFRA guidelines is described as follows:

The Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas will help municipalities; decision-makers, farmers and others interpret the policies in the Provincial Policy Statement, 2014 (PPS) on the uses that are permitted in prime agricultural areas. It comprises the provincial guidelines referred to in Policy 2.3.3.1 of the PPS.

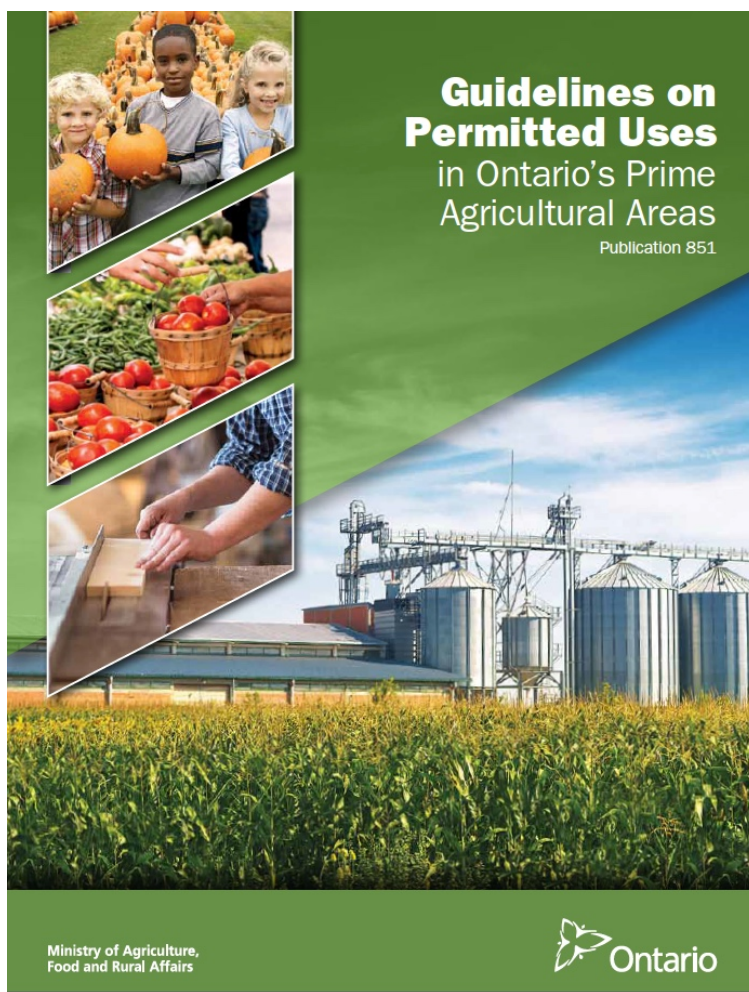
Section 1.1 of the OMAFRA Guidelines also states that:

These guidelines are meant to complement, be consistent with and explain the intent of the PPS policies and definitions. Where specific parameters are proposed, they represent best practices rather than specific standards that must be met in every case.

3.1.2 Subject of Guidelines

The OMAFRA Guidelines provide a detailed understanding of appropriate uses under the headings: agricultural, agricultural-related and on-farm diversified uses. A solid understanding of this content can assist municipalities in the development of new policies that are supportive of agricultural diversification. This material includes a series of photos that is quite helpful, in terms of understanding the specifics of this content.

It is noted that the OMAFRA Guidelines (page 4) indicate that: "While consistency with these guidelines is preferred, Policy 2.3.3.1 of the PPS allows municipalities to develop their own criteria for permitted uses in municipal planning documents as long as they achieve the same objectives as the Provincial guidelines. To do so, municipalities would need justification that ensures they are consistent with all PPS policies and criteria for the



permitted uses.” It is noted that notwithstanding the above, Section 5.3 of the Greenbelt Plan states that Official Plans cannot be more restrictive than the Greenbelt Plan as it relates to agricultural uses.

The PPS provides the following definitions for the uses that are the subject of the OMAFRA Guidelines:

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

Agriculture-related uses: means those farm-related commercial and farm-related industrial uses that are directly related to farm operations in the area, support agriculture, benefit from being in close proximity to farm operations, and provide direct products and/or services to farm operations as a primary activity.

Agri-tourism uses: means those farm-related tourism uses, including limited accommodation such as a bed and breakfast, that promote the enjoyment, education or activities related to the farm operation.

On-farm diversified uses: means uses that are secondary to the principal agricultural use of the property, and are limited in area. On-farm diversified uses include, but are not limited to, home occupations, home industries, agri-tourism uses, and uses that produce value-added agricultural products.

The table below from the OMAFRA Guidelines provides examples of the uses defined above.

Agricultural uses	Agriculture-related uses	On-farm diversified uses
<ul style="list-style-type: none"> • Cropland (all crops including biomass and sod); • Pastureland; • Feedlot; • Aquaculture; • Christmas trees and nurseries; • Barns, manure storages and other associated buildings and structures; • Grain dryers and feed storages (e.g., bunkers, silos or gravity bins for farm’s own use only); • Accommodation for full-time farm labour; • Cold storage (farm’s own use only); • Mushroom farm; • Washing, sorting, grading (farm’s own commodities only); • Farm implement/driveshed (farm’s own use only); • Greenhouse for growing plants; 	<ul style="list-style-type: none"> • Apple storage and distribution centre serving apple farm operations in the area; • Agricultural research centre; • Farmers’ market primarily selling products grown in the area; • Winery using grapes grown in the area; • Livestock assembly yard or stock yard serving farms operating in the area; • Processing of produce grown in the area (e.g., cider-making, cherry pitting, canning, quick-freezing, packing); • Abattoir processing and selling meat from animals raised in the area; • Grain dryer farm operations in the area; • Flour mill for grain grown in the area; 	<ul style="list-style-type: none"> • Value-added uses that could use feedstock from outside the surrounding agricultural area (e.g., processor, packager, winery, cheese factory, bakery, abattoir); • Home occupations (e.g., professional office, bookkeeper, land surveyor, art studio, hairdresser, massage therapist, daycare, veterinary clinic, kennel, classes or workshops); • Home industries (e.g., sawmill, welding or woodworking shop, manufacturing/ fabrication, equipment repair, seasonal storage of boats or trailers); • Agri-tourism and recreation uses (e.g., farm vacation suite, bed and breakfast, hay rides, petting zoo, farm-themed playground, horse trail rides,

<ul style="list-style-type: none"> • Minimum amount of processing to make a produce saleable (e.g., evaporating maple sap, extracting honey); • Horse farm (breeding, raising, boarding, maintaining, training) including stables and indoor or outdoor riding arena/tracks; • Tobacco kiln or smoke barn. 	<ul style="list-style-type: none"> • Farm equipment repair shop; • Auction for produce grown in the area; • Farm input supplier (e.g., feed, seeds, fertilizer (serving farm operations in the area. 	<ul style="list-style-type: none"> • corn maze, seasonal events, equine events, wine tasting, retreats, zip lines); • Retail uses (e.g., farm market, antique business, seed supplier, tack shop); • Café/small restaurant, cooking classes, food store (e.g., cheese, ice cream).
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3.1.2.1 Details on what is an Agricultural Use

The PPS 2014 and subsequent PPS 2020 does not make any distinctions between the types of crops that are grown to be an agricultural use, as long as whatever is produced is harvestable. All on-farm buildings and structures associated with the growing of a harvestable crop (such as a greenhouse) would also be a permitted use.

The OMAFRA Guidelines further indicate that agricultural uses include those activities most closely associated with agriculture. This includes production systems and infrastructure related to the production of crops and livestock. The OMAFRA Guidelines also differentiate value-retaining facilities from value-added facilities. Value-retaining facilities are located on farms to maintain the quality of commodities produced on the farm (such as grain drying or refrigeration or minimal processing, such as grading eggs). Value-retaining facilities are treated as agricultural uses or agriculture-related uses. Value-added facilities involve the processing of agricultural commodities into some higher value (for example bottling cider or cherry pitting). Value-added facilities are treated as agriculture-related uses or on-farm diversified uses.

3.1.2.2 Details on what is an Agricultural-Related Use

Agriculture-related uses consist of farm-related commercial and industrial uses. They provide essential services and add to the vitality and economic viability of agriculture. As noted within the OMAFRA Guidelines: *“They are directly related to and service farm operations in the area as a primary activity. These uses may be located on farms or on separate agriculture-related commercial or industrial properties.”* Farm-related commercial uses may include activities involving retail of agricultural-related products (farm co-ops or retailing value-added products for example) or they may include essential services such as livestock assembly yards or equipment repair shops. Farm-related industrial uses are also important and include the processing of farm commodities (e.g. abattoirs or feed mills) and essential industrial related services such as the storage and distribution of fertilizer. Examples of agriculture-related uses are shown on the next page:

For a use to be considered as an agriculture-related use, it must be a farm related commercial use and/or a farm related industrial use that satisfies all of the criteria below:

- Is directly related to farm operations in the area;
- Supports agriculture;
- Benefits from being in close proximity to farm operations; and
- Provides direct products and/or services to farm operations as a primary activity.



Value-added uses that could use feedstock from outside the surrounding agricultural area (e.g., processor, packager, winery, cheese factory, bakery, abattoir)



Home occupations (e.g., professional office, bookkeeper, land surveyor, art studio, hairdresser, massage therapist, daycare, veterinary clinic, kennel, classes or workshops)*



Home Industries (e.g., sawmill, welding or woodworking shop, manufacturing/fabrication, equipment repair, seasonal storage of boats or trailers)



Agri-tourism and recreation uses (e.g., farm vacation suite, bed and breakfast, hay rides, petting zoo, farm-themed playground, horse trail rides, corn maze, seasonal events, equine events, wine tasting, retreats, zip lines)*



Retail uses (e.g., farm market, antique business, seed supplier, tack shop)*



Café/small restaurant, cooking classes, food store (e.g., cheese, ice cream)*

Section 2.2 of the OMAFRA Guidelines indicates that agriculture-related uses may be located on farms or on separate agriculture-related commercial or industrial properties. Previously, the PPS 2005 restricted agriculture-related uses to the property it supports or serves.

With respect to farm-related commercial uses, Section 2.2.1.1 of the OMAFRA Guidelines specify the following:

Farm-related commercial uses may include uses such as retailing of agriculture-related products (e.g. farm supply co-ops, farmers' markets and retailers of value-added products like wine or cider made from produce grown in the area), livestock assembly yards and farm equipment repair shops if they meet all the criteria for the category of agriculture-related use.

It is noted that the 'criteria' referenced above is from Table 1 of the OMAFRA Guidelines and are similar to the four parts of the definition of agriculture-related use in the PPS 2014.

In this regard, the **first criterion** to consider is whether the farm-related commercial and/or farm-related industrial use is directly related to farm operations in the area.

Section 2.2.1.3 of the OMAFRA Guidelines provide some guidance on what this means:

Agriculture-related uses must be directly related to farms in the area, primarily providing products or services that are associated with, required by or that enhance agricultural operations in the area. Directly related to means that the use should reflect the type of agricultural production in the area.

Again there are three parts to the above, which means that for a use to be an agriculture-related use in this context and to satisfy this criterion, it must be directly related to farms in the area and primarily provide products or services that are:

- Associated with agricultural operations in the area; or
- Required by agricultural operations in the area; or
- Enhance agricultural operations in the area.

It is then further indicated that the agriculture-related use should reflect the type of agricultural production in the area. The PPS 2014 and the OMAFRA Guidelines use the words 'in the area'.

The **second criterion** to consider is whether the farm related commercial use and/or a farm related industrial use supports agriculture. This criterion does not seem to have any qualification according to the OMAFRA Guidelines.

The **third criterion** to consider is whether the farm related commercial use and/or a farm related industrial use benefits from being in close proximity to farm operations.

Section 2.2.1.6 of the OMAFRA Guidelines state the following:

To meet this criterion, agriculture-related uses must benefit from or need to be located near the farm operations they serve.

Processing at the cultivation site is a more sustainable practice as going from crop to finished product on the same site limits transportation needs and reduces waste. This practice would also be economically beneficial for the cultivator, who would then sell directly to the dispenser.

The **fourth criterion** to consider is whether the farm related commercial use and/or a farm related industrial use provides direct products and/or services to farm operations as a primary activity.

Section 2.2.1.5 of the OMAFRA Guidelines indicate the following:

Direct products and/or services refers to uses that serve an agricultural need or create an opportunity for agriculture at any stage of the supply chain (e.g., value-added food and beverage processing and distribution or retail of agricultural commodities grown in the area).

3.1.2.3 Details on what is an On-Farm Diversified Use

On-farm diversified uses are secondary to the principal agricultural use on the property. They include activities that are often common on farms but may have a lesser agricultural connection. Equipment repair or welding are examples of services that some farmers have provided for many years. These activities have been expanded

to include other processing, or home-based business or industry that contributes to the rural and agricultural community.

In this regard, the OMAFRA Guidelines state the following:

A wide variety of uses may qualify as on-farm diversified uses based on the PPS definition, as long as they meet the criteria described below. On-farm diversified uses should be related to agriculture, supportive of agriculture or able to co-exist with agriculture without conflict. On-farm diversified uses are intended to enable farm operators to diversify and supplement their farm income, as well as to accommodate value-added and agri-tourism uses in prime agricultural areas.

With respect to the PPS and the OMAFRA Guidelines, there are five criteria that need to be met for a use to be an on-farm diversified use. The **first criterion** is that the on-farm diversified use must be on a farm.

The above means that an on-farm diversified use cannot be the primary use of the property and that the farm property is actively in agricultural use. In this regard, the OMAFRA Guidelines state that this permission could not apply to small residential lots. To determine whether a property is actively farmed, the following is suggested in the OMAFRA Guidelines:

The planning authority may require evidence that the property is actively farmed. For example, proof may be required that shows the property qualifies for the Farm Property Class under the Assessment Act, 1990.

The **second criterion** is that the on-farm diversified use must be secondary to the principal agricultural use of the property (which means the lands are used as a farm). The OMAFRA Guidelines deal explicitly with what is a secondary use on a farm property. In addition to indicating the agricultural uses must remain the dominant use of the property, it is further indicated that this is to be measured in spatial and temporal terms. With respect to spatially, the OMAFRA Guidelines indicate that the use must be secondary relative to the agricultural use of the property and that the spatial limits are addressed later under the 'limited in area' criterion. With respect to the temporal considerations, this is to be considered if the use is temporary or intermittent, such as events. In this regard, the following is indicated for such events:

Must be compatible with surrounding agricultural operations, the frequency and timing of any events must not interfere with cropping cycles or other agricultural uses on the farm or in the surrounding area.

The OMAFRA Guidelines then go into some detail about temporary uses such as events and suggest that if all of the identified criteria are met these temporary events could be accommodated through a temporary use zoning by-law.

The OMAFRA Guidelines also indicate that large-scale, repeated or permanent events are not on-farm diversified uses and should be directed to existing facilities such as fairgrounds, parks, community centres and halls, settlement areas or rural lands. It is noted that such events are not considered to be on-farm diversified uses if they are large-scale, repeated or permanent events.

The **third criterion** deals with 'limited in area'. The OMAFRA Guidelines indicate that this criterion is intended to minimize the amount of land taken out of agricultural production, to ensure that agriculture remains the main

land use in prime agricultural areas and to limit off-site impacts to ensure compatibility with surrounding agriculture operations.

In this regard a number of approaches are identified to achieve these objectives such as by limiting the number or place of residence of employees, number of businesses, percentage of products sold that are produced on the farm or floor areas of buildings and outdoor storage. However, while there may be merit in considering some or all of these approaches, the OMAFRA Guidelines indicate that the preferred approach is to base 'limited in area' on the total footprint of the uses on a lot coverage ratio basis. The following is then indicated in the OMAFRA Guidelines:

The “limited in area” requirement should be based on the total land area that is unavailable for agricultural production as a result of the on-farm diversified use (i.e., the footprint occupied by the use, expressed as a percentage of lot coverage). The area calculation should account for all aspects related to an on-farm diversified use such as buildings, outdoor storage, landscaped areas, berms, well and septic systems, parking and new access roads. The lot coverage ratio should be based on the size of the individual parcel of land where the use is located, not the total area of a farm operation which could include several parcels. The rationale for using a lot coverage ratio is built on the premise that a large property is generally able to accommodate a larger on-farm diversified use than a small property while meeting compatibility requirements.

Where available, uses should be within existing agricultural buildings or structures no longer needed to support agricultural production. Reusing existing buildings or structures can help to:

- ***Reduce the amount of farmland consumed;***
- ***Maintain the agricultural/rural character of the area;***
- ***Ensure existing buildings are kept in good repair or improved.***

The following is then indicated on how 'limited in area' is calculated:

These guidelines recommend that “limited in area” be relative to the size of the farm property on which the on-farm diversified use is located. The size of the entire farm property, including land subject to an easement, and not just the portion of a farm that is in agricultural use, should be considered. For example, a use occupying 1 ha on a 50 ha farm may be “limited in area,” while a 1 ha use on a 15 ha farm may not be. These guidelines recommend that the standard for the acceptable area occupied by an on-farm diversified use is up to 2% of a farm parcel to a maximum of 1 ha (10,000 m²). The examples of on-farm diversified uses in Appendix 2 show the variety of uses that could be placed on different-sized parcels of land, while staying within the recommended maximum lot coverage of 2%.

In the case of on-farm diversified uses that are intermittent, such as events, “limited in area” may mean an area greater than the general recommendations above (Section 2.3.1.1). When calculating the area for agri-tourism uses such as wagon rides or corn mazes, lands producing a harvestable crop are agricultural uses that are not included in area calculations. However, areas such as playgrounds and loading areas for hayrides should be included.

It is then suggested in the OMAFRA Guidelines that floor space caps also be considered, based on a lot coverage or maximum building size.

The **fourth criterion** is that the on-farm diversified use includes, but is not limited to home occupations, home industries, agri-tourism uses and uses that provide value-added agricultural products. It is noted that other uses could be considered by virtue of the inclusion of the word 'includes'.

The **fifth and last criterion** is that the on-farm diversified use shall be compatible with and shall not hinder surrounding agricultural operations. Issues related to compatibility with surrounding agricultural operations include: noise and trespass issues, as well as traffic associated with the use. Limiting the time of year and time of operation during that period of time may effectively mitigate some of those impacts. Consideration would also need to be given to the timing of agricultural operations occurring in the area. For example, an on-farm diversified use should not preclude the neighbouring farm from spraying fruit, spreading fertilizer or operating heavy equipment during harvest season.

3.1.3 Implications on Official Plan Review

The OMAFRA Guidelines will be a key document to consider when updating the ROP.

With respect to **agriculture-related uses**, the ROP does not specifically permit agriculture-related uses. However, Section 100(21) d) permits the following:

Small-scale businesses that provide supplementary income to the farming operation provided that:

- ***Such uses are permitted by specific Local Official Plan policies and Local Zoning By-laws;***
- ***Their scale is minor and does not change the appearance of the farming operation;***
- ***Their impact such as noise, odour and traffic on surrounding land uses is minimal and will not hinder surrounding agricultural uses; and***
- ***They meet all Regional criteria as stated in the On-Farm Business Guidelines adopted by Council.***

To assist with the interpretation and implementation of the ROP, the Region has developed On Farm Business Guidelines - Regional Official Plan Guidelines (2014). In the words of the Region:

This On-Farm Business Guideline provides clarification on the types of uses that may be considered as on-farm businesses under Section 100(21) d) [iv] of the Regional Official Plan. It explains the criteria that may be used in developing local Official Plan policies, Zoning By-laws, guidelines or informational brochures to identify best practices in the lot siting and scale of on-farm businesses.

Section 2.3 of the Guidelines identified four categories of on-farm businesses:

- Agricultural;
- Agriculture - related;
- Secondary; and,
- Horticultural trade uses.

As a consequence of the above, while the ROP does not specifically permit agriculture-related uses, the Guidelines prepared by the Region appear to permit them as small-scale businesses.

Section 2.5.1 of the Guidelines further identify examples of agriculture-related uses as per below:

Agricultural-Related Uses: On-Farm Businesses “are small scale on-farm uses that are related to the on-site commercial farm operation and benefit from being in close proximity to it. These uses may also service the agricultural community at large.” Specific examples (as part of a commercial farm) are provided and include (but are not limited to) the following:

- ***Retail uses (sale of farm product);***
- ***Agriculture-related tourism uses (tours, mazes, farm vacations, educational tours, agricultural festivals, socials; or equine shows);***
- ***Agriculture-related home industries (blacksmith shops, metal working shop); and,***
- ***Small scale agriculture-related businesses (equine training, processing).***

It is acknowledged that some of the above uses could be considered on-farm diversified uses.

With respect to **on-farm diversified uses**, the ROP already permits these types of uses. However, the OMAFRA Guidelines contain a number of criteria that need to be considered for inclusion in the ROP and/or the local Official Plans. Many of these criteria are subjective.

In terms of moving forward, it is recommended that the updated ROP contain as expansive a list of permitted uses as possible to implement the spirit of the updated PPS, which is to encourage a range of uses to support the long term use of land for agricultural purposes.

3.2 IMPLEMENTATION PROCEDURES FOR THE AGRICULTURAL SYSTEM IN ONTARIO’S GREATER GOLDEN HORSESHOE

3.2.1 Purpose of Report

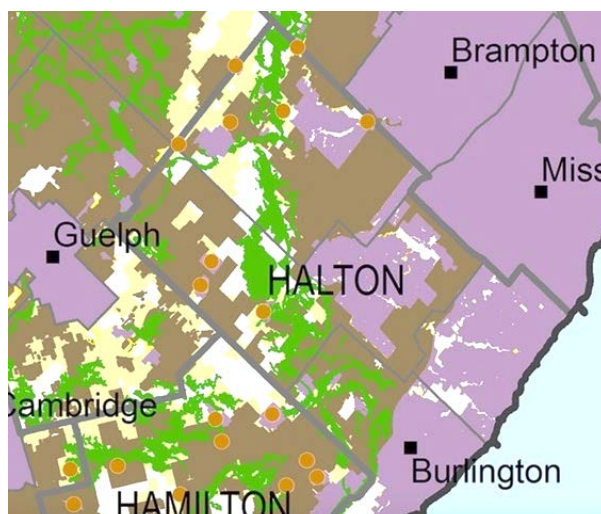
In February 2018, the Ministry of Agriculture Food and Rural Affairs (OMAFRA) introduced the implementation procedures for the Agricultural System in Ontario’s Greater Golden Horseshoe (GGH). The Implementation Procedures for the Agricultural System in Ontario’s Greater Golden Horseshoe was updated in 2020. This document explains the Provincial Agricultural System approach and describes the agricultural land base and the agri-food network available through OMAFRA’s web-based Agricultural System Portal. It provides implementation procedures for the Agricultural System to guide municipal refinement of the agricultural land base map and the integration of land use planning and economic development to achieve Agricultural System objectives.

3.2.2 Subject of Report

This document explains:

- The Agricultural System concept, including its purpose and desired outcomes;

- OMAFRA’s approach to identifying the agricultural land base for the GGH and the process for municipal refinements;
- The role of the agri-food network in the Agricultural System; and,
- How municipalities and others can support a thriving agri-food sector through integrated land use planning and economic development.



While there are some market advantages that come with the concentration of the agri-food sector in a densely populated area, pressure to fragment and convert the prime agricultural area to non-agricultural uses is strong and ongoing.

The following is indicated in the implementation procedures on the evolution of the Agricultural System:

Agriculture and food are shaped by a complex web of relationships between people and the land. This web of relationships is a ‘system’ or a group of interconnected elements (Caldwell, 2015). Agricultural systems and natural systems are dependent on and influence the climate, soil, air, biodiversity and water. Agricultural systems also depend on people who operate farms and agri-food businesses, provide services in rural communities, and undertake land use planning, infrastructure planning and economic development. The Agricultural System protects prime agricultural areas and those rural lands that are within the agricultural land base. In some areas, there is overlap between the Agricultural System and the Natural Heritage System; therefore, there may be some traditional Indigenous foods grown in the area mapped for the Agricultural System.

The desired outcomes of the Agricultural System approach are:

- Active planning for agriculture and rural economic development based on reliable mapping, data and tools.
- Improved viability of agriculture and growth of the agri-food sector.
- Better protection of the agricultural land base.
- Increased land use planning consistency and certainty across municipalities.
- Reinforcement of the synergies between agricultural, natural heritage and water systems, as outlined in provincial policy.
- Collaboration between the Province, municipalities, farmers and businesses with a common interest in a strong agri-food sector.

The Agricultural System approach differs from conventional land use planning approaches for agriculture in Ontario in a few key ways:

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1. It aims for continuity of protection of prime agricultural areas across the GGH using common nomenclature for land use designations.
 2. It recognizes the important role of rural lands in agriculture and supporting elements of the agri-food network.
 3. It reinforces the need to integrate agricultural viability considerations with farmland protection.
 4. It recognizes overlaps and synergies between agriculture and natural heritage.

The 2020 version states “The Agricultural System approach also links to provincial initiatives related to environmental protection, climate change adaptation and mitigation, soil health and water quality to meet societal, economic and environmental needs.

Consistent mapping of the agricultural land base and use of common nomenclature are needed to:

- Ensure provincial agricultural resources are consistently protected for long-term agricultural use across municipal boundaries.
- Provide a strong basis for prime agricultural area and rural lands designations, policies and planning decisions which impact agriculture.
- Direct non-agricultural uses away from prime agricultural areas wherever possible.
- Set a consistent approach across municipalities and land use plans to farmland protection, avoidance of conflicting uses, permitted uses, and implementation of other measures to enhance agricultural viability

Provincial agricultural resources may be included in Prime Agricultural Areas, on rural lands or in settlement areas.

Network elements of the agri-food network include:

- Infrastructure used by the agri-food sector such as:
 - Transportation infrastructure (e.g., roads, rails, ports, airfreight airports)
 - Drainage and irrigation systems
 - High speed, broadband internet
 - Natural gas and electrical utilities
- Regional agri-food assets and services including:
 - Food and beverage primary processors (e.g., dairies, cheese plants, wineries, cideries, canners, biomass processors)
 - Grain elevators
 - Refrigerated warehousing and storage

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- Livestock assets (e.g., auctions, meat plants, abattoirs)
 - Agricultural research facilities
 - Fresh produce terminals, food hubs, distributors, wholesalers, markets
 - Agricultural inputs and services such as:
 - Mechanical services
 - Equipment dealerships
 - Feed mills
 - Seed, fertilizer and feed suppliers
 - Grading, packing and distribution facilities
 - Custom operators
 - Large animal veterinarians
 - Crop and nutrient management consultants
 - Agricultural operations
 - On-farm buildings/structures and infrastructure including:
 - Barns
 - Feed Storage
 - Aquaculture facilities
 - Manure storage
 - Climate-controlled growing and storage facilities
 - On-farm biogas facilities
 - Accommodations for full-time farm labour when the size and nature of the operation requires additional employment
 - Vibrant, agriculture-supportive communities

The Effect of the Implementation Procedures and Provincial Planning Context

“A Place to Grow” addresses growth management; and both “A Place to Grow” and the “Greenbelt Plan” contain policies on protecting the Agricultural System and Natural Heritage System. The two plans have similar policies that relate to agriculture and the Agricultural System by:

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- Specifying that the provincially-identified agricultural land base comprised of prime agricultural areas, including specialty crop areas and rural lands, as well as a complementary agri-food network that supports long-term agricultural production and the economic viability of the agri-food sector.
 - Allowing for mapping refinements. However, the plans differ on when provincial mapping applies, as discussed in the implementation procedures.
 - Requiring municipalities to designate prime agricultural areas, including specialty crop areas, in accordance with mapping and implementation procedures issues by the Province, and protect these areas for long-term use for agriculture.
 - Requiring municipalities to maintain and enhance the functional and economic connections to the agri-food network. Unlike prime agricultural areas, the agri-food network is not a land use designation within an official plan.
 - Indicating in “A Place to Grow” that upper- and single-tier municipalities, in advance of or as part of their municipal comprehensive review may consider a settlement boundary expansion if certain conditions are met. Prime agricultural areas are to be avoided as possible through the evaluation of alternatives across the upper- and single tier- municipality based on avoiding, minimizing and mitigating impacts on the Agricultural System (A Place to Grow, policy 2.2.8.3 f) Adverse impacts on the agri-food network, including agricultural operations, from expanding settlement areas are to be avoided or if avoidance is not possible minimized or mitigated as determined through an Agricultural Impact Assessment (AIA) (A Place to Grow, policy 2.2.8.3 h).
 - Requiring AIAs or equivalent analysis as part of an environmental assessment for infrastructure projects (e.g. planned corridors) that cross prime agricultural areas to avoid or, if avoidance is not possible, minimize and mitigate impacts to the extent feasible.
 - Requiring applications for new mineral aggregate operations within prime agricultural areas to be supported by an AIA and where possible to maintain or improve connectivity of the Agricultural System.
 - Requiring that land use compatibility be achieved in particular in areas where agricultural uses and on-agricultural uses interface. Mitigation measures should be incorporated within the area being developed. Where appropriate, this should be based on an AIA.
 - Permitting a variety of uses in prime agricultural (agricultural, agriculture-related and on-farm diversified uses), aligned with the PPS and the Guidelines on Permitted Uses in Prime Agricultural Areas (OMAFRA, 2016).
 - Requiring municipalities to implement strategies to support and enhance the Agricultural System when undertaking integrated planning for growth management, including goods movement and transportation planning.

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- Encouraging municipalities to support the long-term economic prosperity and viability of the agri-food sector, for example, through:
 - Local food initiatives (e.g., food hubs)
 - Integration of agricultural economic development, infrastructure, goods movement and freight considerations with land use planning
 - Preparing regional agri-food and economic development strategies
 - Engaging with local farmers and agri-food experts (e.g. through agricultural advisory committees and liaison officers and providing outreach and education opportunities.

Part B of the implementation procedures provides an overview of the Agricultural System in Ontario and the history behind the provincial identification of the Agricultural System. Section 3 primarily focuses on the implementation of Agricultural System policies through Official Plans and other processes and strategies. In this regard, the Province expects that there will be a consistent designation of prime agricultural areas across all municipalities and recognition that rural lands may be part of the agricultural land base.

It is recognized in the implementation procedures that municipalities do not have the ability to fully address the challenges farmers face in local and global markets. However, municipalities do have the ability and the tools to protect land for agricultural purposes.

The implementation procedures indicate that the Provincially mapped Agricultural System includes a continuous productive land base comprised of prime agricultural areas including specialty crop areas, rural lands as well as a complementary agri-food network that together create a viable thriving agricultural sector.

Upper and single-tier municipalities may comprehensively incorporate the Provincial mapping without refinements either before or during a municipal comprehensive review. However, the implementation procedures indicate that should an upper or single tier municipality propose to refine or augment the prime agricultural areas map prepared by the Province, this can only occur during the municipal comprehensive review.

The following is further indicated:

During municipal comprehensive review, municipalities need to analyze differences between their existing official plan schedules and OMAFRA's agricultural land base map and work with OMAFRA to ensure consistent identification, mapping and protection based on the Agricultural System mapping method, purpose, outcomes and the refinement circumstances described in these implementation procedures. In many municipalities, existing designated prime agricultural areas align well with the provincial agricultural land base map. In these cases, only minor changes may be needed to municipally designated prime agricultural areas, including the possible addition of candidate areas for the agricultural land base (Section 3.2.1.2). In most cases, changes will be required to existing designated prime agricultural areas to address cross-boundary discrepancies with neighbouring municipalities and provide for continuity across municipalities. In some municipalities, existing designated prime agricultural

areas may require more substantial changes to achieve consistency with Agricultural System mapping principles, purpose and outcomes. Recognition of rural lands that are part of the agricultural land base will also be important (Section 3.2.1.3).

The remainder of this section then goes through the various scenarios that may be considered through such a refinement process. In addition, there is also a discussion about adding candidate areas identified by the Province to prime agricultural areas or to rural lands. There is also reference to the refinements that may be related to natural heritage features and areas. In this regard it is recognized that the Growth Plan and Greenbelt Plan both require the natural heritage system to be mapped as an overlay outside of settlement areas.

There is also a discussion about lands within the water resource system and lands that are subject to the Niagara Escarpment Plan. The implementation procedures also recognize that there may be existing and future site-specific designations that currently apply or will apply in Official Plans and that these need to be considered when refining the Provincial mapping.

The implementation procedures then make recommendations on the use of words in terms of what designations are created in Official Plans and as it relates to Halton Region it is suggested that there be a prime agricultural area designation and a rural lands designation. There is also a considerable amount of detail on the nature of the Official Plan policies that are required.

3.2.3 Implications on Official Plan Review

3.2.3.1 Mapping

The implementation procedures have a significant impact on what lands should be designated as a prime agricultural area in the Region. This is because there are significant differences between the Provincial mapping and the current Regional mapping on the location of prime agricultural areas. Some of these differences are as a result of the location of natural heritage features and areas and the presence of mineral aggregate operations, some of which were not recognized in the Provincial mapping. However, the mapping differences appear to be more a function of the different methodologies used. In this regard, Section 4.2 of the implementation procedures describes OMAFRA's Land Evaluation Area Review (LEAR) for the Greater Golden Horseshoe, which is the basis for mapping the Provincial Agricultural System. For the GGH LEAR, OMAFRA assigned 60% of the LEAR score to Land Evaluation (LE factors) and 40% to Area Review (AR) factors. The two AR factors used were the fragmentation of the land base and area in agricultural production.

Halton Region undertook a LEAR study as part of Sustainable Halton "An Agricultural Evaluation", with the result of that work being the mapping that exists in the Regional Official Plan. Consultants worked with Halton Regional staff, OMAFRA and Ministry of Municipal Affairs and Housing (MMAH) to integrate findings. As well, the Halton Agricultural Advisory Committee was consulted throughout the process. In contrast, Halton Region's LEAR assigned a value of 65% to the LE and 35% to the AR factors. Since weighting of LE versus AR were different as well as the number and type of AR factors, there are significant differences between the Provincial and Halton Region's mapping. The AR factors considered in Halton Region's LEAR included:

- Property fabric;

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- Farm infrastructure; and
 - Conflicting land uses.

A detailed discussion of the differences is included in this Technical Background Report.

Additional Prime Agricultural Areas have been identified by the Province for review in updating Regional mapping. Candidate areas which can be designated as Prime Agricultural Areas or “rural” also require review for possible inclusion.

3.2.3.2 Policy

Section 3.2.3 of the implementation procedures contains an extensive list of Official Plan policy areas that will need to be considered as part of the ROP update. In this regard, the implementation procedures state the following:

Official plan policies are needed to address the following, in conformity with the applicable provincial land use plans and being consistent with the PPS:

- ***Protection of prime agricultural areas, including specialty crop areas, for long-term use in agriculture. Firm prime agricultural area boundaries provide certainty for farmers and the future of farmland in a region where development pressures are intense and expected to rise.***
- ***The agricultural land base, including the need to maintain and improve its continuity and acknowledge the important role of rural lands in the Agricultural System. This is partially achieved by identifying the agricultural land base, but also through policies on avoidance of non-agricultural uses in prime agricultural areas. By avoiding, or minimizing and mitigating impacts to prime agricultural areas in the agricultural land base, planning authorities can maintain and improve the continuity of the agricultural land base.***
- ***Permitted uses in prime agricultural areas and rural lands, consistent with the PPS and OMAFRA’s Guidelines on Permitted Uses in Ontario’s Prime Agricultural Areas.***
- ***Identifying when AIAs are required and what needs to be considered and consistent with provincial guidance on AIAs.***
- ***Where settlement area boundary expansions are being considered as part of a municipal comprehensive review, priority for expansion should be given to land outside of prime agricultural areas¹⁹. Settlement area expansions are prohibited in specialty crop areas.***
- ***Strengthening the functional and economic connections between elements of the Agricultural System in the GGH and the broader agricultural system of southern Ontario.***
- ***The commitment to implement strategies to sustain and enhance the Agricultural System and the long-term prosperity and viability of the agri-food sector.***
- ***The Natural Heritage System mapping using the overlay approach over the agricultural land base.***
- ***Mapping and designations of key natural heritage features in the Natural Heritage System and key natural heritage features within and beyond the Natural Heritage System to provide for the long-term protection of features and functions.***

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- *The water resource systems mapping and designations to provide for the long-term protection of key hydrologic features and key hydrologic areas and their functions.*
 - *The land use schedule in the official plan that designates prime agricultural areas, and policy describing rural lands within the agricultural land base, aligned with these implementation procedures.*
 - *A reference to an appendix in the official plan, mapping in OMAFRA's Agricultural System Portal or another approved source showing assets listed in section 2.2.1, which identifies (by listing and/or mapping) the critical assets, infrastructure and services in the agri-food network. Other maps and lists of the agri-food network may also be useful for economic development purposes, either in the official plan or an accompanying economic development strategy.*
 - *In addition to policies pertaining to the Agricultural System, policies on lot creation, minimum distance separation and permitted uses are needed.*
 - *Policies that recognize that limited existing, non-agricultural uses remain within the prime agricultural area. The policies should clarify that the limited non-agricultural uses are within the prime agricultural area, and that agricultural uses may continue. Conversion or expansion of the use beyond the current designated boundary is subject to the policies of PPS section 2.3.6 with possible AIA requirements as per the provincial plans, possible minimum distance separation requirements, agriculture-related and on-farm diversified uses are permitted, and lot creation is restricted as per the prime agricultural area policies of the PPS and provincial plans.*

3.3 REGIONAL AGRI-FOOD STRATEGIES FOR THE GREATER GOLDEN HORSESHOE

3.3.1 Purpose of Report

To provide options, including possible models or mechanisms, on how agriculture and food sector Regional Agri-Food Growth Strategies (RAFSs) could be established and implemented in the Greater Golden Horseshoe (GGH). The report was prepared by Planscape Inc. for the Ontario Ministry of Agriculture, Food and Rural Affairs in September 2015.

A further purpose of the report was to examine the potential value of and need for RAFSs in the GGH, with a view to determining whether they could assist in achieving the following:

- Strengthen the protection of the agricultural land base within the GGH.
- Integrate land use planning with infrastructure and economic development considerations.
- Leverage, support and complement municipal and stakeholder initiatives that support the agriculture and food sector.
- Provide greater economic support for the agriculture and food sector to ensure its long-term sustainability.
- Capitalize on emerging trends in and opportunities for the agriculture and food sector, (e.g. leverage local competitive advantages and support local food initiatives).

3.3.2 Subject of Report

This report reviews aspects of the agricultural system and includes chapters on the Current Policy Framework, The Agri-Food Sector (Issues and Trends), Managing Agri-food resources, Solutions, and, Findings and Recommendations. A number of jurisdictions were reviewed, including Western Australia, Oregon, Wisconsin and Pennsylvania as well as Quebec, Nova Scotia, British Columbia and Ontario.

3.3.3 Implications on Official Plan Review

The report includes 16 key findings. These have been edited to include those that may impact the Official Plan process. To strengthen support for agriculture in the GGH, the following findings were made:

- Clear delineation of an Agricultural System, anchored by the Permanent Agricultural Land Base (PALB), is the preferred approach to provide long-term stability.
- The Agricultural System's land base must be contiguous and incorporate all elements, including buffers and linkages, required to protect the system's integrity. Buffers and linkages can include critical infrastructure (roads, bridges, irrigation systems) and service areas (supply and feed centres, food hubs).
- There is a need for an expanded focus on managing the Agricultural System in the GGH or it will continue to contract.
- The starting point for a PALB should be in existing designated Specialty Crop Areas, the Protected Countryside in the Greenbelt Plan, and Prime Agricultural Areas as identified and/or designated in municipal Official Plans, with additional guidance provided by the Province. There should be an additional "significant crop area" designation to capture forms of agricultural production that may not fit traditional criteria. The system should then be linked and supported with buffers and other "edge planning" techniques that protect the PALB, and settlements to accommodate supportive uses.
- In delineating the PALB, the integral relationship with the GGH's natural heritage systems must be addressed since much of these natural heritage systems are located on land owned and/or managed by farmers.
- Permitting land-extensive, non-agricultural uses (e.g. cemeteries, land-extensive recreational facilities) is not appropriate in the PALB.
- Several recommendations are included related to agri-food strategies (a strategy for combining land use planning with economic development to deliver programs that will protect the Permanent Agricultural Land Base, create the circumstances required for agriculture to be sustainable and link primary production and the larger agricultural system).

The report further indicates that municipalities are integral to the Ontario planning system and must have a continued role in establishing, managing and monitoring the status of the GGH Agricultural System, including the implementation of Regional Agri-Food Strategies.

With respect to the establishment of a PALB, the basis for the recommendations made is understood; however there is no policy basis for establishing a 'permanent' agricultural area in the 2014 PPS. This is because Section 1.1.3.8 of the PPS permits the expansion of urban areas into prime agricultural areas, subject to criteria, which means that prime agricultural areas could be considered when undertaking a Municipal Comprehensive Review in accordance with the Growth Plan. It is also noted that Section 2.2.8.3 h) of the Growth Plan also permits the

consideration of urban expansion into prime agricultural areas as well, while indicating that these areas should be avoided where possible.

At the present time, all of the Region's urban areas outside of the Greenbelt Plan area abut lands that are within the prime agricultural area, which means that the expansion of urban areas into prime agricultural areas will always need to be an option to consider when the Region is required to plan for the additional population and employment growth that is mandated by the Province. As a consequence, while the boundaries of the prime agricultural area designation can be fixed within the ROP, the boundaries can be re-considered when the Region initiates a Municipal Comprehensive Review ('MCR').

Notwithstanding the above, the Region can decide through the current MCR process that the expansion of the urban area is not warranted at this time, because mandated population and employment growth can be accommodated within the current urban boundary as intensification or within existing designated Greenfield areas. If this were to occur, the spatial extent of the prime agricultural area would be fixed until the next MCR.

3.4 HALTON REGION RURAL AGRICULTURAL STRATEGY (RAS)

3.4.1 Purpose of Report

The Rural Agricultural Strategy (RAS) Background Report was prepared for the Region as part of the Halton Region Strategic Action Plan 2015-2018. Planscape Inc. prepared the report, in collaboration with TCI Management Consultants, Queens School of Business and Halton Region in April 2016.

The purpose of the document is to ensure the health of the agricultural sector in Halton remains vibrant and continues to contribute to the well-being and quality of life for Halton residents. The RAS is intended to strengthen and ensure the long-term viability of the agricultural and rural sectors in Halton.

3.4.2 Subject of Report

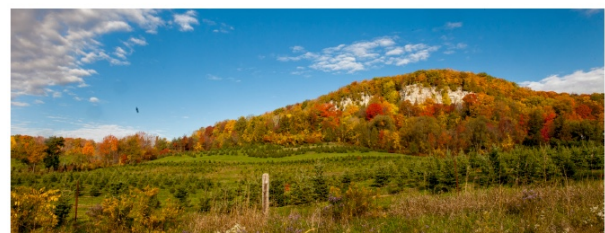
The RAS provides an excellent overview of agriculture in Halton Region at the time that the report was completed. In its conclusion, the report identifies a number of actions that could be implemented to support the agricultural and rural economy in the Region and these are below:

1. Build on the Regional initiative to establish a permanent Regional agricultural system comprised of the essential components to support ongoing rural prosperity.
2. Provide the necessary infrastructure to support agricultural and rural businesses.

Attachment # 2 to LPS93-16

Halton Region Rural Agricultural Strategy

Background Report



Final – April 2016



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3. Continue to encourage appropriate value-added businesses that respect the balance between primary production and accessory or secondary activities.
 4. Strengthen the links between primary production and access to market by establishing an efficient local food distribution system.
 5. Investigate the possibility of establishing a food hub in the Region.
 6. Support farm succession that addresses intergenerational transfer and provides opportunities for new operators.
 7. Deliver integrated public health and education programs focused on agri-food and targeted to the client.
 8. Integrate the recommendation of the 2013 Regional agri-tourism strategy in the RAS.
 9. Encourage urban agriculture by making public land available for agri-food production.
 10. Develop hamlets and rural clusters as agri-food service hubs.
 11. Create partnerships to establish business incubators focused on agri-food businesses.

The long-term vision contained in the RAS includes:

- A diversified prosperous agricultural sector that has on-farm business, value added and retention opportunities and the support services necessary to service and grow this important sector;
- Non-agricultural uses in rural hamlets and clusters that complement and support a sustainable agricultural sector and the rural economy; and,
- Cottage industries, home industries and home occupations that complement and support a vibrant and growing agricultural sector.

3.4.3 Implications on Official Plan Review

While many of these economic development related initiatives identified in the RAS do not have a direct impact on Official Plan policy, the policies should be reviewed to ensure that wherever possible, the strategic initiatives identified by the RAS are encouraged and not encumbered.

With respect to the establishment of a permanent Regional agricultural system as per recommendation #1 above, there is no Provincial policy basis for establishing a permanent system, as set out in Section 3.3.3 of this Discussion Paper. However, the Region will continue to identify prime agricultural areas and protect them from development, which is required by Provincial policy.

There are a few other recommendations in the RAS that should be considered as part of the update to the Regional Official Plan, and these are below:

- A1.3 - Develop guidelines addressing edge planning and the interface and need for buffers between urban areas and the agricultural system.
- A1.4 - Update the Regional Guidelines addressing agriculture related uses and on farm businesses to incorporate the 2014 Provincial Policy Statement, provincial guidelines and updated Official Plan policies.
- C2.1 - Identify emerging opportunities for production and ensure that the Regional regulatory framework is sufficiently flexible to allow those opportunities to be captured.
- D1.2 - Develop best management guidelines to assist in planning for a successful agricultural system.

It is noted that above recommendations primarily apply to the preparation of or the updating of Regional guidelines and the carrying out of other Regional economic development initiatives.

3.5 REGIONAL OFFICIAL PLAN REVIEW - PHASE 1 DIRECTIONS REPORT

3.5.1 Purpose of Report

Provides a high level commentary on the key issues and opportunities to be addressed in subsequent phases of the ROPR. This report was prepared by a consulting team led by Dillon Consulting on behalf of Halton Region in October 2016.

3.5.2 Subject of Report

The staff report prepared in support of the Directions Report (LPS110-16 - Halton Region Official Plan Review - Phase One: Directions Report) indicated the following with respect to the rural and agricultural systems analysis:

- Review opportunities to strengthen long-term viability of the agricultural industry that produces food;
- Ensure consistency with PPS policies regarding agriculture related-uses, on-farm diversified uses and agriculture-related tourism;
- Ensure new urban infrastructure within or abutting Agricultural Systems preserves the agricultural land base and supports farm viability.
- Incorporate the recommendation of the Rural Agricultural Strategy.

The Directions Report itself deals with all aspects of the ROPR and provides an overview of the planning policy context, the demographics and economics of the Region, land use trends and a series of directions for consideration.

Chapter 1 describes the Process and Context for the ROPR, the activities in Phase 1 and the organization of the Directions Report.

Chapter 2 describes the current and emerging Provincial planning policy regime that affects the ROPR. This chapter also includes a high level audit of the changes to the Growth Plan, Greenbelt Plan and Niagara



Escarpment Plan being proposed (at the time) by the Provincial Government as part of their Four Plan Review. With respect to agriculture and the 2014 Provincial Policy Statement, the following is stated in Chapter 2:

The 2014 PPS includes further direction in regards to planning, growth, and land uses in rural lands and agricultural areas in the municipalities. Section 1.1.4 includes policies to support integrated and viable rural areas. Section 1.1.5 clarifies the type of uses that may occur on rural lands, permitting agricultural uses, agriculture-related uses, on-farm diversified uses (including agri-tourism uses) and normal farm practices on rural lands and prime agricultural areas (policies 1.1.5.8 and 2.3.3.1). The PPS now provides flexibility for larger agriculture-related uses to service the broader farming community. Also, the revised policies require the designation of prime agricultural areas and further protection of agriculture from impacts of non-farm development (policies 1.1.4.1 and 2.3). They also encourage making provision for opportunities that support local agri-food and agri-product businesses (policy 1.7.1).

On the basis of the above, the following recommendations are made:

- *The ROP should be reviewed based on the 2014 PPS to ensure the policies are, at a minimum, consistent.*
- *Although the ROP permits and promotes the location of agriculture-related tourism uses within Agricultural Area, these uses are limited to an area of 500 sq. m. The Region should review the policies related to agriculture-related tourism uses in the 2014 PPS to ensure, at a minimum, that they are consistent.*

Chapter 3 of the Directions Report focuses primarily on growth management and economic trends.

Chapter 4 then deals with land use trends. Of particular interest is the discussion in Section 4.3 on the rural and agricultural system. The Directions Report notes the following with respect to the current ROP:

The ROP includes a goal for the Agricultural System to, “maintain a permanently secure, economically viable agricultural industry and to preserve the open-space character and landscape of Halton’s non-urbanized areas.” The goal is supported by a comprehensive set of policies and related maps that are aligned and consistent with agricultural planning “Best Practices” in similar regions in the Greater Golden Horseshoe. Examples include policies that preserve Primary Agricultural Areas, establish limitations on new residential lot creation in Hamlets or Rural Clusters, and provide support for secondary on-farm uses and agri-tourism. Overall the policies recognize the key roles that farms and farmers play in maintaining the rural landscape and Natural Heritage System.

The following is then further indicated about the changes to the Official Plan that should be considered:

While the Region’s relationship with the Halton and Ontario Federations of Agriculture, and the Halton Agricultural Advisory Committee, along with the development of the Rural Agricultural Strategy demonstrates its strong support for Halton’s agricultural community, an analysis of the GTA Agricultural Action Plan, the Golden Horseshoe Agriculture and Agri-Food Action Strategy identifies some land use planning-related issues that should be considered in the ROP Review to continue to protect the agricultural industry in Halton. Each of these issues is discussed briefly below.

The first 'issue area' deals with preserving the agricultural land base. However, the discussion only identifies that agricultural land is being lost and no recommendation is made. The second 'issue area' deals with strengthening the agricultural industry through diversification and food systems planning. However, the discussion only indicates the ROP already contains policies on secondary uses and no recommendations are made. The third 'issue area' deals with supporting the region's agricultural and rural economy and in this regard, the following recommendation is made:

The Rural Agricultural Strategy Background Report identifies a range of actions that could be implemented as part of the Rural Agricultural Strategy to support the Region's agricultural and rural economy. Action items relevant to the ROP should be considered in the ROP Review.

Later in Section 4.6 are a number of recommendations to be considered during the Official Plan Review as it relates to the rural and agricultural system. These are listed below:

- The Region should explore opportunities to strengthen the long-term viability of Halton's agricultural industry to support food systems and food security.
- The ROP should be reviewed for consistency, at a minimum, with the PPS as discussed in the Policy Gap analysis with respect to agriculture related-uses and agricultural related tourism uses.
- The ROP should be reviewed within the context of the Region's Rural Agricultural Strategy.
- The Region should implement policies to ensure that any potential impacts of new urban infrastructure extending into or abutting the Agricultural System preserves the agricultural land base and supports farm viability and sustainability.

Chapter 5 then concludes with a number of recommendations by theme. Under the rural and agricultural system theme, the following is recommended:

- The Region should establish a broader definition of agriculture related uses to include on-farm diversified uses, including agri-tourism.
- Policy development opportunities affecting the rural and agricultural system should be reviewed to strengthen value-added agricultural activities and long-term food security in Halton.

A number of comments were also made on the agricultural and rural system leading up to the preparation of the Directions Report. These are reproduced below:

- ***Policies that would strengthen the viability and sustainability of the agricultural industry are needed.***
- ***The effectiveness of existing policies could be improved if they were made less restrictive (e.g. refine the gross floor area limits in the ROP to provide additional flexibility) and/or provide more latitude regarding when detailed supporting technical studies are required.***
- ***The agricultural and natural heritage policies need to be reviewed to make natural heritage policy requirements less restrictive to agricultural operations. The policies are delaying or preventing farmers from investing in the improvement of farm buildings and infrastructure (e.g. requirement that an Environmental Impact Statement (EIS) needs to be prepared before a proposed new or expanded farm building can be approved within 30 metres of a Key Feature). While there are provisions in the ROP for***

scoping the EIS, providing financial aid, or providing in-kind service, there is a preference for a more flexible policy framework, rather than provisions to assist them to implement the policies.

3.5.3 Implications on Official Plan Review

The Directions Report is fairly general and other than suggesting that some prescriptive policies be reviewed, reliance is placed on the Rural Agricultural Strategy ('RAS') that was finalized on August 4, 2016. The vision of the RAS is set out below:

A rural community and permanent agricultural system that is diverse, prosperous, productive and sustainable as an essential component of a healthy and complete Regional community.

A key recommendation made in the RAS Background Report was that a regional agricultural system be established. In this regard, it is indicated the following:

Research indicates that a successful agricultural system is comprised of a connected, permanent land base that supports a critical mass of prosperous agri-food businesses including input services, primary production, first level processing, infrastructure support, marketing opportunities and delivery. The system incorporates rural settlements and natural heritage systems.

The research referenced above is previous work completed by the consultant responsible for the preparation of the RAS.

The following is then recommended in Task A1.2:

Establish permanent boundaries to define the agricultural system having regard for natural features and intra and inter regional connectivity.

The RAS Background Report indicated that an opportunity exists as part of the Provincial Plan Review (then underway) to establishing agricultural land preserves. The following was then indicated: "As an alternative approach, as part of the upcoming Regional official plan review, policies could be implemented to establish permanent agricultural areas. Changes to the PPS in 2014 set up a process whereby this could be done." This appears to be the basis for the recommendation made in the RAS.

A review of this recommendation is contained in Section 3.3.3 of this Discussion Paper, where it is noted that the policy basis for establishing a 'permanent' agricultural area does not exist in the 2014 PPS.

There are a few other recommendations in the RAS to consider, as set out in Section 7.2.3 of the RAS. The first has to do with Section 2.3.6.1 of the Provincial Policy Statement, which permits non-agricultural uses subject to criteria. In this regard, the RAS recommends the following:

In the upcoming review of the ROP, consideration should be given to exercising the right for municipalities to be more stringent than provincial policies and remove this permission. By carefully defining the types of uses that are appropriate in an agricultural system and limiting uses accordingly, the integrity of the agri-food system will be strengthened.

It is noted that the PPS does not establish permissions for non-agricultural uses in prime agricultural areas. Instead, it establishes a possible path forward for those exceptional cases where there is a public interest in considering a non-agricultural use on prime agricultural land.

3.6 GOLDEN HORSESHOE AGRICULTURE AND AGRI-FOOD STRATEGY: FOOD AND FARMING, AN ACTION PLAN 2021

3.6.1 Purpose of Report

The Food and Farming Action Plan for the Golden Horseshoe provides a blueprint for supporting and growing a thriving, integrated food and farming sector in the Golden Horseshoe. Planscape Inc. prepared the Action Plan and supporting documentation for the Greater Toronto Area Agricultural Action Committee in 2012. An updated Food and Farming Action Plan for the Golden Horseshoe is currently being developed to identify supportive actions that should be prioritized over the next 5 years.



3.6.2 Subject of Report

The Action Plan provides an overview of agriculture in the Golden Horseshoe and offers a review of challenges as well as key opportunities. The Plan identifies five major strategies, which have been divided into eighteen actions, which have been subdivided into a series of tasks.



January 2012

While the strategies and actions are somewhat general, a number of the tasks are specific and potentially coalesce with the Official Plan review. There are other tasks that impact planning more generally, but these are less likely to direct Official Plan policy.

3.6.3 Implications on Official Plan Review

The following are selected tasks that are identified on pages 16 through 20 of the report:

- Ensure our municipal partners in the Golden Horseshoe have a committed food and farming economic development function.
- Align economic development and planning roles to enable sector growth.
- Encourage jurisdictions responsible for land and water management within the Golden Horseshoe to harmonize regulations in a manner that is responsive to the needs of near urban, urban and rural farming operations.

- Update land use policy to provide flexibility for value retention and valued added food and farming businesses. (e.g. similar to Niagara Region)
- Use various planning tools (e.g. community improvement plans) to foster support for farming.
- Appoint a senior official in each municipal jurisdiction to assist food and farming entrepreneurs to navigate approval processes and provide feedback to all regulatory authorities on ways to expedite the review and approval processes.
- Review regulations and policies to identify issues and conflicts and work to resolve them.

3.7 THE HALTON REGION AGRI-TOURISM ACTION PLAN

3.7.1 Purpose of Report

The Agri-Tourism Action Plan was prepared by the Ontario Culinary Tourism Alliance, 2013 and provides an overview of agri-tourism and food tourism in Halton Region and identifies opportunities for enhancing that system through a number of specific programs as well as industry wide and Regional initiatives. The purpose of the recommendations are to encourage more visitors to Halton by enhancing agri and food tourism opportunities, products, programs and experiences throughout the Region.

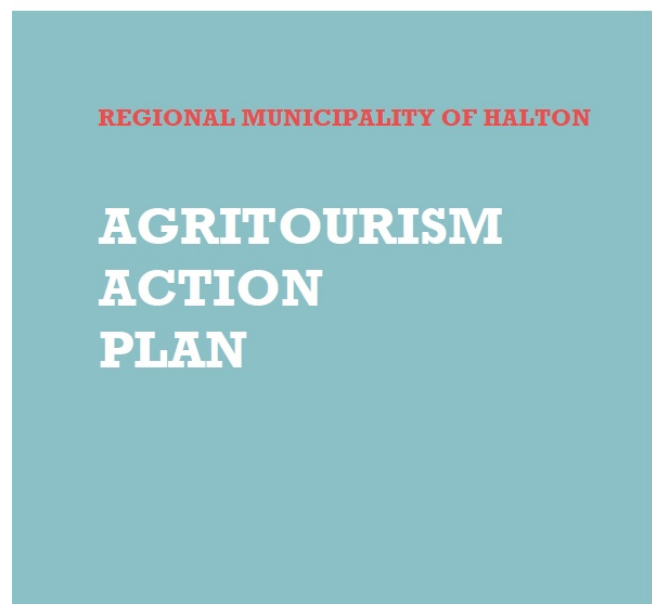
Attachment #1 to Report LPS85-13



3.7.2 Subject of Report

The Agri-Tourism Action Plan identifies the following categories of businesses that are considered within the value chain for Agri-Tourism:

- Accommodations, attractions, equine experiences, culinary schools, farms, orchards, pastures and artisans;
- Farmers markets;
- Festivals;
- Restaurants;
- Retailers (with local food and/or drink offerings); and
- Wineries, breweries, cideries and distilleries.



The assessment of the current industry at the time of the report reviewed 440 agri and food tourism businesses in Halton Region, and classified them by how well they were contributing to the agri and food tourism value chain Halton Region. It notes that of all of the market ready businesses in the Region, only a small portion were sourcing their products directly from Halton Region.

The recommendations of the Agri-Tourism Action Plan fell into three main categories:

- Educate and Engage;
- Fundamental Product Development; and,
- Enhance Product Development.

It is noted in the report that the policies that are referred to are to be considered as part of the Halton Rural and Agricultural Strategy, which was completed a number of years later. Those recommendations included:

- Permit secondary uses or mixed uses of commercial and industrial activities related to agricultural;
- Permit value added agricultural activities for diversity on farms;
- Restrict severances and further lot development within the farming communities and systems;
- Consider allowing farm sizes smaller than 40 hectares; and,
- Do not let Minimum Distance Separation (MDS) restrict agricultural operations from growing.

3.7.3 Implications on Official Plan Review

A review of permitted uses in prime agricultural areas is necessary to ensure consistency with the Provincial Policy Statement, which deals with the first two recommendations above. The Regional Official Plan already restricts lot creation and it is not anticipated that this policy will be changed. However, the Official Plan does not expressly permit the creation of new agricultural lots, and this could be considered as part of the update. It is noted that the Greenbelt Plan permits new agricultural lots having a minimum lot area of 40 hectares and this could be considered. With respect to applying MDS, this is already the policy of the Region.

3.8 HALTON REGION RURAL ECONOMIC DEVELOPMENT REPORT

3.8.1 Purpose of Report

The purpose of this study is to explore the range of permitted uses and how they could support, strengthen and vitalize Halton's rural economy. The report also presents best case examples of innovative agriculture economic development in the Region and provides other potential creative alternatives. Nicholas Burnaby, Taylor Wellings and Stephanie Worrone, 2015 of the School of Rural Environmental Design and Rural Development, University of Guelph, prepared the report.

3.8.2 Subject of Report

This study provides a SWOT and trend analysis, as well as applied comparative analysis techniques to uncover language and policy gaps in the Halton Regional Official Plan. The results of this research and analysis culminate in a series of recommendations at the end of the study for Halton Region staff to consider in the areas of general policy, land use policy and economic development. The report also includes a number of case studies demonstrating the potential for diversified agriculture in Halton.

The report identifies the following challenges in Halton:

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- Cost of farming and farmland rental rates have increased significantly;
 - An aging population has led to succession planning shortfalls;
 - Rapid urbanization has led to increased land prices and created a barrier of entry to new farmers; and
 - In areas between the Greenbelt and urban settlement areas, uncertainty about the future of farmland has fragmented the farming community.

A number of trends related to natural heritage protection and environmental management may contribute to negatively impacting agricultural lands and the agricultural sector. Specifically:

- Trend towards more environmental regulation, policy, natural heritage planning and protection that may be applied inconsistently at a cost that may be prohibitive to the farming business;
- More legislation and tools to regulate land use that may be difficult to navigate, expensive to adhere to and implement;
- Despite new environmental policy and regulation, there appears to be a lack of monitoring and evaluation to understand if the policy and programs are working;
- Trend towards a more holistic systems-based approach to managing resources, including agriculture; and
- Trend towards supporting local economies, more local production and renewable energy.

3.8.3 Implications on Official Plan Review

Recommendations are provided under 3 headings (Policy, Land Use and Economic Development). Key recommendations for the Official Plan Review are below:

- Focus on policy to facilitate and improve the sustainability of rural clusters in the Region.
- Halton Region staff should explore “agricultural enterprise zoning” as an option for the Region.
- Consider broadening beyond “commercial farms” as defined in the ROP, to support value added uses on all agricultural and rural land, subject to ROP policy and By-Laws.
- Consider a “Rural Land” designation to accommodate more innovative and creative uses on less desirable agricultural land.
- Define “Agri-tourism” in the ROP and develop criteria similar to Niagara Region for Official Plan.
- A distinction should be made between value retention and value added activities in the ROP.
- Policies should be flexible, with limited “prescriptive” standards in the Official Plans – detailed standards should be in the zoning bylaws, unless required to establish or define an appropriate scale of activity.
- Educational and research activities, directly related to the agriculture in the area and servicing area growers should be permitted.

3.9 THE AGRICULTURAL SYSTEM: COMPONENTS, LINKAGES AND RATIONALE

3.9.1 Purpose of Report

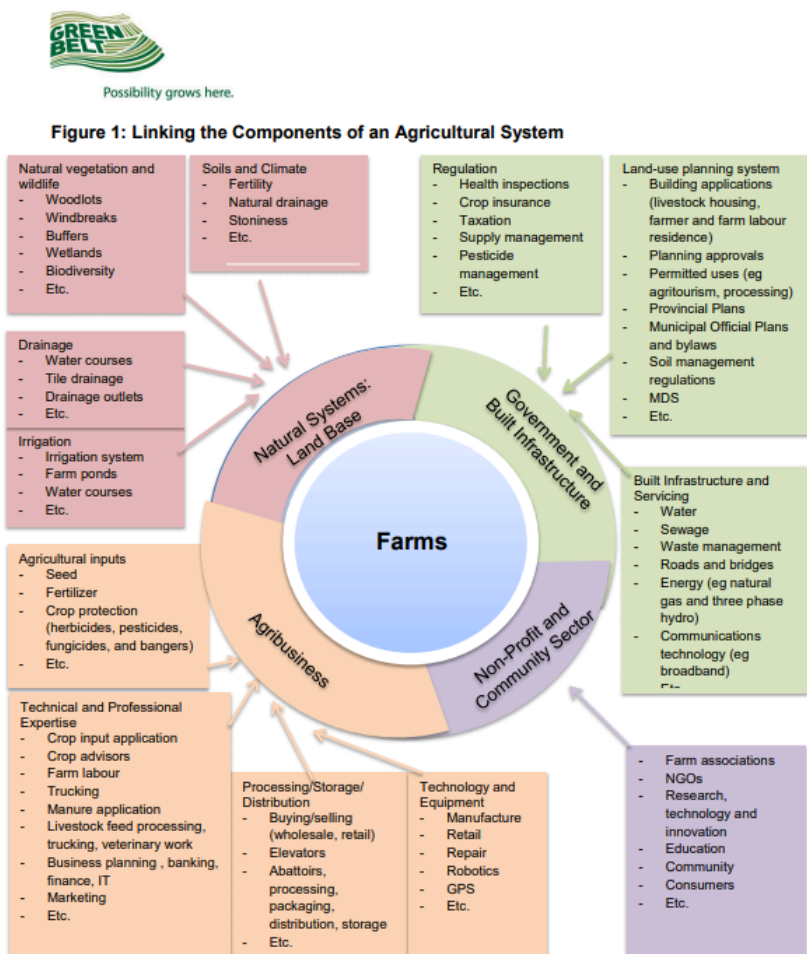
The Friends of the Greenbelt Foundation commissioned a study completed by Dr. Wayne Caldwell to define an Agricultural System by its component parts in May 2015. This Study is referenced by the OMAFRA implementation of the Agricultural System Report.

The Report recognizes that there is a great deal more to agriculture than simply raising crops and livestock. Agricultural production depends on the environment, natural heritage system and contributes to air and water quality as well as the economy. The report also notes the relationship between natural systems such as, watercourses and woodlots to the Agricultural System.

3.9.2 Subject of Report

The report indicates that all of the related components below form elements of the Agricultural System:

- Farms;
- Natural environment;
- Government;
- Agri-Business;
- Technical and professional expertise; and
- Non-Profit and Community sector.



Together, these elements are important to the economic viability of agriculture and individual farms and need to be recognized as part of an Agricultural System in the Province.

The report reviews the human influences that impact agriculture such as, government policy including, regulations and trade and the maintenance of infrastructure such as, roads and administering drains and fencing.

The Report also identifies the importance of agri-business that provides not only wholesale and retail facilities for agricultural but also supporting industry that can process agricultural products and get them to market (as per the Figure 1 extract from the report on the previous page).

The report also recognizes a viable Agricultural System requires the connections between the agriculture itself and the supporting infrastructure and services that are necessary to get the agricultural produce to market. The system also includes the technical experts who may provide advice to farmers, custom products, repairs and even finance.

As with the OMAFRA guidelines, the Report recognizes the importance of the non-profit and community sector in terms of Farm Associations, advocacy organizations and other community groups that play an important role in the viability of agriculture. These groups can form part of a larger community that includes services for the farmers themselves such as: schools, churches and medical services.

3.9.3 Implications on Official Plan Review

This report provides an excellent overview of the many components of the agricultural system, which makes it clear that agriculture is much more than just farming. Consideration should be given to including a robust definition of the component parts of the agricultural system, and most particularly, the agriculture support system (also called the agri-food network by the Growth Plan) in the updated ROP.

3.10 AGRICULTURE BY THE NUMBERS: UNDERSTANDING THE GREENBELT'S UNIQUE ADVANTAGES

3.10.1 Purpose of Report

The Friends of the Greenbelt have also prepared a document that provides details regarding the Agricultural System within the Greenbelt. This report provides general statistics related to agricultural activity based on 2011 statistics. It was prepared by JRG Consulting in August 2014 and is one of a number of occasional papers done by the Friends of the Greenbelt Foundation on agriculture, summarizing information from 15 previous papers.

3.10.2 Subject of Report

Statistics contained in the report are based on the 2011 Census of Agriculture and they demonstrate the change in areas farmed between 2006 and 2011 for the entire Greater Golden Horseshoe. The information is aggregated and not specific to any one municipality. The statistics provided in the report include the following:

- Between 2001 and 2011 the land area food production increased by 30.5% in Ontario as opposed to 6.4% in the Greenbelt.
- Between 2001 and 2011 the area of land in vegetable production decreased by 25.6% in Ontario and only 9.1% in the Greenbelt.
- The number of farm operations has decreased by about 9% in the Greenbelt however; the average farm size has increased by approximately 5.3% within the Greenbelt (fewer farms but larger areas for average farms).
- Gross farm receipts revenue within the Greenbelt was approximately 23% larger than the average in the rest of Ontario.
- Slightly more farms (40.1%) are rented in the Greenbelt as opposed to 38% in the rest of Ontario.

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- Within the Greenbelt there is a significant difference in tenure in that 46% total farmed area is rented whereas elsewhere in Ontario it is about 31.9%. This would indicate that a considerable amount of land is held for speculation or private use.

Further, the report provides details with respect to gross farm revenue by farm type.

It is noted that the statistics in the Friends of the Greenbelt Report is based on 2011 information, whereas the Snapshot of Agriculture In Halton was prepared in 2016. Notable comparisons are below:

- Greenbelt area in nursery products and/or sod is 2.2% - in Halton it is 13%;
- Greenbelt area in fruits, berries and nuts is 3.4% - in Halton it is 5%;
- Greenbelt area in equine operations is 24% - in Halton it is approximately 24%; and,
- Greenbelt area in livestock production is 36% - in Halton it is approximately 14%.

3.10.3 Implications on Official Plan Review

While this report is instructive, it is not particularly of use with respect to the Regional Official Plan Review in Halton Region. More details with respect to agriculture in Halton are provided in this summary of “Snapshot of Agriculture in Halton”. However, the statistics do form a basis for comparing the Region with the other areas of the Greenbelt and demonstrate the importance of agriculture to the economy and culture of the Region. There are no implications arising from this report with respect to Halton Region’s Official Plan Review.

3.11 CLIMATE CHANGE AND AGRICULTURE

3.11.1 Purpose of Report

The Ministry of Agriculture Food and Rural Affairs (OMAFRA) released this document in 2018. The document is intended to provide recommendations to agricultural operators with respect to mitigating climate change and, most specifically greenhouse gas emissions in an effort to achieve the Province’s objectives of reducing greenhouse gas emissions by 15% below 1990 levels by 2020 and 80% below 1990 levels by 2050.

3.11.2 Subject of Report

The report notes that agricultural operations contribute about 5% of the total greenhouse gases emitted in the Province. Greenhouse gas emissions come from agricultural sources such as livestock and manure, which releases methane and nitrous oxide from soils as a result of the application of fertilizers and manure. It also notes that some agricultural activities release carbon dioxide through the use of fossil fuel combustion and the manufacturing of farm machinery.

The report identifies two processes or activities that will reduce the greenhouse gases from being released into the atmosphere or enabling greenhouse gases to be stored in soils by growing certain crops. Recommendations contained in the report under Best Management Practice include:

- Reducing fossil fuel consumption by making more efficient use of tractors and selecting energy efficient motors, fans and lighting systems;

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- Replacing fossil fuels with renewable energy (bio-mass, geo-thermal, wind and solar energy); and
 - Improving livestock production efficiency.

The report provides numerous links to other sources for information on reducing climate change through Best Practices in Agriculture. It also includes recommendations for taking advantage of climate change through agricultural activities including, increased diversity of crop species and varieties and increasing production level in existing agricultural areas. The report also recommends that farmers can assist in reducing carbon and nitrous oxide emissions by:

- Improving soil aeration;
- Improving feed efficiency in order to reduce the amount of nitrogen in manure and urine;
- Applying the right rate of manure and synthetic fertilizer at the right time, in the right place from the right source (Precision Agriculture);
- Keeping barns clean, well ventilated and avoid anaerobic conditions;
- Improving livestock nutrition to reduce enteric fermentation through additives;
- Improving manure storage systems by covering manure tanks, removing manure frequently and storing at lower temperature; and
- Using anaerobic digesters to capture methane and produce energy.

3.11.3 Implications on Official Plan Review

One of the ways to reduce energy consumption and hence greenhouse gas is to ensure that the agri-food industry is located close to the source to reduce the amount of carbon dioxide through transportation and getting the products to the market.

Halton Region can play a role in education and awareness of best management practices. The report references “Environment Farm Plans”, which are hosted in Halton Region on a regular basis. These workshops provide farmers the opportunity to self-assess activities that promote best practices and provide information to participants on funding opportunities offered on a cost share basis

One of the implications of the report to consider is the inclusion of land use policies in the Regional Official Plan that would encourage the placement of small/medium and perhaps large-scale biomass plant(s) predominantly in crop areas. The ability to site biomass plants in agricultural areas has the potential to drastically reduce transportation expenses (and emissions), provide a source of carbon neutral energy and enable producers to shift to the production of such crops, therefore supporting the diversification of revenue sources.

Another management tool for livestock production that is known to reduce methane emissions is to convert from concentrated feeding operations (CFO) to free range in-pasture livestock production. This conversion not only reduces manure-related methane emissions (because the manure is deposited directly in the field and decomposes via aerobic decomposition (releases CO₂), rather than being stored in pits/lagoons until mechanical field application which causes the manure to decompose via anaerobic decomposition (releases methane 25-40 times as GHG intensive as CO₂) and creates further CO₂ emissions from machinery. The other benefit associated

with shifting from CFO to free range is that the actual land footprint required per animal unit is reduced, which increases the landscape’s ability to support more production per unit of land.

Other initiatives could include returning marginally-productive lands back to a natural state through tree planting, wetland restoration and other carbon sequestering stewardship activities, enabling those areas to become carbon sinks that reduce a farm’s overall carbon footprint.

This can be tied to the use of agricultural waste in the production of energy on farms. For example, through the development of anaerobic digesters which can use animal waste products to generate biogas either for combined heat and power generators that can be used to directly reduce farm building reliance on the grid, or which can be fed into the natural gas grid as Renewable Natural Gas. The Regional Official Plan can support all of these initiatives as required.

Climate Change is one of five themed Discussion Papers that have been developed to look and initiatives from a land use planning and policy lens. Other initiatives such as programming could be looked at through the Region’s Climate Action Plan which is currently underway.

3.12 FERTILE GROUND: GROWING THE COMPETITIVENESS OF ONTARIO’S AGRICULTURAL SECTOR

3.12.1 Purpose of Report

This report was prepared by the Ontario Chamber of Commerce in 2016 and is intended to capture the potential of the agri-food sector in Ontario.

3.12.2 Subject of Report

The report reviews the growth potential in the agricultural sector and offers recommendations in the following areas:

- Regulatory Environment;
- Workforce/Skills Development;
- Infrastructure;
- Access to Risk Management Tools;
- Strategic Initiatives; and
- Innovation.



3.12.3 Implications on Official Plan Review

This report speaks to the importance of the agri-food sector and notes the related growth potential. This serves as a supporting premise for the Official Plan policies that support agriculture. Although municipalities are only mentioned twice in the report, the following recommendations are relevant:

- Expedite the expansion and reinforcement of natural gas utilities in rural areas to reduce operating costs. Natural gas is particularly important for the greenhouse sector as energy represents one third of production costs.
- Fully integrate the permitting process across Provincial departments and with municipalities.
- Prioritize connecting agri-businesses to the digital economy, as the current broadband infrastructure is insufficient to support globally competitive agricultural practices in Ontario.

With respect to the permitting process mentioned above, municipalities have very little involvement in the approval of agricultural uses, as long as the lands are zoned for the use. As a result, it is not clear what relevance this recommendation has to Halton Region.

It is noted that the management, land application and storage of agricultural source materials (ASM) and non-agricultural source materials (NASM) that are applied to agricultural lands as a nutrient, are regulated under the Nutrient Management Act and O. Reg. 267. Agricultural source materials include materials generated on farms such as:

- Manure;
- Bedding; and
- Certain washwaters.

Non-agricultural source materials are materials generated by non-agricultural operations and include materials such as:

- Sewage biosolids;
- Pulp and paper biosolids; and,
- Other residuals and by-products that may be land applied to benefit crop growth

In addition to the above, O. Reg. 267 sets out specific requirements including:

- Land application standards such as maximum application rates and minimum separation distances to sensitive receivers such as wells, surface water and groundwater;
- Construction and siting requirements for storage of ASM and NASM; and,
- Requirements for the preparation of Nutrient Management Strategies, Nutrient Management Plans and NASM Plans by farms with details of how ASM and NASM will be managed, stored or land applied.

Agricultural environmental officers from the Ministry of the Environment and Climate Change are trained in both environmental management and agricultural practices and are responsible for enforcing the above legislation.

3.13 GUIDE TO SUPPORT AGRICULTURAL GROWTH IN YOUR MUNICIPALITY

3.13.1 Purpose of Report

This document was prepared by the Ontario Federation of Agriculture (OFA) in 2016 and was followed up by a five-page checklist report in 2017. The intent of the documents is to provide a quick checklist for municipalities in considering policy, taxation and economic development strategies to support agricultural growth in Ontario.

3.13.2 Subject of Guide

The guide and checklist provides seven strategies for planning practice to assist in supporting agriculture and they are as follows:

- Outline a clear definition and policy for on-farm diversification, value-added agriculture, and agri-tourism in municipal policies.
- Clearly identify permitted uses, and uses with a lesser connection to agriculture, in agricultural zones in municipal policies (use 2014 Provincial Policy Statement definitions of agriculture-related uses and on-farm diversified uses).
- Develop as-of-right zoning criteria for a proposed use that is compatible with neighbouring agricultural uses to reduce red tape (e.g. building permit is given if proposal is in accordance with the criteria).
- Staff be informed that non-agricultural land uses located within lands designated for agriculture can negatively impact the ability of surrounding agricultural operations to expand or to introduce new agricultural activities, particularly through mandated separation distances imposed by the Minimum Distance Separation (MDS) formulae.
- Municipal staff is informed about normal farm practices and related policies.
- Use site plan controls in the Official Plan to receive, review and approve site plans, which can help avoid some concerns (traffic, parking, etc.) related to new developments.
- Ensure that the roads department incorporates design features for roads, bridges and traffic circles that allow for the safe passage of large farm equipment.

In addition to the strategic actions identified, the guideline also deals with proposals dealing with property assessment and taxation, financial incentives and reduced costs, community and regional food planning and consultation. The other planning issue that could be considered with respect to the financial incentives and reduced costs would be consideration of implementing some form of community improvement plan in the agricultural areas that could provide financial incentives. This is not identified in the OMAFRA checklist. The checklist concludes with the following statements:

- On-farm diversification is critical to fully sustainable agriculture in Ontario;
- Local agriculture and locally available produce is good for the health of the community and good for the local economy;
- Protection of agricultural land is good;

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- An evolving definition of agriculture is good;
 - A connection to agriculture is good;
 - Flexibility is good;
 - Clarity is good;
 - Compatibility between different land uses is good;
 - Fairness in the property tax system is good; and
 - Recognizing different geographies is good.

3.13.3 Implications on Official Plan Review

Halton Region through its Official Plan and other initiatives, already implements many of the items on the checklist. One item of note that will need to be completed is an update of the permitted uses to be consistent with the most recent iteration of the Provincial Policy Statement.

3.14 2016 CENSUS OF AGRICULTURE (OMAFRA COUNTY PROFILES COMPARING 2011 AND 2016)/AGRICULTURE IN HALTON - SNAPSHOT

3.14.1 Purpose of Document

OMAFRA publishes County Profile statistics on their website, which can be found on the following link: www.omafra.gov.on.ca/english/stats/county/index.html

3.14.2 Key Findings

Key findings (2011 vs. 2016):

- The number of census farms dropped from 469 to 451, (-3.8%) - This represents the smallest reduction in the number of farms in Halton Region since 1996 with a decrease of 4 percent while the number of farms in the Golden Horseshoe decreased by 9 percent in the same time period.
- The total area in crops dropped from 61,673 to 52,602 acres, (-14.7%);
- Total area in farms dropped from 79,576 to 68,676 acres, (-13.7%);
- Total area in greenhouses increased from 1.85 million square feet to 2.09 million square feet, (+13%);
- Total gross farm receipts for Halton Region were \$123,942,913 in 2011 and \$143,802,693 (+16%)

On the basis of the above, the following conclusions have been reached:

- There was an increase in the percent of farm operators under the age of 35 (+16.7%).
- Halton Region has a strong equine and horticultural sector.
- Mushroom farming produces the highest level of Gross Farm Receipts in Halton Region however these figures are suppressed from the Census of Agriculture due to the small number of operations.
- Almost all crops experienced a reduction in acreage.

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- Livestock numbers were reduced across the board.
 - Poultry numbers have increased.
 - While almost all commodities had a reduced value in 2016, floriculture and nurseries did not. This sector increased from \$34 million in 2011 (46% of the total farm cash receipts) to \$52 million in 2016 (61% of total farm cash receipts).

3.14.3 Implications on Official Plan Review

These findings assist with an understanding of what is happening in the agricultural sector in Halton Region. There are general reductions in crop acreage and livestock numbers. There was a surge however in the total value of the floriculture and nursery sector, which in 2016 represented 61% of the total agricultural value within the Region. This sector should be specifically considered when agricultural policy is reviewed to support its continued development.

3.15 REGIONAL GUIDELINE - AGRICULTURAL IMPACT ASSESSMENT GUIDELINE

3.15.1 Purpose of Guideline

An Agricultural Impact Assessment (AIA) is a study required by the Regional Official Plan (ROP) to protect Halton's agricultural resource from inappropriate conversion to other uses and from the introduction of incompatible uses. The purpose of the AIA is to:

- Clarify when an AIA is required by the policies of the Regional Official Plan;
- Outline the content that should be included in an AIA;
- Clarify when an AIA can be scoped, given certain circumstances; and,
- Establish a process for the preparation, review and evaluation of an AIA.

The Guideline provides direction concerning when and how an AIA is to be provided. Most of the content of the Guideline relates to the content of an AIA.

3.15.2 Implications on Official Plan Review

The guideline in of itself does not directly impact the Official Plan Review. Most of the content of the Guideline relates to implementation strategies. The ROP will need to reconfirm when an AIA is required. The ROP should be reviewed to determine the appropriateness of more specific criteria concerning the content of the AIA (although it may be advisable to leave this level of detail within the Guidelines).

It should be noted that OMAFRA's draft Guidance Document for Agricultural Impact Assessments was posted on the Environmental Registry for public consultation for 120 days from March 15 through to July 13, 2018.

This should to be reviewed in the context of the ROP review. In the long-term the Region will want to review their Guidance document to determine and respond to any conflicts with the OMAFRA document (The OMAFRA final document is not expected before Spring 2019).

3.16 DRAFT PROVINCIAL AGRICULTURAL IMPACT ASSESSMENT (AIA) GUIDANCE DOCUMENT

3.16.1 Purpose of Draft Guideline

In 2018, the Province released the draft Agricultural Impact Assessment (AIA) Guidance document. This is a very detailed document that is intended to provide an outline of how to complete an AIA in accordance with Provincial Policy requirements. The Guideline also contains technical guidelines for specific AIA implementation, as well as a matrix of mitigation measures related to potential impacts cross referenced by the source of the impact (e.g. aggregate, urban expansion, infrastructure and non-agricultural uses). The draft AIA Guideline is currently being updated and is expected to be released in the fall/winter of 2020.

3.16.2 Subject of Guideline

The Growth Plan, the Greenbelt Plan, the Niagara Escarpment Plan and the Provincial Policy Statement (PPS) all require the completion of an AIA in order to assess and mitigate impacts of non-agricultural uses within agricultural areas. Historically, the AIA has been required where such uses are proposed on Prime Agricultural lands. With the expansion of the policies in the Growth Plan and Greenbelt Plan related to an Agricultural System, the draft Guideline provides an expanded explanation of how an AIA needs to consider not just the prime agricultural lands themselves but the Agricultural System.

The draft guideline sets out ten mandatory components of an AIA, the process for preparing an AIA including, peer reviews where required and qualifications of the persons undertaking the study and then provide step by step details of information requirements to be included in the AIA itself.

One of the most significant parts of the draft guideline is the provision of mitigation measures and various impacts that could be considered as part of the AIA. Separate guidelines are provided for settlement area expansions, mineral aggregate operations, infrastructure and other non-agricultural uses, which may be permitted through the Provincial and Regional policies.

3.16.3 Implications on Official Plan Review

The guideline in of itself does not directly impact the Official Plan Review. The draft guideline provides an excellent resource for completing and AIA. The policies in the Regional Plan can clearly specify the situations where the AIA is required and, with this resource available could make reference to the guidance document in terms of providing an overview of the requirements for the AIA study itself or could import the description of the components of and AIA as part of the Regional policies.

3.17 REGIONAL GUIDELINE – LIVESTOCK FACILITIES

3.17.1 Purpose of Guideline

The Livestock Facility Guideline clarifies the application of the Province’s Minimum Distance Separation (MDS) formulae between livestock facilities and non-farm uses and provide further guidance on best management practices as a means of improving the coexistence of farm and non-farm uses in the rural area.

The guideline summarizes relevant Provincial legislation as well as the MDS criteria. The guideline also helps to address circumstances where the Provincial MDS are silent or open to interpretation.

3.17.2 Implications on Official Plan Review

The guideline in of itself does not directly impact the Official Plan Review. The guideline reflects the Region’s commitment to the application of MDS. MDS is applied across the Province. The Regional Official Plan will need to continue to recognize the use of MDS. It is recognized however that the guidelines may benefit from a review as part of the Region’s implementation strategy.

3.18 REGIONAL GUIDELINE – ON-FARM BUSINESSES

3.18.1 Purpose of Guideline

The On-Farm Business Guideline provides direction on how all types of on-farm businesses can be accommodated in the rural areas of the Region.

The purpose of the On-Farm Business Guideline is to, identify on-farm business uses, provide sample development criteria used to guide siting of on-farm businesses and, illustrate best practices. The guideline includes definitions, criteria and diagrams to assist with the establishment of on-farm businesses.

3.18.2 Implications on Official Plan Review

The guideline in of itself does not directly impact the Official Plan Review because it is outdated. It is anticipated that this guideline will be significantly changed to match up with changes being made to the uses permitted in the Official Plan, which will be as a result of the updated Provincial Policy Statement.

3.19 REGIONAL GUIDELINE – ENVIRONMENTAL IMPACT ASSESSMENTS

3.19.1 Purpose of Guideline

The purpose of the guideline is to:

- Explain the Regional Official Plan policies regarding the Regional Natural Heritage System and requirements for triggering an Environmental Impact Assessment (EIA);
- Provide methodologies and identify the level of detail required for an EIA;
- Identify ways to avoid or minimize potential impacts to the Regional Natural Heritage System and its key features and ecological functions; and,
- Enable municipal decision-making on development proposals that have the potential to impact the Regional Natural Heritage System.

The guideline is primarily focused on the Natural Heritage System. They connect to agriculture in the following ways:

- An EIA is required for agricultural buildings within or adjacent to Natural Heritage System.
- Appendix A includes a series of diagrams that help to explain when an EIA is required in an agricultural context. Appendix C includes a Screening and scoping Checklist for Agricultural Buildings.

The EIA requirements for agricultural buildings are different from many other types of development. In many cases, agricultural EIA requirements are reduced. For example, an EIA is not required for normal farm practices or for an agricultural use or building that is permitted as-of-right by zoning. If an EIA is required, the guideline indicates that Halton Region will help by scoping the EIA as well as providing financial aid or in-kind service.

3.19.2 Implications on Official Plan Review

The guideline in of itself does not directly impact the Official Plan Review. However, it is noted that the guideline will need to be significantly updated as a consequence of the updates required to natural heritage policy. The Environmental Impact Assessment Guidelines was updated and approved by Council in 2020.

3.20 UNLEASHING THE GROWTH POTENTIAL OF KEY SECTORS (BARTON REPORT)

3.20.1 Purpose of Report

The report points to the merit of a sector-based approach to developing economic growth. The report notes that the Canadian agriculture and food sector has great potential, given the large natural endowment of water and arable land, distinctive record of accomplishments in research, and exceptional base of companies and entrepreneurs. The report was prepared by the Advisory Council on Economic Growth in 2017.

3.20.2 Subject of Report

The report points to the potential of the following sectors:

- Agri-food;
- Advanced manufacturing;
- Energy and renewables; and
- Healthcare and life sciences.

The report focuses on the agriculture and food sector and includes a number of international examples. One example is from the Netherlands where the plan is to:

- Develop intensive agriculture facilities, such as greenhouses;
- Organize well-integrated supply chains and transportation infrastructure;
- Ensure a high level of investment in agricultural research and development;
- Educate the agricultural workforce; and
- Accelerate innovation by fostering connections among businesses, universities, research institutions, and government agencies.

3.20.3 Implications on Official Plan Review

The concluding sentence in this report is as follows:

From a national economy-wide perspective, the Advisory Council believes that sector strategies can help Canada's businesses and households realize the potential of our country's natural endowments and latent strengths as sources of inclusive growth and prosperity.

The report suggests that government and business should work together to identify and remove the unnecessary obstacles to economic growth.

The report is oriented to senior levels of government. Municipalities are mentioned twice within the report and the direct reference to issues typically dealt with through land use planning is limited. There are no direct implications of this report on the Official Plan Review.

4.0 REVIEW OF OTHER BEST PRACTICES

The intent of this section of the report is to review a number of other best practices that were initially identified in the Region's Request for Proposal for this study and other issues that have been raised since. In this regard, this section reviews:

- Cemetery planning;
- Edge planning; and
- Rural enterprise zones.

4.1 CEMETERY PLANNING

4.1.1 Relevance to Halton

Cemeteries are an important land use that is viewed as being part of a complete community. The Growth Plan (2017) defines "complete communities" as:

Mixed-use neighbourhoods or other areas within cities, towns, and settlement areas that offer and support opportunities for people of all ages and abilities to conveniently access most of the necessities for daily living, including an appropriate mix of jobs, local stores, and services, a full range of housing, transportation options and public service facilities. Complete communities are age-friendly and may take different shapes and forms appropriate to their contexts.



Cemeteries contribute to complete communities in many ways, and with careful consideration, have the opportunity to be an integral part of a healthy community's parks and open space system, and land conservation system. They may also provide opportunities to enhance the vitality of urban forests and habitats, and promote seasonal passive outdoor activities (e.g. walking, jogging, cycling, cross country, snow shoeing).

4.1.2 Best Practice Documents Reviewed

4.1.2.1 York Region Cemetery Needs Analysis and Policy Framework (2016)

This report reviews relevant land use policy legislation from the Province, in addition to the York Region Official Plan. This study was undertaken as part of York Region's five-year Municipal Comprehensive Review. This analysis was undertaken to guide land use policy for a sustainable cemetery system. The study provides an overview of land capacity and projected land demands to 2041.

Appendix F of the study is a comprehensive review of relevant Provincial legislation, including the Ontario Planning Act (R.S.O 1990), PPS (2014), The Growth Plan (2006), Oak Ridges Moraine Conservation Plan (2002), Greenbelt Plan (2005), Guidelines on Permitted Uses in Ontario's Prime Agricultural Areas (2015), York Region

Official Plan (2010) and Local Official Plans. The table provides a high level summary of applicable land use policies within urban, rural and cemetery related policies (page 151-168).

The study also discusses a list of approaches for preparing cemetery policy, which are based on following principles:

- Accommodate the anticipated need for interments by York Region residents projected over a long term horizon, which is suggested to be 100 years rather than land use planning horizons of 20 – 25 years;
- Promote the interment and memorialization traditions of all residents;
- Promote the diversity of cemetery services and service providers;
- Situate cemeteries within reasonable distances from population centres (less than 30 minutes to an active cemetery);
- Site cemeteries to maximize their benefits and minimize any challenges to the community;
- Locate, size, organize and design cemeteries to meet multiple objectives;
- Acknowledge the existing and future long term presence of the cemeteries;
- Capitalize on the value of cemeteries as part of complete, sustainable communities;
- Optimize the environmental value of cemeteries, and
- Engage stakeholders and government in ongoing contributions to sustainable cemetery systems.

The report also recommends a multi-pronged strategy that includes:

- Implementing size and location criteria allowing expansion of cemeteries and new cemeteries into the Greenbelt while ensuring lower priority lands are considered prior to prime agricultural lands;
- Implement cemetery site development criteria;
- Have every local municipality draft a cemetery master plan;
- For cemetery expansion or new cemeteries larger than 5 acres, require the proponent to provide evidence of meaningful community engagement;
- Include municipal cemeteries in urban forest enhancement plans;
- Encourage non-profit, faith-based and commercial cemeteries to participate in urban tree cover initiatives;
- Leverage the ability of cemetery lands to retain moisture and recharge groundwater by encouraging site grading, retention ponds, swales and rain gardens on new and expanded cemetery plans;
- Incorporate cultural, health and environmental benefits of cemeteries in the update of York Region's service plans and strategies;
- Update Provincial ministries to challenges; and
- Update York Region's cemetery needs analysis every 10 years.

4.1.2.2 Policy Approaches to Planning for Cemeteries in Halton Region

The purpose of this report is to investigate possible policy approaches to address cemetery and cemetery-related uses in Halton's Regional Official Plan (ROP). The report provides a policy framework from which Halton Region can utilize in formulating meaningful cemetery policies. The report was prepared by Hilary Black, Jaime Dubyna

and Matt Rapke of the School of Environmental Design and Rural Development, (University of Guelph) in April 2016.

The report covers best planning practices, alternative cemetery practices (e.g. compatibility, ownership, alternative practices of interment), current land use policy and legislation, estimated demand and permitted use recommendations. The report also highlights various interment practices including; mausoleums, columbaria, scattering gardens, grave sharing and natural or green burials. The report offers recommendations for designating cemeteries as permitted uses within Halton's mutually exclusive land use designations, including:

- Regional Natural Heritage System;
- North Aldershot Policy Area;
- Agricultural Area;
- Hamlets;
- Urban Area;
- Mineral Resource Extraction Areas; and
- Regional Waterfront Park.

The report also covers key pieces of Provincial legislation and policy in Ontario that are relevant to cemetery planning, including:

- Provincial Policy Statement 2014 (PPS);
- Funeral, Burial and Cremation Services Act, 2002;
- Growth Plan for the Greater Golden Horseshoe, 2006;
- Greenbelt Plan, 2005; and
- Niagara Escarpment Plan, 2005.

Some of the plans noted above have been updated since the release of this report. Further, the Official Plans of similar upper-tier municipalities that have addressed cemeteries are also reviewed within the report, including York Region, Durham Region and Wellington County. With the latter, cemeteries were reported as being permitted on prime agricultural land if it is in conjunction with a place of worship.

4.2 EDGE PLANNING

4.2.1 Relevance to Halton

The purpose of edge planning is to reduce conflict between urban and agricultural areas. These conflicts are well documented. The basic concept of edge planning is to provide a buffer between the urban and agricultural areas. The nature and type of buffer depends on the nature of the agricultural operations that abut a future urban area. The buffer itself can consist of a number of elements including tree planting, trees



and a berm and a fence or other physical feature such as a wide road allowance that will provide an effective physical buffer between the two uses.

4.2.2 Documents Reviewed

The concept of edge planning has existed throughout Canada and the United States for many years but is just gaining interest in Ontario. The Province of British Columbia has considerable experience dealing with edge planning and edge planning policies, as does the State of California. Policies for edge planning have now been developed in the Region of Waterloo and the Region of Peel. OMAFRA's Guide to Implementation of the Agricultural System in Ontario also makes reference to edge planning but there is little detail in the Guide with respect to how and where the edge planning policies would apply.

4.2.3 Policy Considerations

Section 2.2.2.8 of the Growth Plan permits the expansion of settlement areas into prime agricultural areas. In recognition of possible impacts, Section 2.2.8.3 j) states the following:

"Where the need for a settlement area boundary expansion has been justified in accordance with policy 2.2.8.2, the feasibility of the proposed expansion will be determined and the most appropriate location for the proposed expansion will be identified based on the following: any adverse impacts on agricultural operations and on the agri-food network from expanding settlement areas would be avoided or, if avoidance is not possible, minimized and mitigated as determined through an agricultural impact assessment;"

Section 4.2.6.3 of the Growth Plan also states the following:

"Where agricultural uses and non-agricultural uses interface outside of settlement areas, land use compatibility will be achieved by avoiding or where avoidance is not possible, minimizing and mitigating adverse impacts on the Agricultural System. Where mitigation is required, measures should be incorporated as part of the non-agricultural uses, as appropriate, within the area being developed."

This section recognizes that there will be an interface between urban areas and agricultural uses. In this case, the policy requires that impacts on agricultural uses should be avoided and if this is not possible, minimized.

However, this policy further indicates that where mitigation is required, measures should be incorporated as part of the non-agricultural use within the area being developed. The implication of this policy is that certain lands within the urban area could be relied upon to provide a buffer between urban uses and non-agricultural uses. Given the other policies in the Growth Plan that establish minimum density targets for designated Greenfield areas, reserving urban land for buffer purposes may not be that feasible, or desirable.

4.2.4 Our Thoughts

One of the most significant policy issues that need to be determined is where that required buffer is created. If the buffer is required on the agricultural lands, it will potentially sterilize some of that land (particularly if a berm is established), although the planting of field crops and the grazing of livestock could still occur on the remaining lands. The development of additional livestock facilities close to the expanded urban area in the future would

not be likely in any event because of minimum distance separation requirements. The requirement for a berm would be less likely if a major road separated the agricultural use from the urban area.

If the buffer is required within the urban area then it must be considered in calculating the land area requirements necessary in accordance with the Provincial Policy Statement and the Growth Plan. There is no ability to discount the land area being used for a buffer from the land supply calculations that are carried out to ensure that minimum density requirements are met.

One of the other challenges with including the buffer within the urban boundary is that is very likely the buffer lands will be required in the future for another urban expansion, unless the urban boundary is fixed in time for some reason. If the urban area is likely to be expanded in the future, the temporary buffer could then be planned as parkland or for future urban land uses.

If it is determined that an urban buffer will be permanent, the planning for the area should:

- Ensure that roads do not cross the buffer unless absolutely necessary;
- Provide for increased lot depths and sizes along the buffer to provide gradual separation between the urban and rural uses; and,
- Encourage the development of berms with planting that will mature over time and provide for a more defined urban rural buffer.



The size of the buffer also depends on the long-term growth strategy for the municipality. If the buffer is intended to be permanent it may actually be narrower than a temporary (20 years or less) buffer. In British Columbia the Province established a 600 metre periphery at the 2031 (20 year) growth horizon, of which 300 metres was in the settlement area boundary and 300 metres outside the settlement area boundary. A buffer of this width provides opportunity for future land uses within that buffer should it migrate further out from the urban boundary in the future. A permanent boundary could be as little as 30 metres with proper vegetative buffers, berming and fencing.

It is recommended that buffers be a consideration when reviewing urban expansions as part of a municipal comprehensive review. However, the most effective buffer between urban and agricultural uses is a road and every effort should be made to establish logical urban boundaries at roads to minimize conflicts between land uses.

4.3 RURAL ENTERPRISE ZONES

4.3.1 Relevance to Halton

A rural enterprise zone is a geographic area that benefits from reduced taxes and/or other incentives to encourage job retention and creation. Although the word 'zone' is included in the term, these types of 'zones' are not the same as the zones in a zoning by-law passed in Ontario pursuant to the Planning Act. It is however, acknowledged that a municipality may call a zone as such, but it is only in name only, and it includes permitted uses and standards, much like any other zone.

Given that the Municipal Act does not permit municipalities to offer financial incentives to businesses (in the absence of a Community Improvement Plan as discussed below), it is only the Province that can offer incentives. In this regard, the Province has established a number of incentive programs and services in 2019 with the most relevant being the Rural Economic Development Fund (RED). According to the RED website, the RED program supports the government's plan to create jobs, grow the economy, and help people in their everyday lives by:

- Helping remove barriers to economic development for rural communities, Indigenous communities and organizations, and not-for-profit organizations;
- Helping rural communities identify their economic strengths and develop strategies to attract business and investment which will help to retain and create jobs; and,
- Helping rural communities and partners to be in a more competitive economic position so that they can diversify and grow their local economies - making economic growth more inclusive so that Ontario's growing economy delivers real benefits to rural Ontario.

Rural enterprise zones have been created throughout England by legislation passed by Parliament. Similarly, a number of States in the United States have created enterprise zones to provide State-sponsored incentives to generate employment and economic development. Not all enterprise zones are rural, although rural enterprise zones have been created in Oregon and Florida.

Most state-sponsored rural enterprise zones provide some form of property tax relief for business located or expanding within the zone. The relief comes from the sponsor; in the United States, typically it is the State. All sponsors establish criteria that must be met in order to qualify for the incentives. Typically, the criteria relate to the number of jobs created and/or annual salary of those jobs and/or the length of time doing business in the municipality or other jurisdiction. Incentives are also provided for building, building expansion, purchase of equipment, energy consumption and incremental property tax increases. In some cases, incentives include reduced business taxes. In England, the government has committed to providing high-speed broadband services and other infrastructure improvements in the enterprise zones.

4.3.2 Our Thoughts

The closest thing to a rural enterprise zone at the municipal level in Ontario would be a Community Improvement Plan Area ('CIPA') under Section 28 of the Planning Act. In this regard, Halton Region is a prescribed upper-tier municipality that may designate or part of the Region as a CIPA for the purpose of preparing and implementing a Community Improvement Plan ('CIP').

Such a CIP can deal with infrastructure within the Region's jurisdiction, land and buildings within any intensification area and affordable. The Region is also permitted to participate in a local municipality's CIP and make loans and grants to that local municipality in support of its plan.

The ROP currently recognizes agriculture as a primary activity in land use in the Region. In this regard Section 101 of the ROP indicates that the Region will develop and implement programs and plans to support and sustain agricultural health that may include the use of CIPs under the Planning Act to promote and support agriculture.

Given that the Planning Act limits what can be in a Regional CIP, it is only a local CIP that can have a direct impact on the goal of promoting agriculture. In this regard, there is one such local CIP in Halton Hills, with the last consolidation of the CIP dated August 2018. The Halton Hills CIP firstly identifies a number of tasks to be completed by the Town. These include the preparation of an Agri-Business Economic Development Strategy in cooperation with the Region and the Province and an agricultural government support program. In addition it is planned to create farm marketing materials and an agribusiness program and calls for the establishment of a local OMAFRA office in Halton Hills. In terms of financial assistance, the CIP includes provision for an agricultural feasibility study business plan grant program.

Eligible studies in this regard can deal with structural analysis, evaluation of existing and proposed mechanical/electrical and other building systems, concept plans, market analysis business plans and any other feasibility study as approved. The CIP also includes an agricultural building and facility improvement loan program as well as an agricultural buildings and facilities revitalization grant program. Given that it is the responsibility primarily of a lower-tier municipality to establish a CIP it is recommended that this continue to be the approach to community Improvement in Halton Region.